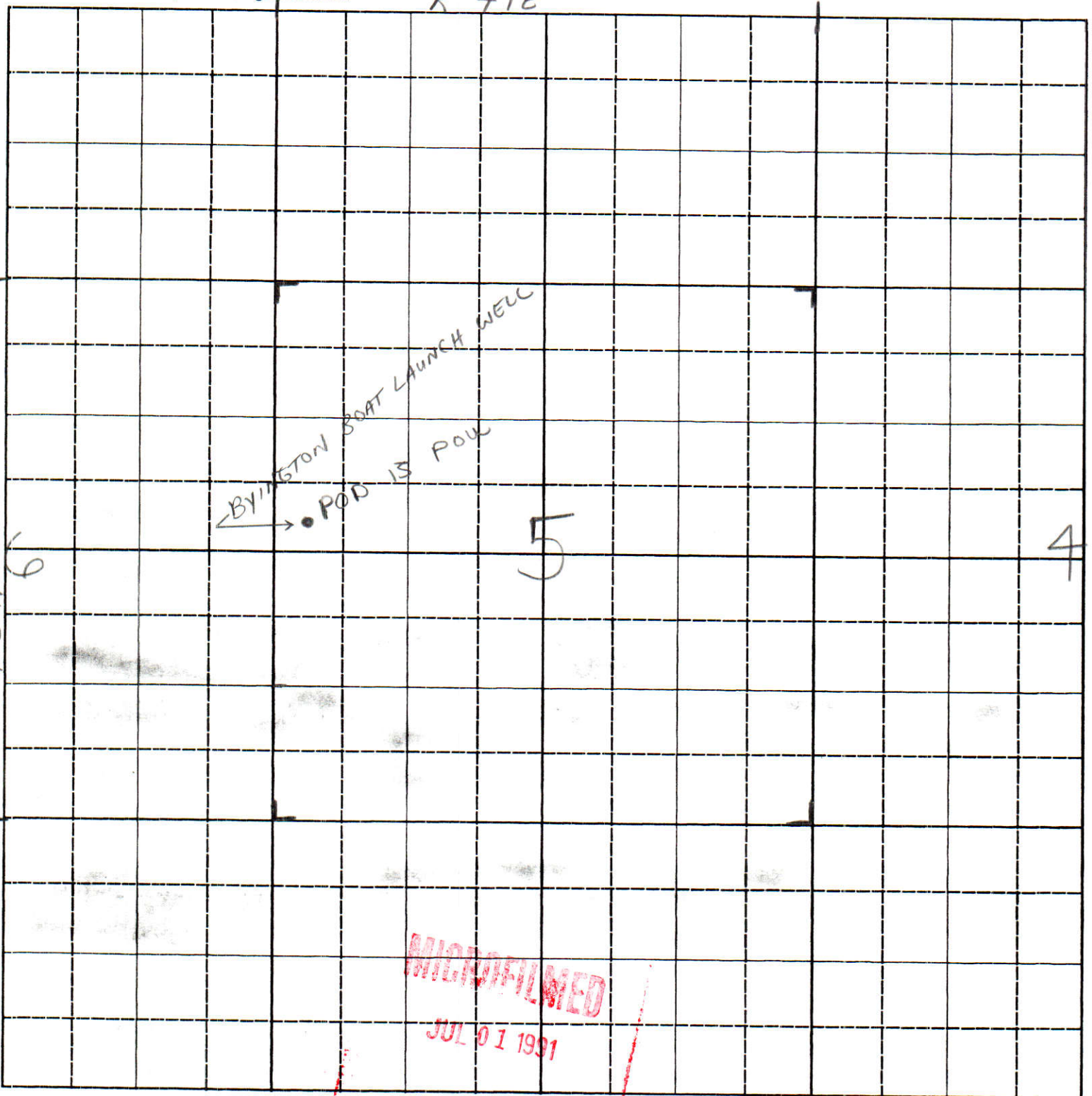


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



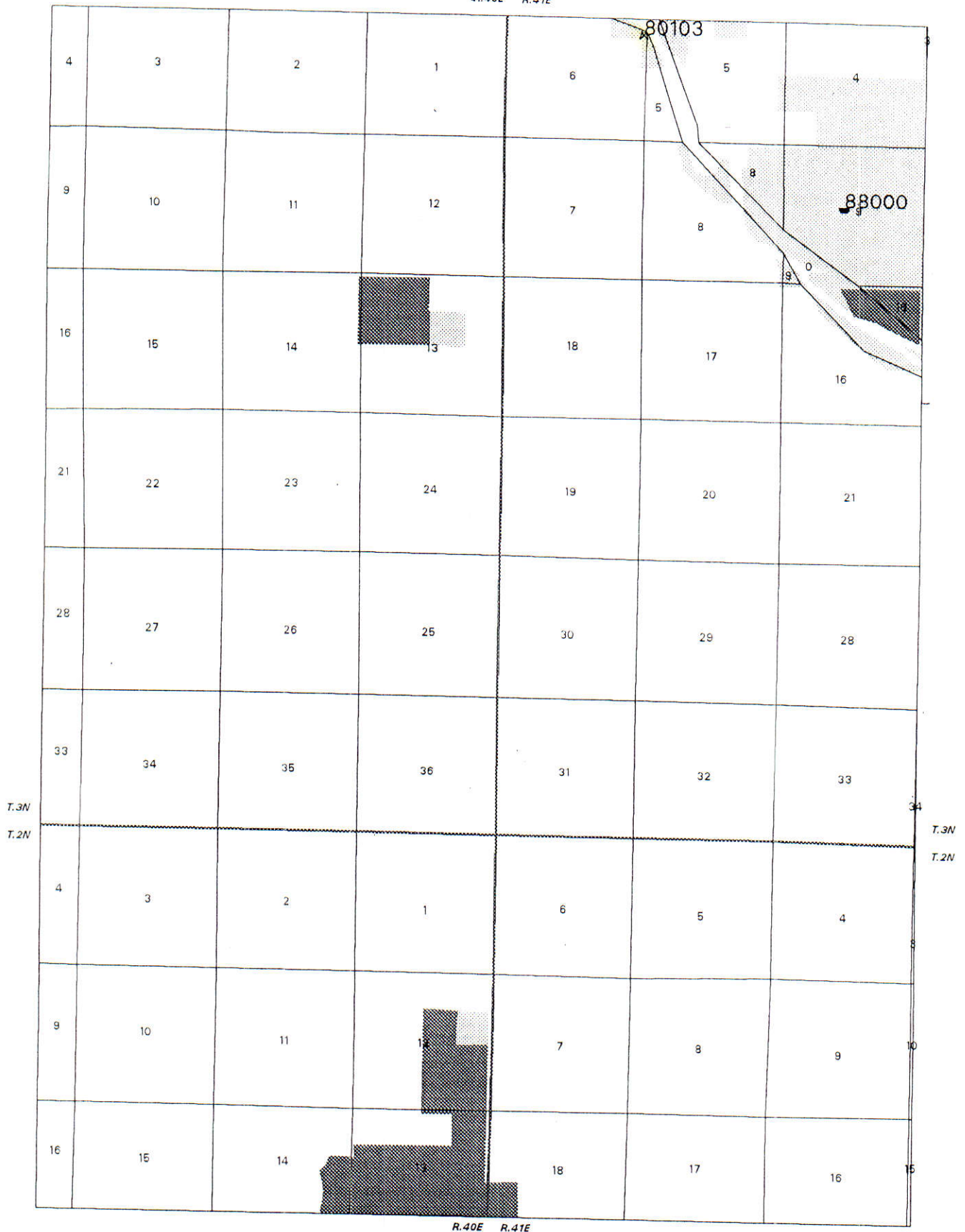
Scale: 2 inches equal 1 mile.

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

W. H. Ferguson
(Applicant)

Poplar

R.40E R.41E



Scale 1:62500

1 0 1 Mile

Legend

- Primary HWY
- Secondary HWY
- Improved Road
- Unimproved Road
- Jeep Trail
- Railroad
- Per. River/Stream
- Int. Stream
- Ditch
- Pipeline
- Spring
- Well
- Trough
- Pipeline
- Stream Intersect
- Perennial Lake
- Int. Lake
- Dry Lake
- Marsh/Swamp
- Private
- BLM
- USFS
- State
- NPS
- INEL

2303580103 111d39'54" 43d37'24"
2303588000 111d38'10" 43d36'21"

23-07149

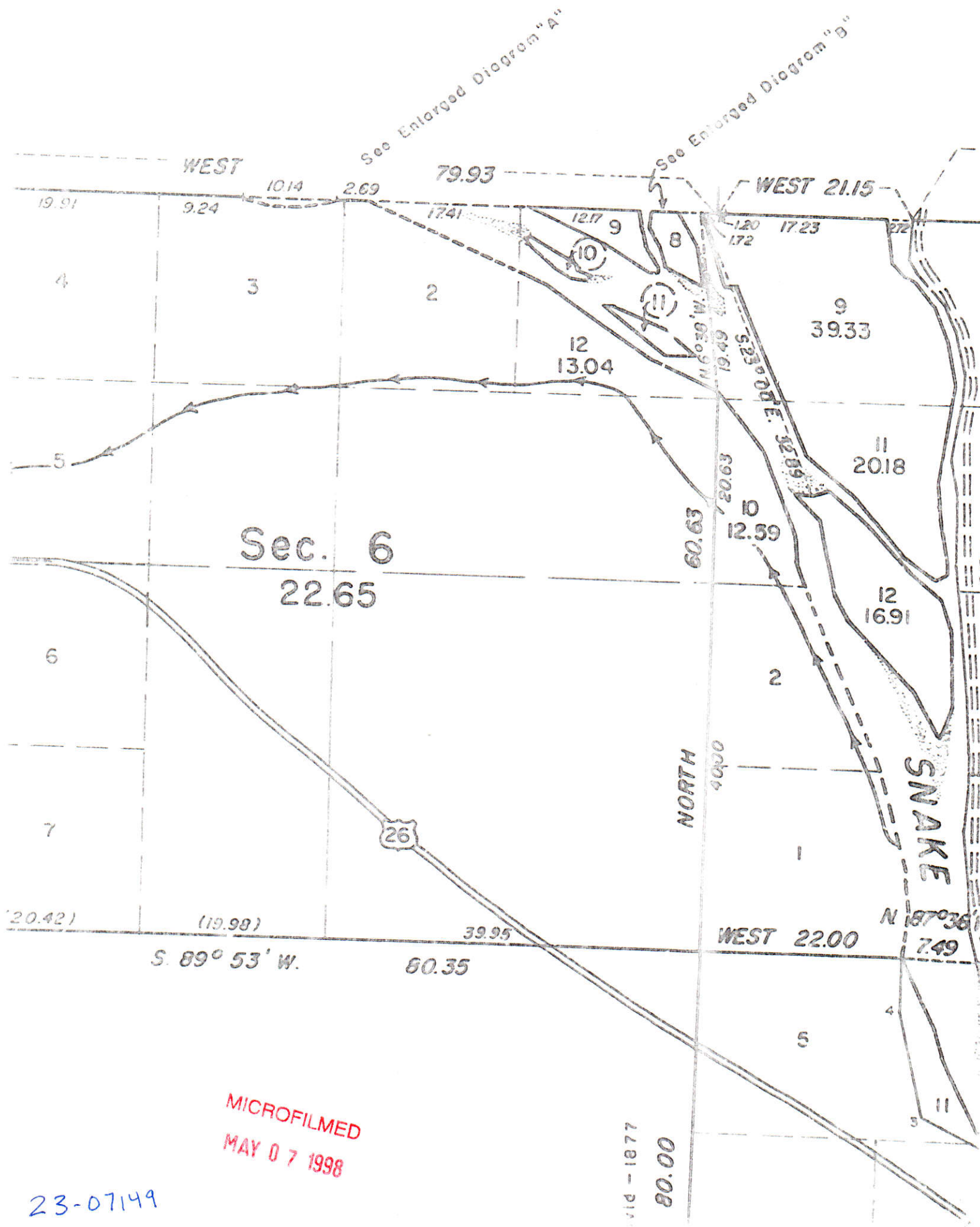
MICROFILMED
MAY 07 1998

DMT
11/20/97



PRODUCED BY THE BLM, IDAHO FALLS DISTRICT.
Projection Universal Transverse Mercator
Zone 12, 1927 North American datum.

No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of
this data for individual use or aggregate use with
other data.
Jennifer Boehmert 11/17/97



MICROFILMED
MAY 07 1998

23-07149

APR 15 1998

MICROFILMED

2. Measurements:

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

D. FLOW MEASUREMENTS

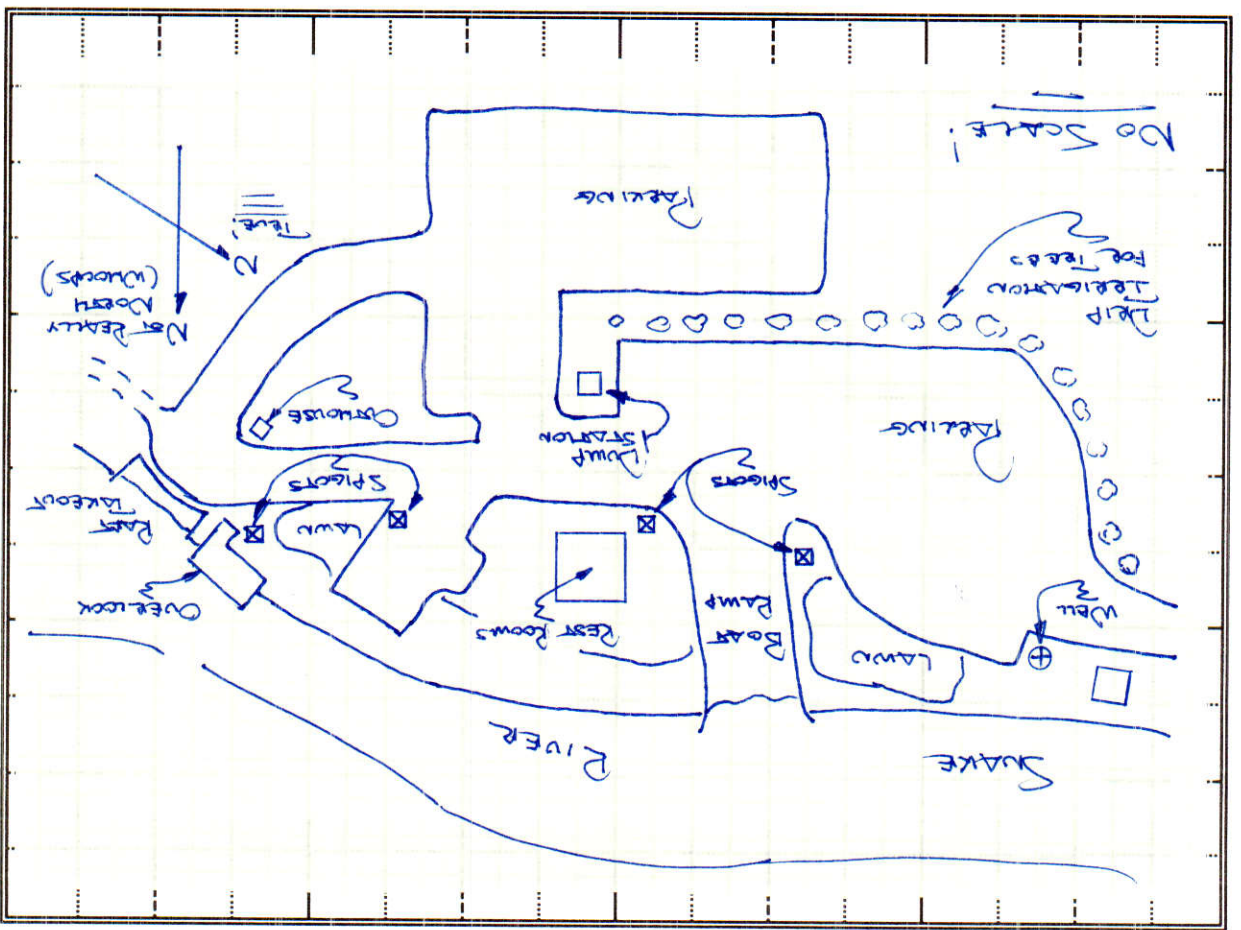
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Myers	3/4	57202/S172	Myers	

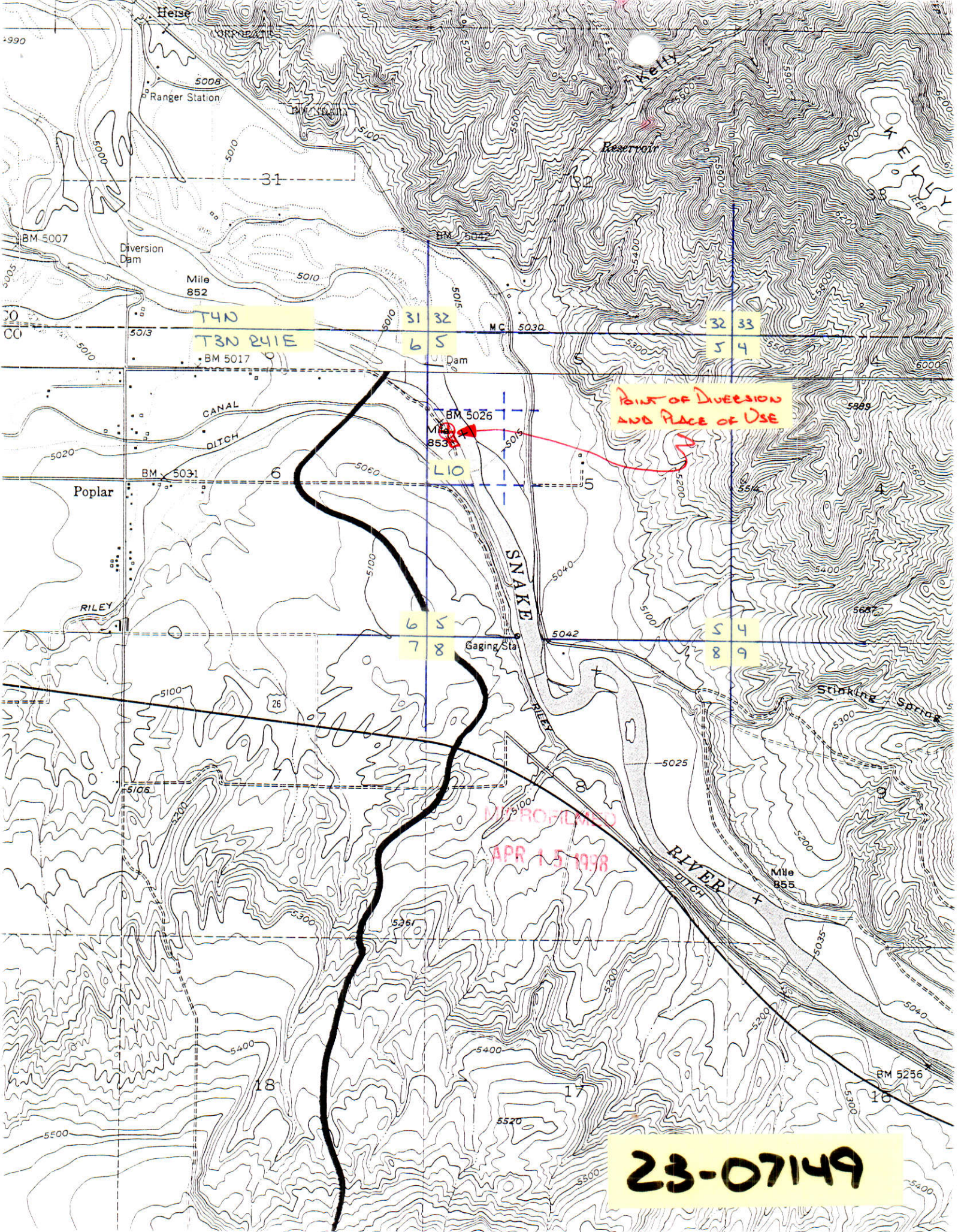
4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached of 10+ acres (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

Scale: 1" =



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Heise
Ranger Station
Diversion Dam
Mile 852
T4N
T3N 241E
BM 5007
BM 5017
CANAL
DITCH
Poplar
RILEY
Snake River
Gaging Sta
Mile 855
Stinking Spring
Mile 855
BM 5256

Point of Diversion
and Place of Use

PROPOSED
APR 15 1998

23-07149

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 23-07149

Priority: April 2, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.0 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

1405 HOLLIPARK DR

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 2, 1991; and has submitted Proof of Beneficial Use on April 24, 1992. An examination indicates that the works have a diversion capacity of 0.050 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	05/30 to 09/03	0.04 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 12(NENE), Sec. 6, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 41E 6 Lot 12(NENE)

CONDITIONS OF APPROVAL AND 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Domestic use is for the Byington Boat Dock Recreational Site.

MICROFILMED

MAY 07 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 23-07149

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 4th
day of MAY, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED
MAY 07 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-07149

APR 21 1998
AM Big Butte
AM Medicine Lodge
AM Pocatello
AM Idaho Falls

Date of Priority: April 2, 1991

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.0 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

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. 23-07149, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	05/30 to 09/03	0.04 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 12(NENE), Sec. 6, Township 03N, Range 41E
BONNEVILLE County

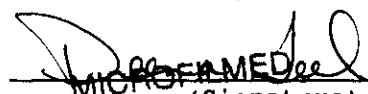
PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 41E 6 Lot 12(NENE)

Permit holder asserts 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 28th day of April, 1998.


(Signature)

MAY 07 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-07149

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$ 50 Received by HWT # E024080 Date 4-28-98

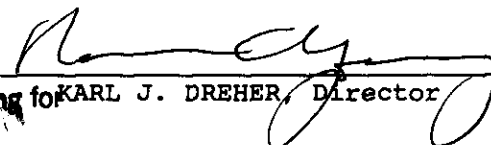
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 23-07149 with the following;

CONDITIONS OF APPROVAL AND 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Domestic use is for the Byington Boat Dock Recreational Site.

Witness my hand this 4TH day of MAY, 1998.


Acting for **KARL J. DREHER, Director**

MICROFILMED

MAY 07 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF WATER RIGHT)
LICENSE NO. 23-07149 IN THE)
NAME OF U. S. DEPT. OF INTERIOR)
BUREAU OF LAND MANAGEMENT)
_____)

**ORDER GRANTING PETITION
FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 9, 1998, the Department issued water right license 23-07149 (license) in the name of U.S. Dept. of Interior, Bureau of Land Management (right holder).
2. On April 20, 1998, the right holder filed a Petition for Reconsideration (petition) with the Department in connection with the license. The right holder assert that the point of diversion and place of use descriptions on the license are incorrect.

CONCLUSIONS OF LAW

1. Section 67-5243(3) , *Idaho Code*, provides in pertinent part as follows:

Unless otherwise provided by statute or rule, any party may file a motion for reconsideration of a recommended order or a preliminary order within fourteen (14) days of the issuance of that order. The presiding officer shall render a written order disposing of the petition.

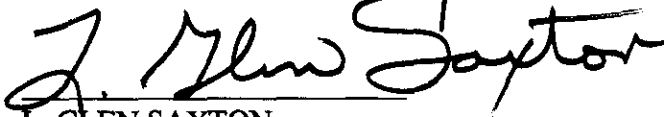
2. The Department should grant the petition for reconsideration of the order pursuant to Section 67-5243(3), *Idaho Code*, to give the Department an opportunity to investigate the assertions made by the right holder in the petition.

ORDER

IT IS HEREBY ORDERED that the petition is **GRANTED** pursuant to Section 67-5243(3), *Idaho Code*.

IT IS FURTHER HEREBY ORDERED that the license issued April 9, 1998, is **RESCINDED** and water right 23-07149 remains a valid permit.

Dated this 22nd day of April, 1998.

A handwritten signature in cursive script, reading "L. Glen Saxton". The signature is written in dark ink and is positioned above the printed name and title.

L. GLEN SAXTON

Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 23-07149

Priority: April 2, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.0 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

1405 HOLLIPARK DR

IDAHO FALLS ID 83401

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated April 2, 1991; and has submitted Proof of Beneficial Use on April 24, 1992. An examination indicates that the works have a diversion capacity of 0.050 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

DOMESTIC

05/30 to 09/03

0.04 CFS

1.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 10(SWNW), Sec. 5, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 41E 5 Lot 10(SWNW)

CONDITIONS OF APPROVAL AND 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Domestic use is for the Byington Boat Dock Recreational Site.

MICROFILMED

APR 15 1998

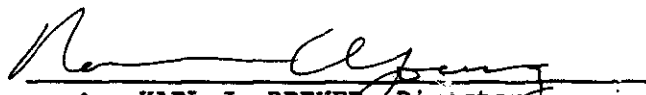
SUPERSEDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 23-07149

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 9TH
day of April, 1978.


Acting for KARL J. DREHER, Director

SUPERSEDED

MICROFILMED
APR 15 1982

RECEIVED
APR 24 1992

OFFICE USE ONLY
Amt. of Fee \$ NA
Date 4/24/92
Receipt No. NA
Receipt by _____

STATE OF IDAHO
Department of Water Resources DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 2307149 Telephone No. 208-524-7500
2. Name(s) of Permit Holder(s): U.S.D.I., Bureau of Land Management
3. Mailing Address: 940 Lincoln Road, Idaho Falls, Idaho 83401
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Hawley Brothers Date Drilled: 10/21/91

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):
BLM Recreation
Domestic Site (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

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

8. Fee Enclosed: \$ 0.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Karen Aslett 208-524-7533
Name Telephone No.
940 Lincoln Road, Idaho Falls, Idaho 83401
Address

10. 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.

4/20/92 [Signature] District Manager
Date Signature (and title, if on behalf of a company or organization)

RECEIVED
JUL 29 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07149

Proposed Priority: April 2, 1991 Maximum Diversion Rate: 0.05 CFS

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	05/30 to 09/03	0.05 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u> SWSWNW Sec. 5, Township 03N, Range 41E BONNEVILLE County		

PLACE OF USE: DOMESTIC
TWN RGE SEC

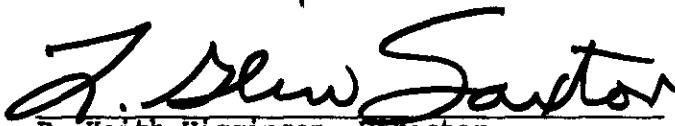
03N 41E 5 SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Point of diversion is located at the Byington Boat Launch.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

12th day of June, 1991.

for 
R. Keith Higginson, Director
MICROFILMED

JUL 01 1991

23[✓]7149

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Byington Well

Boat Launch

To appropriate the public waters of the State of Idaho

1. Name of applicant BUREAU OF LAND MANAGEMENT Phone 524-7529

Post office address 940 LINCOLN RD., IDAHO FALLS, IDAHO 83401

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 5 Township 3N Range 41E B.M. Bonneville County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

0.05 cfs 25 gpm for Domestic purposes from May 30 to Sept. 3 (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 is (a) 0.05 and/or (b) 1.2
cubic feet per second acre feet per annum

6. Proposed diverting works:

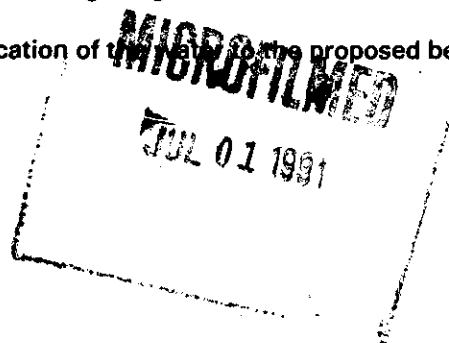
a. Description of ditches, flumes, pumps, headgates, etc. well & pump to outlets

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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



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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Noncommunity water system. Will serve at maximum 100 people in a 24-hour period. On average, will serve 10-20 people per 24-hour period during a 90-day period each year (May 30---Sept.3).

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	41E	5							D										25 gpm

Total number of acres to be irrigated _____

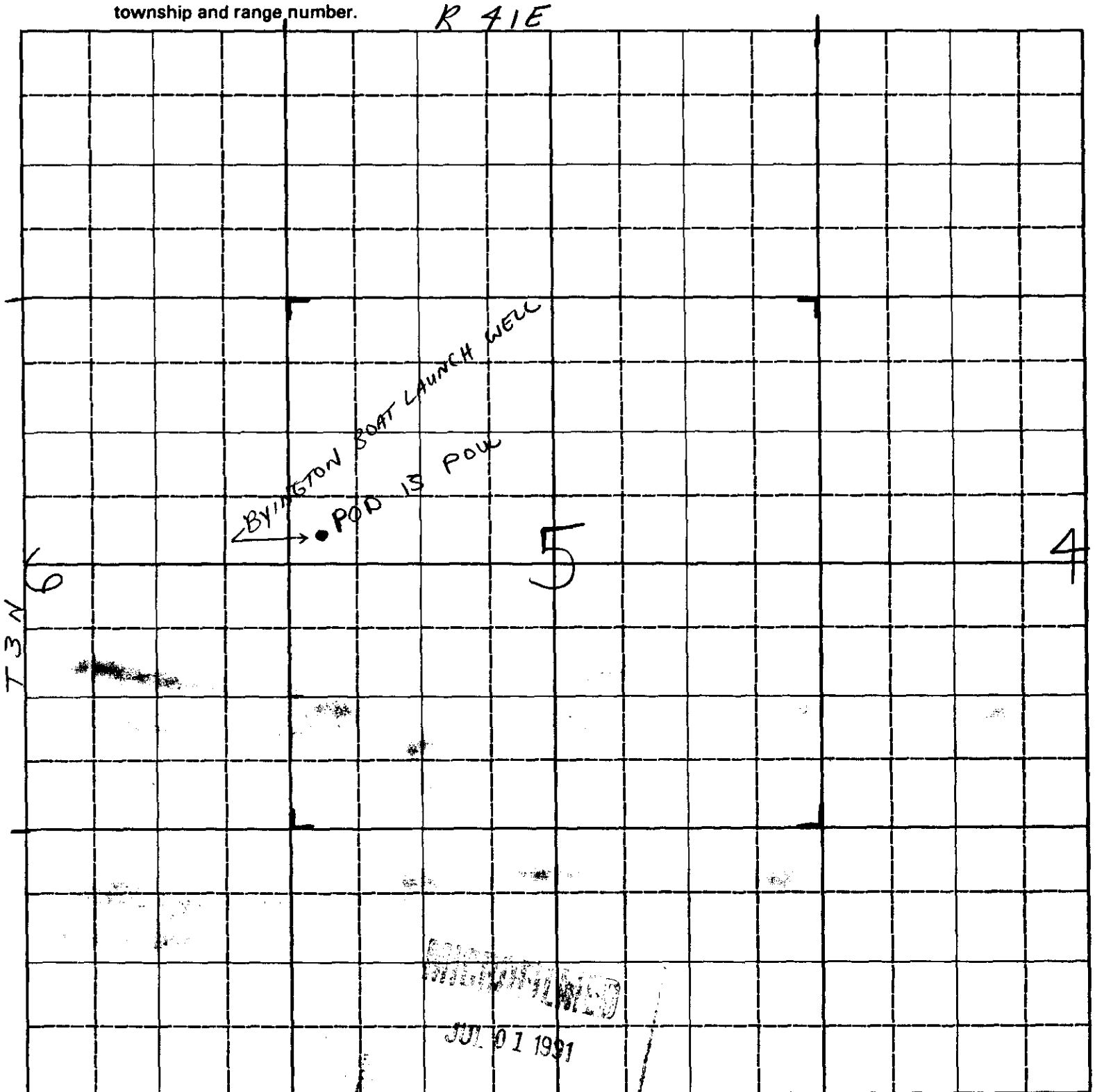
10. Describe any other water rights used for the same purposes as described above. Kelly Island Campground Well.

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

12. Remarks: _____

RECORDED
JUL 01 1991

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by HWT Date 4-91 Time 1:33pm Preliminary check by _____
Fee \$ 30.00 Received by HWT # E015892 Date 4-2-91
Publication prepared by LB Date 5-2-91 Published in Post-Register
Publication approved LB Date 5-21-91

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. _____, and said application is hereby _____.

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 _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECEIVED

JUL 01 1991

RECEIVED

MAY 16 1991

Department of Water Resources
Eastern District Office

MICROFILMED

JUL 01 1991

23-07149
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 5 T 03N R 41E
Use: DOMESTIC (.050 CFS)
Total Diversion: (.050 CFS)
Date Filed: 4/2/1991
In: T03N R41E S05 SWNW
23-07150
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 5 T 03N R 41E
Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 4/2/1991
In: T03N R41E S05 NWNW
25-07589
WILLOW CREEK RESORT C/O GARRY
TOLBERT
12055 N. 45 E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NESW Sec 5 T 02N R 38E
Use: COMMERCIAL (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 4/3/1991
In: T02N R38E S05 NESW
25-07590
WILLOW CREEK RESORT C/O GARRY
TOLBERT
12055 N. 45 E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SESW Sec 5 T 02N R 38E
Use: IRRIGATION (.620 CFS)
Total Diversion: (.620 CFS)
Date Filed: 4/3/1991
In: T02N R38E S05 NESW SESW NWSE
SWSE
31.0 ACRES TOTAL
25-07592
FOSTER LAND & CATTLE CO.
P.O. BOX 308
RIGBY, ID 83442
Source: WILLOW CREEK
Tributary: SNAKE RIVER
Diversion Pt: SWSE Sec 16 T 03N R 40E
SESE Sec 16 T 03N R 40E, REDIVER-
SION FROM WILLOWCREEK
Use: IRRIGATION (7.900 CFS)
Total Diversion: (7.900 CFS)
Date Filed: 4/23/1991
In: T03N R40E S21 NWNE NESW
NWSW SWSW
S22 NWSW SWSW
S27 SWNW NWSW SWSW
S28 SWNE SENE NESE NWSE SWSE
SESE
564.0 ACRES TOTAL
29-08061
ALLEN, BYRON K.
1361 E. DIXON RD.
MCCAMMON, ID 83250
Source: UNNAMED SPRING
Tributary: SINKS
Diversion Pt: SWNESE Sec 21 T 10S R 35E
Use: IRRIGATION (.500 CFS)
IRRIGATION STORAGE (1.50 AF)
IRRIGATION FROM STORAGE (1.50 AF)
Total Diversion: (.500 CFS)
Date Filed: 4/20/1990
In: T10S R35E S21 NESE
S22 NWSW
25.0 ACRES TOTAL
29-08062
ALLEN, BYRON K.
1361 E. DIXON RD.
MCCAMMON, ID 83250
Source: DEADWOOD CREEK
Tributary: YELLOWDOG CREEK
Diversion Pt: NWNWNW Sec 27 T 10S R 35E
Use: IRRIGATION (.200 CFS)
IRRIGATION STORAGE (1.50 AF)
IRRIGATION FROM STORAGE (1.50 AF)
Total Diversion: (.200 CFS)
Date Filed: 4/20/1990
In: T10S R35E S27 NENW NWNW
12.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 20, 1991.
R. Keith Higginson, Director
Published: May 2, 9, 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 23-07149

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

MAY 07 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

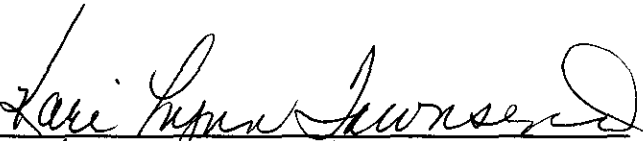
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 23-07149

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 9 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

U S DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

ATTN: Deena Teel

RE: Water Right No. 23-07149

Dear Ms. Teel:

I have enclosed a copy of the order granting your petition for reconsideration of license 23-07149. Your permit authorized the diversion and use of water within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Govt. Lot 10), Section 5, Township 3 North, Range 41 East. Therefore, before the license can be re-issued with the correct point of diversion and place of use descriptions, your permit must be amended.

I have also enclosed an Application for Amendment form that contains the information that will be included on your license when it is issued. The amendment form includes the change in the location of the point of diversion and place of use descriptions. The last page of the Application for Amendment form contains a list of CONDITIONS and REMARKS proposed for the license when it is issued. These conditions and remarks may be modified upon further administrative review. Please review the amendment form carefully. If you concur with the information presented, sign the form and return it with the \$50.00 filing fee within thirty days.

If you have any questions, please contact me at (208) 327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

enclosures

MICROFILMED

MAY 07 1998



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River Districts
Idaho Falls District Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

RECEIVED

APR 20 1998

Department of Water Resources

In Reply Refer To:
7250

April 15, 1998

Mr. Shelley Walter Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: 23-07149 - Petition for Reconsideration

Dear Mr. Keen,

On 4/13/98, the Bureau of Land Management (BLM) received a license from your office for 23-07149, the source of which is a domestic well known as Byington Well. The permit for the well was submitted in the Snake River Basin Adjudication (SRBA) in 1992. During a 5/27/97 field investigation conducted by BLM personnel, Global Positioning System (GPS) data was collected at the well. This data indicates that the legal location claimed on the permit is in error. As a result, the SRBA claim was amended to reflect the correct legal location. However, the license we just received still lists the erroneous legal description.

On 4/14/98, I spoke to Paul Meyer about the issue and provided him with a map (attached) of the GPS data. He agreed that the location should be corrected to reflect the GPS map. Therefore, BLM is requesting that the legal location on the license be amended as follows:

Point of Diversion = T.3N, R.41E, S.6 SENENE

Place of Use = T.3N, R.41E, S.6 NENE

You may reach me at (208) 524-7533 if additional information is required. Thank you for your consideration.

Sincerely,

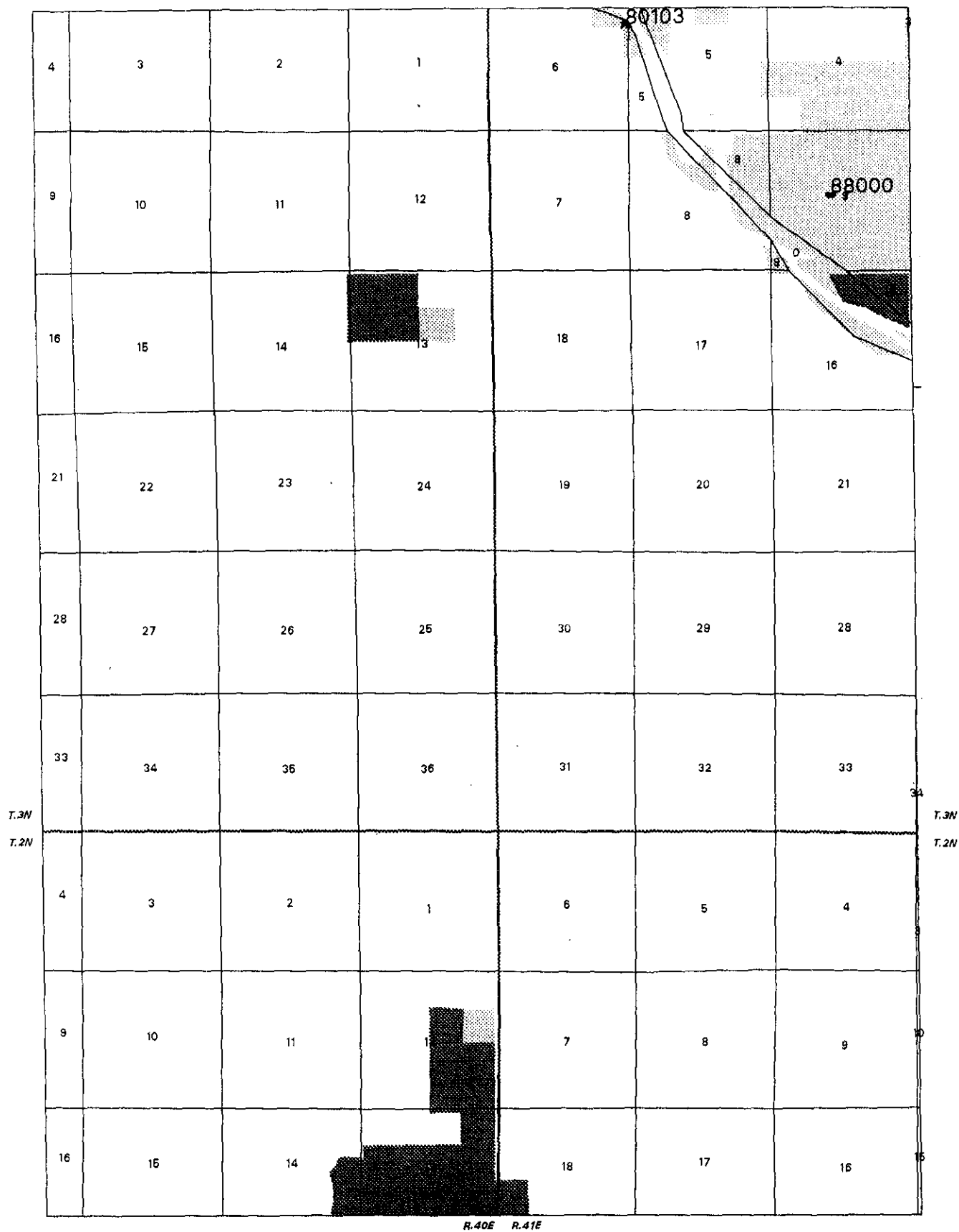
Deena Teel
Ecologist

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MAY 07 1998

Poplar

R.40E R.41E



Scale 1:62500

1 0 1 Mile

Legend

- Primary HWY
- Secondary HWY
- Improved Road
- Unimproved Road
- Jeep Trail
- Railroad
- Per. River/Stream
- Int. Stream
- Ditch
- Pipeline
- Spring
- Well
- Trough
- Pipeline
- Stream Intersect
- Perennial Lake
- Int. Lake
- Dry Lake
- Marsh/Swamp
- Private
- BLM
- USFS
- State
- NPS
- INEL

2303580103 111d39'54" 43d37'24"
 2303588000 111d38'10" 43d36'21"
 23-07149

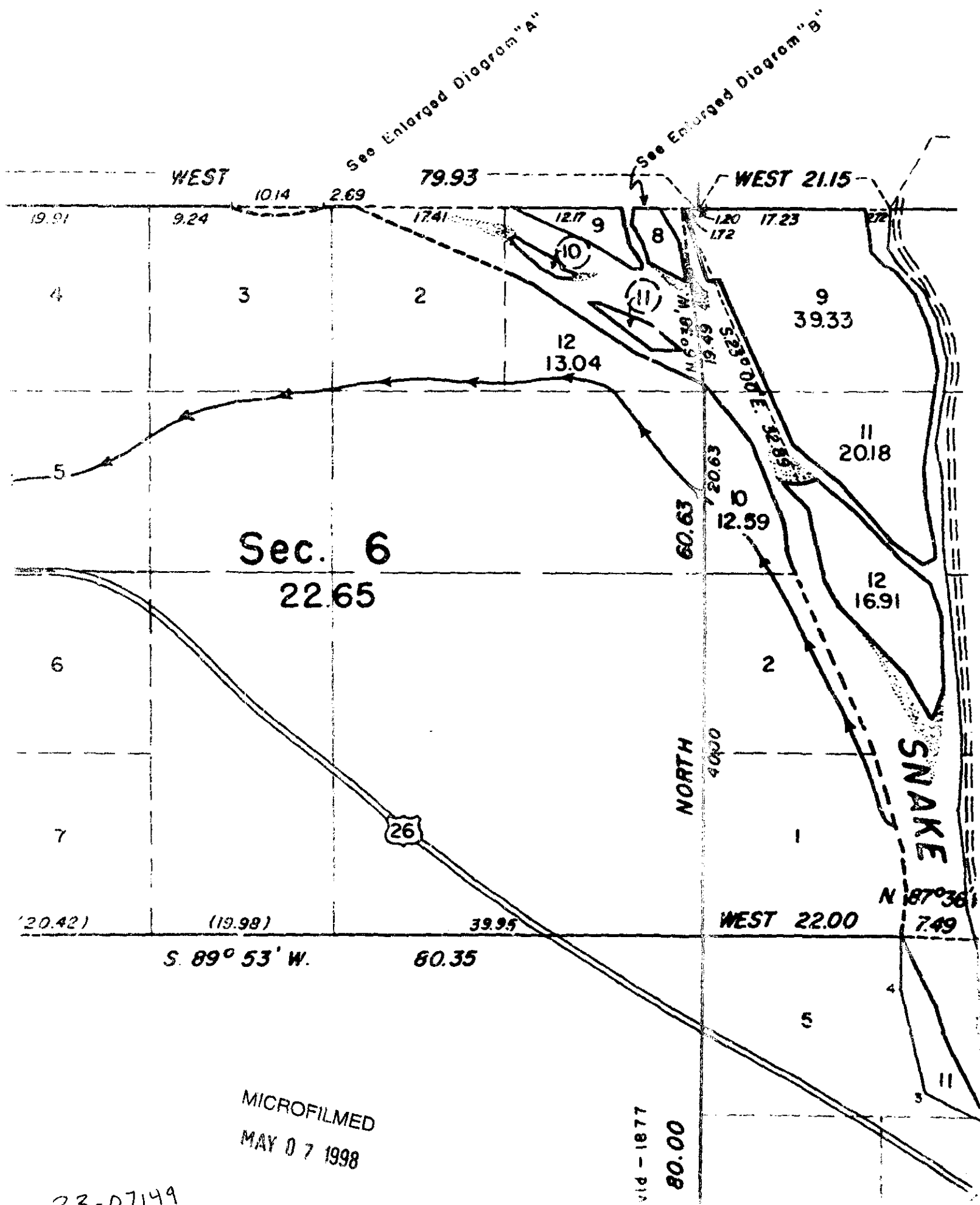
MICROFILMED
 MAY 07 1998

DMT
 11/20/97



PRODUCED BY THE BLM, IDAHO FALLS DISTRICT.
 Projection Universal Transverse Mercator
 Zone 12, 1927 North American datum.

No warranty is made by the Bureau of Land Management
 as to the accuracy, reliability, or completeness of
 this data for individual use or aggregate use with
 other data.
 Jennifer Boshert 11/17/97





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 10, 1998

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Water Rights 23-07149/35-08639

Dear Water Right Holder:

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.

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MICROFILMED
APR 15 1998

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For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 23-07149/35-08639

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**


Kari Lynn Townsend
Secretary

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 23-07149 Name: BLM Date: 4/3/98 ✓ Lots ✓

NAME	☒ Chng	☐ Same	Or Address Change? <u>1405 Hollipark Dr. 524-7500</u>
SOURCE	☐	☒	Clarify source _____ Prelim. Order to Void - Source change.
P/D	☐	☒	Amendment Needed? Add ^{lot 10} ~~lot 10~~ Legal <u>SWSWNW</u> P39 Same 1/4? <u>W32</u> P36 Overlap(s) <u>none</u>
P/U	☐	☒	Amendment Needed? <u>add g. lot 10</u> P41 Overlap(s) <u>none</u> (Gov't use special T's) *P/D & P/U Amend? P37
RATE	☐	☒	Permit/proof fee limits <u>0.05</u> / <u>0.04</u> Measured Quantity = <u>NA</u> cfs Theoretical Quantity = <u>0.04</u> cfs <u>Limited by permit fee B/U fee</u> (HP) $\frac{8.8 \times 0.70 \times 15}{2.0 + (2.31 \times 35)} = 0.05$ cfs Recommended capacity <u>0.05</u> cfs Recommended rate <u>0.04</u> cfs
VOLUME	☐	☒	Season: (<u> </u> / <u> </u>) <u>5/1-10/1</u> = <u> </u> days Calculations: <u>Limited seasonal ~ 1.0 OK.</u> Flow limit: cfs x <u> </u> days/yr. x 1.9835 = <u> </u> AF Recommended volume <u>1.0</u> AF
USES	☐	☒	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS	☐	☒	Multiple p/d's in same 1/4? Use W32 <u>DW 59/100 Bryington Boat Dock Fee Site</u>
CONDITIONS	☒	☐	Measuring Device (R43) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplements surface water (065) _____ Water Quality _____ Other <u>048 049</u>
PRIORITY	App Rcd <u>4/2/91</u>	Due <u>6/1/92</u>	Rcd <u>4/24/92</u> Receipt# <u>None</u> Fee OK? <u>Yes</u> No <u> </u> Order to Reinstate Needed? <u>Yes</u> No <u> </u> Done? <u> </u> Advanced to: _____ Priority <u>4/2/91</u> Examined <u>3/26/98</u>

COMMENTS: Limited by no B/u fee paid

USE	CFS	VOLUME
<u>Dom</u>	<u>0.04</u>	<u>1.0</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
TOTAL	<u>0.04</u>	<u>1.0</u>

SRBA Overlap none
Adjustment Memo _____
LICENSE
#1 AMEND: _____/P38
#2 AMEND: (R)P42/(C)P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 02 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 23-07149

1. UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DRIVE, IDAHO FALLS, ID 83401

PHONE: (208) 524-7500

2. Accompanied by: DEEVA TEAL (IN OFFICE)

EXAM DATE: 3-26-98

(ONSITE EXAM)

Address: _____ Phone No. _____

Relationship to Permit Holder: ECOLOGIST / WATER RIGHTS ANALYST

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	10		SW	NW	5	3N	41E	Bonneville	NAPP, USGS, ONSITE

2. Place(s) of Use:

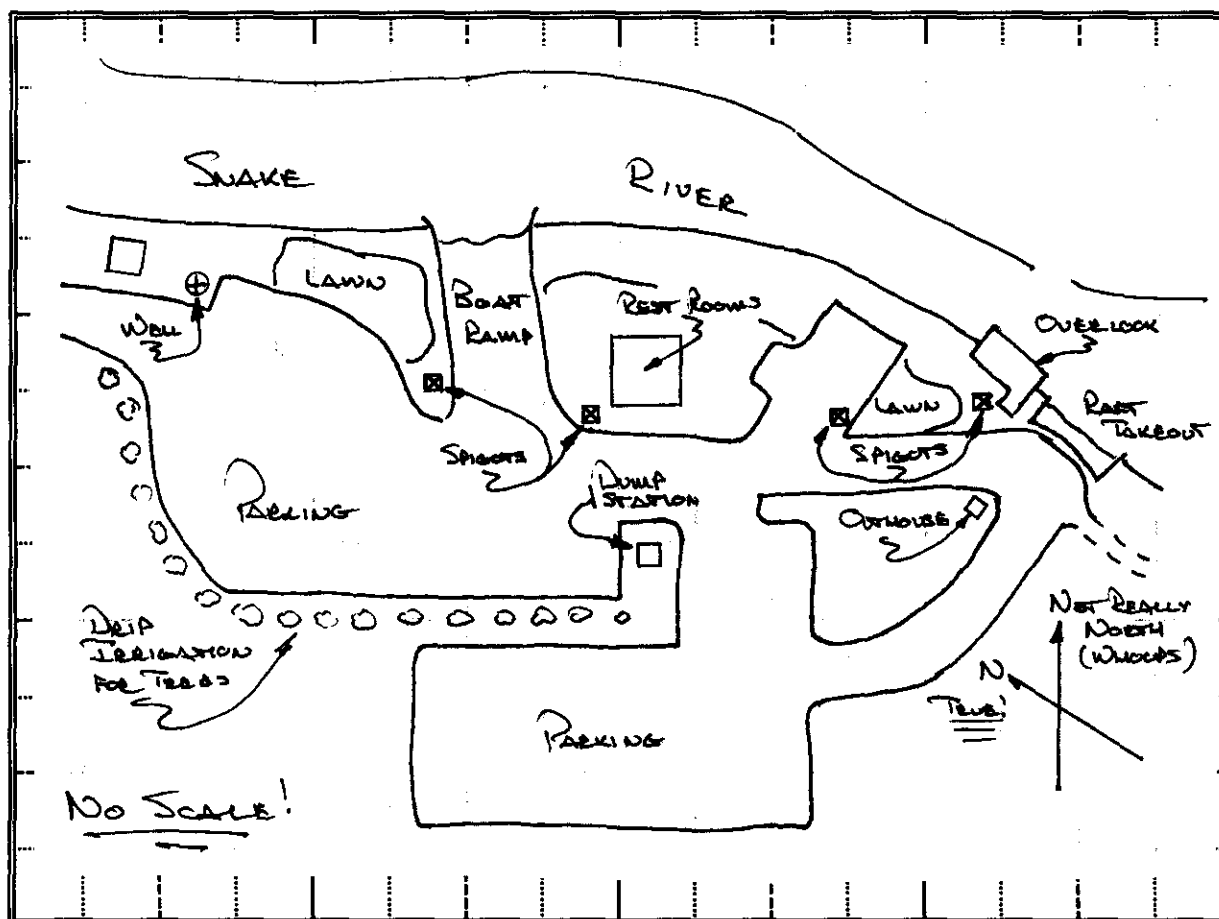
Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30	41E	5							D										
									L10										

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APR 15 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	MYERS	3/4	J720P/SJ72	MYERS	—

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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APR 15 1978

E. NARRATIVE/REMARKS/COMMENTS

Well with submersible pump to supply domestic water for
Byington Boat Dock Recreational Site. Use is from May
until a few weeks after Labor Day.

Use is mainly day use only. "Campground Host" site is
for extended daily use by host. Includes $\frac{1}{2}$ acre lawn
area with sprinkler system. Host is on site from May
until September. *Note clarification of period of use!

Day use water provided by 3 spigots. Restrooms are
dry toilets

Estimate Campground Host use to be similar to small
single family domestic use along with $\frac{1}{2}$ acre irrigation

Estimated day use is up to 200 people per day at approx
5 gallon/day each.

$$Q_{\text{THEORETICAL}} = \frac{\frac{3}{4} \text{ HP} (8.814) \cdot 7 \text{ EFF}}{20' \text{ LIFT} + (2.308 \times 35 \text{ PSI})} = \underline{\underline{0.05 \text{ CFS}}}$$

ASSUME: 20' LIFT (12' STATIC H₂O FROM LOG + 8' DRAWDOWN)

35 PSI OPERATING PRESSURE

70% EFFICIENCY

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

MICROCLIMATE
APR 15 1988

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SEE REMARKS FOR THEORETICAL

Q LIMITED BY PERMIT TO 0.04 cfs**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:

CAMP GROUND MOST USE SIMILAR TO SMALL DOMESTIC:

 $1.2 \text{ AFA} \times 153 \text{ DAYS} / 365 = 0.50 \text{ AFA}$

TOTAL:

 $0.50 + 0.50 \text{ AFA}$
 $= 1.0 \text{ AFA}$

200 USERS @ 5 GPD = 1000 GPD w/ ESTIMATED MAX OF 153 DAYS

 $= 1000 \times 153 = 153,000 \text{ GPD} / 325,850 = 0.47 \text{ AFA}$ $= \sim 0.50 \text{ AFA}$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
DOMESTIC	5-1	10-1	0.04	1.0
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			0.04	1.0

2. Recommended Amendments

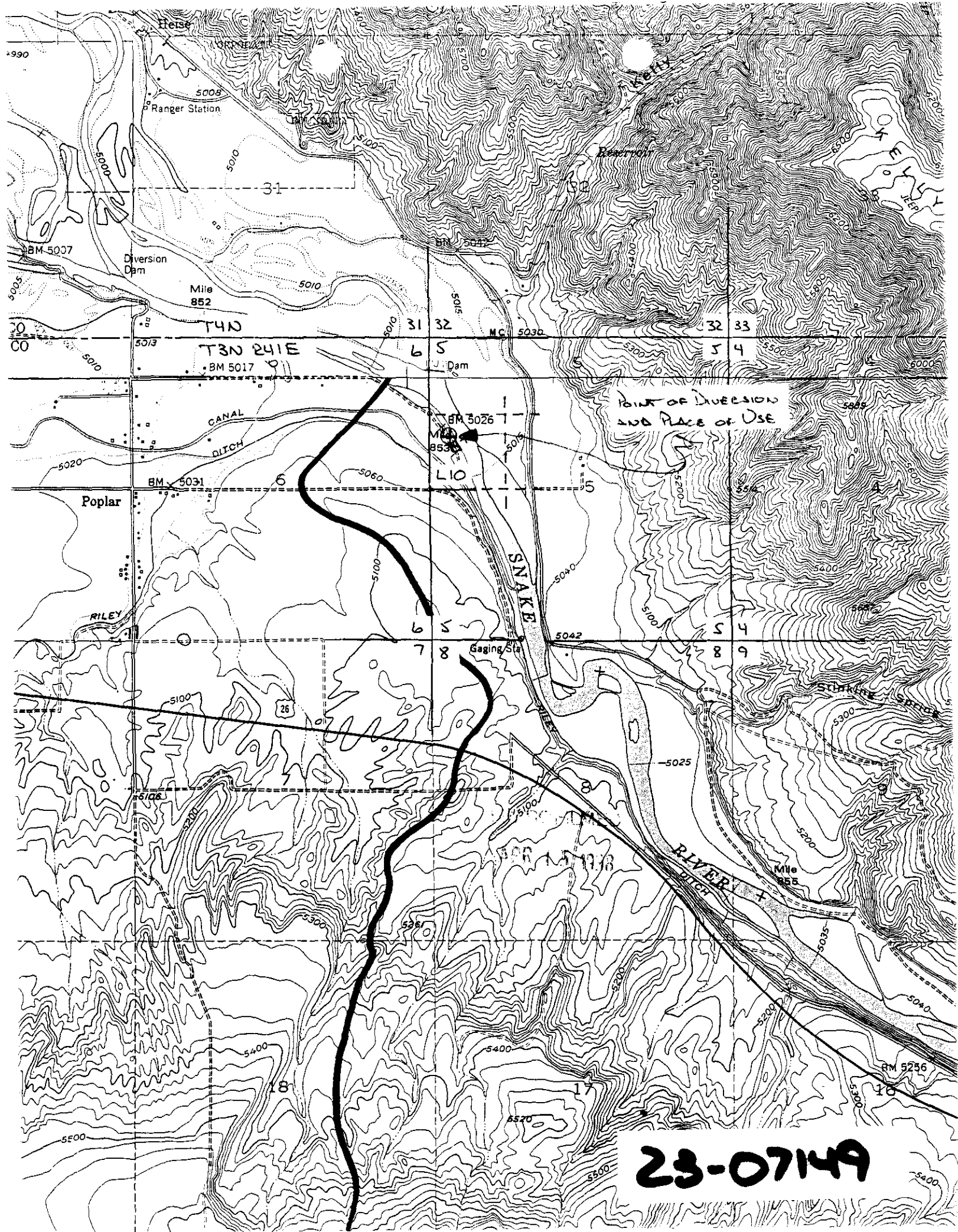
____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name [Signature] Date 3-30-98

Reviewer _____ Date _____

SEAL
MICROFILMED

APR 15 1998

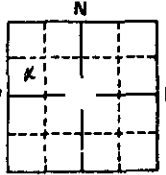


23-07149

WELL DRILLER'S REPORT

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.

JUL 10 1991

1. WELL OWNER Name <u>BUREAU OF LAND MANAGEMENT</u> Address <u>946 LINCOLN RD IDAHO FALLS</u> Drilling Permit No. <u>23-91-E-008</u> Water Right Permit No. <u>23-7149</u>		7. WATER LEVEL Static water level <u>12</u> 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 _____ Describe artesian or temperature zones below.																																																																																																																																																																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____																																																																																																																																																																																																					
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		<table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td>100+</td><td>30.5'</td><td>2</td></tr><tr><td>120</td><td>150'</td><td>1</td></tr><tr><td>6</td><td>40'</td><td>1</td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	100+	30.5'	2	120	150'	1	6	40'	1																																																																																																																																																																																								
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23-07149

July 24, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 23-07149

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
JUL 29 1992

TO: BOISE

JUL-23-'92 THU 13:05

D: IDWR EASTERN REGION TEL NO: (208) 525-7177

#953 P01

Drilling Permit No. 23-91-E-23
Water Right Permit No. _____
Injection Permit No. _____

Post-It™ brand fax transmittal memo 7871		# of pages <u>2</u>
To <u>Karen G.</u>	From <u>Julie K.</u>	
Cc _____	cc _____	
Dept. _____	Phone # _____	
Fax # _____	Fax # _____	

of Idaho
Water Resources

R DRILLING PERMIT

RECEIVED

JUL 15 1992

Department of Water Resources
Eastern District Office

1. Applicant (please print) BLM
2. Mailing Address 940 Lincoln Rd
City & State Tether Falls Idaho Zip Code 83404 Telephone 524 7500
☒ Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 NW 1/4, or Gov't Lot No. _____
Sec. 5, Twp. 3 N, Rge. 41 E, County Booneville
Street Address of Well Site Bington Boat Dock's
Lot, block and subdivision _____

4. Proposed use of well:

- ☒ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

() Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

() Other _____

(Describe)

5. Well construction information:

A. ☒ New well () Deepen () Enlarge () Replace - See Condition 9

B. Proposed Surface Diameter 6 inch Proposed Maximum Depth 100 FT

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

MICROFILMED

JUL 29 1992

6. Construction Start Date Aug 1 92

7. Anticipated Well Driller Hawley Brothers Drilling

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Don C. Hawley for BLM Date Aug 1 92

Title V.P. Hawley Brothers Drilling
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is ApprovedDate 7-20-92

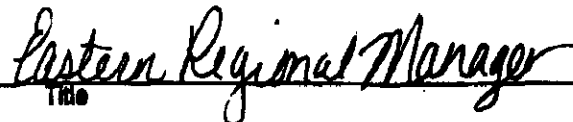
If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Signature of Authorized Department Representative



Title

Receipt No. 8017417 Received by [initials] Fee 35.00 Date 7-20-92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

MICROFILMED
JUL 29 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState 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 Name <u>BLM</u> Address <u>940 Lincoln Rd Idaho Falls</u> Owner's Permit No. <u>23-91-E 23</u>		7. WATER LEVEL Static water level <u>21</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow <u>NA</u> Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>55</u> °F. Quality <u>Fair</u> Describe artesian or temperature zones below.																																			
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>75 G.P.M.</u></td><td><u>55 FT</u></td><td><u>1 Hour</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>75 G.P.M.</u>	<u>55 FT</u>	<u>1 Hour</u>																												
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W		E																																			
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>Ansley Brothers</u> Firm No. <u>461</u> Address <u>675 S. Shelling</u> Date _____ Signed by (Firm Official) <u>Don C. Ansley</u> and (Operator) <u>T. D.</u>																																					

INTER-DEPARTMENT MEMO

TO: Julie
FROM: Karen

SUBJECT: Well Logs
DATE: 7/21/92

Julie - I am in need of these two drilling permits
well logs. I have received the proofs of Beneficial
use. But cannot acknowledge until I have copies
of the logs in the file. Please locate & forward to my
attention ASAP! (need copy of permit, not log)
USDT-BLM-23-91-E-023 - (WR# 23-07149) - Hawley Brothers
Ralph Breeding 35-92-E-007 (WR# 35-08832) - Vollmer

- () For your information
() Response required

Thanks, Karen
signature

RECEIVED
MED

JUL 29 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 28, 1992

L.H. Ferguson
U.S. Department of Interior
Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Re: Permit No. 23-07149

Dear Permit Holder:

The department reviewed the proof of beneficial use which you submitted in connection with the above referenced permit. A review of the file shows that your driller applied for a verbal drilling permit. However, he did not ever pay for, or submit, the final drilling permit. Since the drilling permit is a separate requirement from the water right permit, we cannot process your proof of beneficial use until it is received. We have been in contact with your driller, Hawley Brothers, several times, but to no avail.

Technically, it is the responsibility of the water right holder to obtain the permit prior to the drilling of the well. Therefore, since we have been unable to obtain the necessary fee and paperwork from your driller, we are notifying you that it must be completed. Please contact Julie at our Eastern Regional Office at 208-525-7161 for further instructions.

In order to protect your water right, you should provide the appropriate information within 20 days of the date of this mailing.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

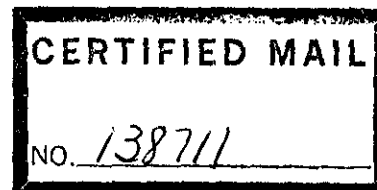
Karen L. Gustafson
Secretary/Records Manager

CC: Hawley Brothers
IDWR - Eastern Regional Office

JUL 29 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

March 31, 1992



RE: PERMIT NO. 23-07149 PROOF DUE NOTICE

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 June 1, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

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JUL 29 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 17, 1991

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 23-07149

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

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JUL 01 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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JUL 01 1991

25-Apr-1991

BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application No. 23-7150, 23-7149

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Post-Register on May 2 & 9, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MAIL ROOM

JUL 01 1991

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

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 23, 1991

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 20, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

JUL 01 1991

23-07149

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SWSWNW Sec 5 T 03N R 41E

Use: DOMESTIC (.050 CFS)
Total Diversion: (.050 CFS)

Date Filed: 4/ 2/ 1991

In: T03N R41E S05 SWNW

APR 01 1991

23-07150

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NWNW Sec 5 T 03N R 41E

Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 4/ 2/ 1991

In: T03N R41E S05 NWNW

JUL 01 1991