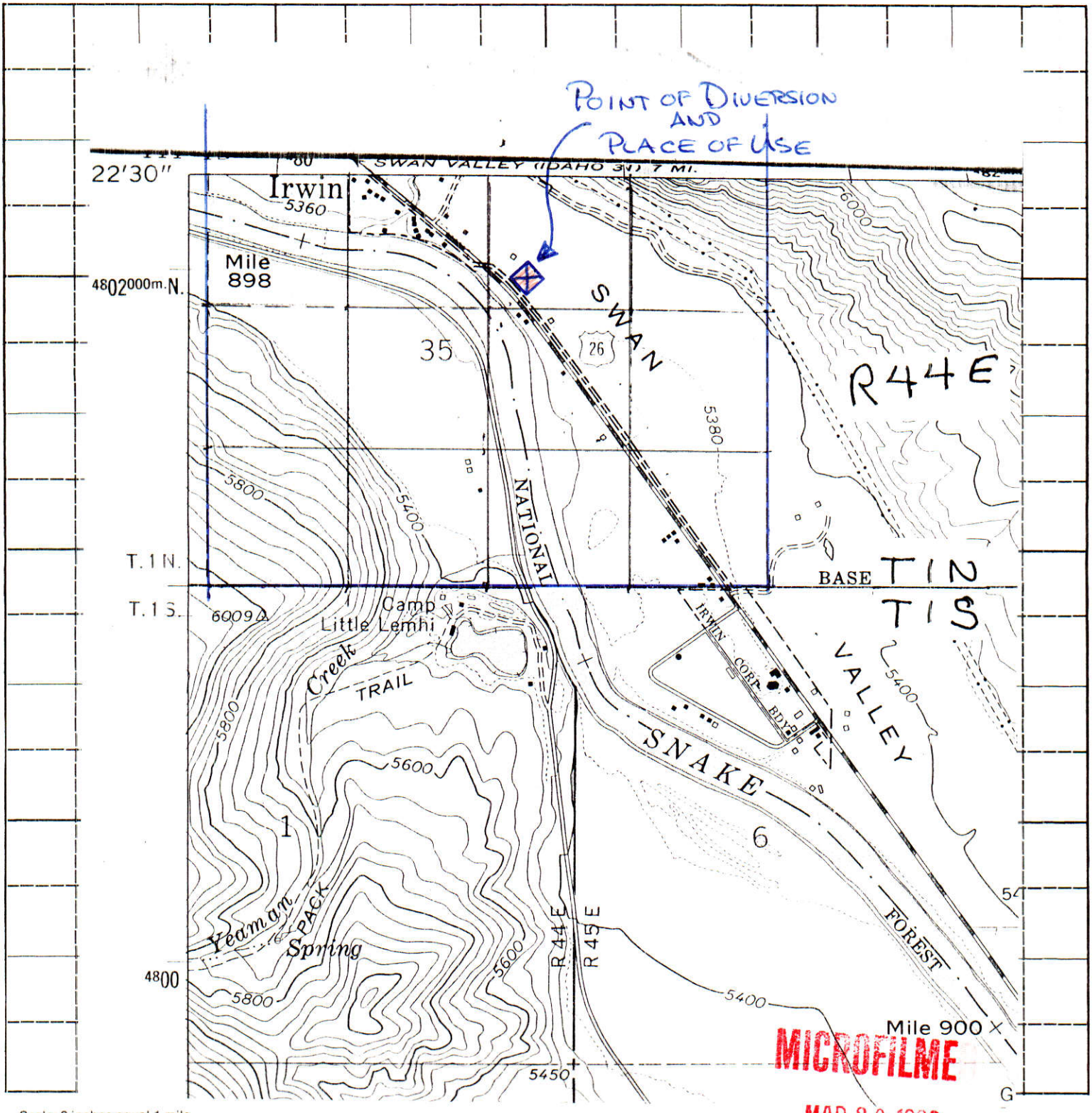
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Charles O'Malley

(Applicant)

Proof of Publication

The Post-Register

RECEIVED
NOV 15 1989
Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville } ss

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman 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 have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (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 November, 19 89, last publication having been made on the 9th day of November, 19 89, 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.

Ted Delezene

Subscribed and sworn to before me, this 13th day of November, 19 89

Deon L. Napier
Notary Public

My commission expires September 30, 19 94

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07129
O'MALEY, CHARLES
O'MALEY, DONNA
P.O. BOX 644
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SWNE Sec 35 T 01N R 44E
Use: IRRIGATION (.040 CFS)
COMMERCIAL (.120 CFS)
DOMESTIC (.040 CFS)
Date Filed: 10/04/1989
In: T01N R44E S35 SWNE
1.5 ACRES TOTAL

23-07131
SANDERSON, DENNIS L.
SANDERSON, KORAL S.
P.O. BOX 159
AFTON, WY 83110
Source: SPRING; TRIBUTARY: SINKS
Diversion Pt: LOT 5 (SWNWSE) Sec 22 T 03S R 46E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
Date Filed: 9/15/1989
In: T03S R46E S22 Lot 5 (NWSE)

23-07132
JEM—K, INC.
P.O. BOX 585
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 35 T 01N R 44E
NWNESE Sec 35 T 01N R 44E
Use: COMMERCIAL (.220 CFS)
Date Filed: 9/31/1989
In: T01N R44E S35 SENE NESE

23-07133
VAN WINKLE, JOHN DEAN
VAN WINKLE, JOLANE P.
2057 W. 4250 S.
ROY, UT 84067
Source: GROUNDWATER
Diversion Pt: SWSE Sec 6 T 01N R 44E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Date Filed: 7/24/1989
In: T01N R44E S06 SWSE
1.0 ACRES TOTAL

25-07531
HOOPER, LLOYD C.
P.O. BOX 434
UCON, ID 83454
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 10 T 03N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/29/1989
In: T03N R38E S10 SWSE

25-07532
C/O RON MITCHELL
BURDETTE, INC.
1735 ROSS AVE.
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SWSW Sec 9 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/20/1989
In: T02N R38E S09 SWSW

25-07533
JOHNSON, BURTON
8461 N. 55TH E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NESESE Sec 24 T 03N R 38E
Use: STOCKWATER (.260 CFS)
DOMESTIC (.080 CFS)
Date Filed: 7/05/1989
In: T03N R38E S24 SESE

25-07536
QUINTON, RAY E.
QUINTON, BERNADENE L.
10822 N. 5TH E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SENENE Sec 28 T 03N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/15/1989
In: T03N R38E S28 NENE

25-07537
DEMOTT, WILLIAM J.
GROVER, LAVAR
RIGBY, WILLIAM F.
2105 INDUSTRIAL BLVD
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNE Sec 9 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/13/1989
In: T02N R38E S09 SWNE

25-07538
DANIEL, MELVIN R.
P.O. BOX 2473
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NENE Sec 7 T
Use: COMMERCIAL (.200
Date Filed: 9/19/1989
In: T02N R38E S07 NENE

25-07539
QUALITY INSULATI
STRUCTION INC.
P.O. BOX 3806
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8
Use: COMMERCIAL (.040
Date Filed: 8/18/1989
In: T02N R38E S08 NWNW

25-07540
HOBBS, LAURA LEE
611 AMY LANE
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SENE Sec 22
Use: DOMESTIC (.100 CF
Date Filed: 8/18/1989
In: T02N R38E S22 SENE

25-07541
STANGER, MARILYN
2927 E. IONA RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNESW
38E
Use: COMMERCIAL (.04
Date Filed: 7/12/1989
In: T02N R38E S03 NESW

.....Foreman..... 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 have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (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 .....November....., 19.89..., last publication having been made on the .....9th..... day of .....November....., 19.89..., 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.

Ted Dekezeme

Subscribed and sworn to before me, this ..13th.. day of .....November....., 19.89...

Leon L. Napier

Notary Public

My commission expires . September . 30, ..., 19.94..

NOTICE OF APPLICATION FOR WATER RIGHT

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Use: COMMERCIAL (.040 CFS)
Date Filed: 9/15/1989
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DEMOTT, WILLIAM J.
GROVER, LAVAR
RIGBY, WILLIAM F.
2105 INDUSTRIAL BLVD
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNE Sec 9 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/13/1989
In: T02N R38E S09 SWNE

25-07538
DANIEL, MELVIN R.
P.O. BOX 2473
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NENE Sec 7 T 02N R 38E
Use: COMMERCIAL (.200 CFS)
Date Filed: 9/19/1989
In: T02N R38E S07 NENE

25-07539
QUALITY INSULATION & CONSTRUCTION INC.
P.O. BOX 3806
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/18/1989
In: T02N R38E S08 NWNW

25-07540
HOBBS, LAURA LEE
611 AMY LANE
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SENE Sec 22 T 02N R 38E
Use: DOMESTIC (.100 CFS)
Date Filed: 8/18/1989
In: T02N R38E S22 SENE

25-07541
STANGER, MARILYN
2927 E. IONA RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNESW Sec 3 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 7/12/1989
In: T02N R38E S03 NESW

25-07542
TYLER, ALDON
2933 E. 113 N.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SESW Sec 10 T 03N R 38E
Use: DOMESTIC (.060 CFS)
Date Filed: 7/14/1989
In: T03N R38E S10 SESW

25-07543
CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR
50 EAST NORTH TEMPLE STREET
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt: NENE Sec 35 T 04S R 43E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/17/1989
In: T04S R43E S35 NENE
2.0 ACRES TOTAL

25-07544
MCCOWIN, BRENDA
4912 E. 113TH N.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENENW Sec 13 T 03N R 38E
Use: DOMESTIC (.110 CFS)
Date Filed: 7/20/1989
In: T03N R38E S13 NENW

35-08825
IDAHO GEM POTATO CO.
P.O. BOX 77
MENAN, ID 83434
Source: GROUNDWATER
Diversion Pt: SENE Sec 1 T 03N R 35E
Use: STOCKWATER (.050 CFS)
COMMERCIAL (.060 CFS)
DOMESTIC (.060 CFS)
Date Filed: 8/31/1989
In: T03N R35E S01 SENE
S06 NWSW

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 NOVEMBER 20, 1989.

R. Keith Higginson, Director

Published: November 2, 9, 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07129

Proposed Priority: October 4, 1989 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **CHARLES O MALEY**
DONNA O MALEY
P.O. BOX 644
PALISADES, ID 83437
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/15 to 10/15	0.04 CFS
COMMERCIAL	05/01 to 10/15	0.12 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 35, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	44E	35	SWNE	1.5			1.5
					Total number of acres irrigated:		1.5

PLACE OF USE: COMMERCIAL, same as IRRIGATION use
PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.
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 rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. 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.
6. 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.

MICROFILMED
MAR 20 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07129

CONDITIONS/REMARKS:

7. Commercial use is for cabins and an R.V. park.
8. Domestic use is for 1 home.

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 28th day of December, 1989.

R. Glen Saxton
for R. Keith Higginson, Director

MICROFILMED
MAR 30 1990

23-7129

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Charles or Donna O'Maley Phone 483-4485
   Post office address P.O. Box 644, Palisades, Id. 83437
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is S.W ¼ of NE ¼ of _____ ¼, Govt. Lot _____
   Sec. 35 Township 1 N Range 44 E B.M. Bonneville County; additional
   points of diversion if any: _____
4. Water will be used for the following purposes:
   Amount 0.12 (cfs or ~~acre-feet per annum~~) for Commercial purposes from 5/1 to 10/15 (both dates inclusive)
   Amount 0.04 (cfs or ~~acre-feet per annum~~) for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
   Amount 0.04 (cfs or ~~acre-feet per annum~~) for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) 0.20 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 w/ Pumps, mainline to single domestic home, two cabins, and 12 space R.V. Park
   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 75 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*).

MICROFILMED
MAR 20 1990

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1

e. Other; describe fully. Commercial use is for two cabins and 12 space R.V. Park

9. Description of place of use:

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

b. 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	
1N	44E	35			C														
					D														
					1.5														1.5

Total number of acres to be irrigated 1.5

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

11. a. Who owns the property at the point of diversion? Applicant

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

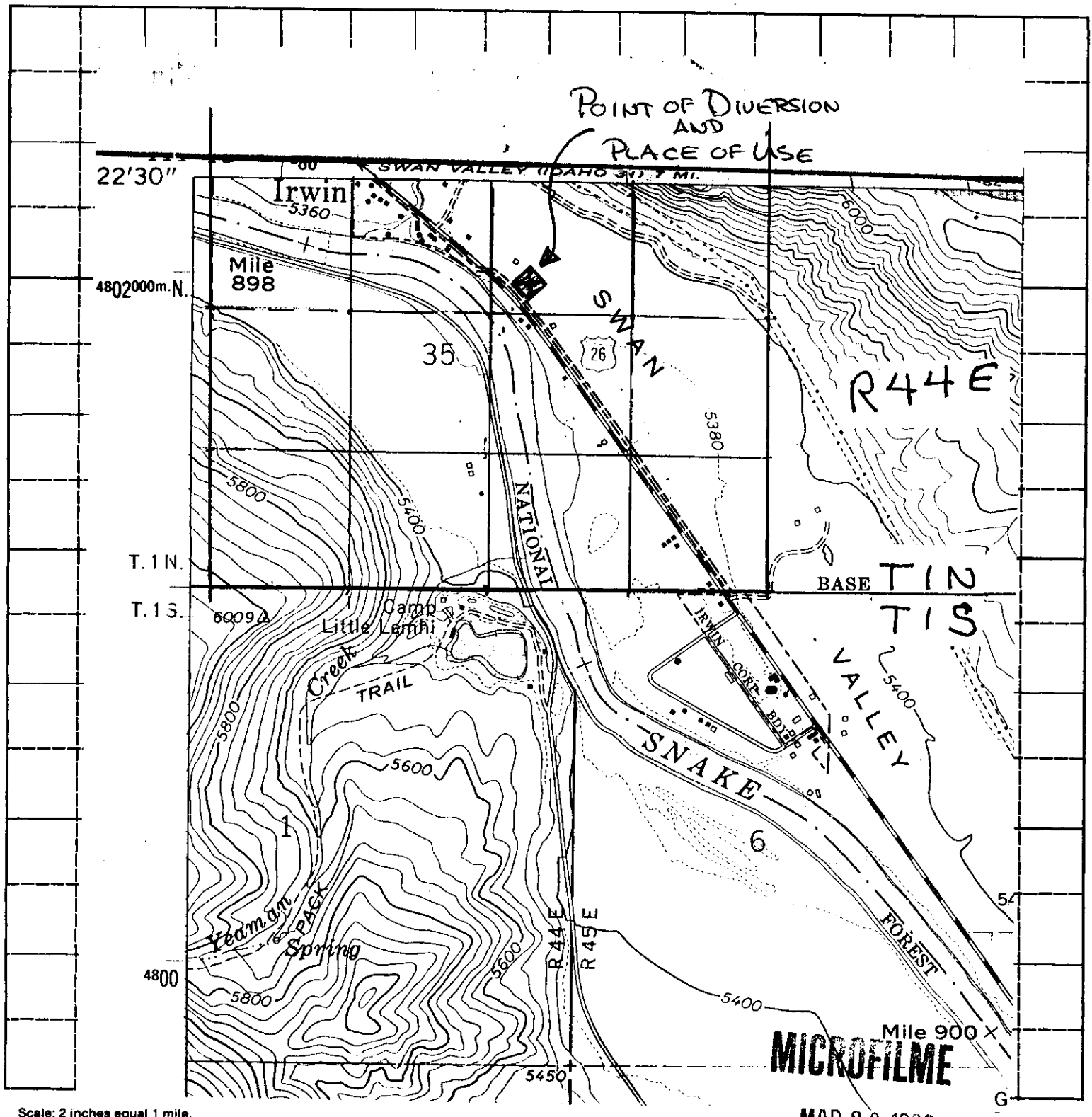
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

MICROFILMED

MAR 20 1990

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.

MAR 20 1990

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.

Charles O'Malley

(Applicant)

Assisted by KCW
Received by KCW Date 10/4/89 Time 1356 hrs Preliminary check by _____

Fee $ 30.00 Receipted by KCW # E010958 Date 10-4-1989

Publication prepared by RB Date 11-29-89 Published in Post-Register

Publication approved RB Date 11-30-89

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:

MICROFILMED
MAR 20 1990

Proof of Publication

The Post-Register

RECEIVED
NOV 16 1989
Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville } ss

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman 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 have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (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.

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Ted Delezene

Subscribed and sworn to before me, this 13th day of November, 19 89

Deon Napier
Notary Public

My commission expires September 30, 19 94

.....Foreman..... 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 have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (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.

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Joel Delezene

Subscribed and sworn to before me, this ..13th.. day of .....November....., 19.89...

Deon L. Napier

Notary Public

My commission expires . September . 30, ..., 19.94..

December 19, 1990

CHARLES O MALEY
DONNA O MALEY
P.O. BOX 644
PALISADES, ID 83437

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 23-07129

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
JAN 03 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 23-7129 Date: 12-19-90

General Considerations:

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

Source of Water:

- _____ Surface water
- y Groundwater
  - _____ 1. well log in file
  - _____ 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?
- y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

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

Remarks: Well drilled in 1960's
Proof acceptable

n/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-_____
No. of days late		=_____
Priority date	_____	+_____
NEW PRIORITY DATE	_____	=_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 217
07/90

RECEIVED
NOV 15 1990
Department of Water Resources

For Office Use Only
Amt. of Fee $ 50
Date 11/15/90
Receipt No. 50748
Received by DMC

STATE OF IDAHO

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

1. Permit No. 23-07129 Telephone No. 483-2167
2. Name(s) of Permit Holder(s): Charles O'Maley
3. Post Office Address: P. O. Box 655
4. Source of Water: Groundwater
   a. If ground water, well driller's name: ? Date drilled: In the 60's
   b. Pump horsepower: 1 horsepower Pressure (psi): 60 pds. Dynamic pumping level (ft.): 32 3/4 64 ft
5. Extent of Use:
   Domestic X - 1 (No. of households) Irrigation 1 1/2 acres (No. of acres)
   Stockwater _____ (No. and type of stock) Other 12 R.V. Hook Ups
   2 cabins
6. Total rate and/or volume for which proof is submitted .20 cfs 1.5 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: $ _____ (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:
   Raymond & Darlene Rondo (916)622-7932
   Name Telephone No.
   2092 Colo Springs Rd Placerville Ca. 95667
   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.

MICROFILMED
JAN 03 1991

11-10-90
Date

Charles O'Maley
Signature (and title if on behalf of a company or organization)

138556

October 31, 1990

CHARLES O MALEY
DONNA O MALEY
P.O. BOX 644
PALISADES, ID 83437

PROOF DUE NOTICE

RE: PERMIT NO. 23-07129

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 January 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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JAN 29 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

CHARLES O MALEY
DONNA O MALEY
P.O. BOX 644
PALISADES, ID 83437

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P23-07129

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAR 20 1990

Dist. for staffing 10-10-89

Subm. ..d for advertising 10-16-89 HWS

orm No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DM (Charles or Donna O'Maley) **DATE** 10-12-89 **APPLICATION NUMBER** 23-7129

REQUIRED INFORMATION

- ✓ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ✓ Address
- ✓ Source (See USGS Quad for names of water sources)
- ✓ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ✓ County
- ✓ Quantity (flow and/or volume)
- ✓ Period of Use
- ✓ Nature of proposed use (Include description of use.)
- ✓ Description of diverting works
- ✓ Time required for beneficial use of water
- ✓ Place of use or acres irrigated
- ✓ Map
- ✓ Signature (If applicant is corp. partnership, or minicipality, title of signator is required)
- ✓ Fee
- ✓ Yes ___ No* In form to receipt

ADDITIONAL INFORMATION

- ___ Overlapping place of use (Describe source & relationship to present application on the back.)
- ___ Overlapping point of diversion
- ___ Yes ___ No Field check required
  Field check by _____
- ___ Yes ___ No Field report attached
- ___ Yes ___ No Critical groundwater area
- ___ Yes ___ No Groundwater management area
- ___ Yes ___ No Send dam safety information
- ___ Yes ___ No Send power requirement letter
- ___ Yes ___ No Send fish farm requirement letter
- ___ Yes ___ No Power residency affidavit
- ___ Yes ___ No Power efficiency form
- ___ Yes ___ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ___ Yes ___ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ___ See reverse side for additional information

***REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT**

_____

_____ Date Requested _____

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NOV 2 1
Department of Water Resources

PROCESSING ✓ Yes ___ No In form for advertising
___ Yes ✓ No Statewide advertising
✓ Yes ___ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO X Idaho Dept. of Health & Welfare ___ U.S. BLM
___ Idaho Dept. of Fish & Game ___ U.S. Forest Service
___ Idaho Dept. of Lands ___ Water District
___ Adjudication Bureau Unit ___ Other ___

FINAL REGIONAL PROCESSING REVIEW

✓ Yes ___ No Affidavit of publication received
✓ Yes ___ No Application published correctly. If not, record action taken.

✓ Yes ___ No Publication dates & paper, recorded on application
___ Yes ✓ No Protests received
Final date for protest 11-20-89
___ Yes ___ No Protests, dates, resolution of protest, recorded on application
___ Yes ✓ No Recommendations attached
___ Yes ✓ No Measuring device required
___ Yes ✓ No Access port required
O Yes ___ No Will water be delivered by watermaster? If yes, what Dist. 01 -P05
___ Yes ___ No Special conditions of approval or cover letter below.

___ See below ✓ for additional information
Date of priority recommended 10-4-89 ✓
By HWJ Date 11-21-89

STATE OFFICE REVIEW P05, P23 P16 46 57 48 49

___ See below for additional information
By KW Date 12-19-89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

State of Id·
DEPARTMENT OF HEALTH AND WELFARE
Division of Environmental Quality

224 South Arthur
Pocatello, Idaho 83204
(208) 236-6160

CECIL D. ANDRUS
Governor
RICHARD P. DONOVAN
Director

RECEIVED
NOV 8 1989
Department of Water Resources
Eastern District Office

November 7, 1989

Charles and Donna O'Maley
P.O. Box 644
Palisades, ID 83437

RE: Application #23-7129
Bonneville County

Dear Mr. and Mrs. O'Maley:

We have been apprised of your application for a permit to appropriate the public waters of the State of Idaho to provide domestic water to 15 individual connections (home, 2 cabins, and 12 RV spaces).

By regulation your proposed water system is defined as "public-community" and, therefore, subject to the Idaho Regulations for Public Drinking Water Systems. The regulations set forth minimum requirements for construction, water quality, monitoring, and maintenance and operation; further, the regulations (Section 1-8400.01) requires approval by the Department of plans and specifications for the water system prior to construction. If you require a copy of these rules and regulations, please forward your request to:

Administrative Procedures Section
Department of Health and Welfare
Division of Support Services
10th Floor - 450 West State
Boise, ID 83720

The cost of this booklet is $4.40, and your check should accompany the request.

If we may be of assistance with interpreting the regulations, please do not hesitate to contact us.

Sincerely,

Matt Nelson
Water Quality Compliance Officer

MN/jr
cc: Dept. of Water Resources - Harold W. Jones
District 7 Health Dept.

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Celebrate IDAHO
1890·CENTENNIAL·1990

26-Oct-1989

Department of Health & Welfare
Division of the Environment
150 N. 3rd
Pocatello, ID 83201

RE: Application for Permit No. 23-7129

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

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MAR 20 1990

27-Sep-1989

Charles O'Maley
P.O. Box 644
Palisades, ID 83437

RE: Application for Permit No. 23-7129

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 the Post-Register. 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

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MAR 20 1990

23-07129

O'MALEY, CHARLES
O'MALEY, DONNA
P.O. BOX 644
PALISADES, ID 83437

Source: GROUNDWATER

Diversion Pt: SWNE Sec 35 T 01N R 44E

Use: IRRIGATION (.040 CFS)
COMMERCIAL (.120 CFS)
DOMESTIC (.040 CFS)

Date Filed: 10/04/1989

In: T01N R44E S35 SWNE

1.5 ACRES TOTAL

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