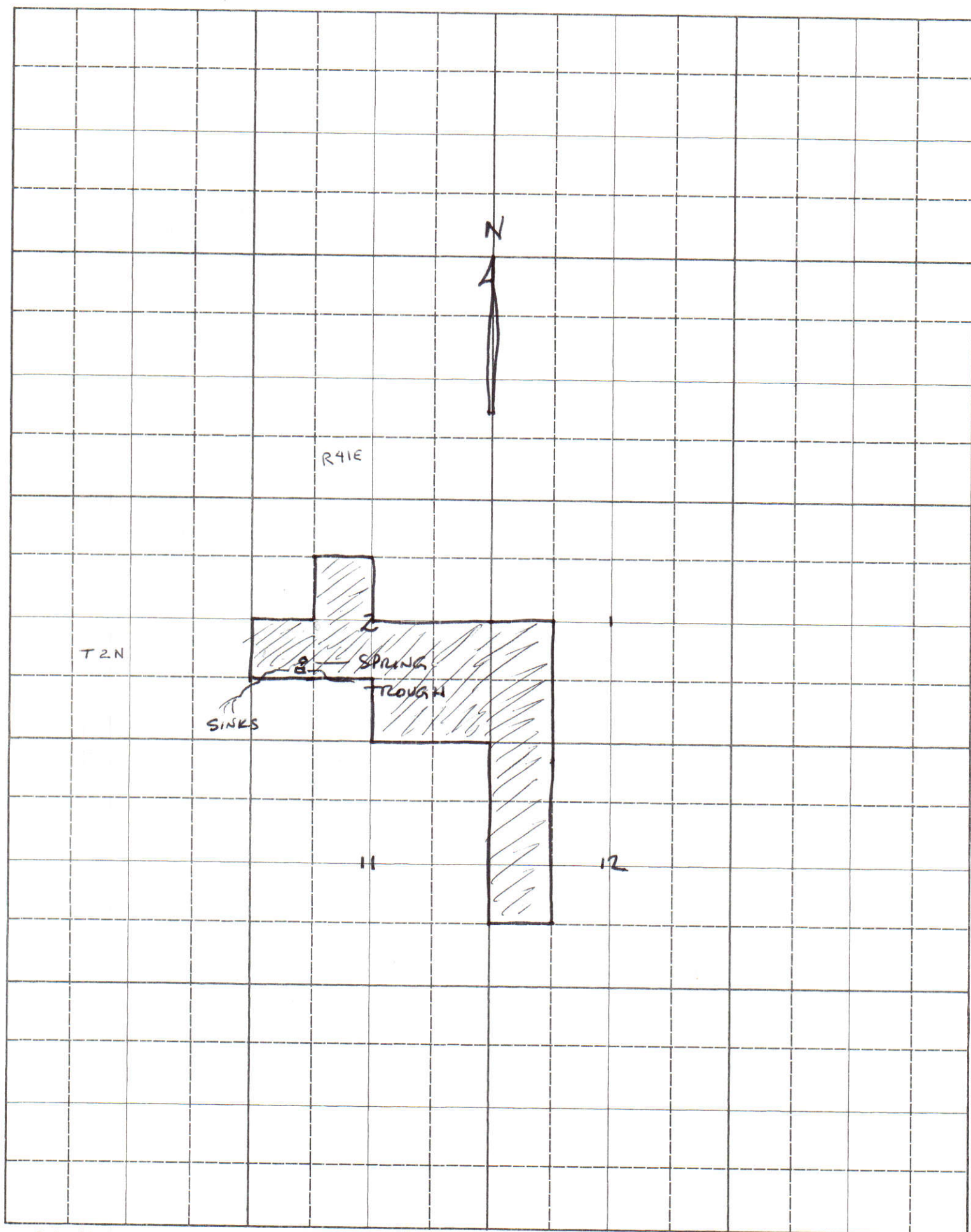


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Ray E. Sutter
(Applicant)

RECEIVED

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 9th day of April, 1981, last publication having been made on the 16th day of April, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of April, 1981

Deon R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

23-7066

FIRST STREET PARTNERS
C/O ROBERT SUITTER, 430
TIEBREAKER, IDAHO FALLS, ID
83401

Source: SPRING tributary to SINKS
Date Filed: 04/01/1981
Amount: 0.09 CFS
Diversion Point: NWSW Sec 02 T 02N R
41E, BONNEVILLE Co.
Use: STOCKWATER (0.09 CFS) from
01/01 to 12/31
Place of Use: NWSW Sec 02 T 02N R
41E
Diversion Means: PIPELINE &
TROUGH.

23-7067

FIRST STREET PARTNERS
C/O ROBERT SUITTER, 430
TIEBREAKER, IDAHO FALLS, ID
83401

Source: SPRINGS tributary to LITTLE
PINE CREEK
Date Filed: 04/01/1981
Amount: 0.09 CFS
Diversion Point: SWSW Sec 01 T 02N R
41E NWNW Sec 12 T 02N R 41E, BON-
NEVILLE Co.
Use: STOCKWATER (0.09 CFS) from
01/01 to 12/31
Place of Use: SWSW Sec 01 T 02N R
41E NWNW Sec 12 T 02N R 41E
Diversion Means: PIPELINE &
TROUGH.

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit must
be filed with the Director of the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho 83401 on
or before APRIL 27, 1981.

C. STEPHEN ALLRED
Director

Published: April 9, 16, 1981

RECEIVED

APR 20 1981

Department of Water Resources
Eastern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

- Permit No. 23-7066
1. Owner: First Street Partners Phone No. 523-6693
Current Address: 4855 East First Street Idaho Falls, Id
2. Accompanied by: Robert Switzer EXAM. DATE: 6/24/87
Address: same as above Phone No. 523-6693
Relationship to Permit Holder: general partner
3. Source: unnamed tributary to sinks
spring

B. OVERLAP REVIEW

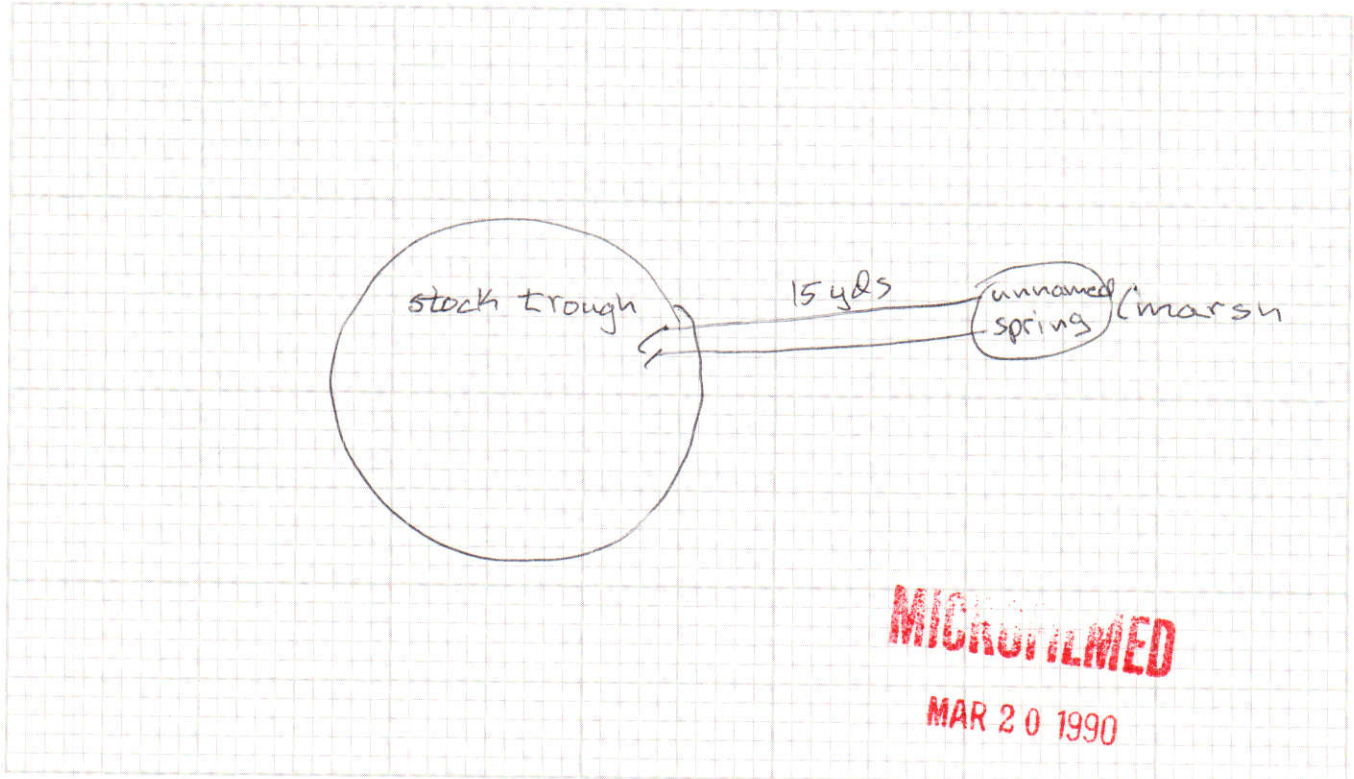
1. Other water rights with same place of use: NA

☐ Copies Attached
2. Other water rights with same point of diversion: NA

☐ Copies Attached ☐ Copies of Field Exam's Attached

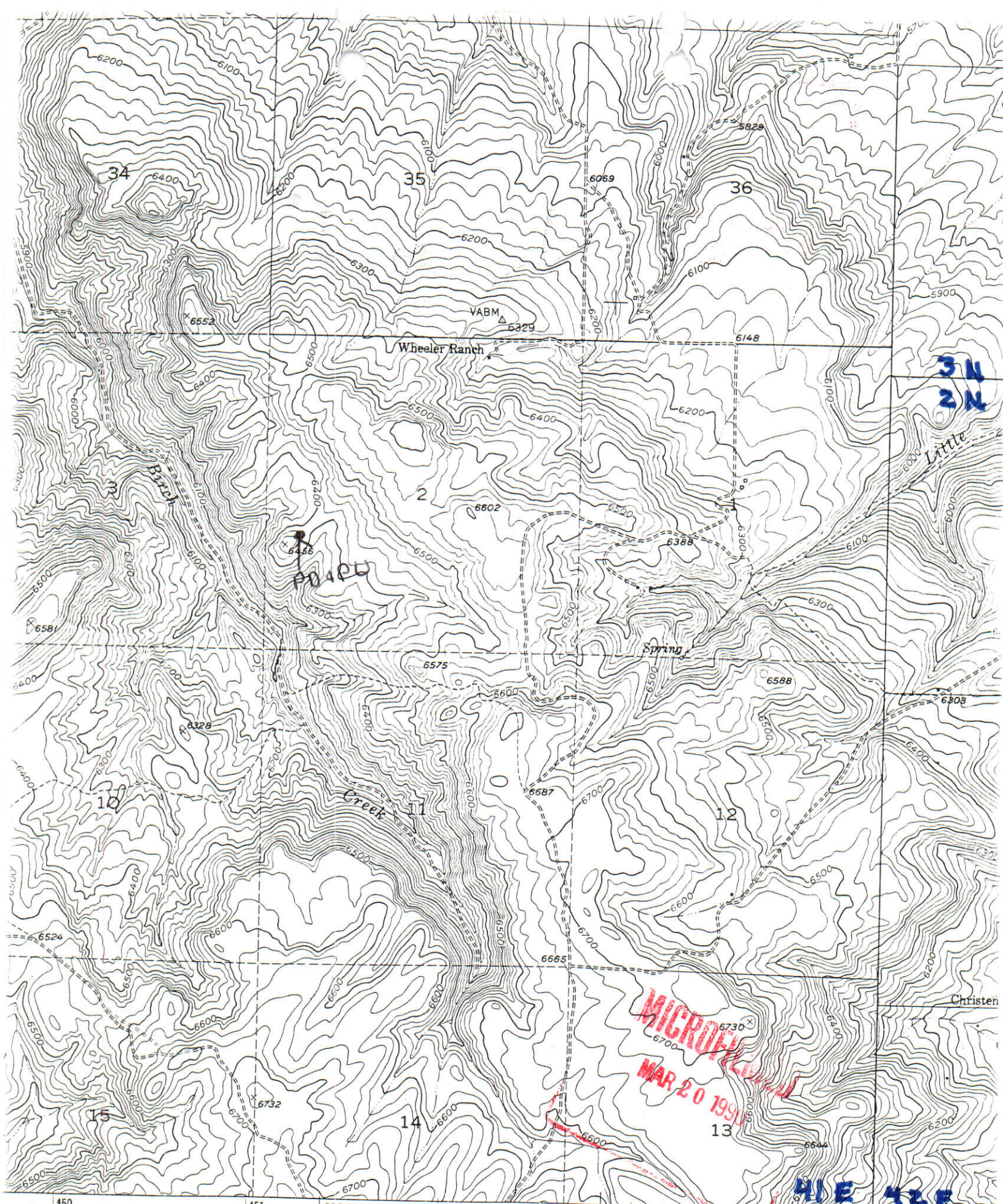
C. SYSTEM DESCRIPTION

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



Scale: 1" = No Scale

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



edited, and published by the Geological Survey

by USGS and NOS/NOAA

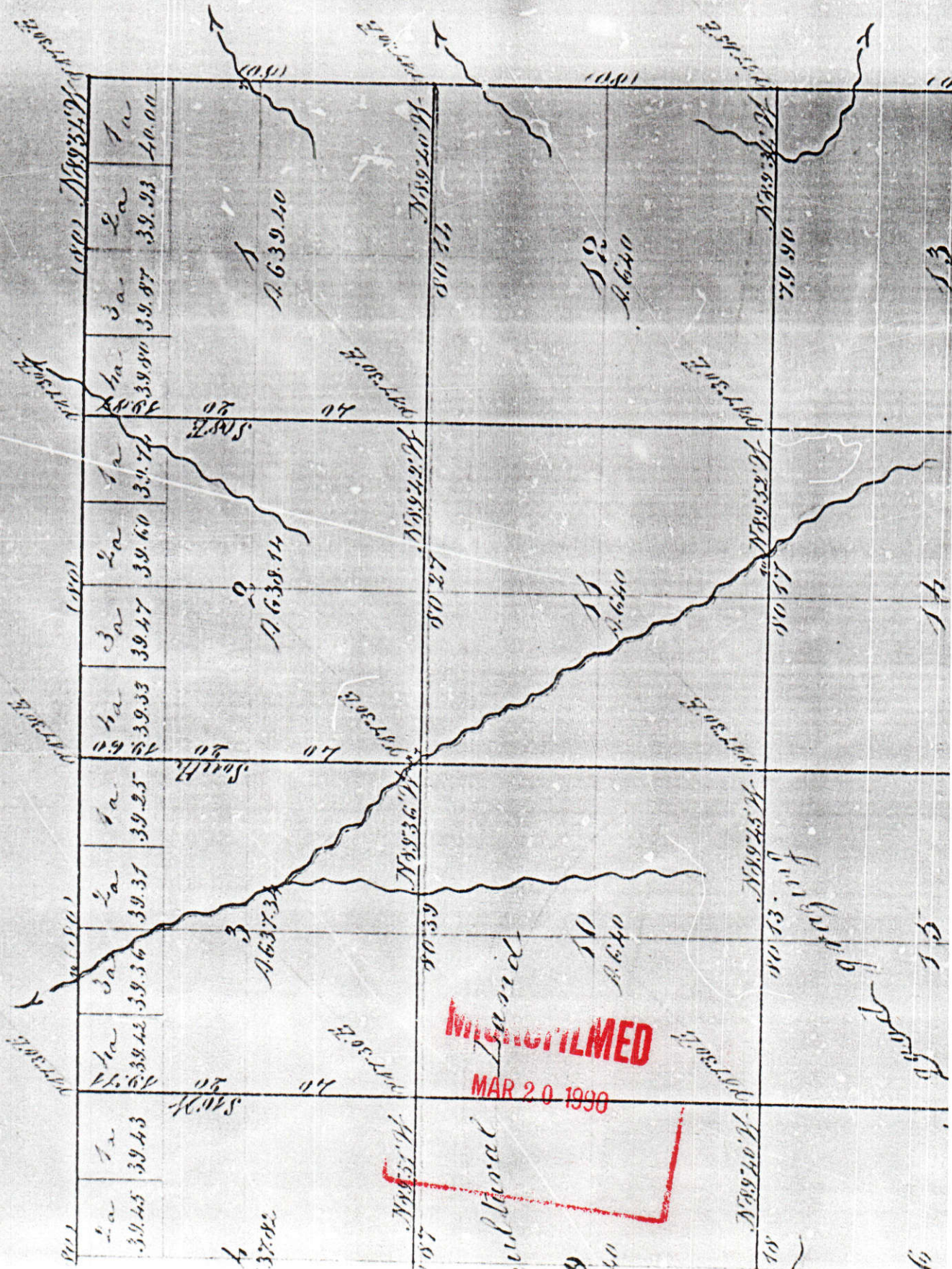
ography from aerial photographs by multiplex methods
plane-table surveys 1951 Aerial photographs taken 1946

23-7066



SCALE 1:24 000

ge. N^o 41 East. Boise. Meridian



23-7066



MICROFILMED

MAR 20 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 23-07066

Priority: May 19, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.01 CFS
2.7 AF

This is to certify, that FIRST STREET PARTNERS
4855 E. 1ST ST.

IDAHO FALLS, ID 837050000 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 1, 1981; and
has submitted Proof of Beneficial Use on June 18, 1986. An examination indicates
that the works have a diversion capacity of .010 cfs of water from:

SPRING

tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.01 CFS	2.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNWSW, Sec. 2, Township 02N, Range 41E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02N 41E 2 NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01

MICROFILMED

MAR 20 1990

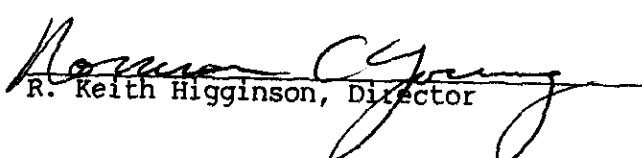
PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 23-07066

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 FEBRUARY, 1970.


R. Keith Higginson, Director

RECEIVED
FEBRUARY 10 1970

MAR 20 1970

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 23-7066 IN THE)
NAME OF FIRST STREET PARTNERS) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1986; and,

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

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 18, 1986;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 23-7066 be REINSTATED and the priority advanced to May 19, 1981.

Dated this 19th day of August, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant First Street Partners Phone 523-6693

Post office address (Robert Switter) 430 Tiebreaker, Idaho Falls, ID 83401

2. Source of water supply spring which is a tributary of sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 2N

Range 41E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 for stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.09 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipe to stock trough.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 2N

Range 41E B.M.

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

(3) List number of each kind of livestock to be watered 350 head range cattle.

Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

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

Total number of acres to be irrigated _____

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

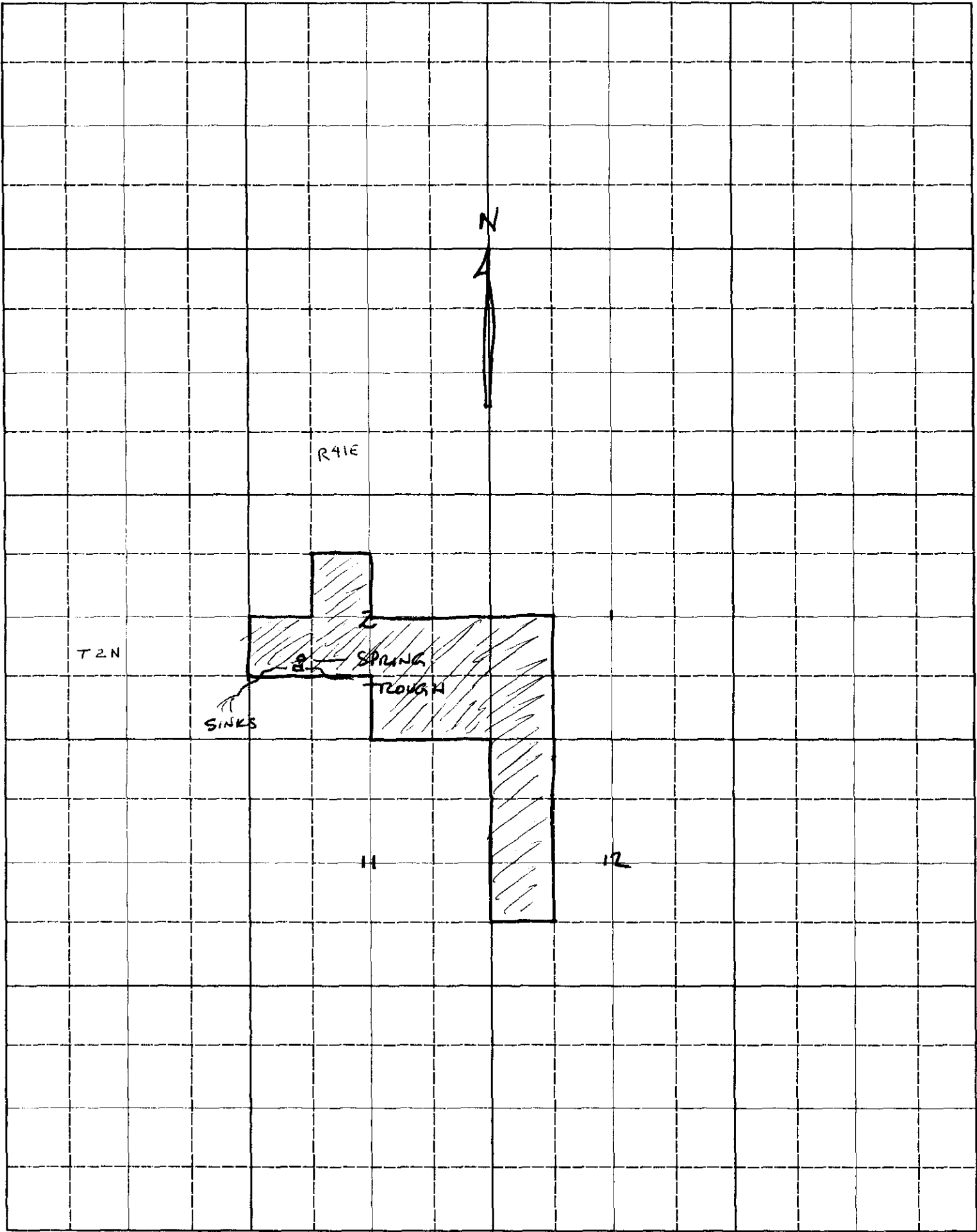
9. a. Who owns the property at the point of diversion First Street Partners

b. Who owns the land to be irrigated or place of use First Street Partners

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

10. Remarks _____

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



Scale: 2 inches equal 1 mile.

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

Ray E. Sutter
(Applicant)

Proposed Priority 4/1/81
Received by Gm Date 4/1/81 Time 11:40
Preliminary check by _____ Fee \$ 30.
Receipted by kw Date 4/1/81 # 17153
Publication prepared by kw Date 4/02/81
Published in Post Register
Publication dates 4/09 & 4/10/81
Publication approved kw Date 4/20/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Emc R

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. 23-7066 , and said application is hereby approved .

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1 , 19 86 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Use of water under this permit is subject to control by the watermaster of State Water District # 01, Upper Snake River.

Witness my hand this 21st day of May, 1981.

A. Glen Saxton
Chief, Operations Bureau

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 9th day of April, 1981, last publication having been made on the 16th day of April, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of April, 1981

Deon R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**
Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

FIRST STREET PARTNERS
C/O ROBERT SUITTER, 430
TIEBREAKER, IDAHO FALLS, ID
83401
Source: SPRING tributary to SINK
Date Filed: 04/01/1981
Amount: 0.09 CFS
Diversion Point: NWSW Sec 02 T 02N R
41E, BONNEVILLE Co.
Use: STOCKWATER (0.09 CFS) from
01/01 to 12/31
Place of Use: NWSW Sec 02 T 02N R
41E
Diversion Means: PIPELINE &
TROUGH.

FIRST STREET PARTNERS
C/O ROBERT SUITTER, 430
TIEBREAKER, IDAHO FALLS, ID
83401
Source: SPRING tributary to LITTLE
PINE CREEK
Date Filed: 04/01/1981
Amount: 0.09 CFS
Diversion Point: SWSW Sec 01 T 02N R
41E NWNW Sec 12 T 02N R 41E, BON-
NEVILLE Co.
Use: STOCKWATER (0.09 CFS) from
01/01 to 12/31
Place of Use: SWSW Sec 01 T 02N R
41E NWNW Sec 12 T 02N R 41E
Diversion Means: PIPELINE &
TROUGH.

If issued, the permit(s) shall be sub-
ject to all prior water rights. Protests
against the granting of any permit must
be filed with the Director of the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho, on
or before APRIL 27, 1981.

C. STEPHEN ALLRED
Director
Published: April 16, 1981

RECEIVED

APR 20 1981

Department of Water Resources
Eastern District Office

February 14, 1990

FIRST STREET PARTNERS
4855 E. 1ST ST.
IDAHO FALLS, ID 837050000

RE: PERMIT NO. 23-07066

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

ENCLOSURE
MAR 22 1990

January 18, 1990

FIRST STREET PARTNERS
4855 E. 1ST ST.
IDAHO FALLS, ID 837050000

RE: PERMIT NO. 23-07066

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

23-7066
Permit No.

ESW/86

RECEIVED

OCT 23 1987

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

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

Check of P/D index CDS 10/25/87 (Initial and date)

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

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index CDS 10/25/87 (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

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

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

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

C. Review and Processing:

Exam Completed 10/24/87 Carol Slaughter (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 7/11/87 9-22-87 (Initial and date)

Exam Reviewed by Manager of Regional Office 9-30-87 SM (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

- Permit No. 23-7066
1. Owner: First Street Partners Phone No. 523-6693
Current Address: 4855 East First Street Idaho Falls, Id
2. Accompanied by: Robert Switzer EXAM. DATE: 6/24/87
Address: same as above Phone No. 523-6693
Relationship to Permit Holder: general partner
3. Source: unnamed tributary to sinks
spring

B. OVERLAP REVIEW

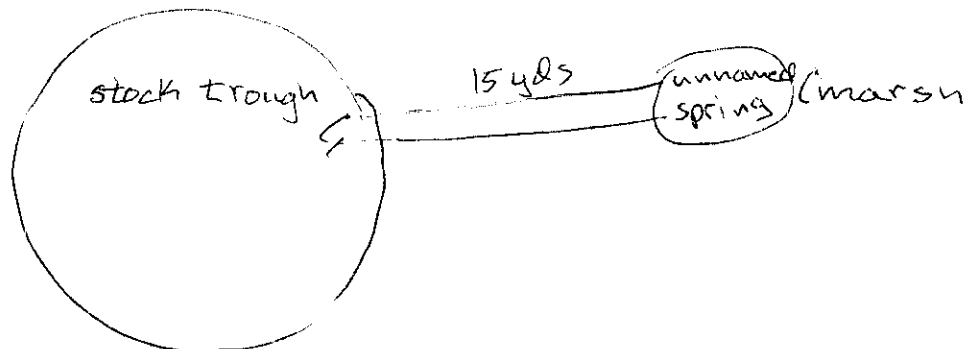
1. Other water rights with same place of use: NA

☐ Copies Attached
2. Other water rights with same point of diversion: NA

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



RECORDED

MAR 20 1990

Scale: 1" = No Scale

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

System Description (continued)

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

5" pipe from spring to round stock
trough
mud of 200 head cattle

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA					

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	2	2N	41E	Bonneville	USGS

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

Indicate Method of Determination USGS

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	41E	2									X								

Do not use this space

MICROFILMED

MAR 20 1990

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
2 1/2 gallon bucket						
stopwatch						

2. Measurements:

2 minutes 25 sec to fill 2.5 gallon bucket
(about 1/2 of normal), see comments

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $\frac{2.5 \text{ gal}}{145 \text{ sec}} \left(\frac{60 \text{ sec}}{1 \text{ min}} \right) = 1 \text{ gpm}$
2. Alternate Method for Checking Purposes: $= .0023 \text{ cfs} - \text{allow } 0.001 \text{ cfs}$
AWS

F. PUMP EFFICIENCY DATA (Optional)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

200 head range cattle: .05 cfs 2.7 cfs

MICROFILMED
MAR 20 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Mr. Switzer said this spring was running about $\frac{1}{2}$ of normal, due to the low snowpack and precipitation this year. The licensed amount is based on the 2.7 afa (100 cfs running continuously) necessary for 200 range cattle. This amount is in line with Mr. Switzer estimate of normal flow.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1/1	12/31	10037 0.018	2.7
Totals:			1004 0.018 cfs	2.7 afa

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Carol Slaughterbeck
Signature Carol Slaughterbeck
Certification Date 9.30.1987
Field Report Preparation Date 10/25/87

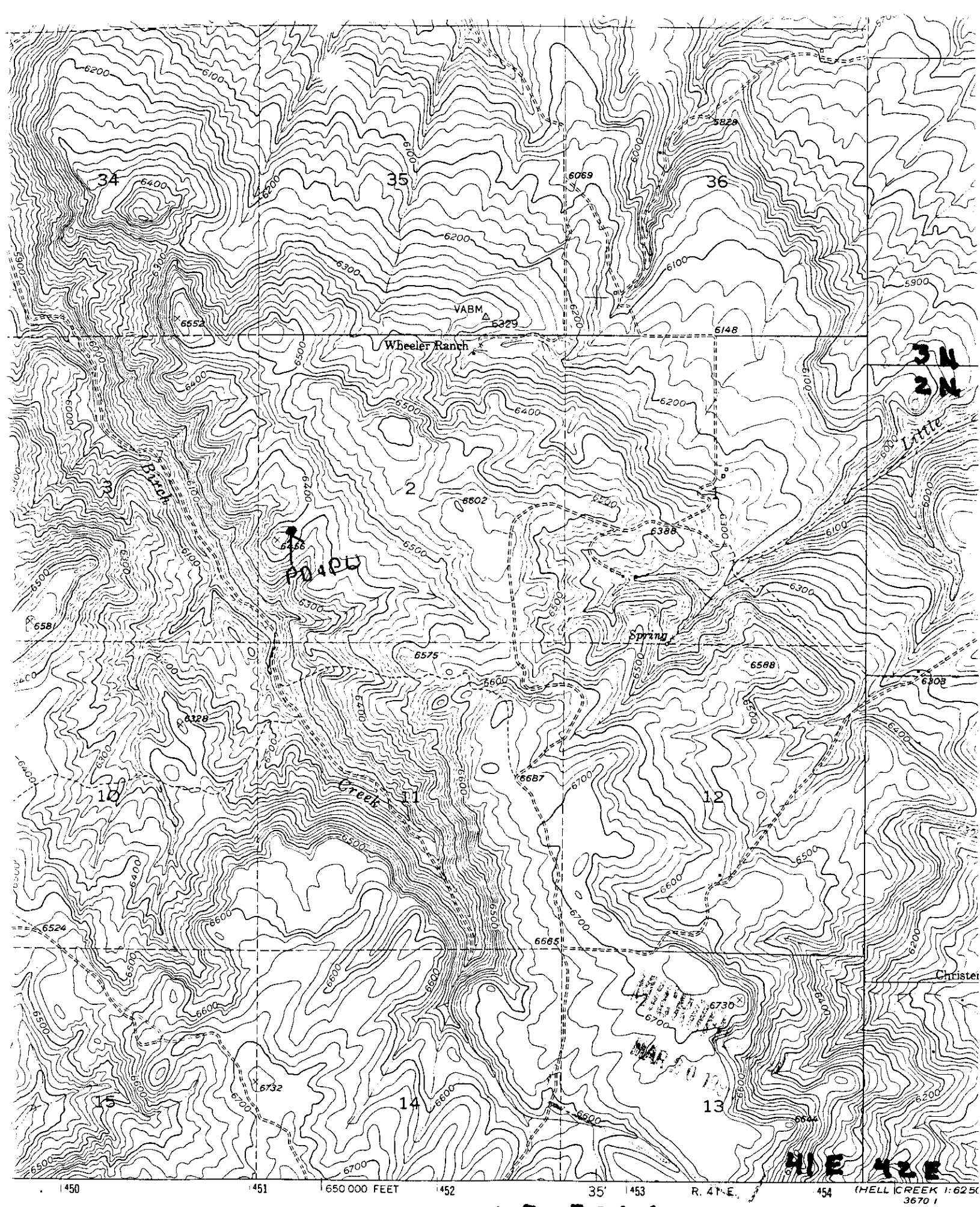
Steve McLough

CONSULTANT SEAL

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

RECORDED

MAR 20 1990



3N
2N

41E 42E

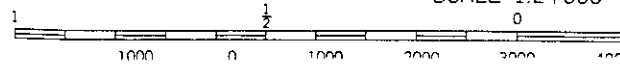
edited, and published by the Geological Survey

by USGS and NOS/NOAA

photography from aerial photographs by multiplex methods
 plane-table surveys 1951. Aerial photographs taken 1946

23-7066

SCALE 1:24 000



23-7066



Microfilm
MAR 20 1990

DEPARTMENT OF REVENUE
Capital Section

150 Shovel, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 3, 1986

FIRST STREET PARTNERS
4805 EAST FIRST STREET
IDAHO FALLS ID 83401

RE: Permit No. 23-7066

Dear Permit Holder,

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order renewing your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shovel, Idaho Falls, Idaho.

Sincerely,

WILLIAM W. JONES
Resource Agent

Enclosure

RECEIVED
NOV 10 1986

JAN 20 1987

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 23-7066

DATE: 8-14-1986

Date proof received

169

June 18, 1986

Proof due

-121

May 1, 1986

Number of day proof late

48

Priority date

+ 91

April 1, 1981

New priority date

139

May 19, 1981

Remarks:

400-1-1000-1000

JAN 1987

MICROFILMED

41210
RECEIVED

JUN 18 1986

no encl. dd

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received

Date N/A

Receipt N/A

Receipt by [Signature]

Reviewed by [Signature]

Sent to region 8-14-86

PROOF OF BENEFICIAL USE

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

Permit No. 23-7066

Name(s) of Permit Holder: First Street - Partners

Post Office Address: 4855 East First Street

Idaho Falls ID 83401 Telephone No. 523-6693

Source of Water: Spring

Extent of Use:

Domestic _____ (number of households) Stockwater 350 (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.09 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 4/15/81

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ N/A
(See License Examination Fee Schedule)

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

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

Robert Switzer 208-523-6693
(Name) (Telephone Number)

4855 E. First Street Idaho Falls, ID 83401
(Address)

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

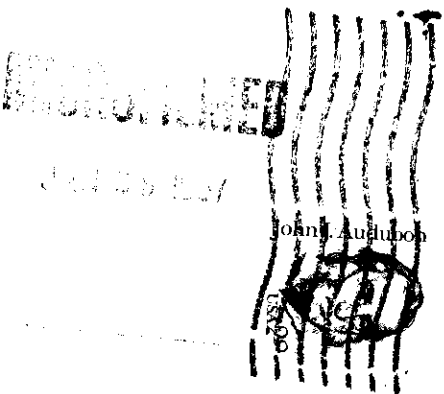
June 8/1986 First Street Partners by Ray Switzer
Date Signature of Permit Holder (and title, if appropriate)

UNRECORDED

First Street Partners
4855 1st St.
Idaho Falls, ID.
83401



State of Idaho
Dept. Water Resources
State House
Boise, Idaho
83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MAY 13, 1986

FIRST STREET PARTNERS
C/O ROBERT SUITTER
430 TIEBREAKER
IDAHO FALLS, ID 83401

LAPSE NOTICE

RE: PERMIT NO. 23-7066

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED FEBRUARY 28, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

D. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

DGS:RF

5-28-1986
Deta Lunk

MICROFILMED

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

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1986

138848

FIRST STREET PARTNERS
C/O ROBERT SUTTER
430 TIEBREAKER
IDAHO FALLS, ID 83401

P R O O F D U E N O T I C E

RE: PERMIT NO. 23-7066

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 MAY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FIRST STREET PARTNERS
C/O ROBERT SUITTER
430 TIEBREAKER
IDAHO FALLS, ID 83401

JUNE 03, 1981

RE: PERMIT NO. 23-7066

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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

SINCERELY,

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

ENCLOSURE

100-111111

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

23 7066

INITIAL REVIEW BY: KCW

APPLICATION NUMBER: 1st Street Partners

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: 1

Date: 23-7066

Comments: _____

- ☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

*proofed phone
over phone
4/7/81
KCW*

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: April 27 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: April 20/1981 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01
4-1-1981 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: April 30, 1981

STATE OFFICE REVIEW:

Ch. record 05/01/81 Upper Snake R.

- ☐ See attached sheet for more information.

By: Relay Date: 5/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

APRIL 2, 1981

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before APRIL 27, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before APRIL 27, 1981.

C. STEPHEN ALLRED

Director

Published 4/09 & 4/16/81.

23-Z066L

FIRST STREET PARTNERS

C/O ROBERT SUITTER, 430 TIEBREAKER, IDAHO FALLS, ID 83401

Source: SPRING tributary to SINKS

Date Filed: 04/01/1981

Amount: 0.09 CFS

Diversion Point: NWSW Sec 02 T 02N R 41E, BONNEVILLE Co.

Use: STOCKWATER (0.09 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 02 T 02N R 41E

Diversion Means: PIPELINE & TROUGH.

RECEIVED
APR 1 1981
IDAHO DEPT. OF AGRICULTURE
BOISE, IDAHO