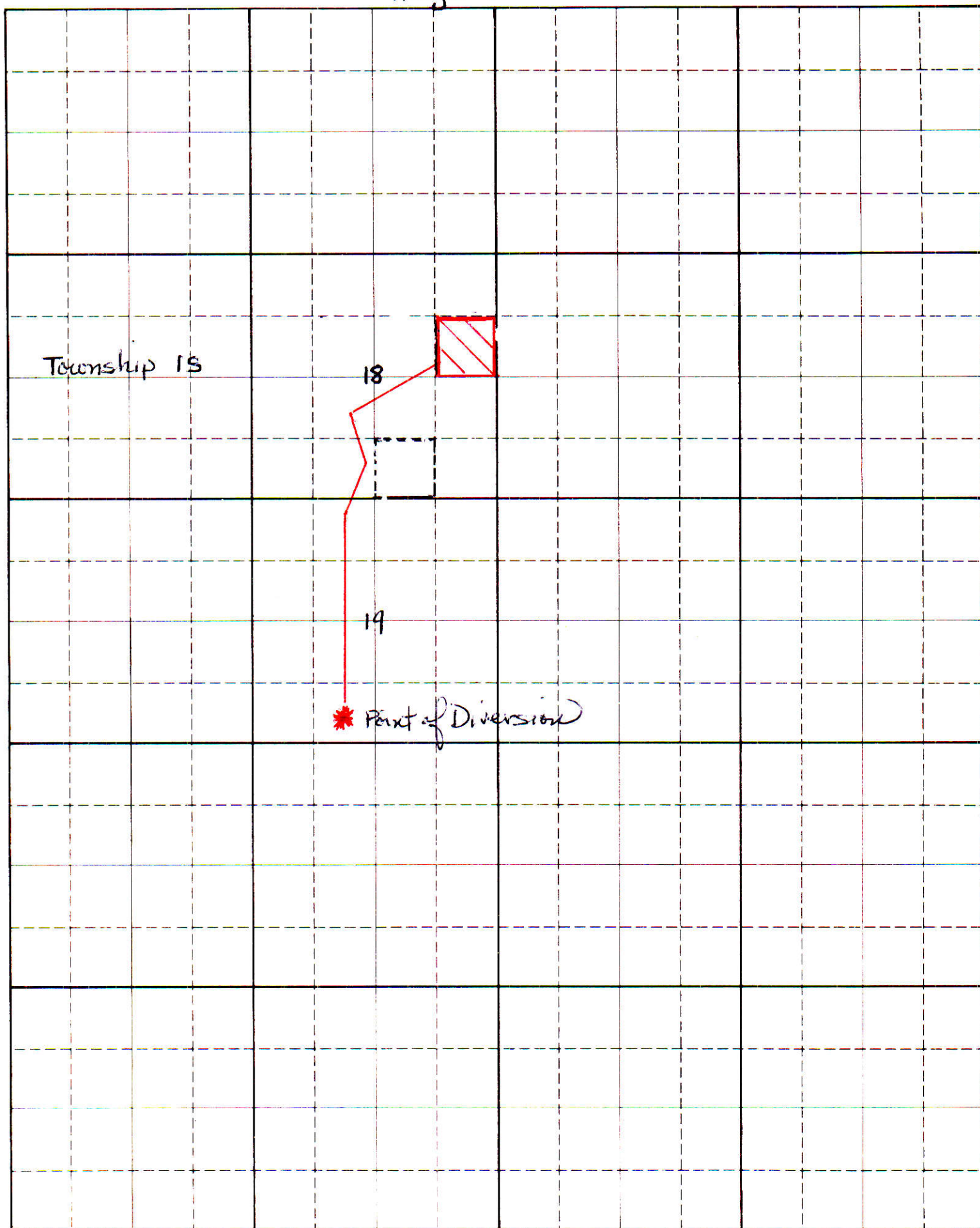


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Range 45E

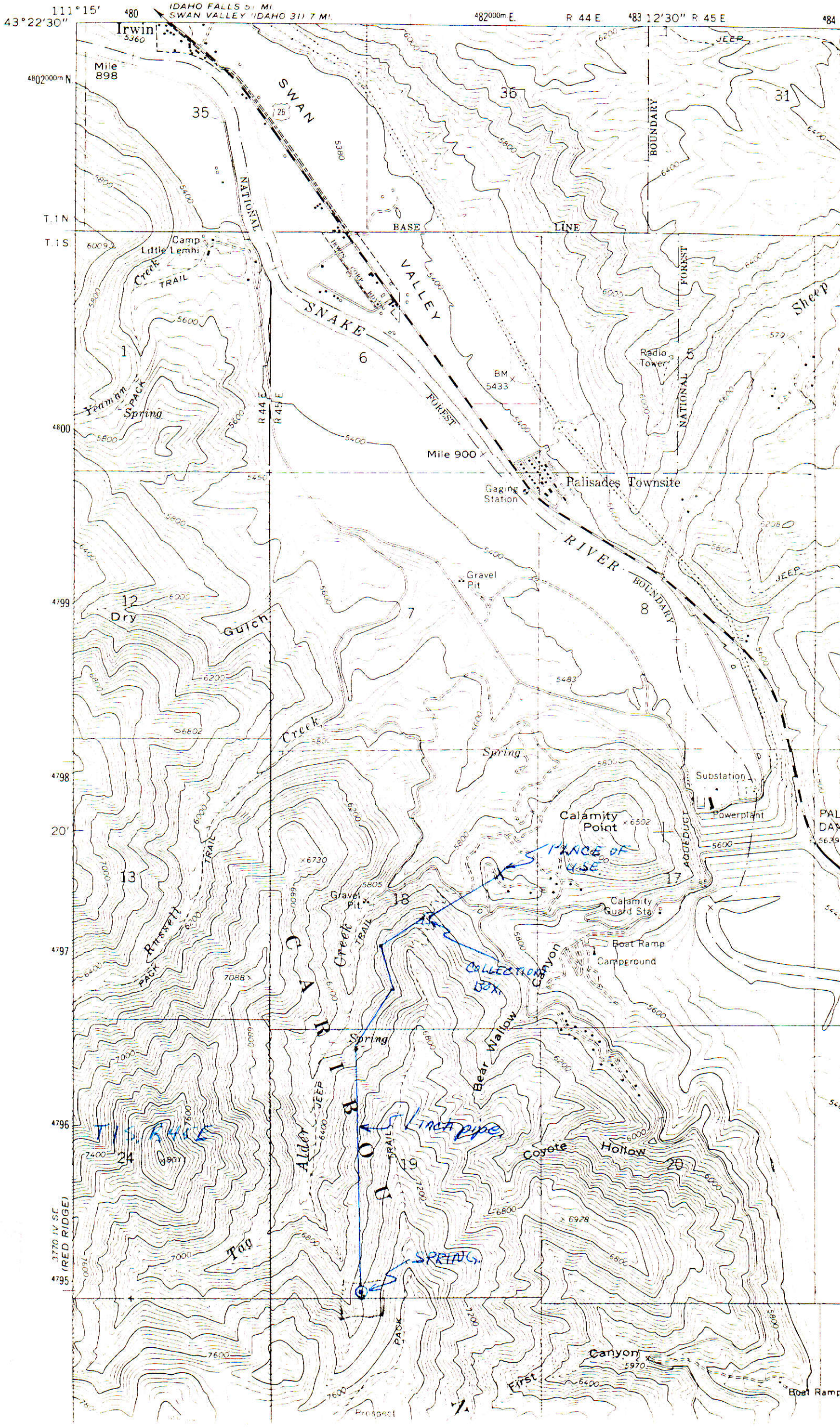


Scale: 2 inches equal 1 mile

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.

H. K. Bellenger
(Applicant)

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Proof of Publication

The Post-Register

RECEIVED
MAY 6 1977

Department of the Interior
Bureau of Land Management

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, 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 consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 21st day of April, 1977, last publication
having been made on the 28th day of April, 1977, 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 29th day of April, 1977.

Karl S. Hume
Notary Public

My commission expires April 5, 1979.

B10, 1M

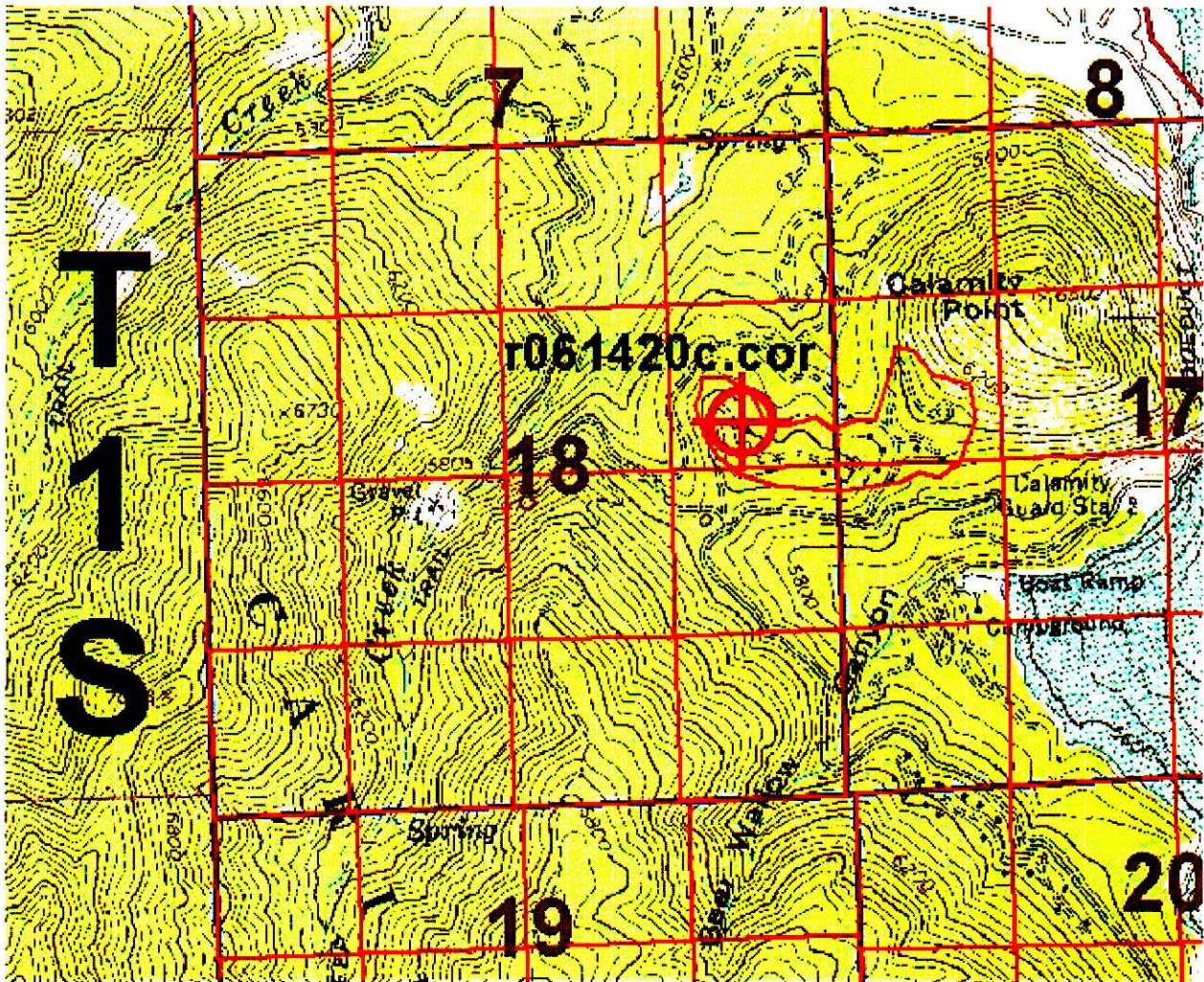
NOTICE OF APPLICATION FOR WATER PERMIT

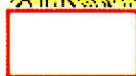
Notice is hereby given that H. K. Ballenger, Idaho Falls, Idaho has on 4-12-77 submitted Application No. 23-7020 for a permit to appropriate 0.02 cubic feet per second of water from an unnamed spring tributary to sinks by means of collection box and pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 1S, R. 45E, B.M., Bonneville County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 1S, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 9, 1977.

C. STEPHEN ALLRED
Director

Published in the Post-Register, Idaho Falls, Idaho on April 21 and April 28, 1977



 T01s45e.shp

 S01s45e.shp

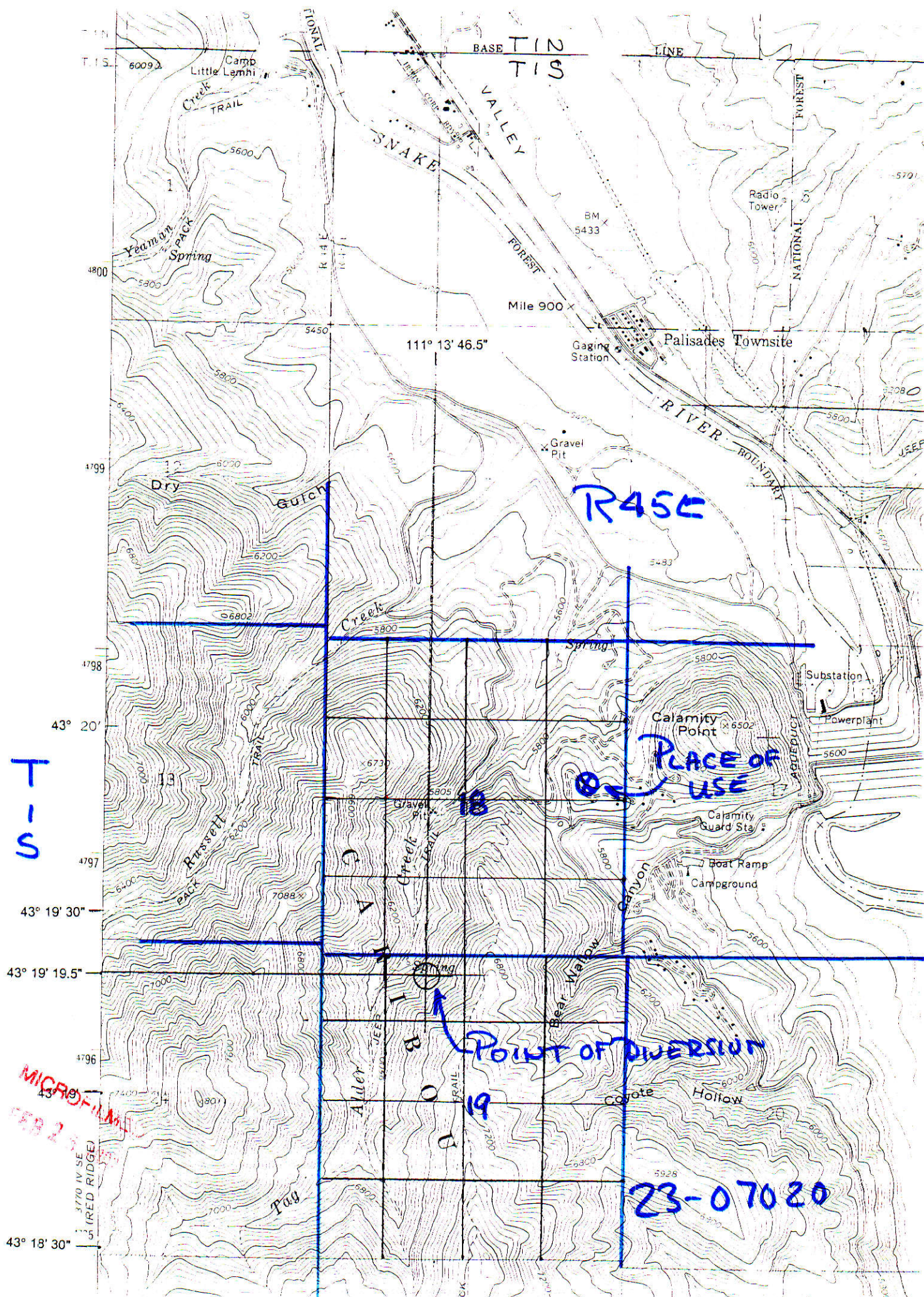
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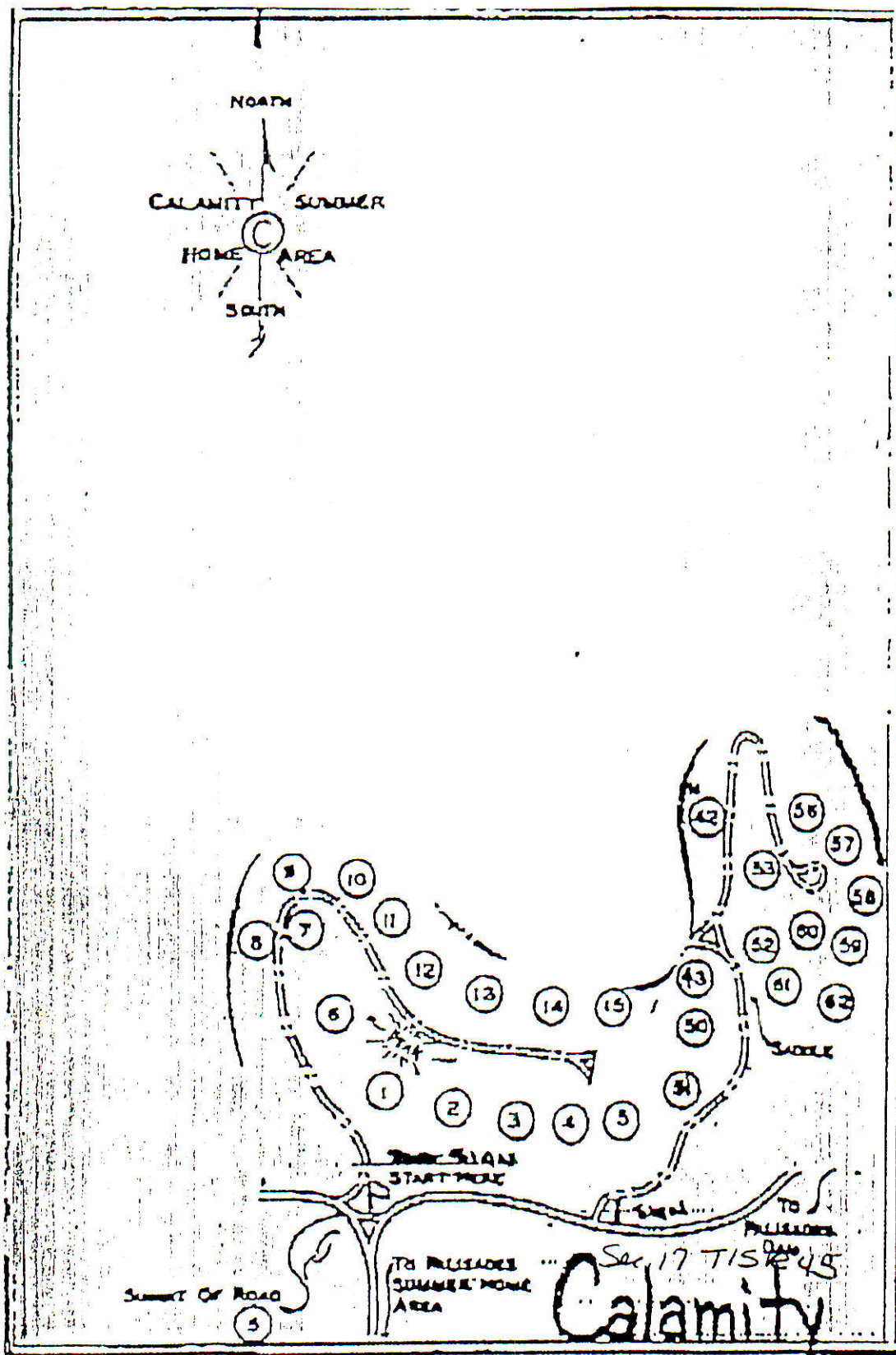
R45E

MICROFILMED

FEB 25 2002

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MICROFILMED
FEB 25 2002

23-07020

23-07020





23-07020

MICROFILMED
FEB 2 5 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07020

Priority: April 12, 1977

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST
IDAHO FALLS ID 83401 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 12, 1977; and has
submitted Proof of Beneficial Use on July 27, 1982. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.02 CFS

**ANNUAL
DIVERSION VOLUME**

0.6 AF

LOCATION OF POINT OF DIVERSION:

SPRING L3 NW¼NE¼NW¼ Sec 19, Twp 01S, Rge 45E, B.M., BONNEVILLE County

PLACE OF USE: DOMESTIC

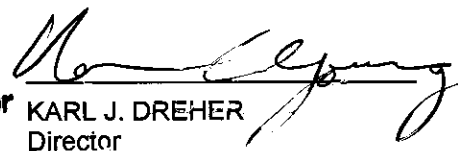
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	45E	18				X													

CONDITIONS OF APPROVAL

- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- Place of use is located within Lot 11, Calamity Summer Home Area.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 22ND day of FEBRUARY, 2002.

Acting for 
KARL J. DREHER
Director

RECORDED
FEB 25 2002

RECEIVED

FEB 19 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 23-07020

Date of Priority: April 12, 1977

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.6 AF

Comes now CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST

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. 23-07020, and requests that the permit be changed as follows:

Source: SPRING

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT OF DIVERSION:

SPRING L3 NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Twp 01S, Rge 45E, B.M., BONNEVILLE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	45E	18				X													

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 this 5 day of FEB, 2002.

Kenneth D. Ballenger
(Signature)

MICROFILMED

FEB 25 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 23-07020

FOR DEPARTMENT USE ONLY

Preliminary check by EW Fee = 50.00 Received by da # C060026 Date 2/19/02

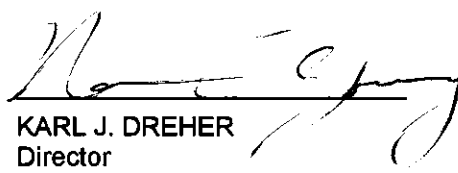
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 23-07020 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. Place of use is located within Lot 11, Calamity Summer Home Area.

Witness my hand this 22ND day of FEBRUARY, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

FEB 25 2002

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has consented to the development to the extent shown below of Permit No. 23-7020

Name(s) of Permit Holder Co-hamity water users ass. of HK. Ballenger

Post Office Address: 238 9th St. Idaho Falls, Id.

Tel. No. 523 0136

Source of Water: Spring

Extent of Use: ☒ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

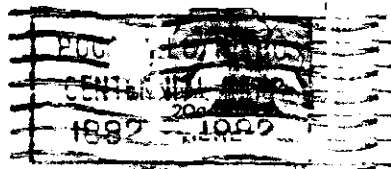
The above information is a true statement of the extent to which the above numbered permit has been developed.

7-23-82
Date

H.K. Ballenger.
Signature of Permit Holder

MICROFILMED
FEB 25 2002

H.K. Ball, Jr.
238 9th St.
Idaho Falls, Ida. 83401



MICROFILMED

Aug 27, 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

JUL 7 1977

State of Idaho
Department of Water Resources

Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, H. K. Ballenger, hereby assign to Calamity Water Users Association
of c/o H. K. Ballenger, 238 9th Street, Idaho Falls, Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 23-7020
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 7th day of July, 19 77.

H. K. Ballenger
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 7th day of July, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

Allen Wray
Notary Public residing at
Idaho Falls, Idaho

My commission expires:
6/15/81

Identification No. 23 7020
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

ASSIGNED TO: **To Appropriate the Public Waters of the State of Idaho**
Calamity Water User's Association (TYPE OR PRINT IN INK)

1. Name of applicant H. K. Ballenger Phone: 523-0136
post office address 238 9th Street, Idaho Falls, Idaho 83401
2. Source of water supply unnamed spring which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 1S
Range 45E B.M. Bonneville County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. collection box and pipe to
existing culinary system, or to applicant's summer home.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 2,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 1S
Range 45E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1
(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	
1S	45E	18				X													

Total number of acres to be irrigated_____

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

The Calamity Summer Homeowners Assoc. is presently purchasing water
right from Don Rose.

9. a. Who owns the property at the point of diversion U. S. Forest Service

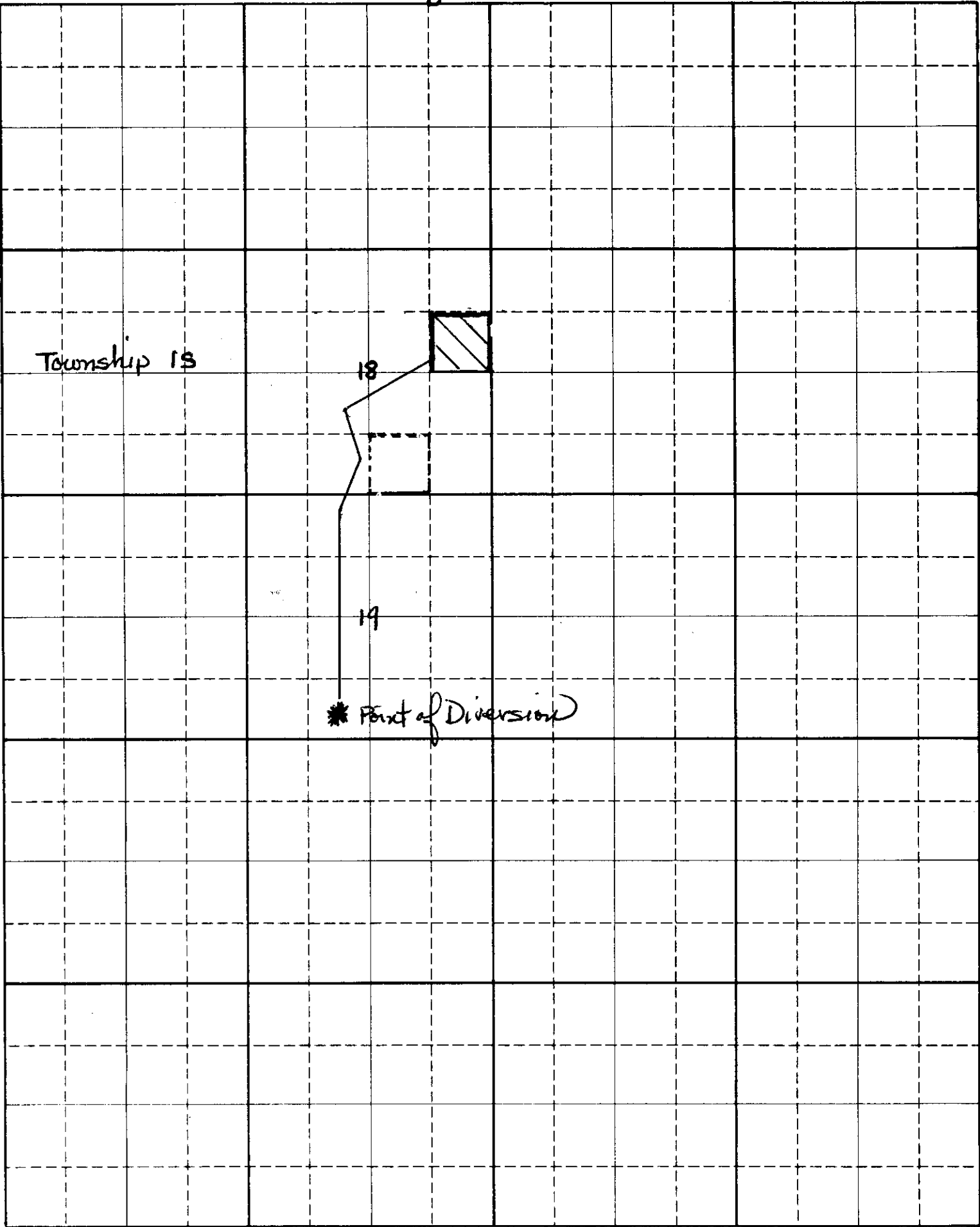
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Place of use will be Calamity Summer Home Area, Lot #11

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

Range 45E



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.

H. K. Ballenger
(Applicant)

Proposed Priority 4/12/77
Received by me Date 4-12-77 Time 4:00 p.
Preliminary check by me Fee \$ 10.00
Receipted by me Date 4-12-77 # 6528
Publication prepared by me Date 4-15-77
Published in Post Register
Publication dates April 21 + 28-1977
Publication approved me Date 5-5-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RDC jg

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. 23-7020, 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 August 1, 19 82.
- c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

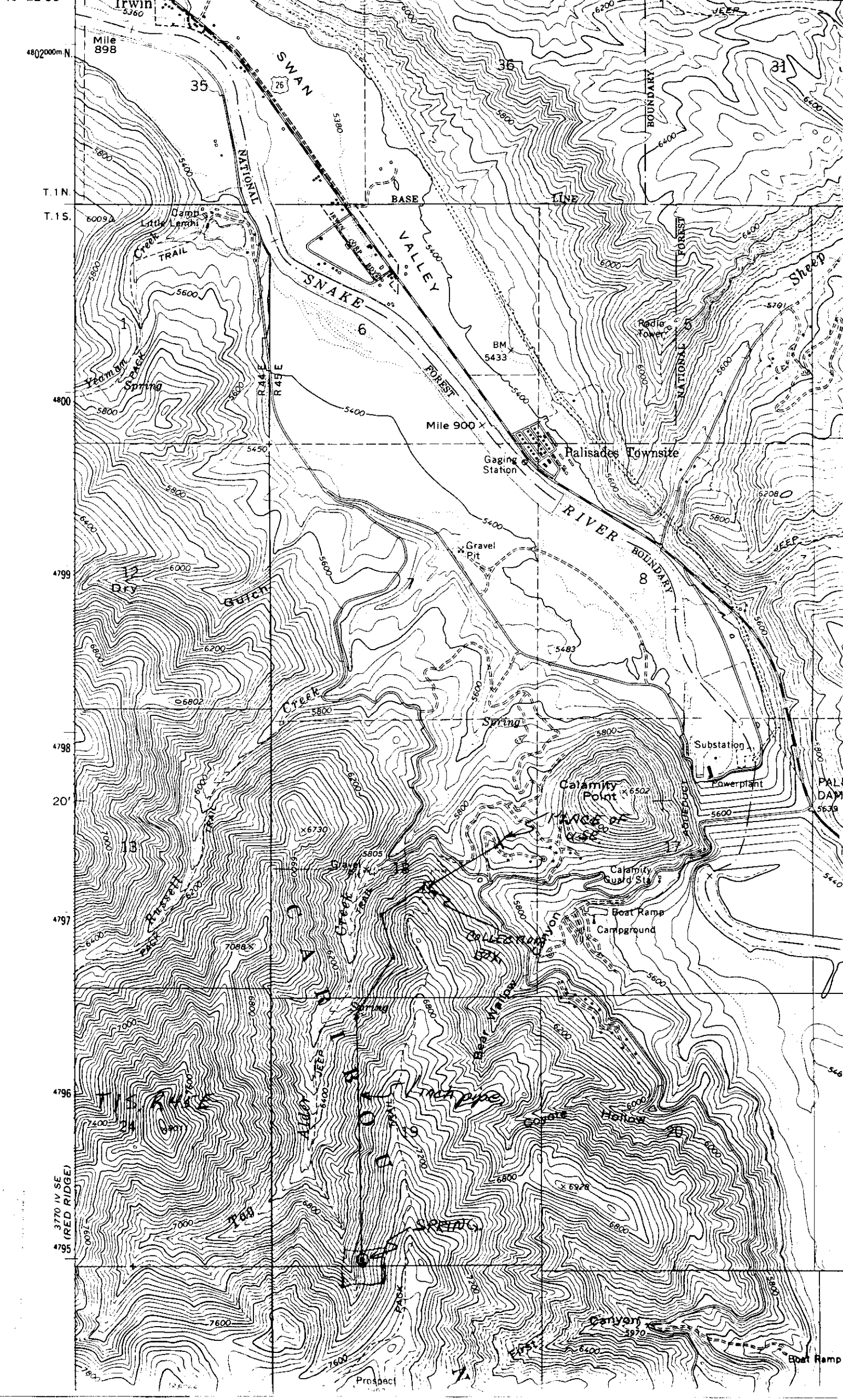
2. Denial of said application is for the following reasons: _____

Witness my hand this 30 day of August, 19 77.


Director

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

111°15' 480 IDAHO FALLS 51 MI. SWAN VALLEY (IDAHO 31) 7 MI. 482000m E. R. 44 E. 483 12'30" R. 45 E. 484
43°22'30"



Proof of Publication
The Post-Register

RECEIVED
MAY 6 1977

Department of Natural Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, 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 consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 21st day of April, 1977, last publication
having been made on the 28th day of April, 1977, 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.

E. F. McDermott
Subscribed and sworn to before me, this 29th day of April, 1977.

Karl S. Sater
Notary Public

My commission expires April 5, 1979.

B10, 1M





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST
IDAHO FALLS ID 83401

RE: License No. 23-7020 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet

.Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt
Enclosure(s)

MICROFILMED

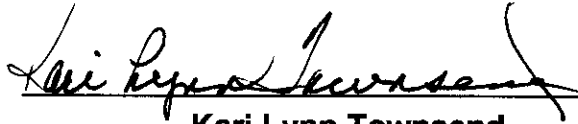
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on February 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 23-7020

**CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST
IDAHO FALLS ID 83401**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 25 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
FEB 25 2002

FINAL ORDER

The Director 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 Director 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.

MICROFILMED
FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

February 22, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SCOTT AND KEN BALLENGER
1814 4TH ST
MARYSVILLE WA 98270

RE: Permit No. 23-07020

Gentlemen:

We are in receipt of the application for licensing amendment and the notice of change of water right ownership form that you submitted for the above referenced permit. We found, in looking through the paperwork you submitted, that you only submitted enough money for the application for amendment. We have, therefore, applied the \$50.00 to the application for amendment so we could license this permit. The license will be issued in the name of Calamity Water Users Association. Enclosed is Departmental Receipt No. C060026 in the amount of \$50.00.

In looking at the assessment notice that you submitted with the Notice of Change of Water Right Ownership, I find that it describes your property as being located in Section 17, T1S, R45E. This is not the same section that our examiner found your cabin to be located in when he GPS'd (Global Positioning System) the location during his field examination. I contacted Bonneville County Assessor's Office and they stated that they got their information from the Forest Service. I have sent them a copy of the GPS information we retrieved when our examiner was at your cabin.

Your note to me stated that you were enclosing a copy of a lease agreement with the Forest Service. I did not receive the lease agreement, only the assessment notice from Bonneville County Assessor. You might want to check your lease agreement and see if it shows the cabin in Section 18, as we found it, or in Section 17, as Bonneville County shows it. Once your ownership documentation describes the location we have found using GPS we would be able to process the ownership change. We cannot change the ownership of a water right unless the documentation submitted is for the place of use under the water right. Please note that you must submit a \$25.00 filing fee for the Notice of Change in Water Right Ownership form along with your documentation of ownership.

MICROFILMED

FEB 25 2002

Since we have GPS'd the location of your cabin, we are proceeding with licensing this permit as proposed on the licensing amendment. You should be receiving the license in the mail in the next couple of weeks.

If you have any questions regarding this matter, please feel free to contact me at (208)327-7944.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

February 22, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MICHELLE SMITH
BONNEVILLE COUNTY ASSESSORS OFFICE
605 N CAPITAL AVE
IDAHO FALLS ID 83402

RE: Location of Lot 11, Calamity Summer Home Area – Kenneth D Ballenger

Dear Michelle:

Thanks for your help in regards to Calamity Summer Home Area. As per our telephone conversation, I am enclosing a copy of the GPS location we found when we did a field examination for Lot 11, Calamity Summer Home. Our examiner took the GPS reading while standing in the driveway in front of the steps to the deck of the cabin. We will be issuing their water right license for a cabin in the SE¼NE¼, Section 18, Twp. 1S, Rge. 45E.

If you need any further information that we could provide, feel free to give me a call at (208)327-7944. You could also call our field examiner who took the GPS reading. His name is Keith Wilson, of our Idaho Falls Office, at 525-7161. Thanks again.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style with a large, prominent 'K' and 'W'.

KAY WALKER
Sr. Water Resource Agent

Cc: Keith Wilson, Eastern Region

MICROFILMED

FEB 25 2002

MEMORANDUM

To: File 23-07020

From: Kay Walker *KW*

RE: Legal Description of Property

Date: February 21, 2002

.....

In review of the ownership change documentation the Ballenger's sent in with their licensing amendment I found that the county assessor had billed them for property in Section 17, T1S, R45E. This description is not consistent with the location of the cabin that was GPS'd by Keith when he did his exam.

I contacted the Bonneville County Assessor's office to find out where they came up with their legal description and Michelle stated that they got their information from the Forest Service and had no way of checking it. She requested that I send her a copy of the GPS point that Keith had done and they might be able to use it to update their records.

We should go ahead and license this permit as determined by Keith using the GPS information.

MICROFILMED

FEB 25 2002



☐ T01s45e.shp

☐ S01s45e.shp

☒ Posnpnt.dbf

R45E

MICROFILMED

FEB 25 2002

00 0700

RECEIVED

FEB 19 2002

Department of Water Resources

To: Kay Walker
From: Scott Ballenger
R.E.: Water Right No.23-07020

Kay,

I am Pam Olsen's brother. My brother Ken and I own the cabin on Calamity lot#11. We inherited this cabin when our mother died on 3/10/95. She was preceded in death by our father H.K. Ballenger many years earlier. This cabin is on lease land and I'm supplying a copy of our lease statement which you will see my brother Ken listed on. He is Kenneth D. Ballenger.

I hope I have supplied the necessary info to take care of this matter. Please contact me if I have not.

Scott Ballenger
425-210-9111
1814 4th St.
Marysville, WA 98270

MICROFILMED

FEB 25 2002

RECEIVED

FEB 19 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
23-07020					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

H.K. BALLINGER
 238 9TH ST. IDAHO FALLS IDAHO, 83401

4. New Owner/Claimant(s)

Scott Ballinger and Ken Ballinger

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

1814 4TH ST

City, State and ZIP Code

Marysville, WA 98270

New Telephone Number

425 210-9111

5. Date you acquired the property

MARCH 10 1995

MICROFILMED
 FEB 25 2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Scott Ballman
Kenneth Ballman

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by J. Mann Date 2/19/02 Fee \$50.00 NO - fee used for application
 Received by J. Mann Date 2/19/02 Receipt No. 2040024 NO for amendment
 Processed by AJ Date _____ WR _____ Date 2/20/02
 MICROFILMED
 FEB 25 2002
 fw

Idaho Department of Water Resources Receipt

Receipt ID C060026

Payment Amount \$50.00 Date Received 2/19/2002 3:39:00 PM Region State Status
Payment Type Check Check Number 1712

Payer OLSEN PAMELA L

Comment WATER RIGHT 23-07020

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	~~OWNERSHIP CHANGES/SECURITY INTERESTS~~	0229	21	56140	1155

Application for Amendment
fw

J. Massi
Signature Line (Dept. Representative)

MICROFILMED
FEB 25 2002

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RECEIVED

CATEGORY DESCRIPTION

2-73574-6

ASSESSMENT NOTICE

[illegible]

LOTS/ACRES	MARKET VALUE
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MARKET VALUE

Taxes are based on the valuation listed on this statement

[illegible]

2007-2008

PARCEL #
L251000010 A

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PROPERTY ADDRESS

VALUE	SENIOR YEAR
10,112	SENIOR YEAR
22,479	SENIOR YEAR

CURRENT YEAR
10,114
ESTIMATED
22,076

See back for details.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 8, 2002

PAM OLSEN
PO BOX 2565
IDAHO FALLS ID 83403

RE: Water Right Permit 23-07020

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the \$50.00 filing fee for this amendment has not been paid.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

FEB 25 2002

*2/15/02 * Scott & Scott joint owners
K.D. Ballengee - son of Ballengee's
360-658-7625
sent amendment
in 2/14/02 - with
ownership change -
KW*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 8, 2002

PAM OLSEN
PO BOX 2565
IDAHO FALLS ID 83403

RE: Permit No. 23-07020

Dear Mrs. Olsen:

Thank you for returning my telephone call regarding your parent's water right. As we discussed I am sending to you copies of the letters we have been sending to the address we had in our records for your mother. I have also included a copy of the original permit issued in August of 1977 for your information.

As we discussed, we need to finalize action on this permit. Since the point of diversion that was developed is located in a different 40-acre tract than originally intended, we must amend the permit to show where the point of diversion is actually located. Since this point has been identified using the Global Positioning System (GPS) we are certain that the new description is correct. Since both of your parents are deceased, we can accept your signature on the amendment form and issue the license. There is a \$50.00 filing fee for submittal of the amendment.

If you are the current owner of Lot 11, Calamity Summer Home Area, you should submit the enclosed "Notice of Change in Water Right Ownership" so we can update our records to show you as the current owner. As of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the Department. Notice of the change must be provided to the Department within 120 days of the change.

If you have any questions regarding this matter, please do not hesitate to contact me at (208)327-7944 or at the address shown above.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

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FEB 23 2002

1-16-02
Pam Olsen called.
Her brothers own
Lot 11 so she will
have them submit
amendment. KW

SRBA

SUBCASE SUMMARY REPORT 23-07020

Return to SRBA Home Page

SRBA
07-17-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 23-07020 FILE#: 00000
CLAIMANT: CALAMITY WATER USERS ASSN
STATUS: PD ISSUED
WATER SOURCE: SPRING, SINKS

**** PARTIES INVOLVED ****

CALAMITY WATER USERS ASSN C PRO SE

**** ROA ENTRIES ****

02-12-1999 PARTIAL DECREE FILED

02-12-1999

Return to SRBA Home Page

H.K. Ballenger @ Palisades : 483-3904
Mrs. Olsen - per Keith Wilson - (Ballenger's
daughter) 483-3822

per phone
conversation
1-7-2002:

Pam Olsen is
Mrs. Ballenger's
daughter -

Mrs. Ballenger
has been deceased
for about a year -
Mrs. Olsen will take
care of lic amendment
if we send to

MICROFILMED
FEB 25 2002

home) 523-4495
Pam Olsen
PO Box 2565
Idaho Falls
83403

fw



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 24, 2001

CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST
IDAHO FALLS ID 83401

RE: Permit 23-07020

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED
FEB 25 2002

Memorandum

To: Files 23-07020 and 31-07282

From: Kay Walker *KW*

RE: Amendments Required for Licensing

Date: July 23, 2001

.....
We had previously sent out requests for licensing amendments on these permits so we could complete our processing of the permits to licenses. We did not get the licensing amendments back from the permit holders so I discussed the situation with Susan Hamlin Nygard.

For Permit 23-07020 – The diversion point is located in a different location than what was permitted so our next step would be to void the permit if no licensing amendment is received.

For Permit 31-07282 – The place of use is different than originally permitted but does contain some of the permitted place of use. We can issue the license with a smaller place of use than what the examiner found if we don't receive the licensing amendment.

Susan feels we have given plenty of notice in our request for amendment letters and it is up to us to complete the process. We will proceed with the second reminder notices that we are still waiting for the licensing amendments and proceed from there.

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 31, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CALAMITY WATER USERS ASSN
C/O H K BALLENGER
238 9TH ST
IDAHO FALLS ID 83401

RE: Water Right No. 23-07020

Dear Mr. Ballenger:

The Department is reviewing the above referenced permit prior to issuing a water right license. We find that this right has been partially decreed in the Snake River Basin Adjudication (SRBA), however, pursuant to Section 42-1421, Idaho Code, we must complete the statutory licensing procedure in accordance with Section 42-219, Idaho Code. We have included copies of the above referenced sections of Idaho Code for your convenience. Once the license has been issued the Department will reflect the completion of the licensing process in its water rights database. By issuing a license on this permit, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict this water right as it was actually developed.

The enclosed Application for Amendment form depicts the place of use and other information, as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the \$50.00 filing fee within 30 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur with the field examiner's findings, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED

FEB 25 2002

LICENSE REVIEW CHECKLIST

Permit No. 23-07020 Date: 6-22-2000 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): None

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.02 cfs

Fee Limit cfs

Measured cfs

Theoretical cfs

Recommended Total Diversion Rate 0.02

Water Uses OK

Change (P46)

Irrigation cfs af

Stockwater cfs af

Domestic 0.02 cfs 0.6 af

 cfs af

 cfs af

Total cfs af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/079)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/Wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette (W22/047/27A)

Volume Determination

 cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks: W60, NOT WB5

Additional Conditions NO Watermaster Control

NO GW Measurement/Measuring Device

NO Other

Trust (052/R55 - remove 051)

Non-trust (048/049)

Government Lots? YES - p/d only

Advance Priority? yes

If yes, explain why below.

SRBA Claim? yes - partial decree issued - need to issue license to finalize process.

Adjust memo

Amend Letters P39

P87, S06

Second Amendment Notice P49

S06

Rt. claimed as permit - No "AOI" on decree

PID was GPS'd by DEQ - see exam

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 22 2000
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 23-07020

1. Owner: Calamity Water Users Assn Phone No. 523-7308

Current Address: _____

2. Accompanied by: - EXAM DATE: 6-16-2000

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: SPRING tributary to SINKS

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
	3	NW	NE	NW	19	1S	4SE	Bonneville	DEQ Lot 43' 19' 19.5"
									Lon 111° 13' 46.5"
									Tag # E0008308

2. Place(s) of Use:

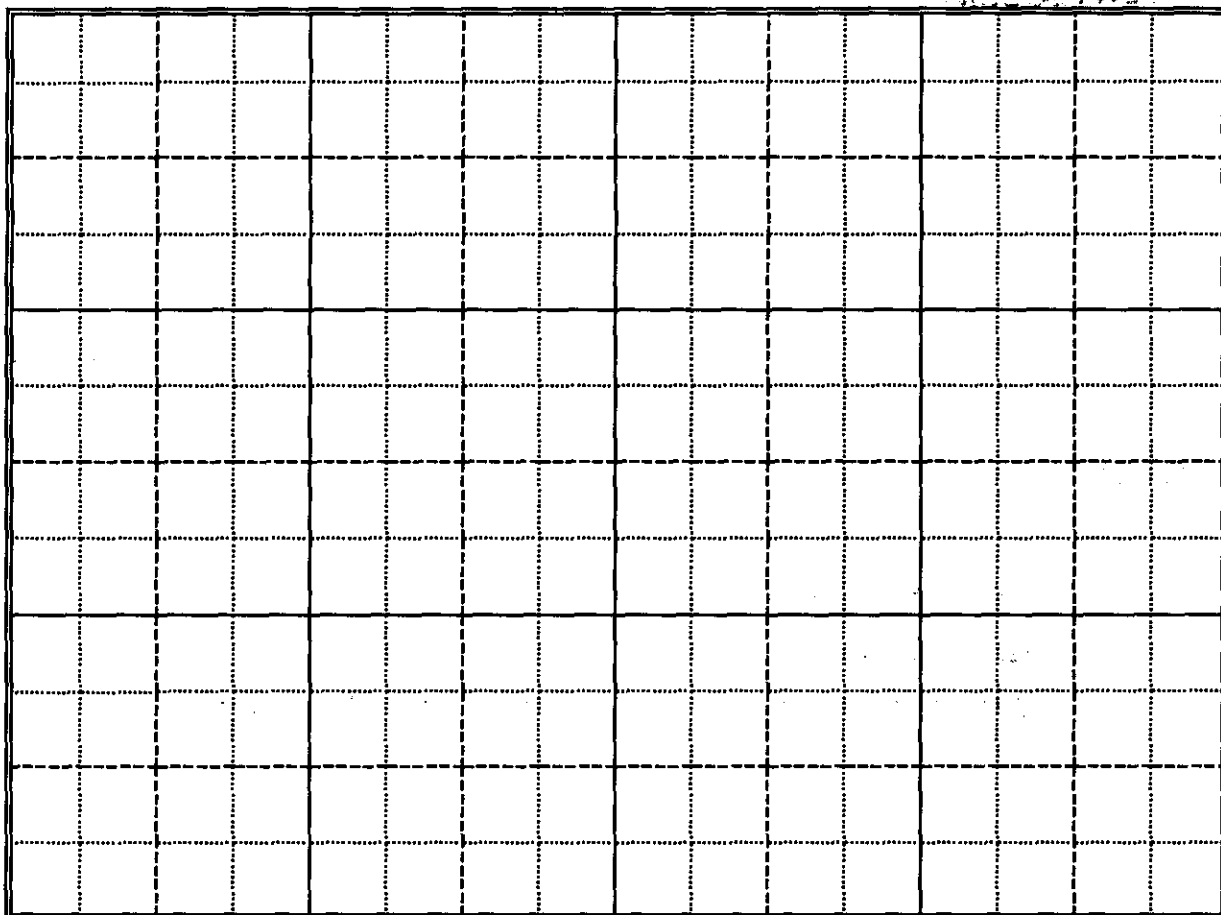
Indicate Method of Determination GPS / ON SITE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	4SE	18				D													

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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

*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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E. NARRATIVE/REMARKS/COMMENTS

Used DEQ GPS Lat $43^{\circ}19'19.5''$
Lon $111^{\circ}13'46.5''$

Daughter of Mrs Ballanger located Spring on USGS which matches
DEQ Lat/Lon

Spring to domestic water system for 25 homes this is for Calamity
Summer Home Area Lot # 11.

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

*De Minimis***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$Dom_v = 0.6 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>1/1</i>	<i>12/31</i>	<i>0.02 cfs</i>	<i>0.6</i>
<i>1 unit</i>				
Totals:			<i>0.02 cfs</i>	<i>0.6 afa</i>

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 *Keith C. Wilbur* Date *6-16-2000*

Reviewer _____ Date _____

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FEB 23 2002
SPAL

Wilson, Keith

From: DEREK YOUNG [DYOUNG@DEQ.STATE.ID.US]
Sent: Thursday, June 22, 2000 11:17 AM
To: kwilson@idwr.state.id.us
Cc: ARETTSCH@DEQ.STATE.ID.US
Subject: PWS 1/4 1/4 location

Howdy Keith,

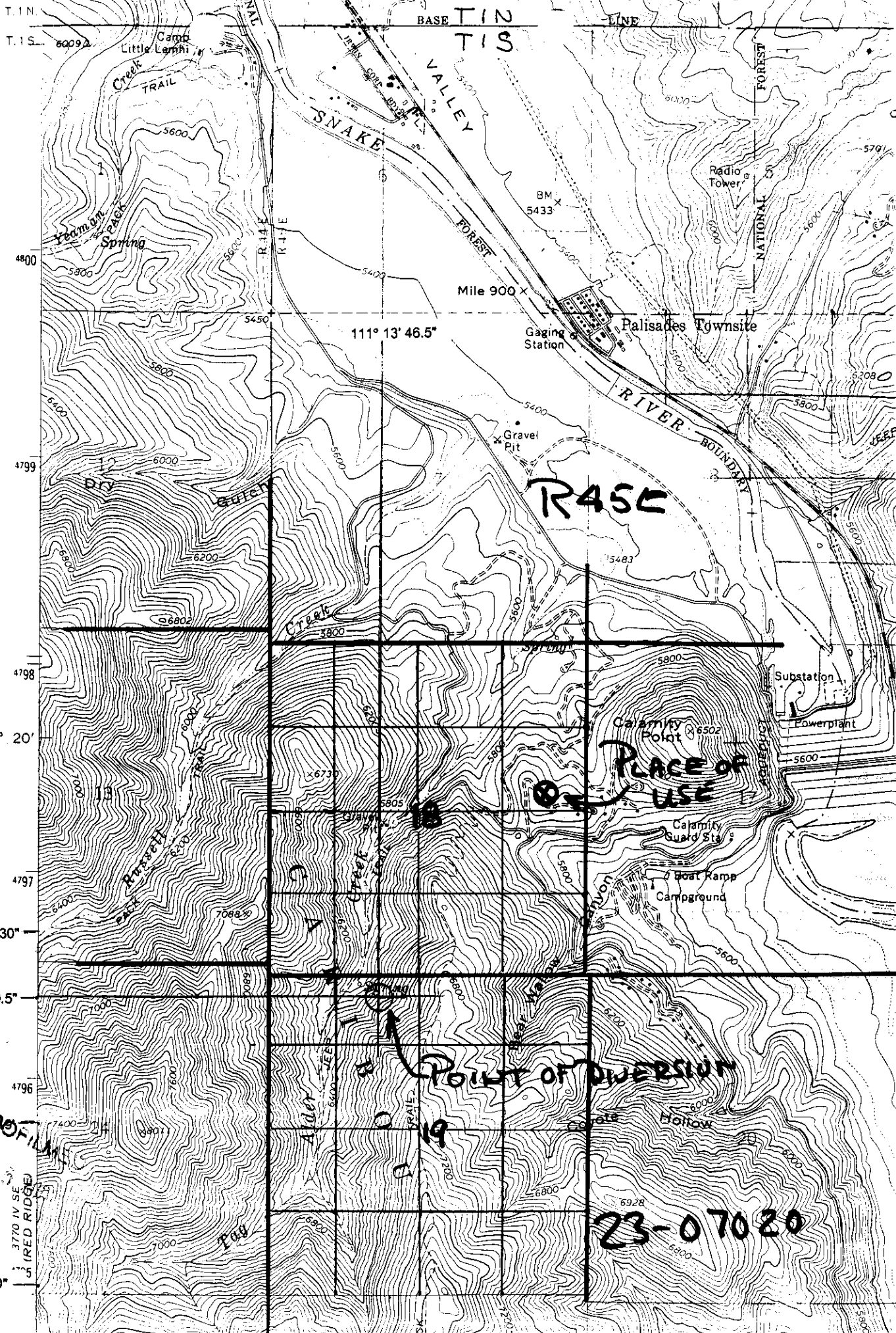
We show the location of Public Water System Tag #E0008303 is the NE1/4, of the NW1/4 of Section 19, Township 01 South, Range 45 East.

Let me know if I can help more.

Derek A. Young
GIS Analyst
Idaho Division of Environmental Quality
1410 N. Hilton, Boise, ID 83706
(208) 373-0567

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FEB 25 2002

23-07020



BASE
TIN
TIS

111° 13' 46.5"

R45C

PLACE OF
USE

POINT OF DIVERSION

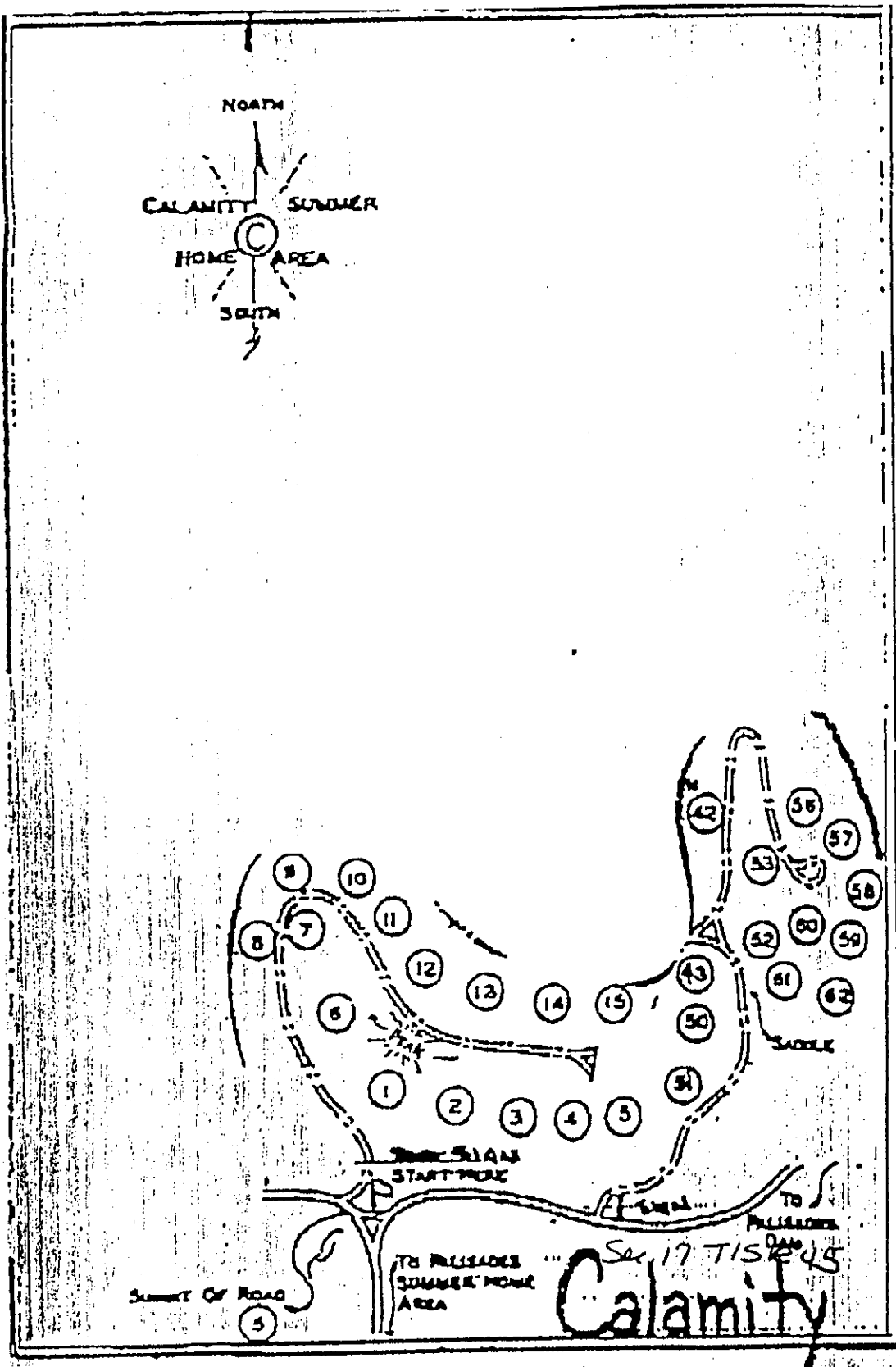
23-07020

T
I
S

MICROFILM
FEB 2 1955

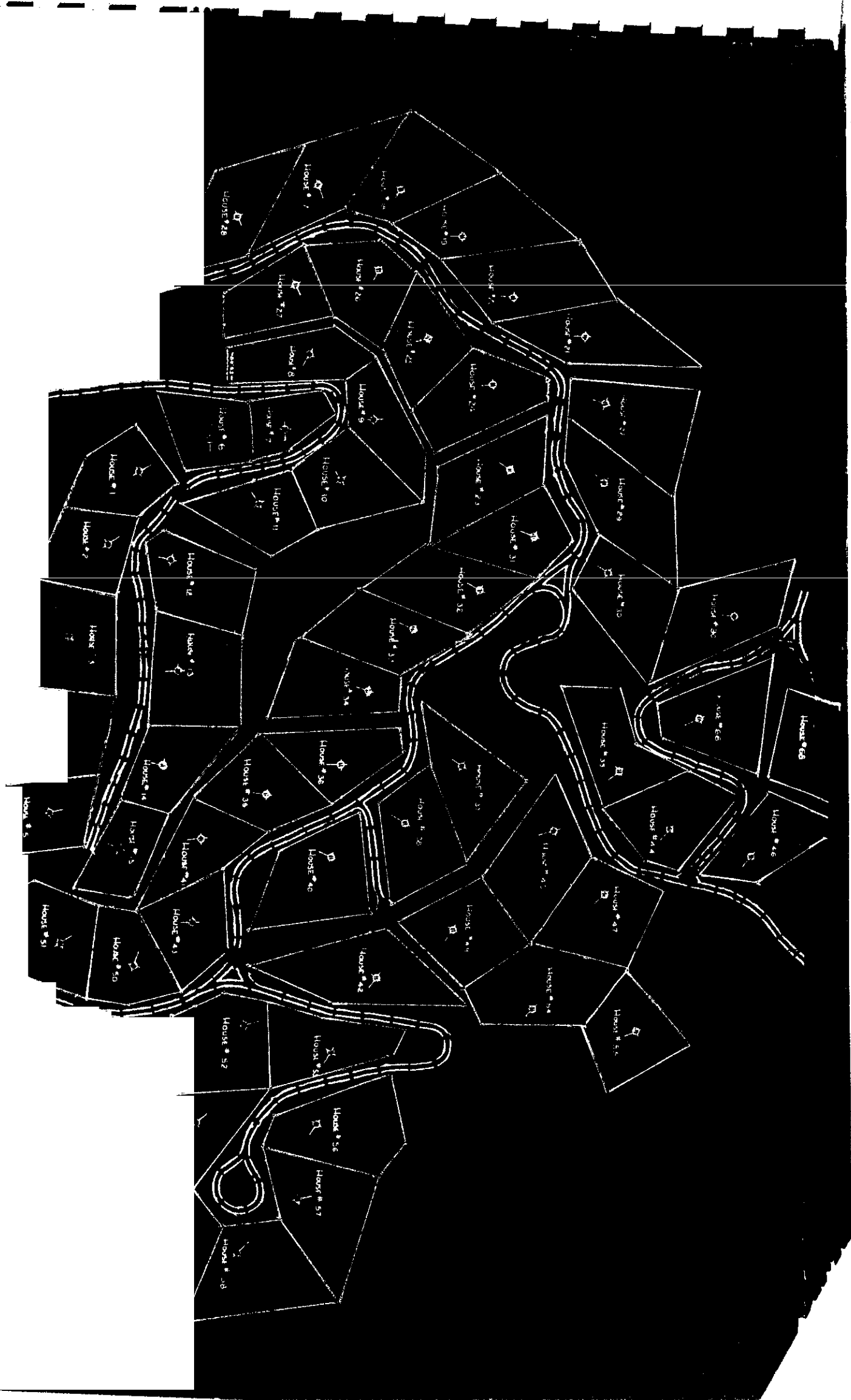
3770 IV SE
5 (RED RIDGE)

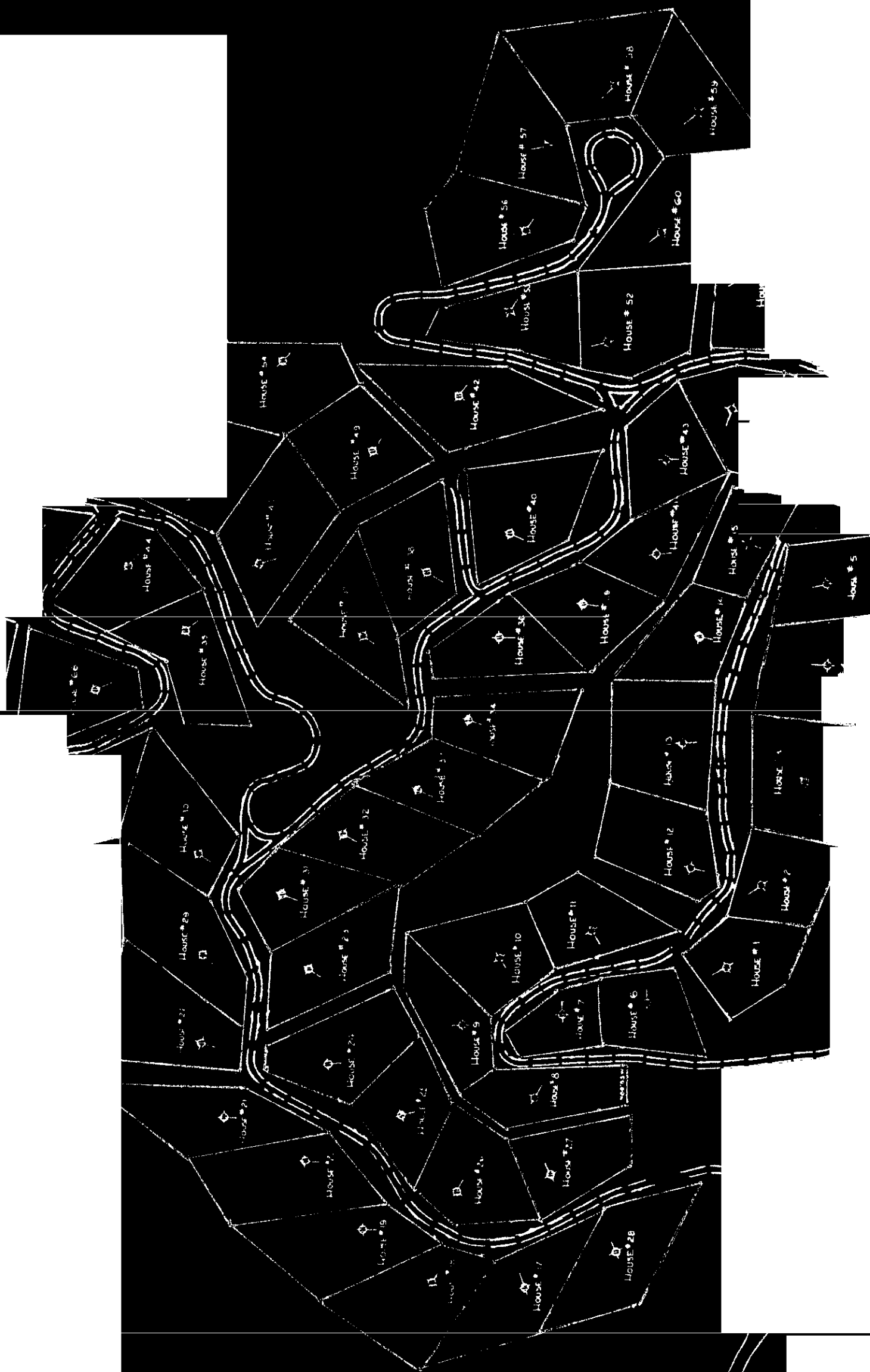
43° 18' 30"



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FEB 25 2002

23-07020







23-07020

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FEB 25 2002

PAGE 1
Feb-04-1999

Partial Derive



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

Mr. [Name]

150 Shoup
Idaho Falls, Idaho 83401
208-525-7161

RE: [Subject]

Dear Mr. [Name]:

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

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

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

_____ 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.

Sincerely,

[Signature]

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FEB 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

BALLENGER, H. K.
238 9TH ST.
IDAHO FALLS, ID 83401

138993

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 23-7020 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

FEB 25 2002

August 31, 1977

Re: Permit No. 23-7020

H. K. Ballenger
238 9th Street
Idaho Falls, ID 83401

Dear Mr. Ballenger:

Enclosed is a copy of your approved Application for Permit No. 23-7020 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

CONVERSATION MEMORANDUM

DATE 4-28-77

FILE 23-7020

NAME OF PARTY H.K. BALLENGER

EMPLOYEE Ernie Carlsen *EMC*

RE: During a meeting with Mr. Jankle and Mr. Huntsman of the Forest Service,
Mr. Ballenger was told they would protest his application unless it was
assigned to the Calamity Summer Home Owners Water User's Association. Mr.
Ballenger anticipates this action will take considerable time and requests no
further action be taken on Application No. 23-7020. Therefore, this application
will be placed in the hold file until further notice from Mr. Ballenger.

CONVERSATION MEMORANDUM

DATE April 22, 1977FILE 23-7020NAME OF PARTY Dave JankleEMPLOYEE Ron Carlson

RE: ^{Jankle} Dave Jankle of the Targhee National Forest indicated that Mr. Ballenger is not the owner of the property of the place of use, but rather is part of the Calamity Summer Home area which is leased from the Forest Service. He said, because of problems the Forest Service has had in the past with individual water rights on the summer home projects, they would be reluctant to issue a special use permit to Mr. Ballenger unless this permit is first assigned to the Summer Home Association. He said he would contact Mr. Ballenger and would then notify the Department whether or not Targhee National Forest wished to object to the approval of this application.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Caribou National Forest
P.O. Box 4189
Pocatello, Idaho 83201

RECEIVED
APR 21 1977

Department of Water Resources
Eastern District Office

2540

April 19, 1977



Mr. Ronald D. Carlson
Supervisor, Eastern Region
Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Please refer to the Application for Water Permit #23-7020 by Mr. H. K. Ballenger in the vicinity of Calamity Camp-ground. This area of National Forest is now being administered by the Targhee National Forest, St. Anthony. We have mailed your letter and application to the Targhee Forest.

For your future reference, we have included a map which shows the approximate location of the Forest boundary separating the Caribou and Targhee National Forests.

Sincerely,

Frank G. Beitia
FRANK G. BEITIA
Branch Chief, Watershed

Enclosure

April 15, 1977

RE: Application for Permit No. 23-7020

Caribou National Forest
Forest Supervisor
P.O. Box 4189
Pocatello, Idaho 83201

Gentlemen:

Please be advised that the above referenced application has been filed by H. K. Ballenger. He has indicated that the point of diversion is located on Forest Service lands, and is aware that he must obtain a Special Use Permit from your office.

If you have any questions in regard to this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

cc: H. K. Ballenger

April 15, 1977

RE: Applications for Permit Nos. 23-7018 PANCHERI
23-7020 BALLENGER
35-7691 LUNDBLADE

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

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 5-5-77 by me

RDC:ME

Enclosures (3)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that H. K. Ballenger,

Idaho Falls, Idaho

has on 4-12-77 submitted Application No. 23-7020

for a permit to appropriate 0.02 cubic feet per second ~~XXXXXX~~

of water from an unnamed spring tributary to sinks

by means of collection box and pipeline

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 1S, R. 45E, B.M., Bonneville County;

to be used from Jan. 1 to Dec. 31

for domestic purposes for one family

within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 1S, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 9, 1977.

C. STEPHEN ALLRED
~~XXXXXXXXXXXX~~

Director

Published in the Post Register, Idaho Falls, Idaho

on April 21 and April 28, 1977

*He. J.
He. G.*

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Ballenger

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

(1) ARK 4/13/77
(2) ARK 4/13/77

In form to receipt yes

Send Copies to:

n/a Idaho State Health Department
n/a Idaho Fish and Game Department
n/a Bureau of Land Management

(3) ARK 4/13/77
point of diversion
is located down forest
service land

☒ Request Special Use Permit from U.S.F.S.
n/a Request Easement from B.L.M.
n/a Request Information from Applicant
n/a Request Dam Safety Information

(4) ARK 4/13/77

In form for advertising yes

(5) ARK 4/13/77

Platted on Map No. is 45E

(6) ARK 4/13/77

Located within Water District No. Basin 23

(7) ARK 4/13/77

Critical groundwater area: yes no X

(8) ARK 4/13/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) no adjacent obs. wells

(9) ARK 4/13/77

Other rights on the same place of use none

(10) ARK 4/13/77

Comments: none

(11) me 5-5-77

Affidavit of Publication received (date) 5-5-77

(12) RDC 7/29/77

Final date for protests 7/29/77

Protests received: yes no

(13) " "

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

Approve Deny

4/12/77 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

1. Approval of this Permit does not Grant access or easement to the lands of another Person.

(15) District E

By RDC

Date 7/29/77

Carly
Salt