

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

FEB 15 2001

Department of Water Resources

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

1. Permit No. 29-8191 Telephone No. 208-251-9591

2. Name of Permit Holder(s): To Ann Murphy

3. Mailing Address: PO Box 722

City Lava Hot Spring State Id Zip 83246

4. Source of Water: (Spring) tributary of Simpson Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No _____

Has the measuring device been installed?

Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: To Ann Murphy Telephone Number: 208-251-9591

Address: PO Box 722, Lava Hot Springs, Id 83246

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: To Ann Murphy Date: 2-12-01

(include your title, if on behalf of company) **MICROFILMED**

MAR 05 2001

RECEIVED

APR 02 1998

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Received - 15.00
For Office Use Only
\$50 Fee Received by _____
Date 4-3-98
Receipt No. 0041959
COU2187 135.00
4-29-98

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 29-08191

Name(s) of Permit Holder: To Ann Murphy

Mailing Address: PO Box 722 Lava Hot Springs Id 83246-0722

Date Proof is Due: April 1, 1998 Telephone No. 208 776-5111

Describe what work has been completed toward the development of this water right:

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

A hole has been dug to set holding tank. The head of the
spring has been identified. All materials to cap spring are
on property. As soon as the weather permits, the project
will be completed. Costing \$ 500.00

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

The onset of winter put a halt to the project. To date there
is 12" of snow. The road to the property is not a state
maintenance road.

Permit holder(s) request an extension to Dec 1 April, 1998 2001

FEE: \$50.00

John Murphy
(Signature)*
per conversation
4/24 w/ permit
Holder

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 2001.

IT IS FURTHER ORDERED that the permit is REINSTATED and the date of priority is advanced to January 15, 1997.

Signed this 18 day of May MICROFILMED

JUN 08 1998

A. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08191

Proposed Priority: January 14, 1997

Maximum Diversion Rate:

0.02 CFS

This is to certify, that JOANN MURPHY

PO BOX 722

LAVA HOT SPRINGS ID 83246-0722

has applied for a permit to appropriate water from:

SPRING

tributary of DEMPSEY CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 4, Township 10S, Range 38E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 38E 4

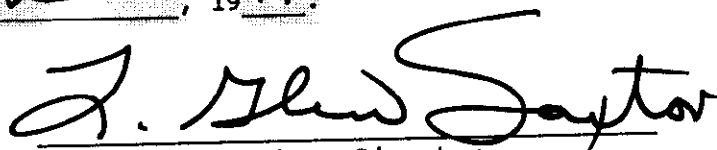
SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1998.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 29.
4. Point of diversion and place of use are located within Lot 9R, Blk. 5, Pine Haven Subdivision.
5. Domestic use is for 1 home.

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

28th day of March, 1997.


Karl J. Dreher, Director
for

MICROFILMED

APR 08 1997

RECEIVED

MAR 17 1997

FORM 202

2/96

Ident. No. 29-8191

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Jo Ann Murphy ^{work} Phone 801-752-2000
Mailing address PO Box 722 Lava Hot Springs, Id 83246
2. Source of water supply underground spring which is a tributary of Dempsey Creek
3. Location of point of diversion is Township 10S Range 38E Sec. 4 in the SE 1/4, SE 1/4, SE 1/4, Govt. Lot , B.M., Bannock County;
additional points of diversion if any: Lot 9 R, Block 5, Pine Haven Subdivision, Bannock County, Idaho
4. Water will be used for the following purposes:
Amount 0.02 CFS for domestic purposes from 1-1 to 12-31 (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)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 CFS and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source pipd from spring to house
b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
c. Proposed well diameter is NA inches; proposed depth of well is NA feet
d. Is ground water with a temperature of greater than 85°F being sought? NA
e. If well is already drilled, when? NA; Drilling firm NA
Well was drilled for (well owner) NA; Drilling Permit No. NA
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. NA
b. Stockwatering; list number and kind of livestock. NA
c. Municipal; show name of municipality. NA
d. Domestic; show number of households. ONE
e. Other; describe fully. NA

APR 08 1997

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	38E	4																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. applicant NA

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

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

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

John A. Murphy
Signature of Applicant (and title, if applicable)

Received by S. Ball Date 1-14-97 Time 3:00 p.m. Preliminary check by _____
Fee \$ 50.00 Receipted by S. Ball # ED 22878 Date 1/13/97
Publication prepared by RB Date 2-20-27-1997 Published in Idaho State Journal
Publication approved _____ Date _____

RECORDED

APR 08 1997

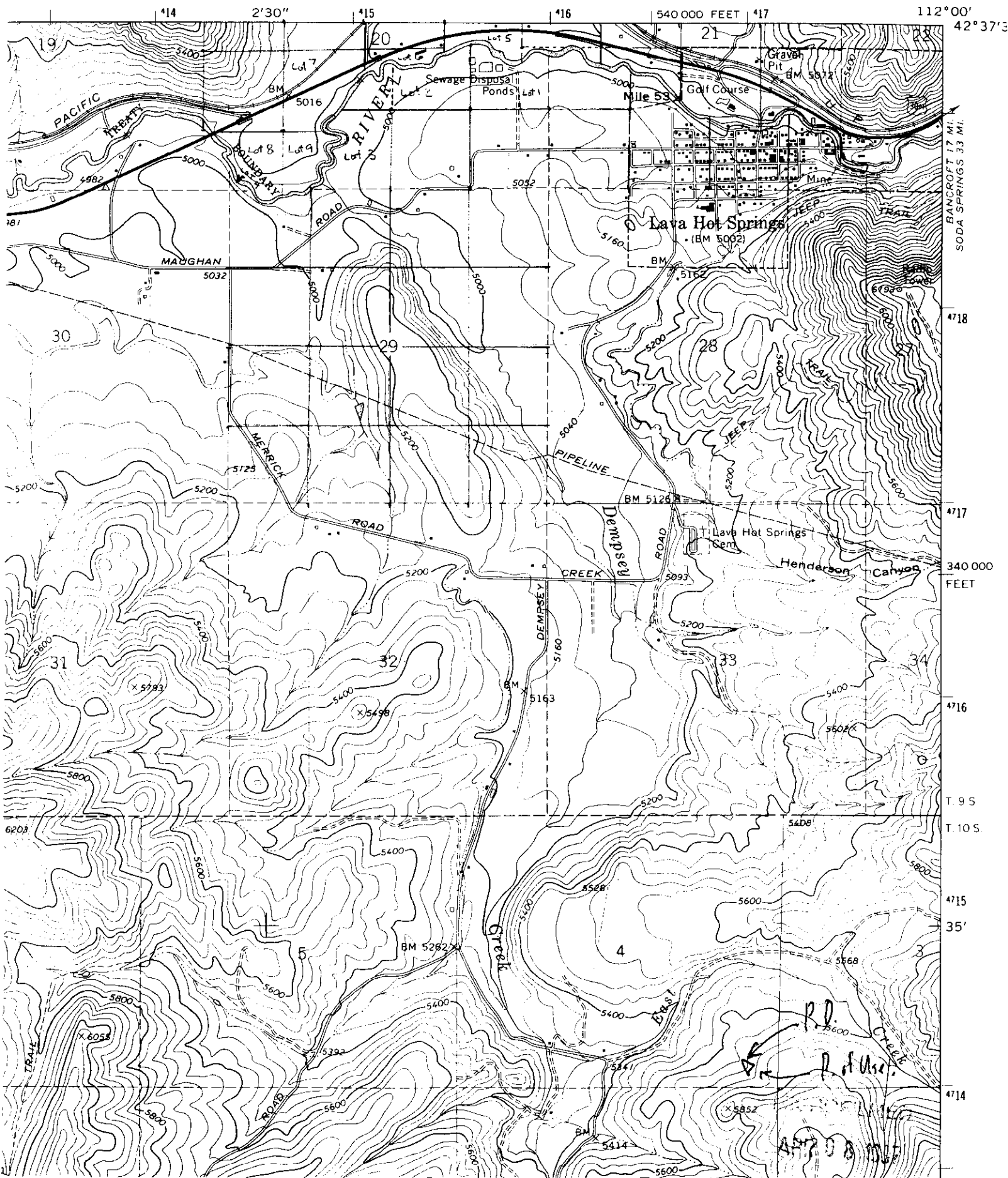
T10S38E SEC 4

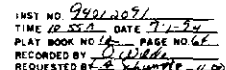
LAVA HOT SPRINGS QUADRANGLE

IDAHO - BANNOCK CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

(BANC





of bearing for this subdivision is the record bearing of N00°02'00"W between the corner of Section 4, a found stone, and the east 1/4 corner of Section 4, also a

SURVEYOR'S CERTIFICATE

I, CHARLES A. SCHWARTZ, a licensed LAND SURVEYOR in the State of Idaho, do hereby certify that a survey was made under my direction of the property described in this Boundary Description and that the plat of said survey, which this certificate appears was made under my direction, is a true and correct copy of the whole of the described land which is known as the PINE HAVEN SUBDIVISION, PHASE I, a subdivision in Bannock County, Idaho; that said plat of said survey represents the lots as surveyed on the ground, and the the plat of said survey of the state of the State of Idaho have been completed; I further certify that this is a true copy of said plat.

3626
LICENSE NO.

CHARLES A. SCHWARTZ
LAND SURVEYOR

NOTARY'S ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF _____
On the _____ day of _____, 19____, personally appeared before me, the undersigned NOTARY PUBLIC in and for said County in said State, the signers of the attached owner's DEDICATION, _____ in number, who duly acknowledged to me they signed it freely and voluntarily and for the purposes therein mentioned.

Attested _____
My commission expires _____, 19____.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, LOCATED IN SECTIONS 3, 4, AND 9, T. 10 S., R. 38 E., B.M., HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO BLOCKS, LOTS, AND ROADS TO BE HEREAFTER KNOWN AS PINE HAVEN SUBDIVISION; AND DO HEREBY WARRANT AND SAVE THE COUNTY HARMLESS FROM ANY EASEMENTS AND ENCUMBRANCES AND DO HEREBY GIVE, GRANT, AND DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, THE PORTION OF DEMPSEY CREEK ROAD WHICH LIES INSIDE THE BOUNDARIES OF THIS SUBDIVISION IS INTENDED FOR PUBLIC USE. WITH THE EXCEPTION OF DEMPSEY CREEK ROAD, THE ROADS IN THIS SUBDIVISION ARE PRIVATE ROADS. THE PRIVATE ROADS IN THIS SUBDIVISION ARE DEDICATED TO THE HOMEOWNERS ASSOCIATION, WHICH IS COMPRISED OF THE PURCHASERS AND/OR OWNERS OF THE LOTS IN SAID SUBDIVISION, THEIR HEIRS, GRANTEES AND ASSIGNS, TO BE USED AS RIGHTS-OF-WAY IN COMMON WITH ALL OTHER OWNERS AND/OR PURCHASERS. BANNOCK COUNTY WILL NOT PROVIDE MAINTENANCE OR SNOW REMOVAL ON ANY OF THE PRIVATE ROADS IN THIS SUBDIVISION. NO WINTER MAINTENANCE OF ANY KIND WILL BE PROVIDED BY BANNOCK COUNTY ON EITHER THE PRIVATE OR PUBLIC ROADS IN THIS SUBDIVISION. THE EASEMENTS IN THIS SUBDIVISION INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR DRAINAGE, AND FOR ANY OTHER USES HEREON DESIGNATED, AND NO STRUCTURES OTHER THAN FOR SUCH UTILITY PURPOSES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS. THE COMMON AREAS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT TO THE HOMEOWNERS ASSOCIATION AND SAID COMMON AREAS MAY NOT BE USED FOR FUTURE BUILDING SITES.

IN WITNESS WHEREOF WE HAVE SET OUR SIGNATURES THIS _____ DAY OF _____, A.D. 1983.
DEMPSEY CREEK ESTATES, LTD.
LEON WILFORD, MANAGING GENERAL PARTNER
STEWART NELSON, MANAGING GENERAL PARTNER
FIRST BRAND VENTURE CAPITAL CORPORATION

COUNTY COMMISSION APPROVAL

Presented to the BANNOCK COUNTY BOARD OF COMMISSIONERS this 17th day of _____, 1983, at which time this subdivision was approved and accepted.

Attested _____
CHAIRMAN Tom Katsilometis
MEMBER _____
MEMBER _____

SANITARY RESTRICTIONS

SANITARY RESTRICTIONS
IN FORCE UNDER TITLE 50,
CHAPTER 15, IDAHO CODE

Date _____

RECORDER'S CERTIFICATE

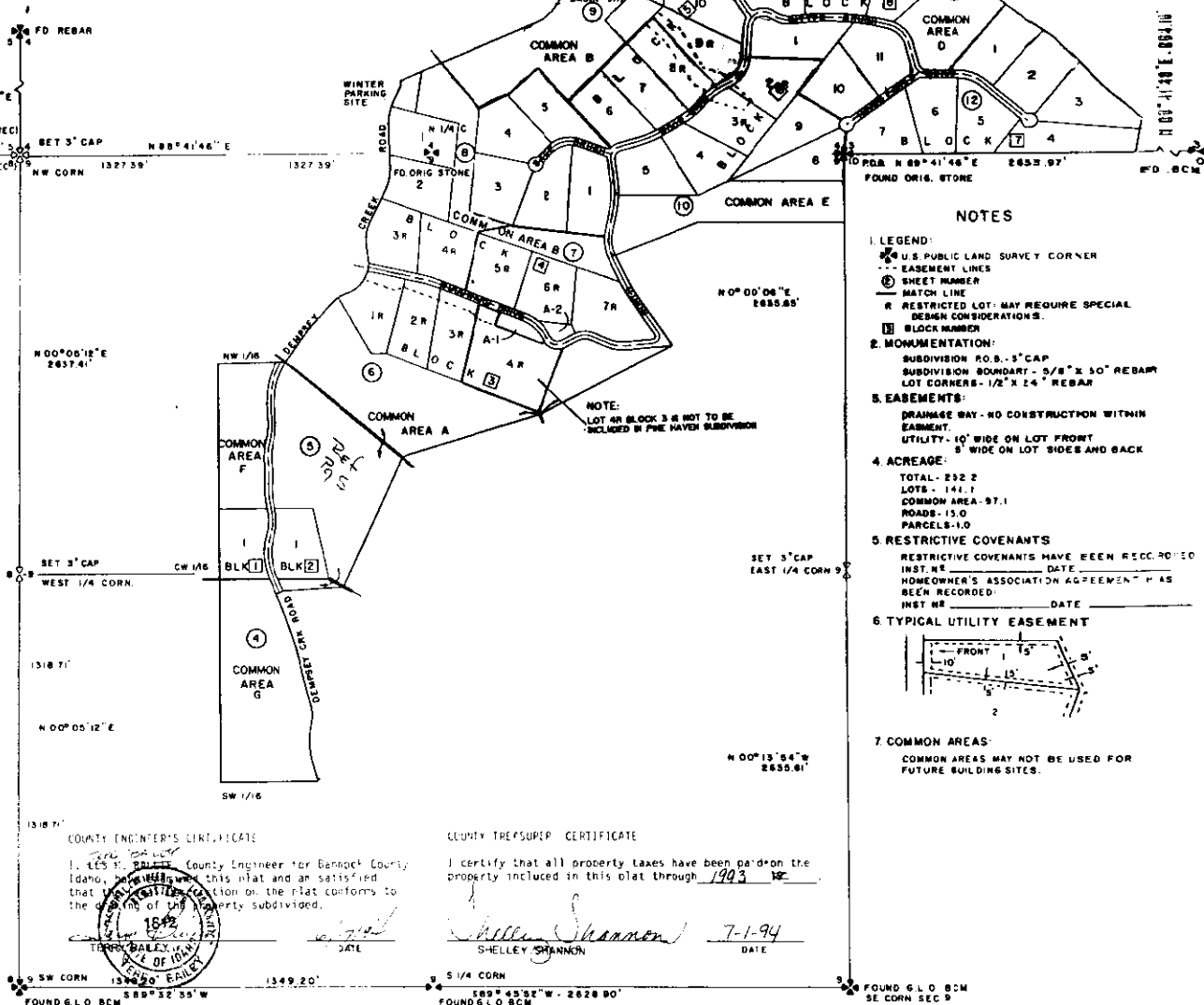
INST. NO. 44012041
TIME 10:56 A.M. DATE 7-1-83
PLAT BOOK NO. 12 PAGE 141
RECORDED BY _____
REQUESTED BY _____
LEAH W. GHAN

Pine Haven Subdivision

Located in
Sections 3, 4, and 9, T10S, R38E, B.M.
Bannock County Idaho
C. A. Schwartz & Associates
Soda Springs, Idaho
Phase I

This is a RECREATIONAL SUBDIVISION, all roads shown on this plat are Private Roads, with the exception of Dempsey Creek Road.

The County is not responsible for road maintenance or snow removal on the Private Roads, and will not provide winter maintenance of any kind on public or private roads.



PINE HAVEN SUBD. SHEET 1 OF 12
PHASE ONE JANUARY 1983
C.A. SCHWARTZ and ASSOCIATES
SODA SPRINGS, ID.



FOUND DRIG STONE
N00°02'00\"/>

SECONDARY ACCESS
TO EAST CRK. RD.
FOR EMERGENCY EXIT ONLY

NOTES

- LEGEND:
 - U.S. PUBLIC LAND SURVEY CORNER
 - EASEMENT LINES
 - SHEET NUMBER
 - MATCH LINE
 - RESTRICTED LOT: MAY REQUIRE SPECIAL DESIGN CONSIDERATIONS.
 - BLOCK NUMBER
- MONUMENTATION:
 - SUBDIVISION P.O.B.: S' CAP
 - SUBDIVISION BOUNDARY - 5/8\"/>
- EASEMENTS:
 - DRAINAGE WAY - NO CONSTRUCTION WITHIN EASEMENT.
 - UTILITY - 10' WIDE ON LOT FRONT
 - 8' WIDE ON LOT SIDES AND BACK
- ACREAGE:
 - TOTAL: 232.2
 - LOTS: 141.1
 - COMMON AREA: 97.1
 - ROADS: 15.0
 - PARCELS: 1.0
- RESTRICTIVE COVENANTS:
 - RESTRICTIVE COVENANTS HAVE BEEN RECORDED
 - INST. NO. _____ DATE _____
 - HOMEOwner'S ASSOCIATION AGREEMENT HAS BEEN RECORDED
 - INST. NO. _____ DATE _____
- TYPICAL UTILITY EASEMENT
- COMMON AREAS:
 - COMMON AREAS MAY NOT BE USED FOR FUTURE BUILDING SITES.



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

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOANN MURPHY
PO BOX 722
LAVA HOT SPRINGS ID 83246-0722

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08191

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Eastern Regional Office** of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

MAR 05 2001

January 31, 2001

JOANN MURPHY
PO BOX 722
LAVA HOT SPRINGS, ID 832460722

PROOF DUE NOTICE

RE: PERMIT NO. 29-8191

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

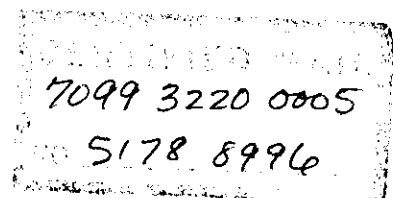
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
MAR 05 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Joann Murphy
PO Box 722
Lava Hot Springs ID 83246

RE: Permit No. 29-08191

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **April 1, 2001**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension request was received after the proof due date of April 1, 1998, it was necessary for the department to reinstate the permit and advance the date of priority to January 15, 1997.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
JUN 08 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JoAnn Murphy
PO Box 722
Lava Hot Springs ID 83246-0722

RE: Permit No. 29-08191

Dear Permit Holder:

Returned is a copy of the Request for Extension of Time and \$15.00 filing fee you submitted in connection with the above referenced water right permit. In order for the department to consider the extension request, it must be accompanied by a \$50.00 filing fee made payable to the Idaho Department of Water Resources (IDWR.)

Please return the copy of the extension request along with the additional \$35.00 filing fee within **thirty (30) days** of receipt of this letter, and address your correspondence to my attention.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Julie L. Yarbrough". The signature is fluid and includes a long, sweeping flourish at the end.

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

MICROFILMED

JUN 08 1998

January 31, 1998

JOANN MURPHY
PO BOX 722
LAVA HOT SPRINGS ID 832460722

PROOF DUE NOTICE

RE: PERMIT NO. 29-08191

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

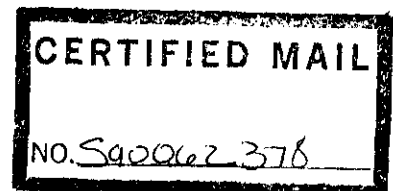
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 08 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 28, 1997

JOANN MURPHY
PO BOX 722
LAVA HOT SPRINGS ID 83246-0722

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08191

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

MICROFILMED

APR 6 8 1997

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

ENCLOSURE

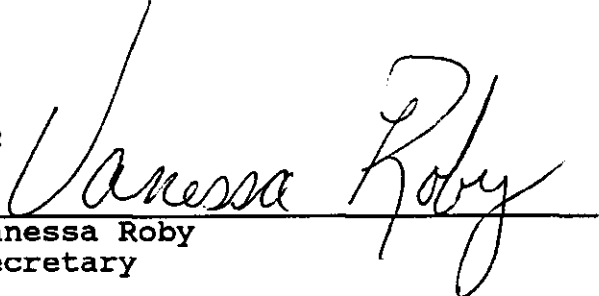
APR 08 1997

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 29-08191

JOANN MURPHY
PO BOX 722
LAVA HOT SPRINGS ID 832460722



Vanessa Roby
Secretary

RECORDED

APR 08 1997

RECEIVED
FEB 11 1997

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 29-8191

1. Name of Applicant To Ann Murphy work 1424r MESSAGE
Phone 801-752-2000
Mailing address PO Box 722 Lava Hot Springs, Id 83246
2. Source of water supply underground spring which is a tributary of Dampsey Creek
3. Location of point of diversion is Township 105 Range 38E Sec. 4 in the SE 1/4, SE 1/4, SE 1/4, Govt. Lot _____, B.M., Bannock County;
additional points of diversion if any: Lot 9 R, Block 5, Pine Haven Subdivision, Bannock County, Idaho
4. Water will be used for the following purposes:
 Amount 0.02 CFS for domestic purposes from 1-1 to 12-31 (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)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 CFS and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source pipd from spring to house
 - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
 - c. Proposed well diameter is NA inches; proposed depth of well is NA feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NA
 - e. If well is already drilled, when? NA; Drilling firm NA;
 Well was drilled for (well owner) NA; Drilling Permit No. NA
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. NA
 - b. Stockwatering; list number and kind of livestock. NA
 - c. Municipal; show name of municipality. NA
 - d. Domestic; show number of households. one
 - e. Other; describe fully. NA

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9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	38E	4																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. applicant + N/A

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

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

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

12. Remarks: _____

no comment 2/10/97 Arlin H. Olson
Water master Dist. 29 -

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

"Returned by water master"

John Murphy
Signature of Applicant (and title, if applicable)

Received by S. Bull Date 1-14-97 Time 3:00 p.m. Preliminary check by _____
Fee \$ 50.00 Receipted by S. Bull # ED 22878 Date 1/13/97
Publication prepared by RB Date 2-20-27-1997 Published in Idaho State Journal
Publication approved _____ Date _____

PROOF OF PUBLICATION

RECEIVED

FEB 28 1997

Department of Water Resources
Eastern Region

STATE OF IDAHO } ss.
County of Bannock }

IRIS F. MASON

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08191
MURPHY, JOANN
PO BOX 722
LAVA HOT SPRINGS, ID
83246

Source: SPRING
Tributary: DEMPSEY
CREEK

Diversion Pt: SESESE 4
T 10S R 38E in BAN-
NOCK COUNTY

Use: DOMESTIC

Total Diversion:

(0.020 CFS)

(0.020 CFS)

Date Filed: 1/14/1997

In: BANNOCK County

T10S R38E S04

SESE

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before MARCH 10, 1997.

Karl J. Dreher

Director

February 20, 27, 1997

LN2234

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

FEBRUARY 20	19 97	19
FEBRUARY 27	19 97	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO

COUNTY OF BANNOCK

On this 27TH day of FEBRUARY in the year of 1997, before me, a Notary Public, personally appeared

IRIS F. MASON

, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at POCATELLO

My commission expires JULY 1997

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MAR 17 1997

Department of Water Resources

29-08191

MURPHY, JOANN
PO BOX 722
LAVA HOT SPRINGS, ID 83246

Source: SPRING

Tributary: DEMPSEY CREEK

Diversion Pt: SESESE Sec 4 T 10S R 38E in BANNOCK County.

Use: DOMESTIC (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 1/14/1997

In: BANNOCK County
T10S R38E S04

SESE

RECORDED

APR 8 8 1997

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before MARCH 10, 1997.

KARL J. DREHER, Director

Published: 2/20/1997 & 2/27/1997

11-18-1997

APR 18 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 11, 1997

Legal Notices Department
IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 10, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

APR 18 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1997

JOHN MURPHY
PO BOX 722
LAVA HOT SPRINGS ID 83246

RE: Notice of Application for Permit No. 29-08191

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application for permit of water right 29-08191. This office is currently in the process of advertising the application in the Idaho State Journal on February 20 & 27, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

ARLIN OLSON
WATER DIST 29
9443 E MERRICK
LAVA HOT SPRINGS 83246

RE: Application for Permit No. 29-08191

Dear Mr. Rosenkrance:

Please find enclosed a copy of the above referenced application for permit. Please review the application and submit any comments you may have to our Department as soon as possible.

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

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones ^{rb}
Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.