

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-08128

Priority: September 7, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 7, 1993; and has submitted Proof of Beneficial Use on October 10, 1995. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
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DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
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LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 14, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 36E 14

SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26th day of FEBRUARY, 1997.

Acting for

KARL J. DREHER, Director

MAR 10 1997

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

OCT 10 1995

PROOF OF BENEFICIAL USE

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

1. Permit No. 29-08128 Telephone No. 775-3410
2. Name(s) of Permit Holder(s): IRVIN SPRAKER
3. Mailing Address: 745 N. Old Hwy 91 IN Kom 83245
4. Source of Water: GROUND If **GROUNDWATER** (well), Date Drilled: mo. 6 1 yr. 94
 - a. Well Driller: SAM FRANDSEN Drilling Permit Number: 29-94-E-016
 - b. **OPTIONAL:**
Pump Horsepower: 1 HP Pressure (psi): 55 Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
 Domestic (No. of households): (1) Stockwater (No. and type of stock): 2 Horses / 10 sheep
 Irrigation (No. of acres): 1/2 Other: (yard)
6. Total rate of diversion and/or volume for which proof is submitted: .04 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 <u>✓</u>
	Has the measuring device been installed?	Yes _____ or No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>✓</u>
	Has the measurement port been installed?	Yes _____ or No <u>✓</u>
8. Fee Enclosed: \$ NOT REQ (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: IRVIN / ORA SPRAKER Telephone Number: 775-3410
 Address: 745 N. Old Hwy 91 IN Kom ID 83245
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder

Irvin Spraker
(Include your title, if on behalf of company or organization)

Date: 10-6-95

OCT 26 1995

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FEB 23 1994

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Receipt No. E019499
Received By HLJ
Date 2-15-94

Department of Water Resources **APPLICATION FOR AMENDMENT OF A PERMIT**

Applicant IRVIN SPRAKER

Phone (208) 775-340

Address 729 N OLD HWY 91, INKOM, ID 83245

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-08128, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: X Change point of diversion Add point of diversion
X Change place of use Change nature of use Change period of use Other

1. Point of diversion: $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 07S, Range 36E, B.M.,
County of BANNOCK. Other points of diversion

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.04 cfs for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	36E	14											D						

Total number of acres to be irrigated =

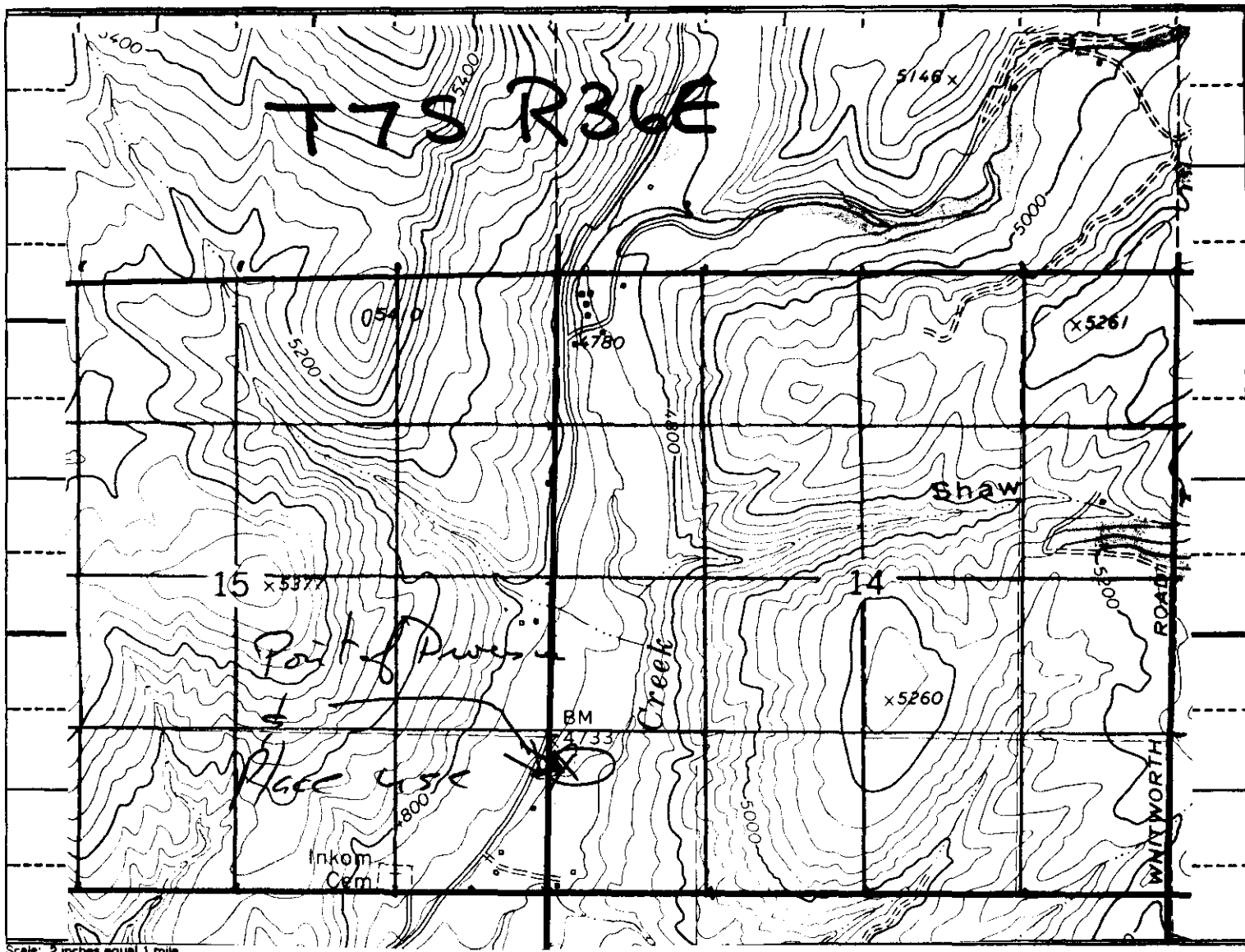
4. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated at the 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:

APR 07 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 9th day of Feb, 19 94. Jim Spector
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by HWS Publication prepared by N/A Date N/A
 Published in N/A Publication dates N/A

I, L. GLEN SAXTON, of the Department of Water Resources hereby
 approve the above referenced application for amendment provided the conditions
 as set forth in Permit No. 29-08128 are met.

Witness my hand this 14th day of March, 19 94. APR 07 1994
L. Glen Saxton

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08128

Proposed Priority: September 7, 1993 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **IRVIN SPRAKER**
729 N OLD HWY 91
INKOM ID 83245

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 15, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

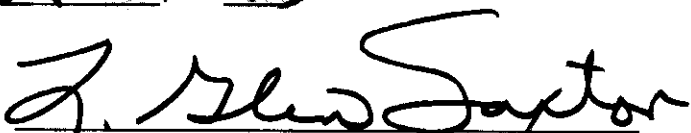
07S 36E 15 SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1995.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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

17th day of November, 1993


for R. Keith Higginson, Director

MICROFILMED

NOV 22 1993

RECEIVED
OCT 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

35-9038-
Ident. No. 29-8128

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant IRVIN SPEAKER Phone 775-3410
Post office address 729 N. Old Hwy 91, INDIAN, ID 83245
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
Sec. 15 Township 7S Range 36E B.M. BANNOCK County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 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)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. WELL / SUB. PUMP TO
SINGLE HOME
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 6" inches; proposed depth of well is 120' feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

NOT FILMED

NOV 22 1993

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. One
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	36E	15																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 29-07209

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: P/D & P/U at 3270 N Rapid Creek Rd.

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

Scale: 2 inches equal 1 mile.

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

Irvin Spraker
(Applicant)

Received by PPM Date 9-7-93 Time 1550 Preliminary check by _____
Fee \$ 30⁰⁰/100 Receipted by PPM # 6019109 Date 9-7-93
Publication prepared by RB Date 10-7-14-93 Published in ID State Jrm/
Publication approved RB Date 10-25-93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

Microfilm
NOV 22 1993



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

February 27, 1997

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

RE: WATER RIGHT NO. 29-08128

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a **preliminary order** issued by the Department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

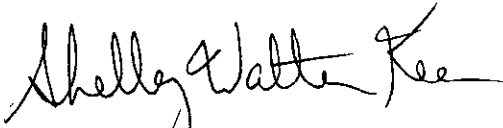
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

- iv. The real property or personal property that was the subject of the agency action is located.

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

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

c: Eastern Region

Enclosures

MICROFILMED ³
MAR 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 29-08128

**IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245**

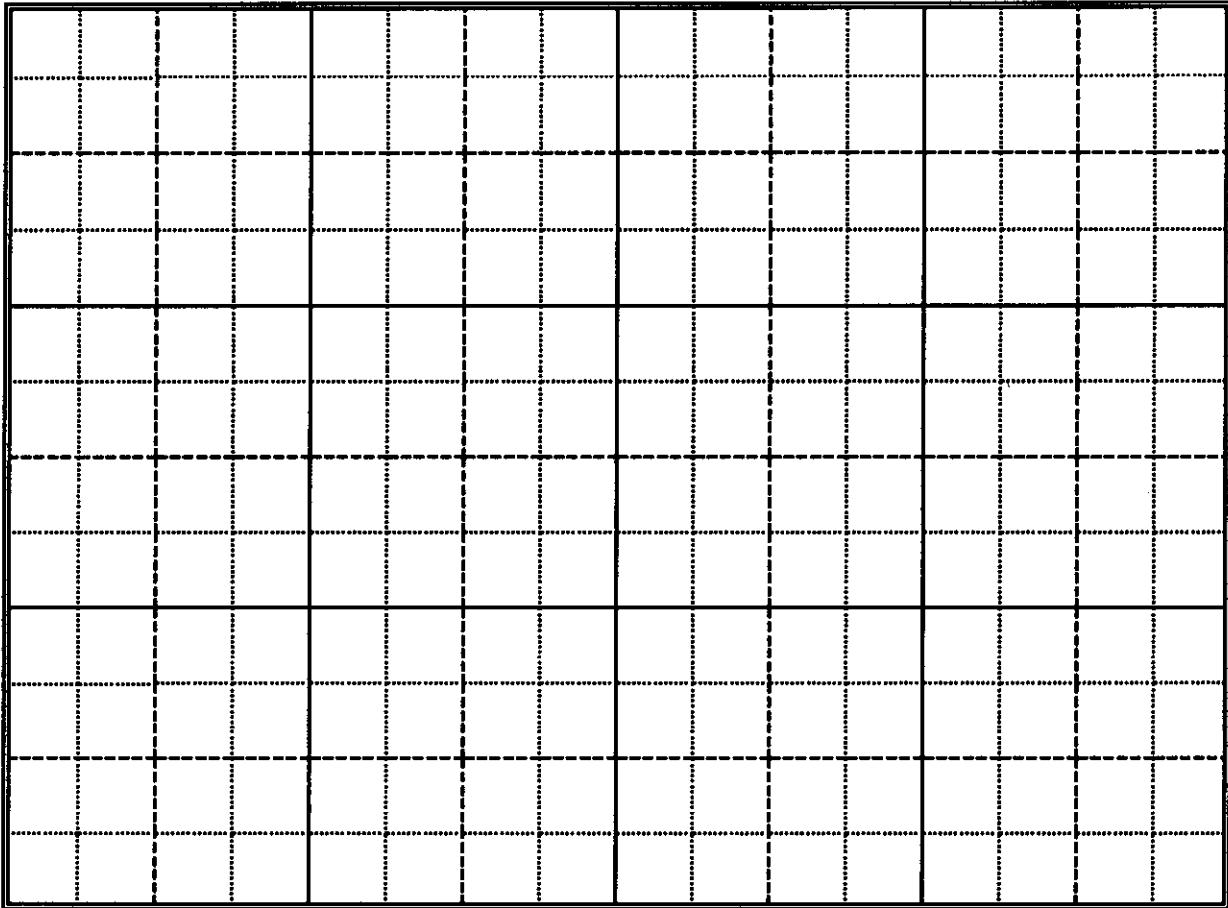


Sharla Curtis
Water Resource Agent

REC'D - LULU 4
FEB 27 1997

MAR 10 1997

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
	Franklin Electric	1hp		Gould	AA177058

*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: Static 25' H₂O Level

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MAR 10 1997

E. NARRATIVE/REMARKS/COMMENTS

Well Pump man line to single Domestic House

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

MICROFILMED

MAR 10 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

*De minimus 0.04 cfs***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

*V_{Dom} = 1.2 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>0.04 cfs</i>	<i>1.2 afa</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>0.04 cfs</i>	<i>1.2 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

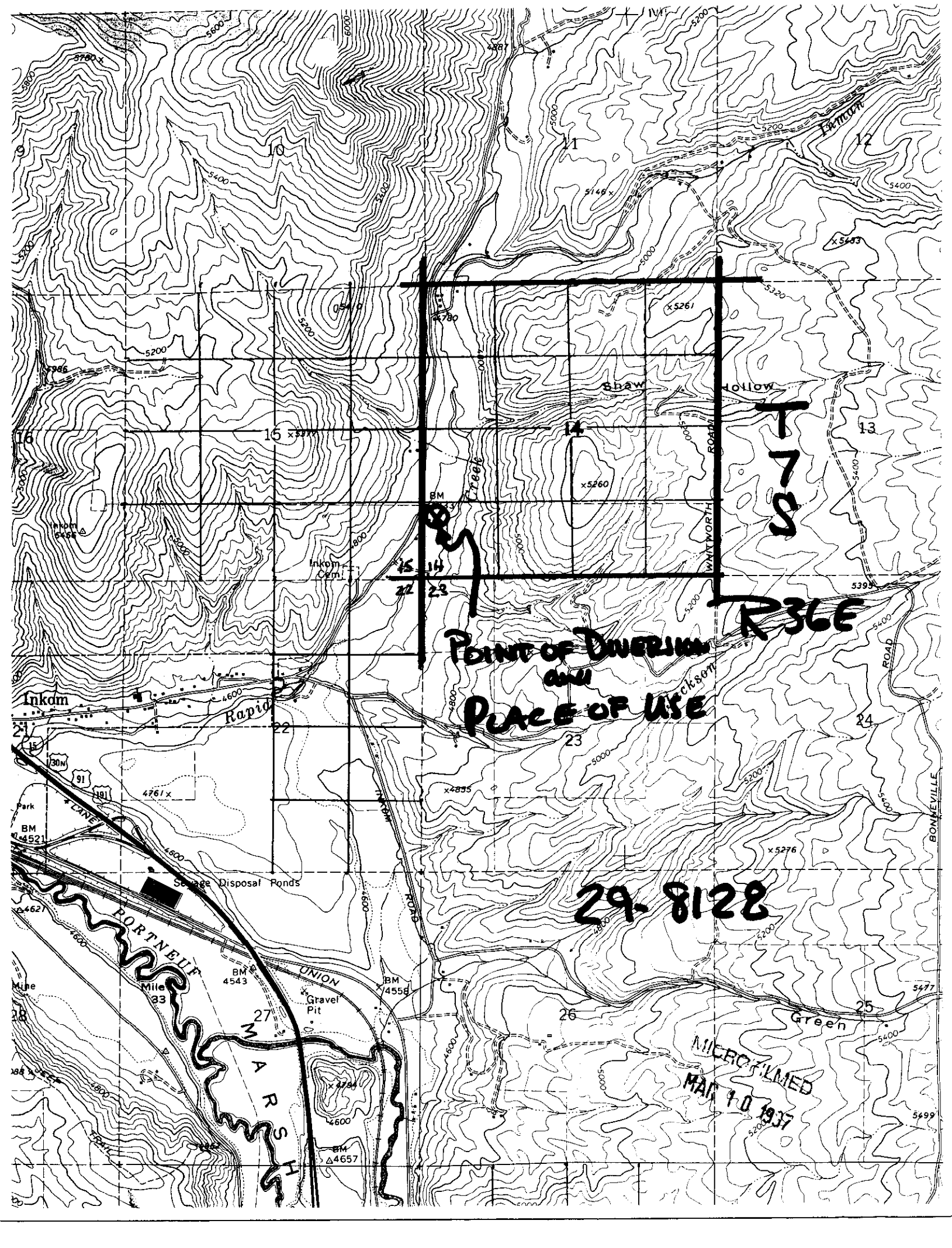
I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 5-28-96

Reviewer _____ Date _____

SEAL

MICROFILMED

MAR 10 1997



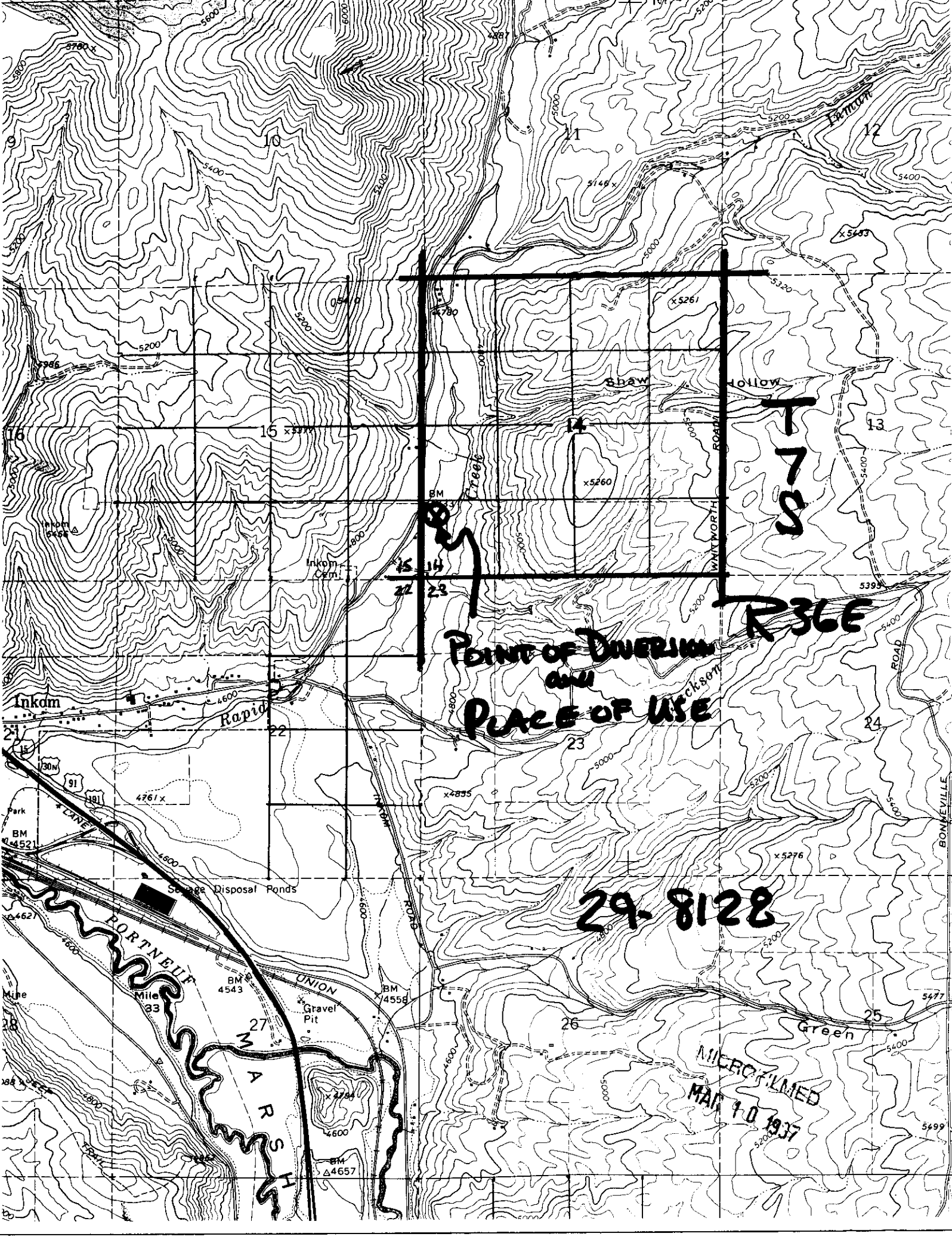
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R36E

POINT OF DIVERGENCE
AND
PLACE OF USE

29-8128

MICROFILMED
MAR 10 1937





POINT OF DIVERSION
↓
PLACE OF USE

29-8128

October 13, 1995

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08128

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

OCT 26 1995

September 30, 1995

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

PROOF DUE NOTICE

RE: PERMIT NO. 29-08128

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 December 1, 1995.

(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.

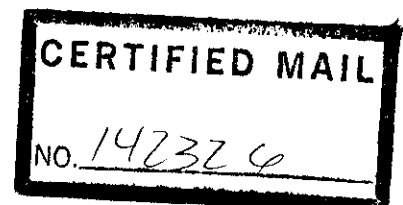
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

OCT 26 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 18, 1994

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

RE: Permit No. 29-08128

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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APR 07 1994



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Irvin Spraker
729 N Old Hwy 91
Inkom, Id 83245

RECEIVED
FEB 11 1994
Department of Water Resources
Eastern District Office

RECEIVED
FEB 22 1994
Department of Water Resources

8 February 1994

Dear Mr Spraker:

Enclosed is a partially completed Application for Amendment of a Permit. You will need to review the application, complete those items indicated in yellow, complete the map (add point of diversion and place of use, and attach the map to the form), sign the application, and return the completed form to this office with the \$20.00 filing fee. Processing will begin as soon as this office receives the completed form with the filing fee.

Please feel free to contact this office for any additional assistance that you may need.

Sincerely,

Keith C. Wilson
Senior Resource Agent

I'm not happy about the \$20 fee -
I don't think the error was mine. The
mistake shouldn't have been made if I saw
this map - I don't own any land
Sec 15,

RECEIVED

APR 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1993

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

PERMIT APPROVAL NOTICE

RE: PERMIT NUMBERS 29-08127 and 29-08128

Dear Permit Holder(s):

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permits.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition No. 1 is the date when the projects must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the projects have been completed or file a Request for an Extension of Time in which to file the proof statements.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

NOV 22 1993

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Sandra K. Thompson

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:

<u>7</u> October, 19 <u>93</u>	<u>19</u>
<u>14</u> October, 19 <u>93</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>

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.

Thompson

STATE OF IDAHO

COUNTY OF Bannock

On this 14th day of October in the year of 1993,
before me, a Notary Public, personally appeared _____

Sandra K. Thompson, 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.

[Signature]
Notary Public for Idaho

Residing at Pocatello

My commission expires July, 1997

NOTARIZED

NOV 22 1993

NOTICE OF

APPLICATION FOR

WATER RIGHT

The following application
has been filed for the purpose
to appropriate the public
waters of the State of
Idaho:

25-08124

APPLS INC

PO BOX 5555

POCATELLO, ID 83202

Source: GROUNDWATER

Diversion Pt: SENE

Sec 27 T 06S R 34E in

BANNOCK County,

Use: COMMERCIAL

(.030 CFS)

Total Diversion:

(.030 CFS)

Date Filed: 9/13/1993

In: BANNOCK County

T06S R34E S27 SENE

25-08037

SPRAKER, IRVIN

729 N OLD HWY 91

POCATELLO, ID 83245

Source: GROUNDWATER

Diversion Pt: SWNW

Sec 35 T 07S R 36E in

BANNOCK County,

Use: DOMESTIC

(.040 CFS)

Total Diversion:

(.040 CFS)

Date Filed: 9/7/1993

In: BANNOCK County

T07S R36E S35 SWNW

25-08038

SPRAKER, IRVIN

729 N OLD HWY 91

POCATELLO, ID 83245

Source: GROUNDWATER

Diversion Pt: SESE

Sec 15 T 07S R 36E in

BANNOCK County

Use: DOMESTIC

(.040 CFS)

Total Diversion:

(.040 CFS)

Date Filed: 9/7/1993

In: BANNOCK County

T07S R36E S15 SESE

The permit(s) will be

subject to all prior

water rights. Protests

must be filed with the

Director, Dept. of Water

Resources, Eastern

Region, 800 N Skyline,

Idaho Falls, Idaho 83402

on or before OCTOBER

25, 1993.

R. KEITH THOMPSON,

Director

October 7, 14, 1993

LN255

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08124
DREWS INC
PO BOX 5568
POCATELLO, ID 83202
Source: GROUNDWATER
Diversion Pt: SENE
Sec 27 T 06S R 34E in
BANNOCK County.
Use: COMMERCIAL
(.030 CFS)
Total Diversion:
(.030 CFS)
Date Filed: 9/13/1993
In: BANNOCK County
T06S R34E S27 SENE

35-09037
SPRAKER, IRVIN
729 N OLD HWY 91
INKOM, ID 83245
Source: GROUNDWATER
Diversion Pt: SWNW
Sec 35 T 07S R 36E in
BANNOCK County.
Use: DOMESTIC
(.040 CFS)
Total Diversion:
(.040 CFS)
Date Filed: 9/7/1993
In: BANNOCK County
T07S R36E S35 SWNW

35-09038
SPRAKER, IRVIN
729 N OLD HWY 91
INKOM, ID 83245
Source: GROUNDWATER
Diversion Pt: SESE
Sec 15 T 07S R 36E in
BANNOCK County
Use: DOMESTIC
(.040 CFS)
Total Diversion:
(.040 CFS)
Date Filed: 9/7/1993
In: BANNOCK County
T07S R36E S15 SESE
The permit(s) will be
subject to all prior
water rights. Protests
must be filed with the
Director, Dept. of Water
Resources, Eastern
Region, 900 N Skyline,
Idaho Falls, Idaho 83402
on or before OCTOBER
25, 1993.
R. KEITH HIGGINSON,
Director
October 7, 14, 1993
LN265

Sandra K. Thompson

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:

<u>7</u> October	<u>19</u> 93	<u>19</u>
<u>14</u> October	<u>19</u> 93	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>

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.

Thompson

STATE OF IDAHO

COUNTY OF Bannock

On this 14th day of October in the year of 1993,
before me, a Notary Public, personally appeared

Sandra K. Thompson, 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.

[Signature]
Notary Public for Idaho

Residing at Pocatello

My commission expires July 1997

35-09038

SPRAKER, IRVIN
729 N OLD HWY 91
INKOM, ID 83245

Source: GROUNDWATER

Diversion Pt: SESE Sec 15 T 07S R 36E in BANNOCK County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 9/ 7/1993

In: BANNOCK County
T07S R36E S15 SESE

NOV 22 1993

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 25, 1993.

R. KEITH HIGGINSON, Director

Published: 10/ 7/1993 & 10/14/1993

Received
NOV 22 1993

22-Sep-1993

IRVIN SPRAKER
729 N OLD HWY 91
INKOM ID 83245

RE: Application No. 35-09037 & 35-09038

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal on 10-7 & 14-93. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

NOV 22 1993