

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07859

Priority: May 23, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that RICHARD FEUERBORN
ANN FEUERBORN

1469 E FORK MINK CREEK
POCATELLO ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 24, 1989; and has submitted Proof of Beneficial Use on August 30, 1990. An examination indicates that the works have a diversion capacity of .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>
DOMESTIC	01/01 to 12/31	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 8, Township 08S, Range 35E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

08S 35E 8

NESW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The total combined annual diversion volume of water under this right and the domestic portion of Right 29-02327 shall not exceed 1.2 af.
7. Domestic use is for 1 home.

DEC 29 1994

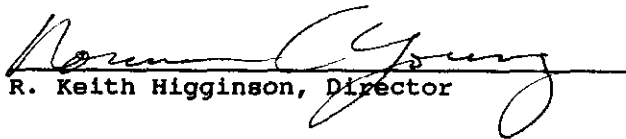
State of Idaho
Department of Water Resources

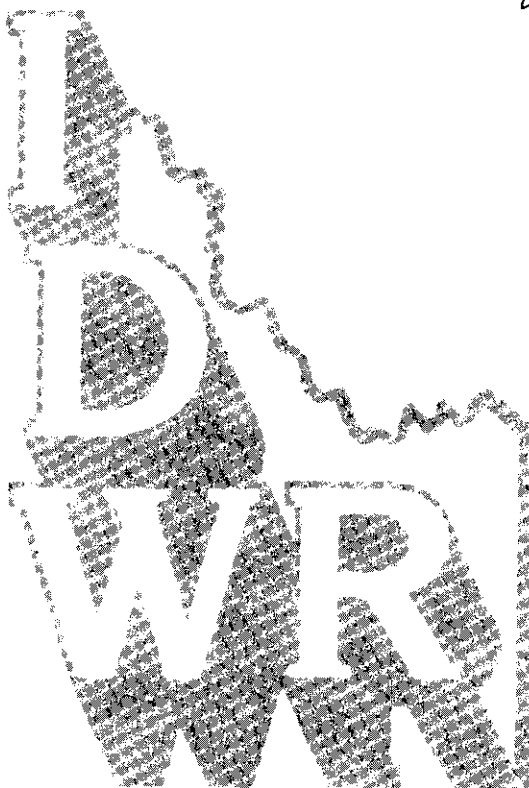
WATER RIGHT LICENSE

WATER RIGHT NO. 29-07859

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 DECEMBER, 1994.

Acting for


R. Keith Higginson, Director




DEC 29 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 29-07859 IN THE NAME	)	ORDER ADVANCING
	)	DATE OF PRIORITY
OF RICHARD & ANNE FEUERBORN	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 29-07859 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On July 5, 1989, the Department approved Application for Permit No. 29-07859 to appropriate the public waters of the State of Idaho with a proposed priority of April 24, 1989.

2. On May 31, 1990, the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The fee was due on August 1, 1990, 60 days from the date of the notice; however, the fee was not received until August 30, 1990, 29 days late.

DEC 29 1994

CONCLUSIONS OF LAW

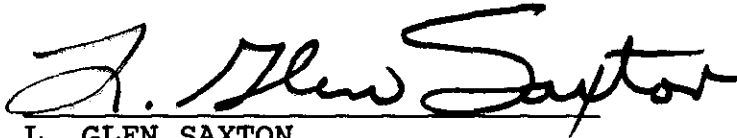
1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 29-07859 should be advanced 29 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 29-07859 is advanced to May 23, 1989.

Dated this 23rd day of December, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau


DEC 29 1994

IN THE MATTER OF PERMIT NO. 29-07859 IN THE
NAME OF RICHARD AND ANN FEUERBORN

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1990; and,

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

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

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

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on August 30, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-07859 be REINSTATED and the priority advanced to May 3, 1989.

Dated this 07th day of January, 1991.

MICROFILMED

JAN 28 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

AUG 30 1990

no v enclosed
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

327 7900

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

Permit No. 29-07859 Telephone No. 234 7103

Name(s) of Permit Holder(s): RICHARD FEUERBORN & ANN FEUERBORN

Post Office Address: 1469 E-FORK MINE CREEK RD, POCAHELLO ID 83204

Source of Water: WELL

If ground water, well driller's name: FINDLAY Date drilled: 7-10-89

Extent of Use:
Domestic 1 (No. of households) Irrigation 1 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .04 cfs 4 acre/feet

Show date water was first diverted and beneficially used under this permit: 8-1-89

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes No

OR

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

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Name _____ Telephone No. _____

Address _____

MICROFILMED

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

JAN 28 1991

8-16-90
Date

Richard Feuerborn
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

*6/21/1989

To appropriate the public waters of the State of Idaho

ASSIGNED TO: RICHARD & ANN FEUERBORN
1469 East Fork Mink Creek, Pocatello, ID 83201*

1. Name of applicant First Security Bank of Idaho--* Phone (208) 522-7100

Post office address PO Box 50290, Idaho Falls, Idaho--* *kw 6/28/1989

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____

Sec. 8 Township 08S Range 35E 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 Jan to 31 Dec (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 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pump

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 180 feet.

d. Is ground water with a temperature of greater than 90°F being sought? no

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

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AUG 17 1989

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Domestic; 1 Household

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
8S	35E	8									D								

Total number of acres to be irrigated _____

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

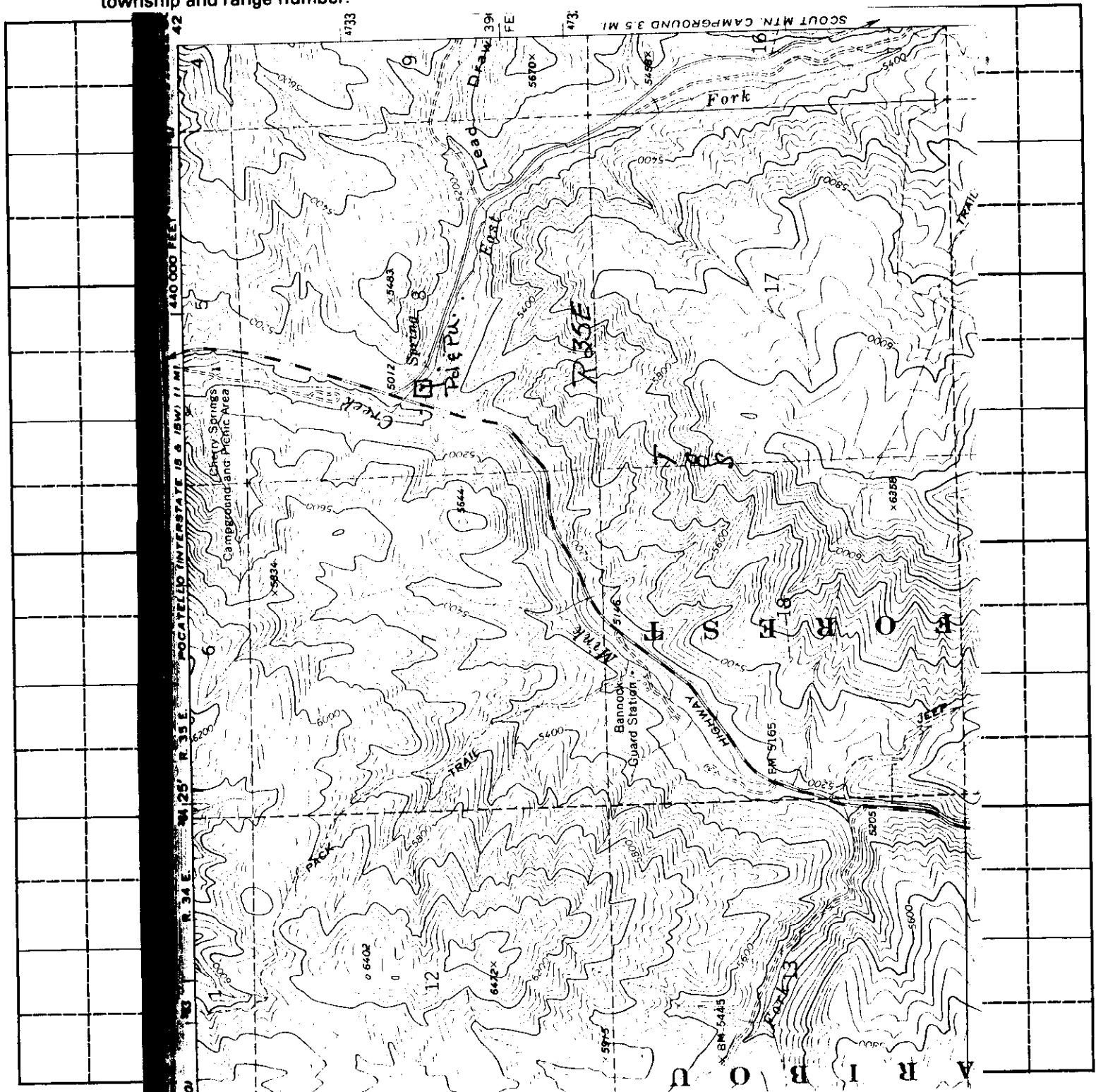
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The applicant is making this application as trustee for the Louis Rauld Dorothy Eury Trust.

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AUG 17 1989

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.

AUG 17 1969

David Security Ranch, Idaho, Inc.
Clark Hays, VP & Trust Officer
 (Applicant)

SMS

Proposed Priority 1A/24/89 5-27-89
Received by DMA Date 24 April 89 Time 15:09 Preliminary check by SMD
Fee \$ 30.00 Receipted by SMS # E007011 Date 24 April 1989
Publication prepared by RB Date 5-10-89 Published in 5-18, 24, 89 Idaho State Journal
Publication approved RB Date 6-9-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7859, 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 90.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 5th day of July, 1989.

J. Glen Saylor

MICROFILMED

AUG 1 1989

RECEIVED
JUN 26 1989

State of Idaho

Department of Water Resources

RECEIVED
JUN 21 1989

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, First Security Bank of Idaho, N.A., hereby assign to Richard & Ann Feuerborn
of 1469 East Fork Mink Creek, Pocatello, Idaho
Address

All my right, title, and interest in and to Permit No. 29-7859
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 19th day of June, 19 89.

For First Security Bank of Idaho, N.A.
By: Alvin R. Hagler, VP, Trust Officer
Permit Holder & Manager

Spouse of Permit Holder

State of Idaho)
County of Bonn) ss

On this 19th day of June, 19 89, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (~~she~~) (~~they~~) executed the same.

seal

Debbie J. Ray
Notary Public residing at
Idaho Falls, Idaho

My commission expires:

3/91

MICROFILMED

AUG 17 1989

780666

QUITCLAIM DEED

THIS INDENTURE, made this 14th day of April, 1986, between Dorothy Fuzy, a widow, 1469 E. Fork-Mink Creek, Pocatello, County of Bannock, State of Idaho, party of the first part, and The Louis P. and Dorothy Fuzy Trust, First Security Bank, Trustee, the party of the second part; - *Main Branch 100 S. Arthur*

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents demise, release and forever quitclaim unto the said party of the second part, and to its assigns, all that certain lot, piece or parcel of land, situated in Bannock County, State of Idaho, more particularly described as follows to-wit:

The Southwest Quarter of Section Eight in Township Eight South, Range Thirty Five East, Boise Meridian, in Idaho, containing 160 acres, according to the official plat of the survey of the said lands, returned to the general land office by the surveyor general, together with any and all water rights belonging thereto and used with or upon said land including all water rights under any and all water permits or water licenses issued by the state reclamation engineer of the State of Idaho together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents issues and profits thereof together with all improvements thereon including the dwelling house thereon.

MICROFILMED

AUG 17 1989

And also including all personal property located in the dwelling house or elsewhere on said land, to be his sole and separate property,

Excepting therefrom that portion of the land above described lying westerly of the so-called Arbon Highway which portion has heretofore been conveyed; and also excepting therefrom that portion of said quarter section owned by Louis A. Lehrbas; and also excepting therefrom that portion of said quarter section of land owned by Bismark M. Lehrbas and Laura A. Lehrbas, his wife.

Tr. N 1/2 SW 1/4 - 10.77 A
1.37 Acres Rd.
S 8 - T8S - R35E

Together with all singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular said premises, together with the appurtenances, unto the said party of the second part, and to its assigns forever.

IN WITNESS WHEREOF, the party of the first part does hereunto set her hand and seal the day and year first above written.

Dorothy Fuzy
Dorothy Fuzy,

STATE OF IDAHO)
 : ss
County of Bannock)

On this 16th day of September, 1986, before me, the undersigned, a Notary Public in and for said State, personally appeared Dorothy Fuzy, known to me to be the person

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AUG 17 1989

QUITCLAIM DEED -2-

whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Carol R. Ray
 NOTARY PUBLIC FOR IDAHO
 Residing at Pocatello, Idaho
 My Commission Expires: 5-21-88

(SEAL)

NOTARY SEAL

NO. 780666
 RECORDER AT REQUEST OF

Gerald Olson

'86 SEP 22 P2:21

OFFICE OF THE CLERK OF DISTRICT COURT
 IDAHO
 6100 SAFETY...
 451...

MICROFILMED

AUG 17 1989

QUITCLAIM DEED -3-



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

December 27, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RICHARD FEUERBORN
ANN FEUERBORN
1469 E FORK MINK CREEK
POCATELLO ID 83201

RE: WATER RIGHT NO. 29-07859

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. Also enclosed is an Order Advancing Date of Priority, to May 23, 1989, due to late submittal of the examination fee. The priority date on the enclosed order supercedes the priority date on the Order of Reinstatement, dated January 8, 1991.

If you have any questions, please contact me within 10 days of receipt of these documents.

Sincerely,



JIM JOHNSON, Manager
Water Right Section

JJ:dc

Enclosures

RECEIVED

DEC 29 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 14 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07859

1. Owner: RICHARD AND ANN FEUERBORN Phone No. 234-7103

Current Address: 1469 E FORK MINK CREEK, POCAHELLO, ID 83201

2. Accompanied by: — EXAM DATE: 5-18-94

Address: — Phone No. —

Relationship to Permit Holder: —

3. Source: GROUNDWATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A29-10060 29-02327

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
		NW	NE	SW	8	8S	3SE	Bannock	USGS, Aerial

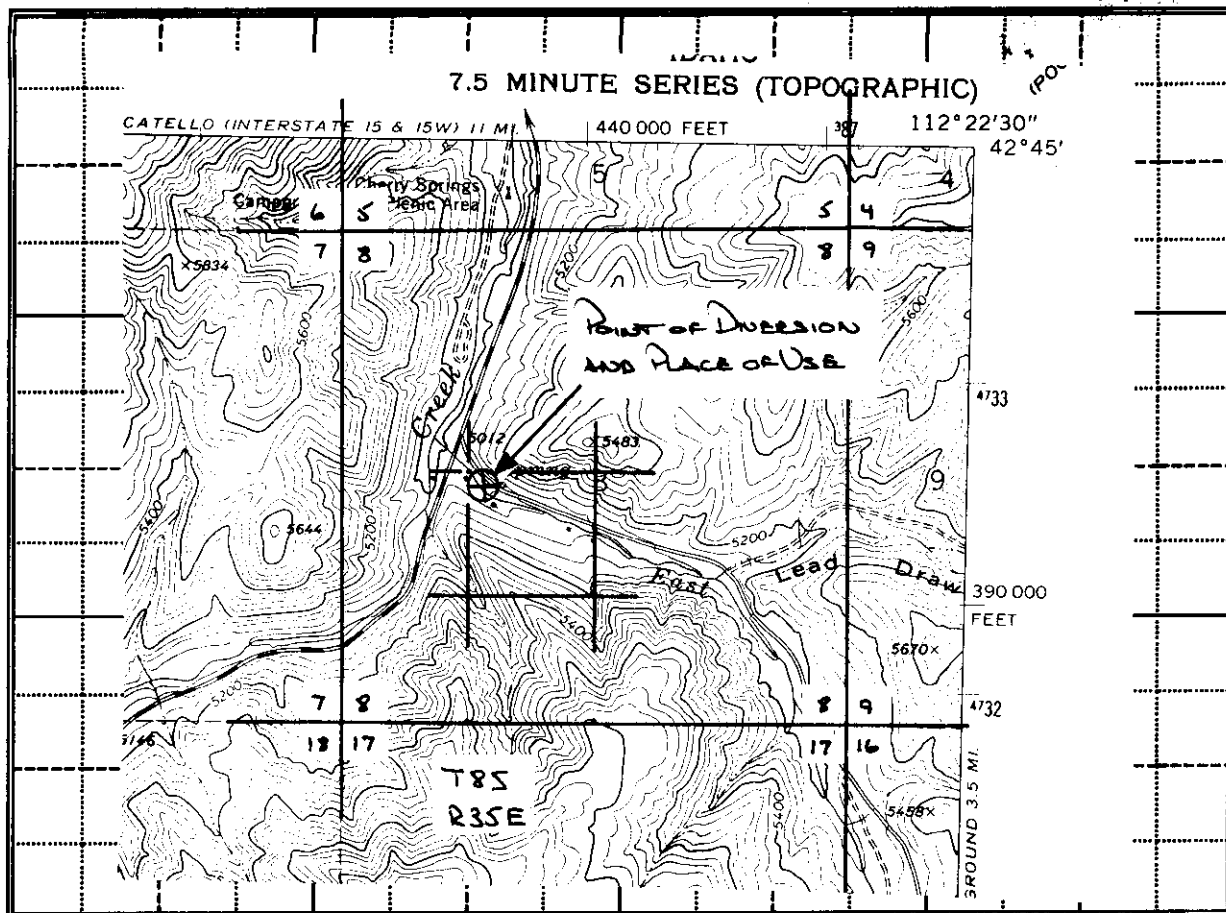
2. Place(s) of Use:

Indicate Method of Determination USGS, Aerial

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	35E	8																	
														</					

DEC 29 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well 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
N/A					

*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
N/A						

2. Measurements: _____

RECORDED
DEC 29 1964

E. NARRATIVE/REMARKS/COMMENTS

WELL, SUBMERSIBLE PUMP AND PIPELINES TO SINGLE FAMILY DOMESTIC
HOME WITH $\frac{1}{2}$ AC. LAWN.

ONSITE VERIFICATION 5-18-94

P/D A/D/V LOCATED AT 1469 E MINK CREEK ROAD, DOUGLASS, ID

A24-10060 CLAIMS IRRIGATION WATER FROM E FORK MINK CREEK
ON HOLDEES LAND.

29-02827 PROVIDES WATER FROM SPRING FOR IRRIGATION AND
SUPPLEMENTAL DOMESTIC USE

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

MINNESOTA DEPT
DEC 29 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

DE MINIMUS DOMESTIC WITH 1/2 AC. LAWN = 0.04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

DE MINIMUS DOMESTIC WITH 1/2 AC. LAWN = 1.20 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1-1	12-31	0.04	1.2
Totals:			0.04	1.2

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 DOON Date 11-8-94Reviewer Leah C Wilson Date 11/9/94

DEC 29 1994

SEAL

January 10, 1991

RICHARD FEUERBORN
ANN FEUERBORN
1469 E. FORK MINK CREEK
POCATELLO, ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07859

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

JAN 28 1991

3/89

Drilling Permit No. -89-E-044 *VP*

Water Permit No. _____

Injection Permit No. _____

RECEIVED

SEP 22 1989

Department of Water Resources
Eastern District OfficeState of Idaho
Department of Water Resources
DRILLING PERMITNOTE: WELL DRILLER
ALREADY HAS PERMIT #**RECEIVED**

SEP 26 1989

- Applicant RICHARD FEUERBORN
- Address 1469 E. FORK MINK CR. Department of Water Resources
POCATELLO ID 83204 Telephone 234 7103
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
- Proposed well location NW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 8, Twp. 8 S, Rge. 35 E, County BANNOCK,
Lot, block and subdivision _____
- Proposed use of well: (Check all that apply)
☒ Domestic ☐ Stockwater ☐ Monitoring
No. of households 1 No. of livestock _____
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
- Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 6" Maximum depth 110'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
- Anticipated construction start date _____
- Well Driller (if known) FINDLEY, BLACKFOOT 785-3299
Address BLACKFOOT
- Applicant's signature Richard Feuerborn **MICROFILMED**
Title _____
Date _____

JAN 28 1991

** Fee is \$10 for single family domestic. Other uses may be up to \$100.

NOTE: FEE PAID 225 HORSELY BY FIRST SECURITY BANK

ACTION DEPARTMENT OF WATER RESOURCES

This Permit is approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 22nd day of September, 1989
Signed Ronald R. Carson
Title Eastern Regional Manager

Received by RB Fee \$10.00 Date 9-22-89
Receipt No. E010748 Construction start extension to JAN 28 1991
Extension approved by _____

MICROFILMED

August 13, 1990

RICHARD FEUERBORN
ANN FEUERBORN
1469 E. FORK MINK CREEK
POCATELLO, ID 83201

LAPSE NOTICE

RE: PERMIT NO. 29-07859

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

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JAN 28 1991

CERTIFICATION OF MAILING

I hereby certify that on 8-15-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

138764
May 31, 1990

RICHARD FEUERBORN
ANN FEUERBORN
1469 E. FORK MINK CREEK
POCATELLO, ID 83201

PROOF DUE NOTICE

RE: PERMIT NO. 29-07859

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 August 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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JAN 28 1991

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 6, 1989

FIRST SECURITY BANK OF IDAHO
P.O. BOX 50280
IDAHO FALLS, ID 83401

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 29-07859

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

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

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

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 17 1989

May 11, 1989

First Security Bank of Idaho
P.O. Box 50230
Idaho Falls, ID 83401

RE: Application for Permit No. 29-7859

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. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MAILED

AUG 17 1989

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

29-07688

CARLSON, LEONARD H.
CARLSON, SANDRA
2721 SOUTH 2ND AVE
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt:
NW NE Sec 1 T 07S R 34E
Use: IRRIGATION (.070 CFS)
Date Filed: 2-15-1983
In: T07S R34E S01 NWNE NENW
4.0 ACRES TOTAL

29-07690

ANDERSON, DWAIN E
POCATELLO CREEK ROAD
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt:
NENE Sec 20 T 06S R 35E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2-23-1983
In: T06S R35E S20 NENE
5.0 ACRES TOTAL

29-07691

ANDERSON, ELWIN
POCATELLO CREEK ROAD
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt:
NENE Sec 20 T 06S R 35E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2-23-1983
In: T06S R35E S20 NENE
5.0 ACRES TOTAL

29-07693

MILLER, DAVID C.
P.O. BOX 4904
POCATELLO, ID 83201
Source: SPRING
Tributary: PORTNEUF RIVER
Diversion Pt:
NENW Sec 25 T 09S R 37E
Use: IRRIGATION (.160 CFS)
Date Filed: 3-02-1983
In: T09S R37E S24 SWSW
S25 NENW
8.0 ACRES TOTAL

29-07798

BULL, L. M.
BULL, BURNA DEAN
5787 WEST PORTNEUF RD.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt:
SWSW Sec 23 T 07S R 35E
Use: IRRIGATION (.300 CFS)
STOCKWATER (.070 CFS)
Date Filed: 6-25-1985
In: T07S R35E S23 SWSW
15.0 ACRES TOTAL

29-07799

BULL, L. M.
BULL, BURNA DEAN
5787 WEST PORTNEUF RD.
POCATELLO, ID 83204
Source: PORTNEUF RIVER
Tributary: SNAKE RIVER
Diversion Pt:
SWSE Sec 23 T 07S R 35E
Use: IRRIGATION (.700 CFS)
Date Filed: 6-25-1985
In: T07S R35E S23 SESW
35.0 ACRES TOTAL

29-07859

FIRST SECURITY BANK
OF IDAHO
P.O. BOX 50280
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt:
NESW Sec 8 T 08S R 35E
Use: DOMESTIC (.040 CFS)
Date Filed: 4-27-1989
In: T08S R35E S08 NESW
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 5, 1989.
S/R. Keith Higginson, Director
May 18, 25, 1989

DOF OF PUBLICATION

RECEIVED

JUN 17 1989

Department of Water Resources
Eastern District Office

Sandra K. Wann

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>May 18</u>	<u>1989</u>	<u>19</u>
<u>May 25</u>	<u>1989</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>	<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.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 25th day of May in the year of 1989, before me, a Notary Public, personally appeared Sandra K. Wann, 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.

John L. Larsen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July 1991

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AUG 17 1989

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 10, 1989

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 JUNE 5, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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AUG 17 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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AUG 17 1989

29-07859

FIRST SECURITY BANK OF IDAHO
P.O. BOX 50280
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NESW Sec 8 T 08S R 35E

Use: DOMESTIC (.040 CFS)

Date Filed: 4/27/1989

In: T08S R35E S08 NESW

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AUG 17 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 5, 1989.

R. Keith Higginson, Director

Published 5/18/1989 & 5/25/1989

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AUG 17 1989