

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07844

Priority: February 10, 1988

Maximum Diversion Rate:

0.27 CFS

Maximum Diversion Volume:

34.6 AF

This is to certify, that E H STANGER
FRANCESANNE STANGER

2770 W PORTNEUF RD
INKOM ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 10, 1988; and has submitted Proof of Beneficial Use on April 3, 1990. An examination indicates that the works have a diversion capacity of 0.390 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>
IRRIGATION	04/01 to 10/31	0.14 CFS	28.0 AF
STOCKWATER	01/01 to 12/31	0.09 CFS	5.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Totals		0.27 CFS	34.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 29, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	36E	20	SESW	2		2
		29	NENW	5		5

Total number of acres irrigated: 7

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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 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.

RECORDED
MAR 25 1997

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07844

CONDITIONS OF APPROVAL AND REMARKS

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 Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. 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 7TH day of MARCH, 1997.


KARL J. DREHER, DirectorMICROFILMED
MAR 25 1997

State of Idaho
Department of Water Resources

RECEIVED

MAR 06 1997

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07844

Date of Priority: February 10, 1988 Maximum Diversion Rate: 0.27 CFS
Maximum Diversion Volume: 34.6 AF

Comes now E H STANGER
FRANCESANNE STANGER

2770 W PORTNEUF RD
INKOM ID 83245

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 29-07844, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.14 CFS	28.0 AF
STOCKWATER	01/01 to 12/31	0.09 CFS	5.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.27 CFS	34.6 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 29, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	36E	20	SESW	2		2
		29	NENW	5		5

Total number of acres irrigated: 7

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

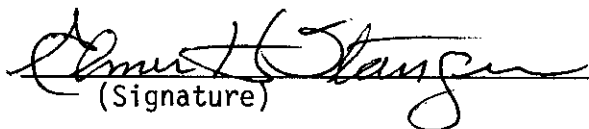
DOMESTIC, same as IRRIGATION use

MICROFILMED

MAR 25 1997

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Idaho Falls, this 27 day of Feb, 1997.


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07844

FOR DEPARTMENT USE ONLY

Preliminary check by SUT Fee = 50 Received by KW #E022979 Date 2-27-97

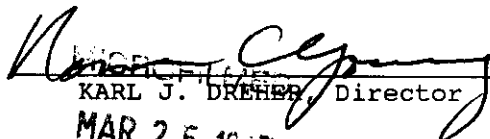
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-07844 with the following;

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 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 Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Domestic use is for 1 home.

Witness my hand this 7TH day of MARCH, 1997.


KARL J. DREHER, Director
MAR 25 1997

RECEIVED

APR - 3 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES APR 4 1990

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only
Amt. of Fee \$ 50
Date 01/03/90
Received by E612771
KCW**RECEIVED**

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. 29-07844 Telephone No. 775-3637Name(s) of Permit Holder(s): E.H. StangerPost Office Address: 2770 West Portneuf Road INCOM Id 83245Source of Water: GROUNDWATERIf ground water, well driller's name: Bil Dubbie Date drilled: Mar 1988

Extent of Use:

Domestic 1 (No. of households) Irrigation 7 (No. of acres)

Stockwater 400 Rams (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.27 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: Mar 1988

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: \$ 50⁰⁰ (See License Examination Fee Schedule)

Department of Water Resources

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

Same as above

Name

Telephone No.

Address

MICROFILMED

DEC 07 1990

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.

3 April 1990
Date

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

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07844

Proposed Priority: February 10, 1988 Maximum Diversion Rate: 0.27 CFS
This is to certify, that **E. H. STANGER**

FRANCESANNE STANGER
2770 W. PORTNEUF RD.
INKOM, ID 832450000

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>
IRRIGATION	04/01 to 11/01	0.14 CFS
STOCKWATER	01/01 to 12/31	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.27 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 29, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	36E	29	NENW	7		7
Total number of acres irrigated:						7

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. 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.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. Stockwater use is for 400 range.

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DEC 07 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07844

CONDITIONS/REMARKS:

8. Domestic use of for one home.

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

29th day of March, 1990.

for R. Keith Higginson, Director

MICROFILMED

DEC 07 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 29 7844

To appropriate the public waters of the State of Idaho

1. Name of applicant E.H. or Francesanne Stanger Phone 775-3637
Post office address 2770 West Portneuf Road, Inkom, Idaho 83245

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 NW 1/4, Govt. Lot _____
Sec. 29 Township 7S Range 36E B.M. Bannock County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.14 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.09 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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)

5. Total quantity to be appropriated is (a) 0.27 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to single domestic
domestic home, stock troughs and laterals with sprinklers

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 8 inches; proposed depth of well is 120 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial uses
2 years (minimum 1 year).

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DEC 07 1990

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. 400 head range cattle
- 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	29					7												7

Total number of acres to be irrigated 7

10. Describe any other water rights used for the same purposes as described above. claim for Portneuf River water.

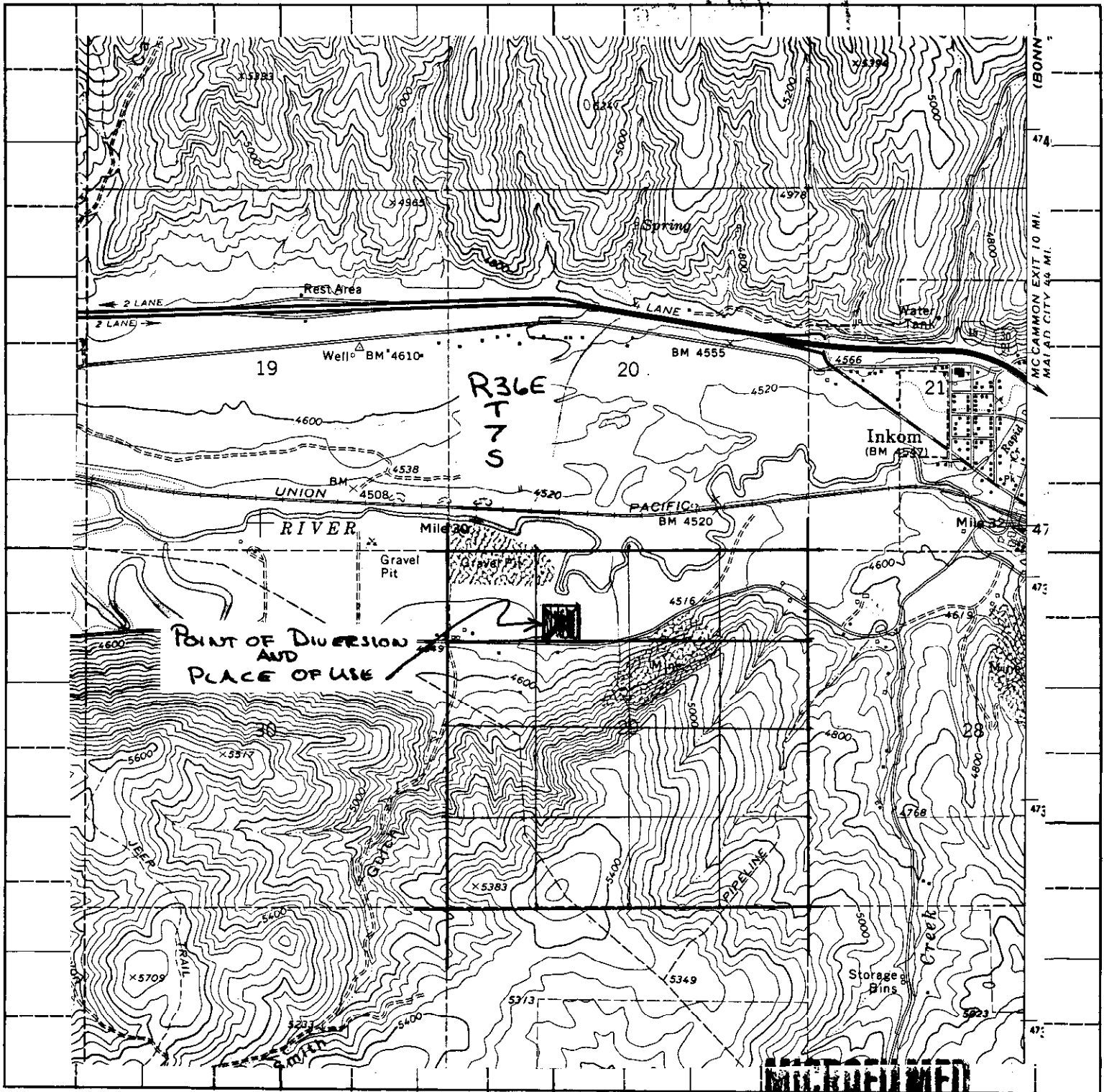
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:

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DEC 14 1973

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.

DEC 07 1990

Elmer H. Stange
(Applicant)

Received by KCW Date 2-10-88 Time 4:00 p Preliminary check by EE
Fee \$ 45⁰⁰ Receipted by dg # 46417 Date 2-10-88
Publication prepared by LB Date 1-18-25-90 Published in ID State Jnl
Publication approved cew Date 2-12-90

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:

MICROFILMED

DEC 17 1990

PROOF OF PUBLICATION

RECEIVED

JAN 26 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO
County of Bannock

ss.

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>18 January</u>	<u>19 90</u>	<u>19</u>
<u>25 January</u>	<u>1990</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 January in the year of 1990, 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.

Jeri L. Jensen
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

MICROFILMED

DEC 07 1990

IDAHO STATE JOURNAL
The following information has been filed to approve the use of public waters of the State of Idaho:
STANGER, E. H.
STANGER, FRANCESANNE
270 W. PORTNEUE RD.
INCOM, ID 8325000
Source: GROUNDWATER
Diversification Pt: NENW Sec 29 T 07S, R 34E
Use: IRRIGATION (1140 CFS)
STOCKWATER (800 CFS)
DOMESTIC (140 CFS)
Total Diversification: (270 CFS)
Date Filed: 2/10/1988
In: T07S R34E S29 NENW
2.8 ACRES TOTAL
27-07852
MONROC INC.
ZIONS FIRST NATIONAL BANK
RT 1 BOX 14
POCATELLO, ID 83201
Source: GROUNDWATER
Diversification Pt: NWSW Sec 22 T 08S R 34E
Use: INDUSTRIAL (1,500 CFS)
STOCKWATER (1,500 CFS)
Date Filed: 1/12/1988
In: T08S R34E S22 NWSW
3.0 ACRES TOTAL
4500 BANNOCK HWY.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversification Pt: NWSW Sec 7 T 07S R 35E
Use: IRRIGATION (800 CFS)
Total Diversification: (800 CFS)
Date Filed: 8/02/1988
In: T07S R35E S07 NWSW
3.0 ACRES TOTAL
The permittee will be subject to all provisions of the Idaho Water Code and/or the new public interest criteria of Sec. 42-2001, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoshone Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 5, 1990.
Signed: _____, Director
Notary Public for Idaho

PROOF OF PUBLICATION

RECEIVED

JAN 11 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-07844

STANGER, E. H.
STANGER, FRANCESANNE
2770 W. PORTNEUF RD.
INKOM, ID 832450000
Source: GROUNDWATER
Diversión Pt: NENW Sec 29 T 07S R 36E
Use: IRRIGATION (.140 CFS)
STOCKWATER (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversión: (.270 CFS)
Date Filed: 2/10/1988
In: T07S R36E S29 NENW
7.0 ACRES TOTAL
29-07852

MONROC INC
ZIONS FIRST NATIONAL BANK
RT. 1 BOX 149
POCATELLO, ID 83201
Source: GROUNDWATER
Diversión Pt: NWSW Sec 22 T 06S R 34E
Use: INDUSTRIAL (1.500 CFS)
Total Diversión: (1.500 CFS)
Date Filed: 9/13/1988
In: T06S R34E S22 NWSW
29-07853

TEUSCHER, DENNIS R.
TEUSCHER, BETTY J.
4590 BANNOCK HWY.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversión Pt: NWSW Sec 7 T 07S R 35E
Use: IRRIGATION (.090 CFS)
Total Diversión: (.090 CFS)
Date Filed: 8/03/1988
In: T07S R35E S07 NWSW
3.0 ACRES TOTAL

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 FEBRUARY 5, 1990.
S/R. Keith Higginson, Director
January 18, 25, 1990
No. 936

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:

18 January, 19 90, 19

25 January, 1990, 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.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 25th day of January in the year of 1990, 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.

[Signature]
Notary Public for Idaho

Residing at Pocatello

My commission expires: December 31, 1991

MICROFILMED

DEC 07 1990



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

March 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

E H STANGER
FRANCESANNE STANGER
2770 W PORTNEUF RD
INKOM ID 832450000

RE: WATER RIGHT NO. 29-07844

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 or files an exception and/or brief 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.

MICROFILMED
MAR 25 1997

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

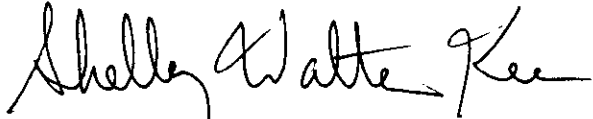
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of March, 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. 29-07844

E H STANGER
FRANCESANNE STANGER
2770 W PORTNEUF RD
INKOM ID 832450000



Vanessa Roby
Secretary

MICROFILMED
MAR 25 1997



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

February 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

E.H. AND FRANCESANNE STANGER
2700 W PORTNEUF RD
INKOM ID 83245

RE: Permit No. 29-07844

Dear Right Holders:

Permit 29-07844 is currently being reviewed for licensing. The Department's field examiner recommended licensing your water right with a diversion rate of 0.27 cfs. However, because the fee you submitted with your Proof of Beneficial Use was for 0.20 cfs, your license will be limited to 0.20 cfs.

If you want your water right license to reflect the 0.27 cfs found by the examiner, you must submit an additional examination fee of \$50.00 required for a diversion of 0.27 cfs, plus a late payment penalty of \$25.00, within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217, Idaho Code.

Also, your permit must be amended to depict your water right as it has actually been developed. The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:ph

Enclosure

ENCLOSURE

MAR 25 1997

MEMORANDUM

TO: File 29-07844

FROM: Sharla

DATE: January 28, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 29-07844 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T7S, R36E, S20 - SESW (2 acres)
S29 - NENW (5 acres)

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.14 cfs	28.0 afa
Stockwater	1/1 - 12/31	0.09 cfs	5.4 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa

The irrigation place of use in Section 29 as identified on the maps connected to the SESW of Section 20 is the NENW, not the NWNW.

The irrigation season for this area is 4/15 - 10/15.

Examiner: Keith Wilson
Exam Date: August 4, 1995

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MAR 25 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 02 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-7844

1. Owner: E. H. or Francescane Stanger Phone No. 208 775-3637

Current Address: 2710 West Portneuf Rd., Inkom, ID 83245

2. Accompanied by: S. H. Stanger EXAM DATE: 4 Aug 95

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: 29-04497

2. Other water rights with the same point of diversion: 29-04497

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

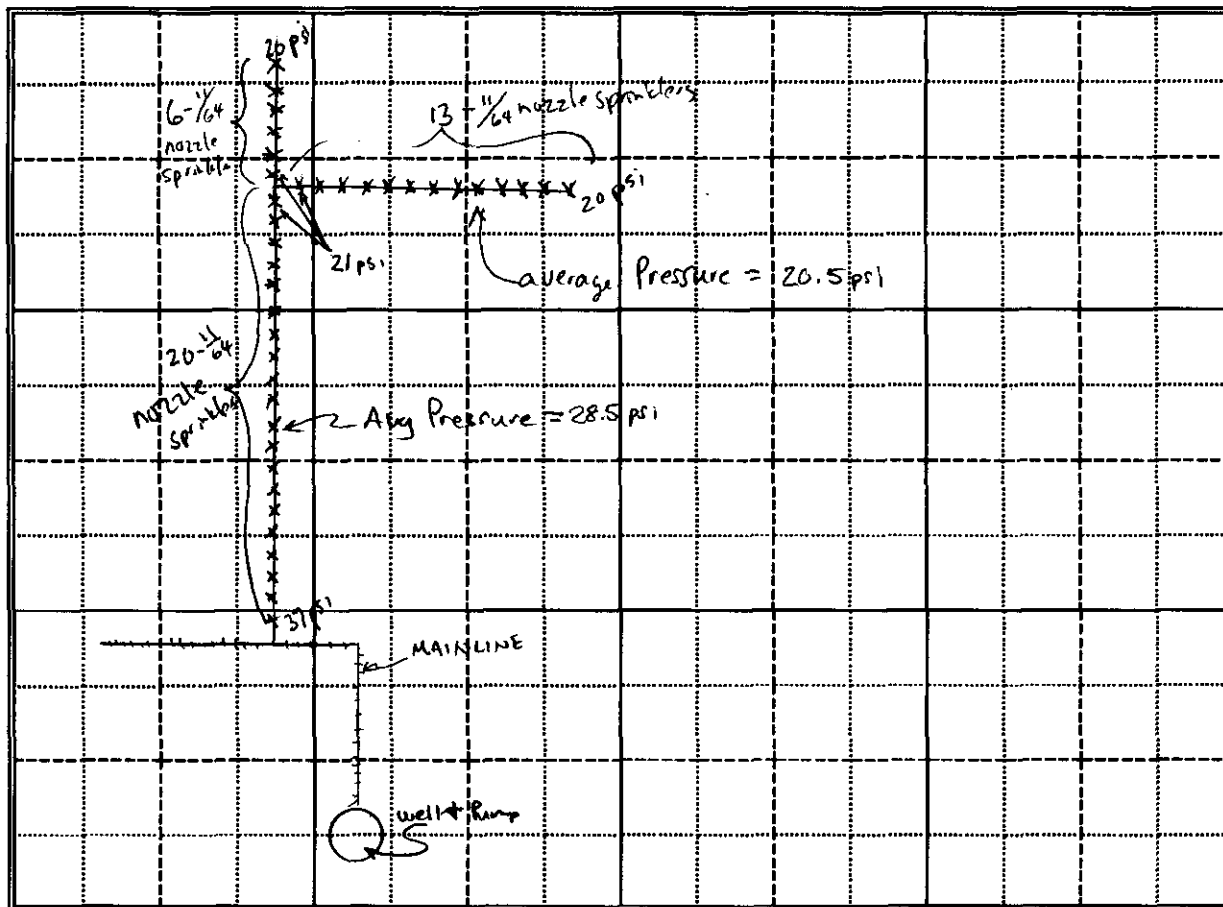
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
TS	36E	20																	6
		29						5											5
																			11.00ac
RECOMMENDED FOR LICENSING																			
TS	36E	20																	2
		29						5											5

1. THE FILM

MAR 25 1937

7ac

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
	GRUNDFOSS	10	UNK	SAME	UNK

*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: _____

REPROFILMED

MAR 25 1987

E. NARRATIVE/REMARKS/COMMENTS

well, pump Mainline to single domestic home, stock troughs, & irrigation system

NOTE: Sprinkler Nozzles were slightly worn but not to next size therefore use flow @ 100% to account for slightly more water.

$$Q = \frac{\pi d^2}{4} \sqrt{2gh}$$

h = pressure

$g = 32.2$

d = diameter

Q = flow rate in cfs

Avg. pressure for 26 - $\frac{1}{64}$ " NOZZLE sprinklers = 28.5 psi

13 - $\frac{1}{64}$ " NOZZLE SPRINKLERS = 20.5 psi

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

FILED

MAR 25 1937

F. FLOW CALCULATIONS

Measured Method: $Q = 0.0665 (d)^2 \sqrt{PSI}$ Additional Computation Sheets Attached
 $d = \text{diameter in inches}$

$$Q = 26 \left[0.0665 \left(\frac{11}{64} \right)^2 \sqrt{28.5} \right] = 0.272 \text{ cfs}$$

$$Q = 13 \left[0.0665 \left(\frac{11}{64} \right)^2 \sqrt{21.5} \right] = 0.118 \text{ cfs}$$

$$Q_{\text{TOTAL}} = 0.272 \text{ cfs} + 0.118 \text{ cfs} \\ = 0.39 \text{ cfs (175 gpm)}$$

$$Q_{\text{LIMITED TO}} 0.02 \text{ cfs/ac} = 0.14 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (7 \text{ ac}) 4 = 28 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (14 \times 214 \times 1.9835) = 59.4 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 28 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$V_S = 400 \text{ head} \times 0.0134 = 5.36 = 5.4 \text{ afa}$$

$$V_D = 1.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	0.14 cfs	28 afa
STOCKWATER (cattle)	1/1	12/31	0.09	5.4 afa
DOMESTIC	1/1	12/31	0.04	1.2 afa
Totals:			0.27 cfs	34.6 afa

2. Recommended Amendments

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

I. AUTHENTICATION

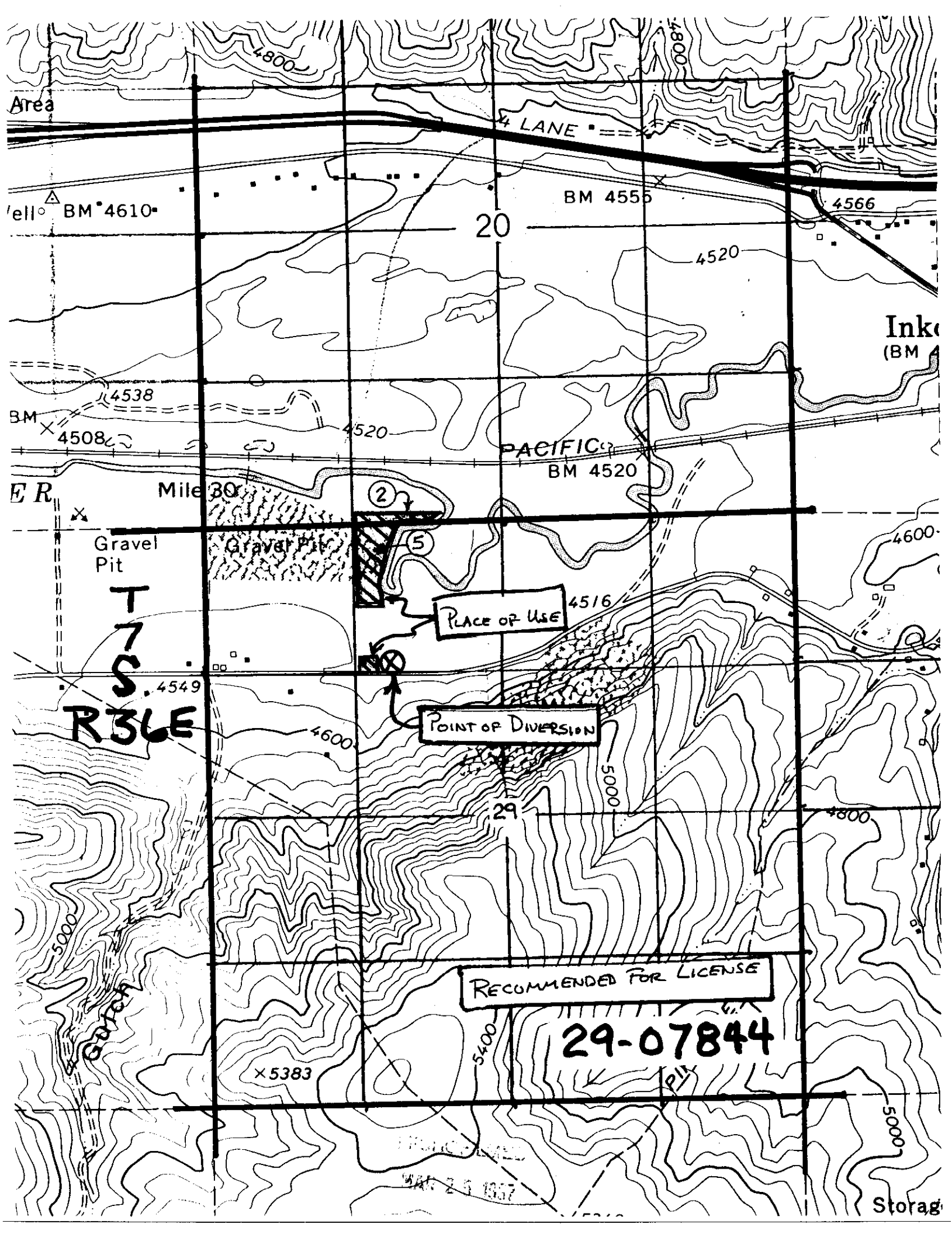
Field Examiner's Name KEITH C. WILSON Date 8-4-1995

Reviewer _____ Date _____

SEAL

MICROFILMED

MAR 25 1997



Area

4 LANE

ell BM 4610

BM 4555

4566

20

4520

Ink
(BM 4

BM 4538
BM 4508

4520

PACIFIC

BM 4520

ER

Mile 30

Gravel Pit

Gravel Pit

T
7
S

R
3
6
E

4549

2

5

PLACE OF USE

4516

POINT OF DIVERSION

4600

29

5000

4800

RECOMMENDED FOR LICENSE

29-07844

X 5383

5400

5000

Storage

MADE 2-5-1957

19 20
30 29

**SYSTEM
PLACE OF USE**

415

1.2

NHE
5
2.4

POINT OF DIVERSION

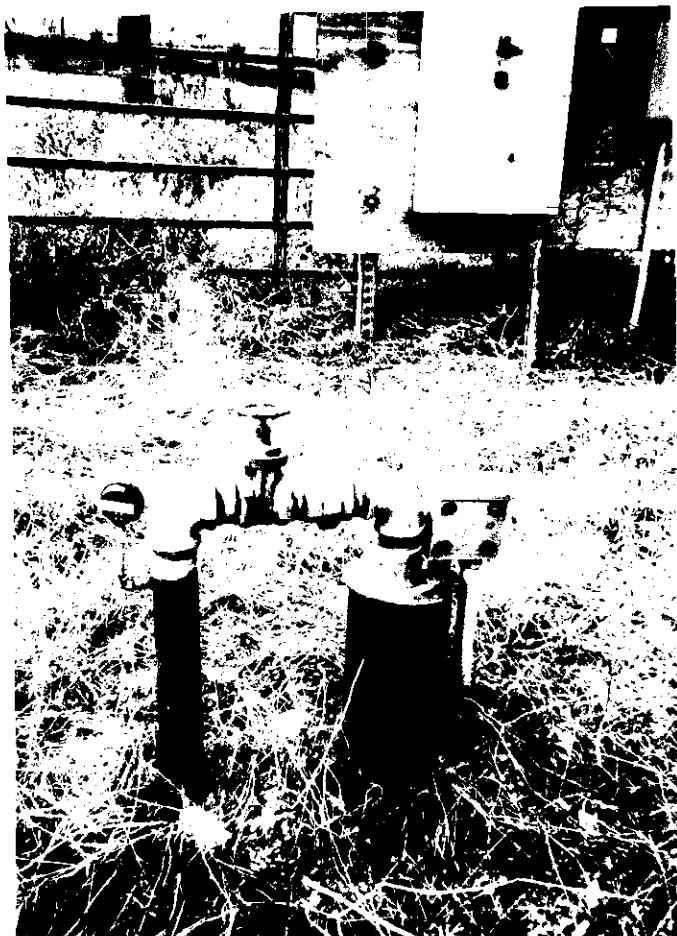
**T
7
S**

R36E

Sec 29

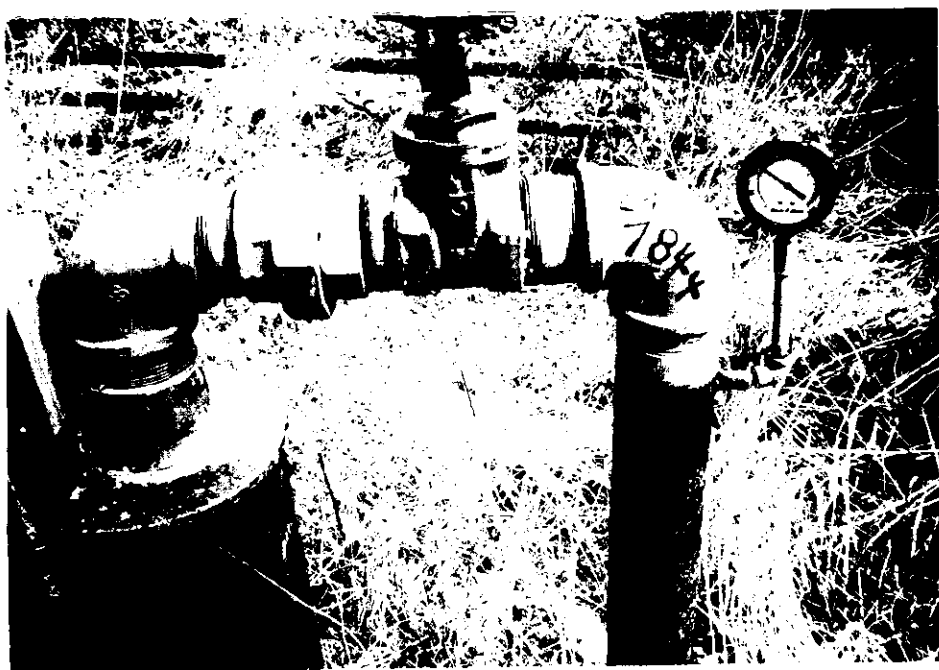
29-07844

MAR 25 1971



Electric CONTROL Box

well



Pressure Gage 160 psi Max
Reading $\approx$ 46 psi

29-7844

November 23, 1990

E. H. STANGER
FRANCESANNE STANGER
2770 W. PORTNEUF RD.
INKOM, ID 832450000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07844

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
DEC 07 1990

October 24, 1990

E. H. Stanger
2770 W. Portneuf Rd.
Inkom, ID 83245

Dear Mr. Stanger:

Re: Permit No. 29-7844

Returned is the proof of beneficial use form submitted on April 3, 1990. The proof is unacceptable without a fee when the diversion rate at 0.27 cfs. Either a license exam fee of \$50 is needed or a beneficial use field report completed by a certified water right examiner.

I note that you paid several fees, however it appears those were for claims filed in the Snake River Basin Adjudication. Filing in the adjudication, does not complete the requirements of this water right permit. To perfect the permit into a license, which is evidence that a water right exists, it is necessary to file the proof of beneficial use form and appropriate fee or beneficial use field report.

Upon receipt of the proof and appropriate fee, I will notify the regional office to conduct a field inspection to determine and confirm the extent of beneficial use. Based upon the field examiner's recommendations, a water right license will be issued.

If you have any questions, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records

Enclosure

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DEC 67 1990

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

COPY

03/13/90
11:04:31

STANGER, E. H.

DRILLING PERMIT EXTRA FEE- 29-07844

0630350 1239 6390

\$90.00

\$90.00

CHECK 3410

Idaho Department of Water Resources

Region: EASTERN

Signature: _____

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DEC 07 1990

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) 327-7900
March 30, 1990

E. H. STANGER
FRANCESANNE STANGER
2770 W. PORTNEUF RD.
INKOM, ID 832450000

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

RE: PERMIT NO. 29-07844

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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DEC 07 1990

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

MICROFILMED

DEC 07 1990

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: F012315

Date: 03/13/90
Time: 11:04:31

Received

From: STANGER, E. H.

Type of Payment

DRILLING PERMIT EXTRA FEE- 29-07844

#29-88-E-002

Program Acct Class

0630350 1239 6390

Amount

190.00

Total

\$190.00

CHECK 3410

Idaho Department of Water Resources

Region: EASTERN

Signature: _____

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DEC 07 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 1, 1990

RE: Application for Permit No. 29-7844

E.H. or Francesanne Stanger
2770 W. Portneuf Rd.
Inkom, ID 83245

Dear Mr. and Mrs. Stanger:

We have received the above referenced application from our Eastern Regional Office for final action. However, in reviewing the file, we found that you have not submitted the appropriate drilling permit fee for the uses applied for on your water right application.

A \$100.00 fee is required for drilling a well which will provide more than 0.04 cfs and our records indicate that you only paid a \$10.00 fee so that you could get a drilling permit issued for your domestic use. Please submit the additional \$90.00 at your earliest convenience.

We will withhold any further action on your water right application until we either receive the additional \$90.00 drilling permit fee or a letter from you which reduces the proposed uses on your application for water right.

If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

cc: Eastern Region

*Rec'd #90-3/13/90
Receipt E012316*
MICROFILMED
DEC 07 1990

Form 235-1
6/87

Drilling Permit No. 29-88-E-002
Water Permit No. _____
Injection Permit No. _____

*COPY
from G.W.
Protection
Section.*

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

FFR 16 1988

Department of Water Resources

1. Applicant E.H. or Francesanne Stanger
2. Address 2770 W. Portneuf Road
Idaho 83245
- (☒ Well Owner () Well Operator () Other, specify _____)
3. Water right permit no. _____; Injection well permit no. _____
4. Proposed well location 1/4 NE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 29, Twp. 7S, Rge. 36E, County Bingham,
Lot, block and subdivision BARROCK
5. Proposed use of well: (Check all that apply)
(☒ Domestic () Stockwater () Monitoring
() Irrigation () Industrial () Municipal
() Injection () Other, Specify _____)
6. Well construction information:
(☒ New well () Deepen () Replace
Proposed surface diameter 8 Proposed depth 120
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)
7. Anticipated construction start date April 5, 1988
8. Well Driller (if known) Dabbe
Address Tyhee Idaho
Date 10 Feb 1988 Applicant's signature E.H. Stanger
Title _____

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DEC 07 1990

* After other pre-requisite approvals have been obtained.

ACTION OF IDWR

() approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
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.

SPECIFIC CONDITIONS:

Dated this 10th day of February, 19 88.

Signed

Ronald J. Carlson
Title: Eastern Regional Manager

Received by

Eastern

Fee

\$90.00
\$10.00

Date

3-13-90
2-10-88

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DEC 07 1990

Receipt No.

EO12310
46411

Construction start date

Construction start extension to

Extension approved by

09-Jan-1990

E. H. Stanger
2770 West Portneuf Rd.
Inkom, ID 83245

RE: Application for Permit No. 29-7844

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. 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

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DEC 07 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 8, 1990

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 FEBRUARY 5, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

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DEC 07 1980

29-07844

STANGER, E. H.
STANGER, FRANCESANNE
2770 W. PORTNEUF RD.
INKOM, ID 832450000

Source: GROUNDWATER

Diversion Pt: NENW Sec 29 T 07S R 36E

Use: IRRIGATION	(.140 CFS)
STOCKWATER	(.090 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.270 CFS)

Date Filed: 2/10/1988

In: T07S R36E S29 NENW

7.0 ACRES TOTAL

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DEC 07 1990

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 FEBRUARY 5, 1990.

R. Keith Higginson, Director

Published 1/18/1990 & 1/25/1990

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DEC 07 1990

29-7844

STANGER, E.H. &/or FRANCESANNE

2770 WEST FORTNEUF ROAD, INKOM, ID 83245

Source: GROUNDWATER

Diversion Pt: NENW Sec 29 T 07S R 36E

Use: IRRIGATION	(0.140 CFS)
STOCKWATER	(0.090 CFS)
DOMESTIC	(0.040 CFS)

Date Filed: 02/10/1988

In: NENW Sec 29 T 07S R 36E FOR 7 ACRES

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