

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07796

Priority: June 28, 1985

Maximum Diversion Rate: 0.19 CFS
Maximum Diversion Volume: 40.0 AF

This is to certify, that JACK BYBEE
1889 TAGHEE LN
POCATELLO ID 83202

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1985; and has submitted Proof of Beneficial Use on April 19, 1990. An examination indicates that the works have a diversion capacity of 0.190 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	0.19 CFS	40.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 2, Township 06S, Range 33E
POWER County

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION							
	06S	33E	2	SESE	10		10
Total number of acres irrigated:							10

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.

MAY 07 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07796

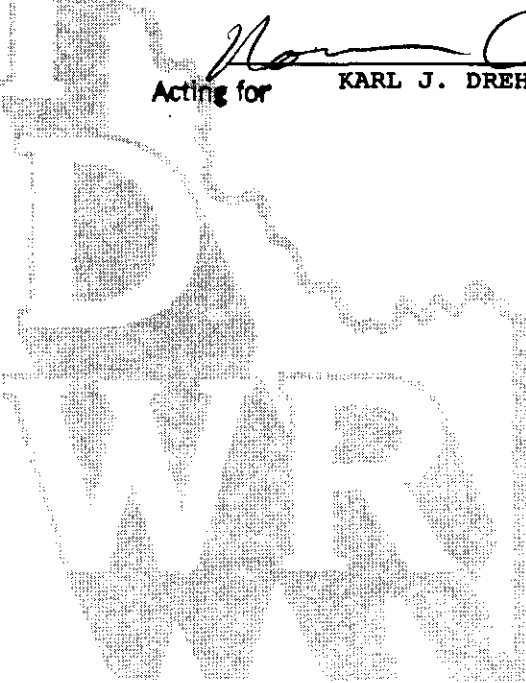
CONDITIONS OF APPROVAL AND REMARKS

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. Place of use is located within Lot 11, Blk. 1, Taghee Subdivision.

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 4th day of MAY, 1996.

Acting for

KARL J. DREHER, Director



RECEIVED

MAY 07 1996

RECEIVED

APR 19 1990

For Office Use Only
Amt. of Fee \$ 50.00
Date 19 April 90
Receipt No. ED 1342
Received by KCW
MS-7-10-90

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

APR 20 1990

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. 29-07796 Telephone No. 227-2200

Name(s) of Permit Holder(s): Jack L Bybee

Post Office Address: 1889 Taghee LN Pocatello, Id 83420

Source of Water: Well

If ground water, well driller's name: Lundstrom Date drilled: 6-78

Extent of Use:
Domestic 1 (No. of households) Irrigation 10 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1985 June

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: \$ 50.00 (See License Examination Fee Schedule)

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

Same as above
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.

JUL 23 1990

19 April 90
Date

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

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07796

Proposed Priority: June 28, 1985

Maximum Diversion Rate:

0.20 CFS

This is to certify, that JACK BYBEE
RT. 1 SYPHON RD.
POCATELLO, ID 83201

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	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 2, Township 06S, Range 33E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 33E 2	SESE 10			10

Total number of acres irrigated: 10

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

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

27th day of December, 1989.

MICROFILMED

FEB 13 1990

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jack Bybee Phone 237-3280

Post office address Rt. #1, Syphon Road, Pocatello, ID 83201

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 6S

Range 33E B.M. _____ Power _____ County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 cfs for Irrigation purposes from 4/1 to 11/1 (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:

a. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, mainline, handline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 156 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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FEB 13 1990

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

[illegible]

Total number of acres to be irrigated 10

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

9. a. Who owns the property at the point of diversion Applicant

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

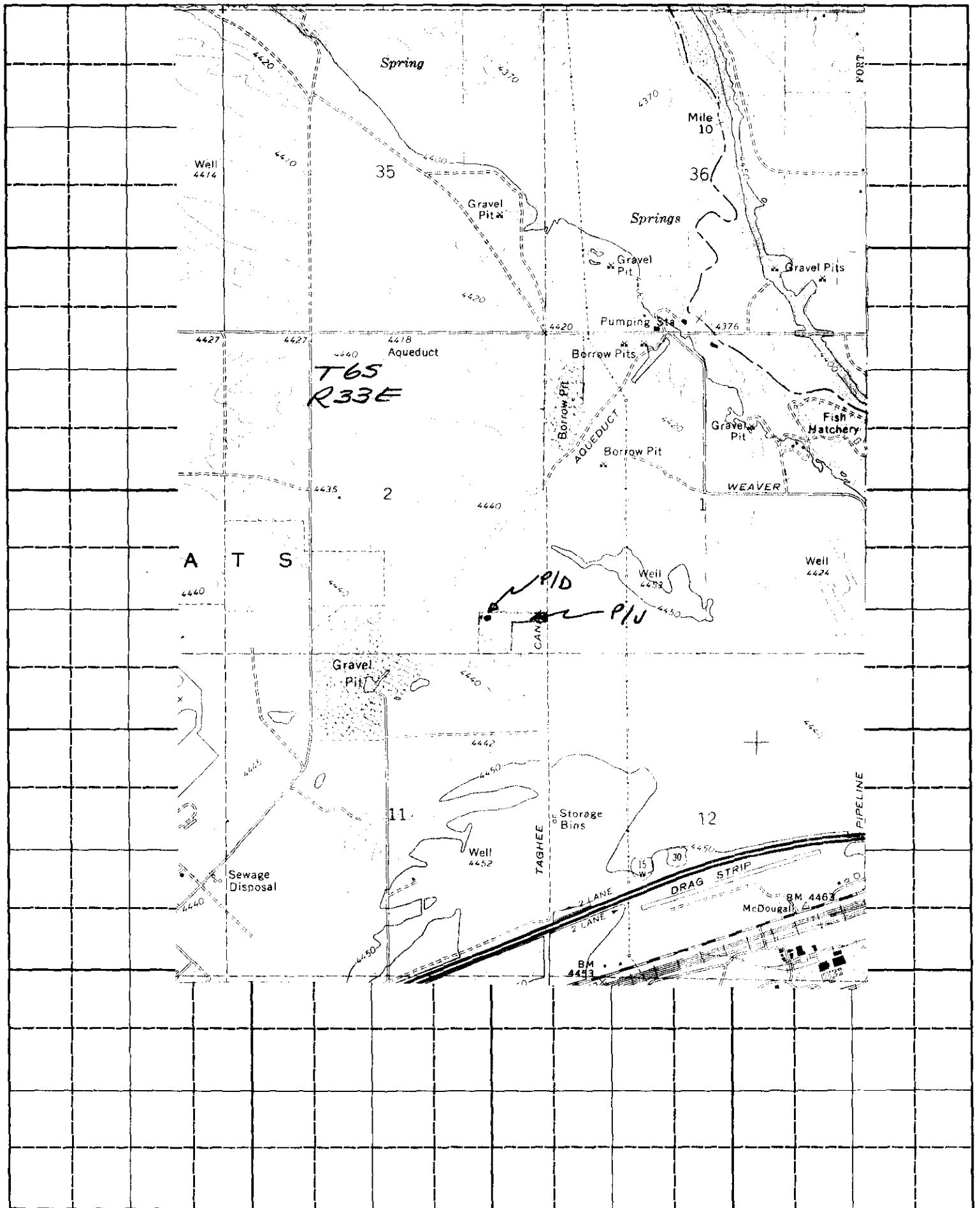
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

MICROFILMED

FEB 13 1990

11. 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 hereinafter set forth:

RECORDED

FEB 13 1990

Jack L. Polue
(Applicant)

Received by DFR Date 6-28-85 Time 11:22
Preliminary check by KW Fee \$ 30⁰⁰
Receipted by CW Date 6-28-85 # 33392
Publication prepared by ggf Date 8-2-85
Published in Power County Press
Publication dates 10-19-26-89
Publication approved RB Date 11-20-89
Protests filed by: none

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

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. Other:

REPROFILMED

FEB 13 1990

Affidavit of Publication

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NOV 1989

State of Idaho

County of Power

Department of Water Resources
Eastern District Office

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 18 day of October 1989 and the date of last publication being the 25 day of October 1989.

(Signed)

Erma Crompton

State of Idaho

County of Power

On this 2 day of November in the year of 1989, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed in the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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NOV 13 1990

Brett Crompton

Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: June 8, 1993

water right

Published in The Power County Press,
Oct. 18, 25, 1989.

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

29-07796
BYBEE, JACK
RT. 1 SYPNON RD.
POCATELLO, ID 83201

Source: GROUNDWATER
Division Pt: SESE Sec 2 T06S R 31E

Use: IRRIGATION (.200 CFS)

Date Filed: 6/28/1989

In: T06S R31E S02 SESE

10.0 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 NOVEMBER 6, 1989.

R. Keith Higgins, Director

Affidavit of Publication

State of Idaho

County of Power

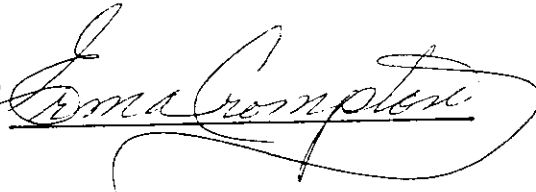
Department of Water Resources
Eastern District Office

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That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 18 day of October 1989 and the date of last publication being the 25 day of October 1989.

(Signed)



State of Idaho

County of Power

On this 2 day of November in the year of 1989, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed me within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

RECORDED
13 13 1990



Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: June 8, 1993

Application for water right

Published in The Power County Press,
Oct. 18, 25, 1989.

NOTICE OF APPLICATION FOR WATER RIGHT

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

• 29-07796

BYBEE, JACK
RT. 1 SYPNON RD.
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: SESE Sec 2 T 06S R 33 E

Use: IRRIGATION (.200 CFS)

Date Filed: 6/28/1985

In: T06S R33E S02 SESE

10.0 ACRES TOTAL

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Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on
or before NOVEMBER 6, 1989.

R. Keith Higginson, Director



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

May 6, 1996

JACK BYBEE
1889 TAGHEE LN
POCATELLO ID 83202

RE: WATER RIGHT NO. 29-07796

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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MAY 07 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 29-07796 Name: Bybee Date: 4/23/96 ✓ Lots

NAME Chng Same Or Address Change? 1859 Taghee LN 02

SOURCE ✓ Clarify source
 Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? P39
 Overlap(s)

P/U ✓ Amendment Needed? P41
 Overlap(s)
 (Gov't special #'s) *P/D & P/U Amend? P37

RATE Permit/fee limits: 0.20 / 0.20
 ✓ Measured Q= 0.19 cfs/Theoretical Q= cfs
 Polysome meter = 0.19 cfs / 10 ac x 0.02 cfs/ac = 0.20 cfs
 (HP) $\frac{8.8 \times 0.70 \times 5}{80 + (2.31 \times 40)} = \frac{30.8}{172.4} = 0.18 \text{ cfs}$
 ✓ Recommended capacity 0.19 cfs
 ✓ Recommended rate 0.19 cfs

VOLUME ✓ Season: (< / 4.0) 4/1 - 10/31 = 214 days
 Calculations: 10.0 ac x 4.0 AF/ac = 40.0 AF

 ✓ Flow limit: 0.19 x 214 x 1.9835 = 80.6 AF
 Recommended volume 40.0 AF

USES ✓ Same Nature of Use? P46
 Amendment Needed?

REMARKS Multiple p/d's in $\frac{1}{4}$? W32
✓ On 11/21/95, Taghee Subst.

CONDITIONS ✓ Measuring (R01)/Locking (R02) Devices
 Watermaster Control (R04) - WD #
231 Irrigation rate/volume overlap
050 GW irrigation replaces surface water (050)
 GW irrigation supplements surface water (065)
✓ Water Quality/Other 018, 019

PRIORITY App Rcd 6/28/85 Due 1/1/91 Rc'd 4/19/90
Receipt# 5013342 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to
Priority 6/28/85 Examined 8/24/95

COMMENTS: License as permitted rate limited by measured capacity

USE	CFS	DIV VOL	SRBA Overlap
<u>Ln</u>	<u>0.19</u>	<u>40.0</u>	<u>None</u>
<u> </u>	<u> </u>	<u> </u>	<u>Adjustment Memo</u>
<u> </u>	<u> </u>	<u> </u>	<u>LICENSE LTR: P49</u>
<u> </u>	<u> </u>	<u> </u>	<u>#1 AMEND LTR: <u> </u>/P38</u>
<u>TOTAL</u>	<u>0.19</u>	<u>40.0</u>	<u>#2 AMEND LTR: P42/P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07776

1. Owner: JACK BYRRE Phone No. (208)237-3280

Current Address: 1889 TADUEE LN., BOZEMAN, ID 83202

2. Accompanied by: JACK BYRRE EXAM DATE: 8-24-95

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: _____

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
			SE	SE	2	6S	33E	ARMOUR	USGS DIVERS

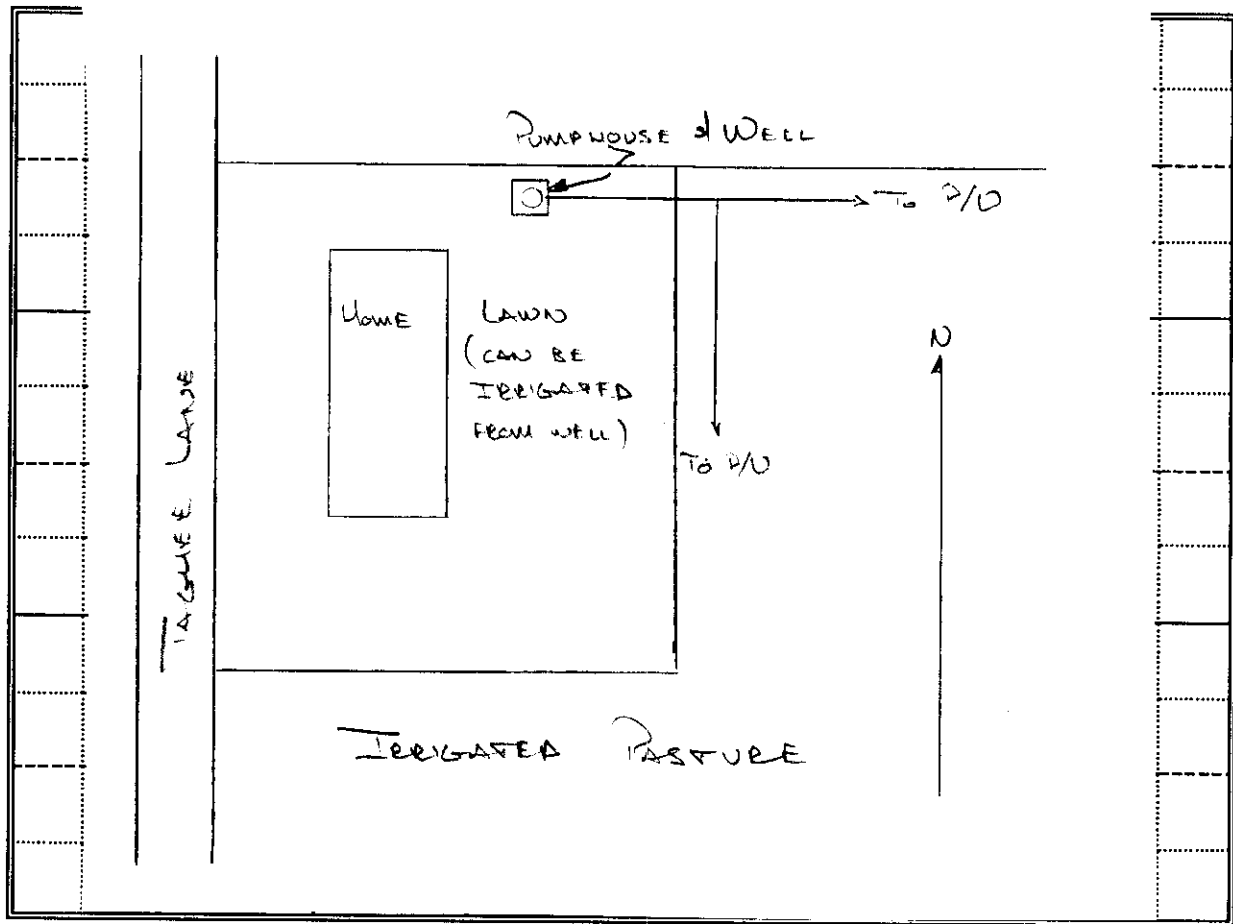
2. Place(s) of Use:

Indicate Method of Determination USGS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	33E	2																10	10
																		TOTAL=	10

MAY 07 1996

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	2	1000000		

*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
SONIC FLOWMETER		SWANSON				

2. Measurements: $Q = 86.754 \text{ GPM} = 0.42 \text{ cfs}$

MAY 07 2006

0110.2 MMSEC
100.14 % T0

OUTER DIAMETER
3.0000 IN

PIPE MATERIAL
? AL, DI

WALL THICKNESS
0.0520 IN

SOUND VELOCITY
1450 M/S-

SPACING
1.312 IN U

08-24 14:2400 *R
+003.00 % AI2

08-24 14:2500 *R
+867.541E-1GPM

08-24 14:2500 *R
+851.426E-1GPM

08-24 14:2600 *R
+844.822E-1GPM

NOT 56-42-8

29-07796

0110.2 MMSEC
100.14 % T0

OUTER DIAMETER
3.0000 IN

PIPE MATERIAL
? AL, DI

WALL THICKNESS
0.0520 IN

SOUND VELOCITY
1450 M/S-

SPACING
1.312 IN U

08-24 14:2400 *R
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08-24 14:2500 *R
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08-24 14:2600 *R
+844.822E-1GPM

NOT 56-42-8

29-07796

RECORDED

MAY 07 1986

29-07796



Plate 1 - Pumphouse at point of diversion.

U.S. GEOLOGICAL SURVEY

MAY 07 1906

29-07796

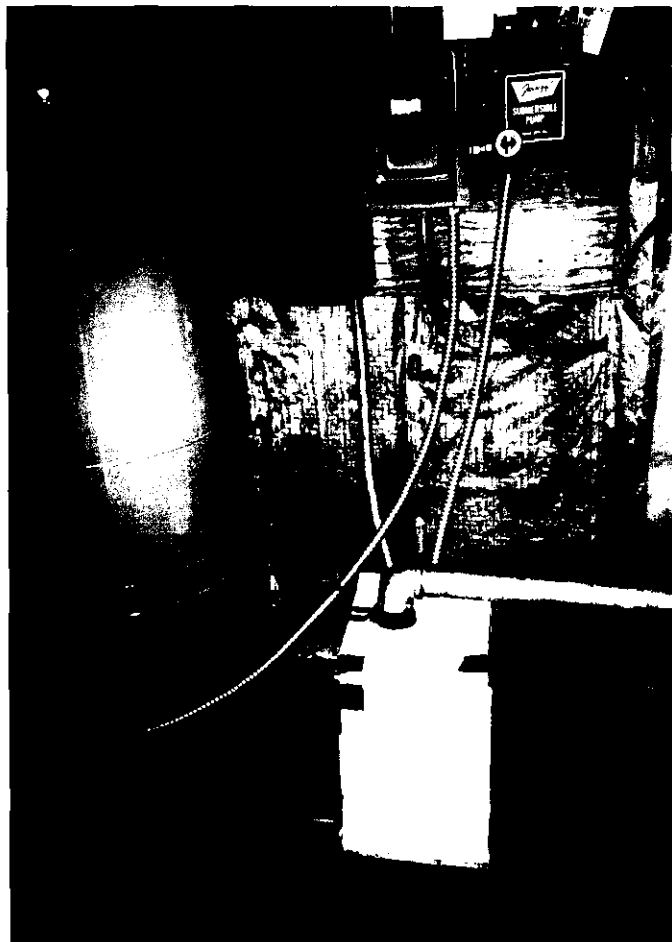


Plate 2 - Inside of pumphouse showing well (covered).

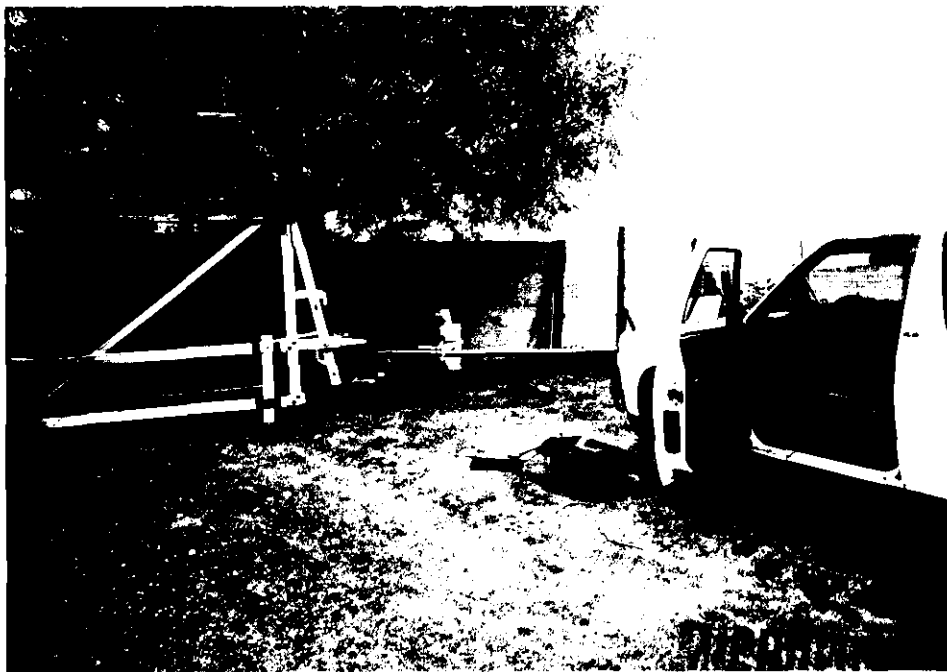
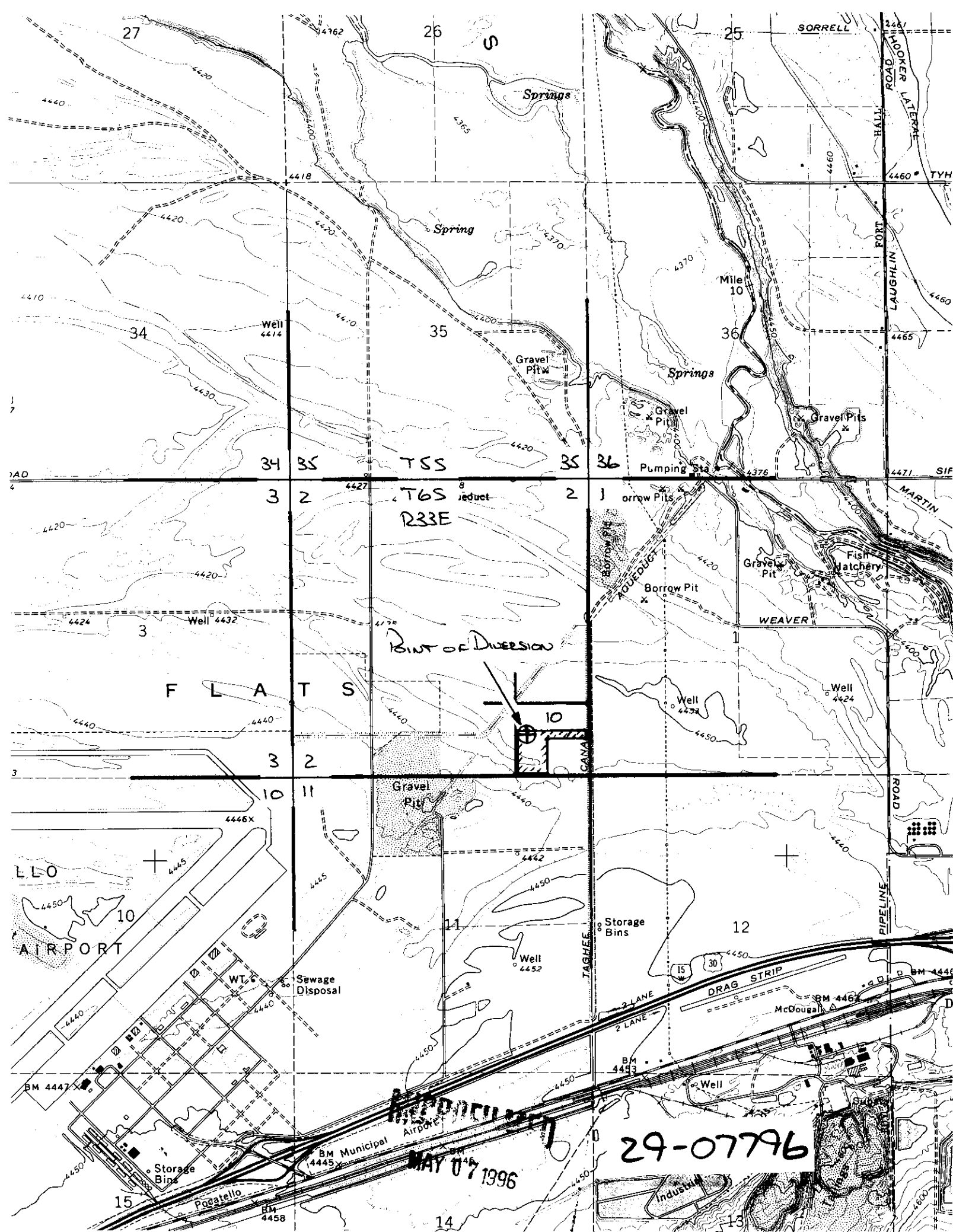
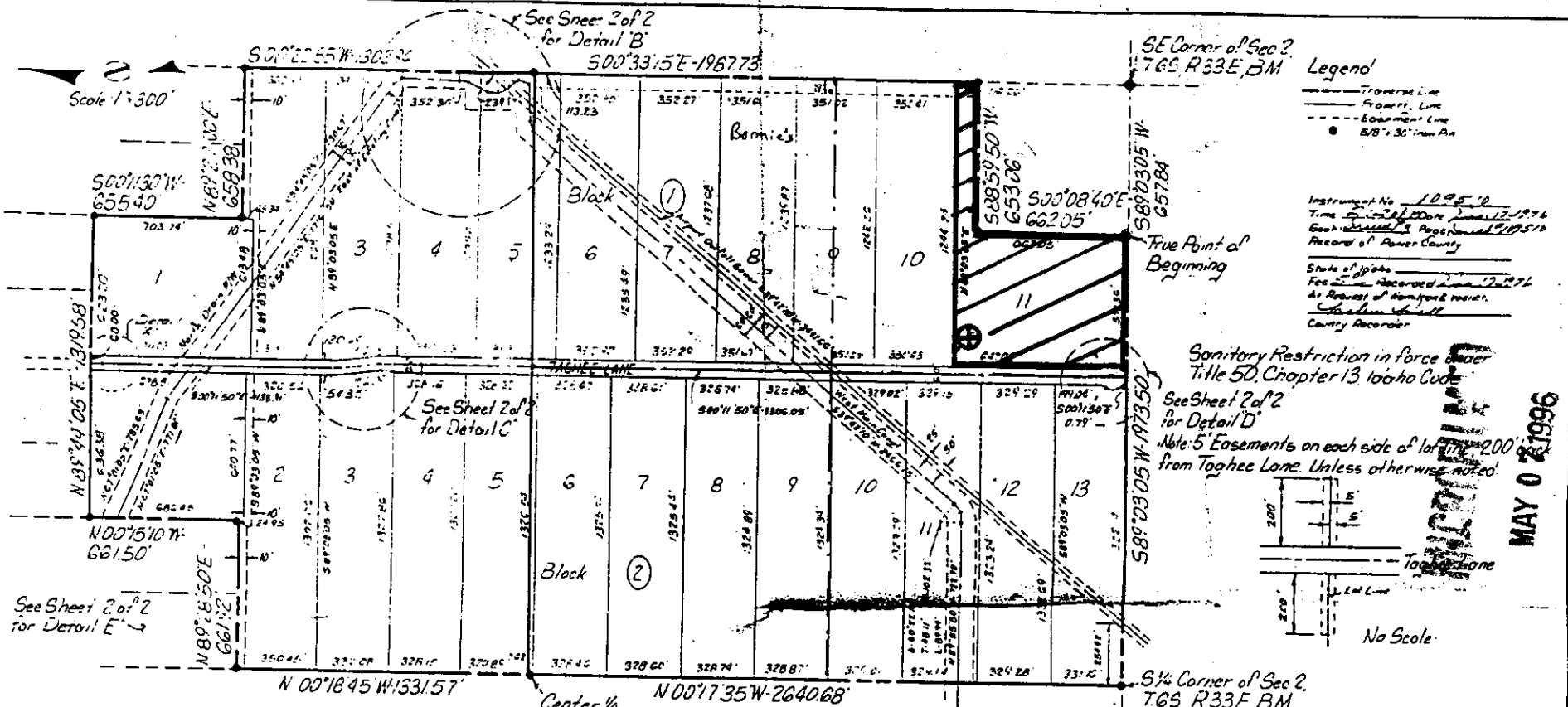


Plate 3 - Location of measurement just east of pumphouse.

MAY 15 1996

29-07796





Owners Description
 Know all men by these presents that we the undersigned Owners of the following described premises, having caused the same to be subdivided into Lots, Blocks, and Streets, to be known hereafter as Taghee Subdivision in Section 2, Township 6 South, Range 33 East, B.M., Power County, Idaho.

Beginning at the SE Corner of Sec. 2 T.6S, R.33E; B.M., thence S 89° 03' 05" W-657.84 ft. to the True Point of Beginning; thence S 89° 03' 05" W-1973.50 ft. along the South Boundary of said Sec. 2 to a point that is the South 1/4 Corner; thence N 00° 17' 35" W-2640.68 ft. along the Western Boundary of said E 1/2 Sec. 2 to the Center 1/4 Corner of Sec. 2; thence N 00° 18' 45" W-1331.57 ft. along said Western Boundary; thence N 89° 28' 50" E-661.92 ft. thence N 00° 15' 10" W-661.50 ft. thence N 89° 44' 05" E-1319.58 ft. thence S 00° 11' 30" W-655.40 ft. thence N 89° 27' 00" E-658.39 ft. to the Eastern Boundary of Sec. 2 thence S 00° 22' 55" E-1302.94 ft. thence S 00° 33' 15" E-1987.73 ft. thence S 86° 59' 50" W-653.06 ft. thence S 00° 08' 40" E-662.05 ft. to the True Point of Beginning.

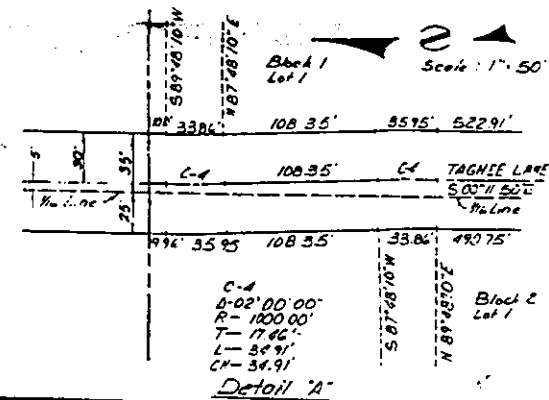
Center 1/4 Corner.
 40"E-662.05 ft. to the True Point of Beginning.
 It is the Owners intention to include all of the above described land in the Plat of Taghee Subdivision.
 In witness whereof we the undersigned Owners hereunto set our hands this 18th day of Aug. 1976.

Foratello Syndicate, Inc.

By S/ Richard Anderson

On this 18th day of Aug. 1976, before me a Notary Public in and for the State of Idaho, personally appeared the above named persons, known to me to be the Owners of the above Property Description, who acknowledged to me that they executed the above certificate. In witness whereof, I have hereunto set my hand and affixed my official seal this 18th day of Aug. 1976.

S/ Anita C. Mc Cormick
 Notary Public



Taghee Subdivision	
East 1/2 Sec. 2, T.6S, R.33E	
Power County, Idaho	106
Scale 1"=300'	75-0

While a scale reproduction of the recorded plat, this company has no liability for variations, if any, with a re-survey.
 AMERICAN LAND TITLE CO.

29-07796

T 5 S

HEL
4

TSS

1839

35

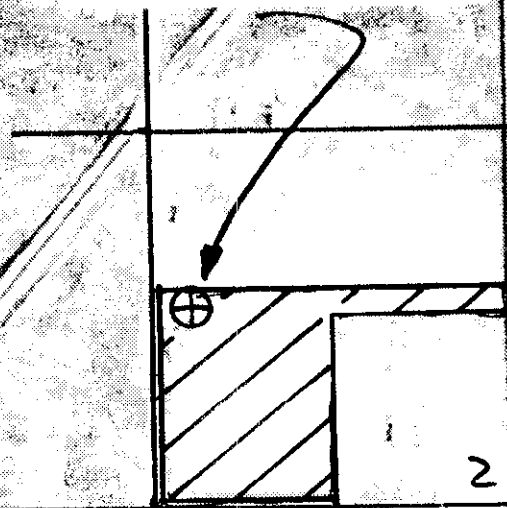
36

T6S R33E

2

1

POINT OF DIVERSION



2

1

11

12

29-07796

MAY

2007

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH 2 SUB. PUMPS TO DOMESTIC HOME AND IRRIGATION SYSTEM. DOMESTIC USE NOT COVERED BY THIS PERMIT. IRRIGATION INCLUDES $\frac{1}{2}$ ACRE LAND WHICH CAN BE WATERED FROM EITHER PUMP.

* ASSUME 40 PSI OPERATING PRESSURE AS PER ESTIMATES AT TIME OF EXAMINATION.

* ASSUME 80 FT DYNAMIC WATER LEVEL. SEE WELL LOG FOR 29-08006 - STATIC AT 70' ASSUME DRAWDOWN TO 80'.

* NO OVERLAP.

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

**MINNESOTA
MAY 07 1986**

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q_{THEOR} = \frac{SWP (8.814) \cdot 7.6FF}{80' LIFT + (40R_1 \times 2.308)} = 0.18 CFS$$

LIMITED BY MEASURED
CAPACITY TO 0.19 CFS

$$Q_{MEAS} = 86.754 GPM = \underline{0.19 CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 AC \times 4.0 = 40 AFA$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.19 \times 214 \times 1.9835 = 80.65$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{40.0}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>4-1</u>	<u>10-31</u>	<u>0.19</u>	<u>40.0</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.19</u>	<u>40.0</u>

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 [Signature] Date 3-15-96

Reviewer _____ Date _____

SEAL

MICROFILMED

MAY 07 1996

July 17, 1990

JACK BYBEE
RT. 1 SYPHON RD.
POCATELLO, ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07796

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

JUL 23 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
December 28, 1989

JACK BYBEE
RT. 1 SYPHON RD.
POCATELLO, ID 83201

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

RE: PERMIT NO. P29-07796

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

RECORDED

FEB 13 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

INDEXED

FEB 13 1990

27-Sep-1989

Jack Bybee
Rt. 1, Syphon Rd.
Pocatello, ID 83201

RE: Application for Permit No. 29-7796

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 Power County Press. 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

INDEXED

FEB 13 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 10, 1989

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

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 NOVEMBER 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

FEB 13 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

FEB 13 1990

29-07796

BYBEE, JACK
RT. 1 SYPHON RD.
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: SESE Sec 2 T 06S R 33E

Use: IRRIGATION (.200 CFS)

Date Filed: 6/28/1985

In: T06S R33E S02 SESE

10.0 ACRES TOTAL

INDEXED

FEB 13 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42, 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 NOVEMBER 6, 1989.

R. Keith Higginson, Director

Published 10/18/1989 & 10/26/1989

RECEIVED

FEB 13 1990

29-7796

BYBEE, JACK

RT. 1 SYPHON RD., POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 06/28/1985

Diversion Pt: SESE Sec 02 T 06S R 33E

Use: IRRIGATION (0.20 CFS)

In: SESE Sec 02 T 06S R 33E FOR 10 ACRES

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FEB 13 1990