

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07701

Priority: April 25, 1983

Maximum Diversion Rate: 0.38 CFS
Maximum Diversion Volume: 37.2 AF

This is to certify, that BLACK CLIFFS DEVELOPMENT INC
C/O DOUG PATTERSON
PO BOX 4525
POCATELLO ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 25, 1983; and has submitted Proof of Beneficial Use on March 14, 1990. An examination indicates that the works have a diversion capacity of 0.380 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	0.38 CFS	37.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 17, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 35E 8

SWSE

SESE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 62 mobile homes.

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 24TH day of OCTOBER, 1997.

Acting for

KARL J. DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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. 29-07701 Telephone No. 233-4983
Name(s) of Permit Holder(s): BLACK CLIFFS DEVELOPMENT INC.
Post Office Address: C/O Doug Patterson, P.O. Box 4525, Pocatello, ID 83205
Source of Water: GROUNDWATER
If ground water, well driller's name: N/A Date drilled: 1960 to 1964 EST.
Extent of Use:
Domestic 62 (No. of households) Irrigation 4.0 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____
Total rate and/or volume for which proof is submitted 0.47 cfs _____ acre/feet
Show date water was first diverted and beneficially used under this permit: ~ 1964 EST.

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

Measuring device: Required? ___Yes XNo Installed? ___Yes XNo

OR

Flow Measurement Port: Required? ___Yes XNo Installed? ___Yes XNo

Fee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

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

Doug Patterson 233-4983
Name Telephone No.
P.O. Box 4525, Pocatello, ID 83205
Address

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.

3-14-90 [Signature]
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Black Cliffs Development, Inc. Phone 233-4983
Post office address c/o Doug Patterson
P.O. Box 4525, Pocatello, Idaho 83201

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 7S
Range 35E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

0.35*
Amount -0.33-- for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.12* for Irrigation* purposes from 3-15* to 11-15* (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. -0.33-- 0.47* cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with 10 hp pump and lines to trailer spaces

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 NA inches; proposed depth of well is NA feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: See 8b

(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 62*.

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

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

[illegible]

Changes as per telecon w/Doug Patterson Total number of acres to be irrigated 4
5-2-83 KCW

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

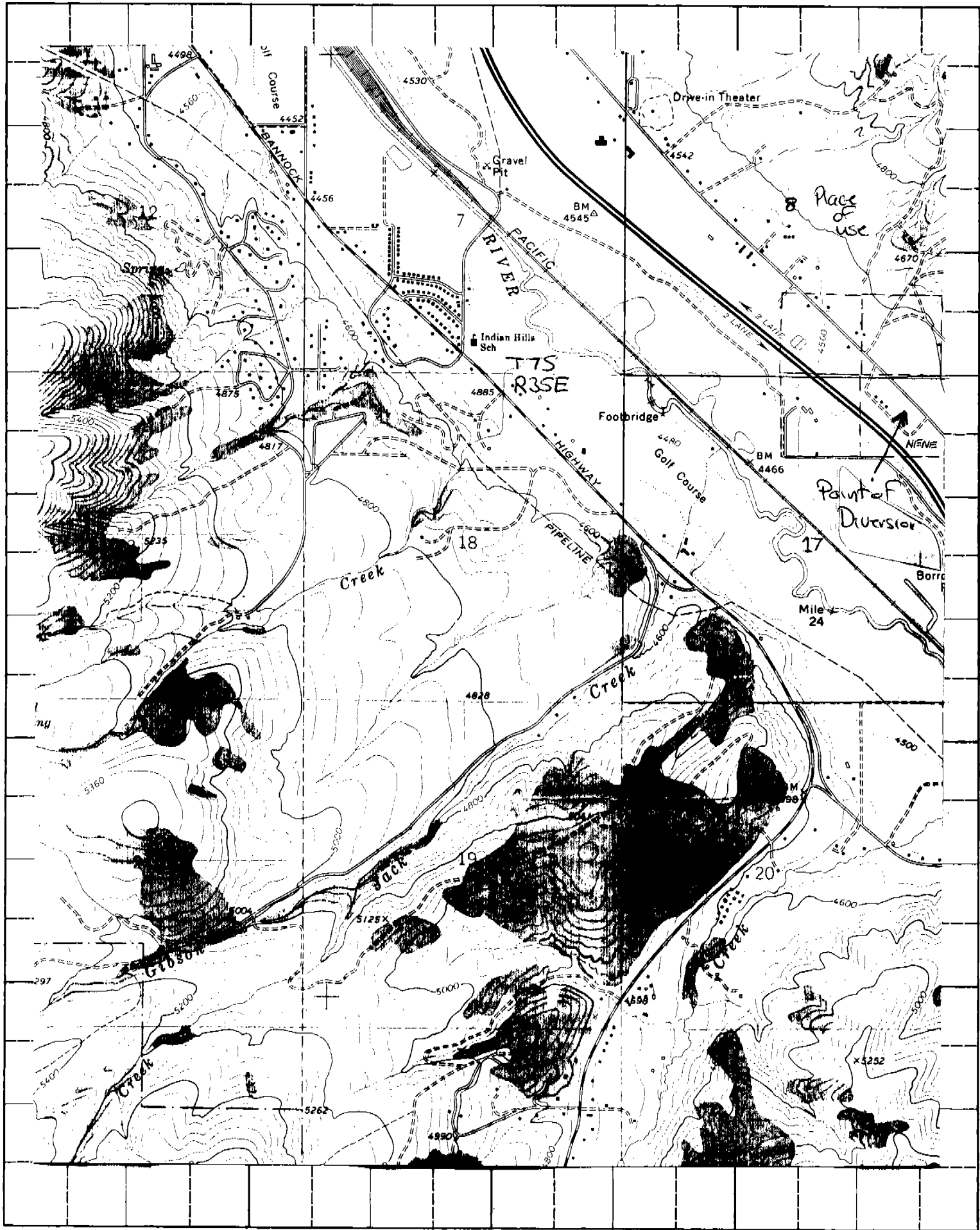
9. a. Who owns the property at the point of diversion Applicants

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

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

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 herein set forth.

X Doug Patterson
(Applicant)

4/25/83

Received by BP Date 4/25/83 Time 3:00pm

Preliminary check by KCW Fee \$ 45.00

Receipted by BP Date 5/5/83 # 28151

Publication prepared by dfg Date 6-24-87

Published in ID State Journal

Publication dates 7-2 + 7-16-87

Publication approved dg Date 7-14-87

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC. tw G.S.

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. 29-7701, 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 September 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. Other: If construction of the well under this permit was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this permit is prohibited unless a drilling permit is obtained from the Department.
Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 24th day of August, 1987.

A. Glen Sayton
Chief, Operations Bureau

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

JUL 13 1987

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed
to appropriate the public waters of the
State of Idaho:

29-7701

BLACK CLIFFS DEVELOPMENT, INC.
P.O. BOX 4525, POCATELLO, ID 83201

Source: GROUNDWATER

Date Filed: 04-25-1983

Diversion Pt: NENE Sec 17 T 07S R 35E

Use: IRRIGATION (0.12 CFS)

DOMESTIC (0.35 CFS)

In: SWSE SESE Sec 08 T 07S R 35E

NENE NWNE Sec 17 T 07S R 35E

FOR 4 ACRES

The permits 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 July 20, 1987.

S/Ken Dunn
Director
July 2, 9, 1987
No. 563

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, 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:

July 2,	19 87		19
July 9,	19 87		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. Herald

Subscribed and sworn to before me this 9th

day of July, 19 87

J. L. Larson

Notary Public, State of Idaho
Residence: Pocatello, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BLACK CLIFFS DEVELOPMENT INC
C/O DOUG PATTERSON
PO BOX 4525
POCATELLO ID 83201

RE: WATER RIGHT NO. 29-07701

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.

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.

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:klt

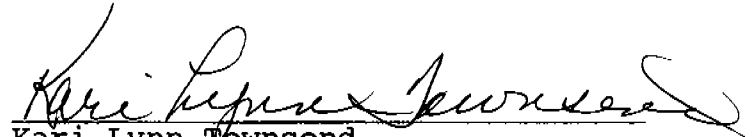
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the **27th** day of **October, 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. 29-07701

BLACK CLIFFS DEVELOPMENT INC
C/O DOUG PATTERSON
PO BOX 4525
POCATELLO ID 83201


Kari Lynn Townsend
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-07701

DATE 10/24/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>No</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>47</u> cfs
Fee limit	<u>1.0</u> cfs \$100 ⁰⁰
Measured	<u>—</u> cfs
Theoretical	<u>.38</u> cfs

Recommended Total Div Rate .38 cfs

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use <u>Dom</u>	cfs <u>.38</u>	Volume Calc <u>37.2</u>	af
				af
				af
				af
				af
	SUBTOTAL			af

Flow rate .38 cfs X 365 days X 1.98 = 274.6 af
 Total volume recommended 37.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/62 mobile homes.

CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

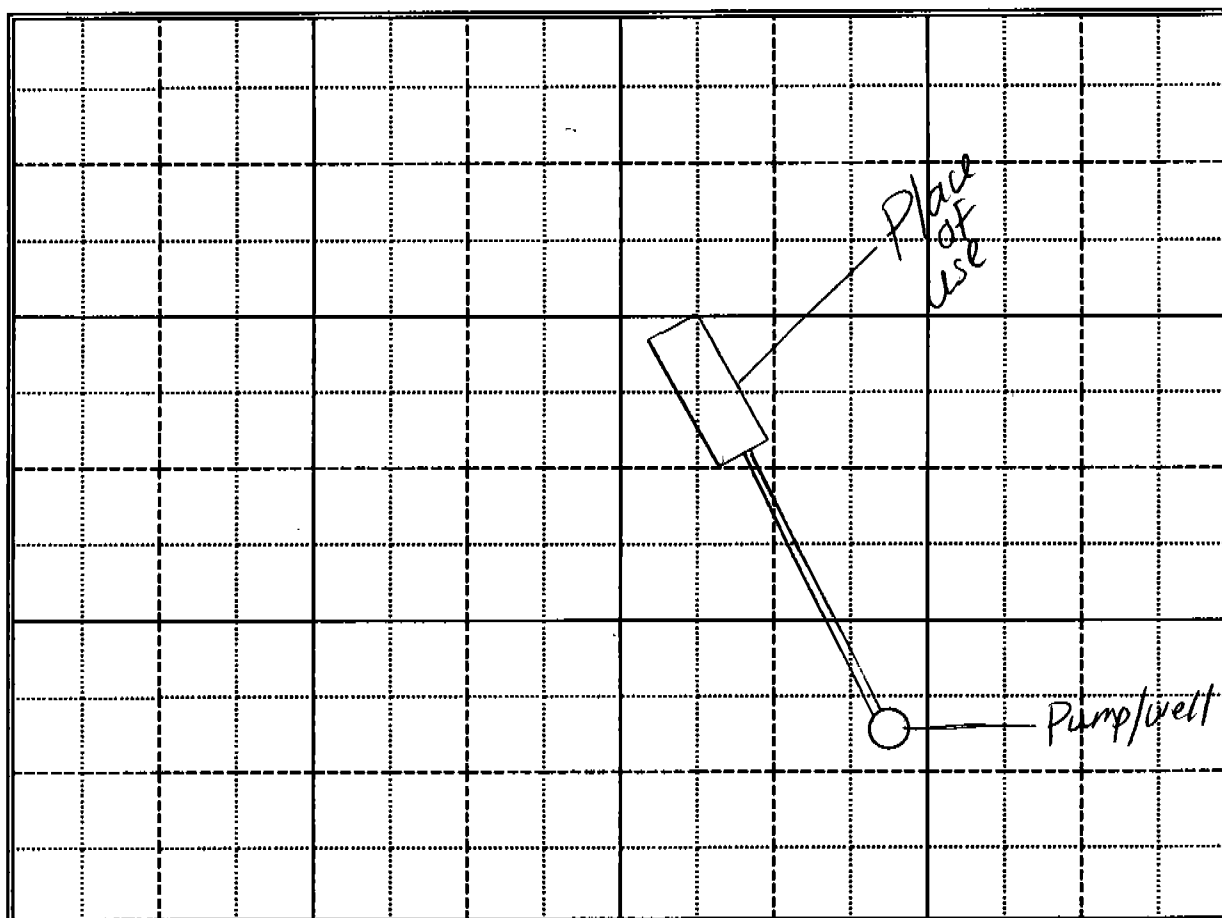
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo —

1st Amend Letter —
 2nd Amend Letter —

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	Franklin Electric	15	Not available	Jacuzzi	Not available

*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
Pressure gauge					0-60	

2. Measurements:

Operating PSI = 44

E. NARRATIVE/REMARKS/COMMENTS

* Note: Doug Patterson indicates there is no irrigation taking place. His plans fell through, so he never began irrigating.

* Domestic use for 62 mobile home spaces.

for Q Theoretical

$$HP = 15$$

$$PSI = 44$$

$$EFF = 70\%$$

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

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{Theor.} = \frac{15HR(8.814) \cdot 7eff}{140' Lift + (44PSI \times 2.308)} = 0.38 CFS$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

$$62 \text{ Mobile homes} = 0.6 \text{ afa} \times 62 = 37.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>1-1</u>	<u>12-31</u>	<u>0.38 cfs</u>	<u>37.2 afa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.38 CFS</u>	<u>37.2 afa</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. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 29 JUL 96

Reviewer _____ Date _____

SEAL

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 15
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 120 ft.
Assumed Draw down = + 20 ft.
Lift = 140

OR

Measured Dynamic Water Level = _____ ft.

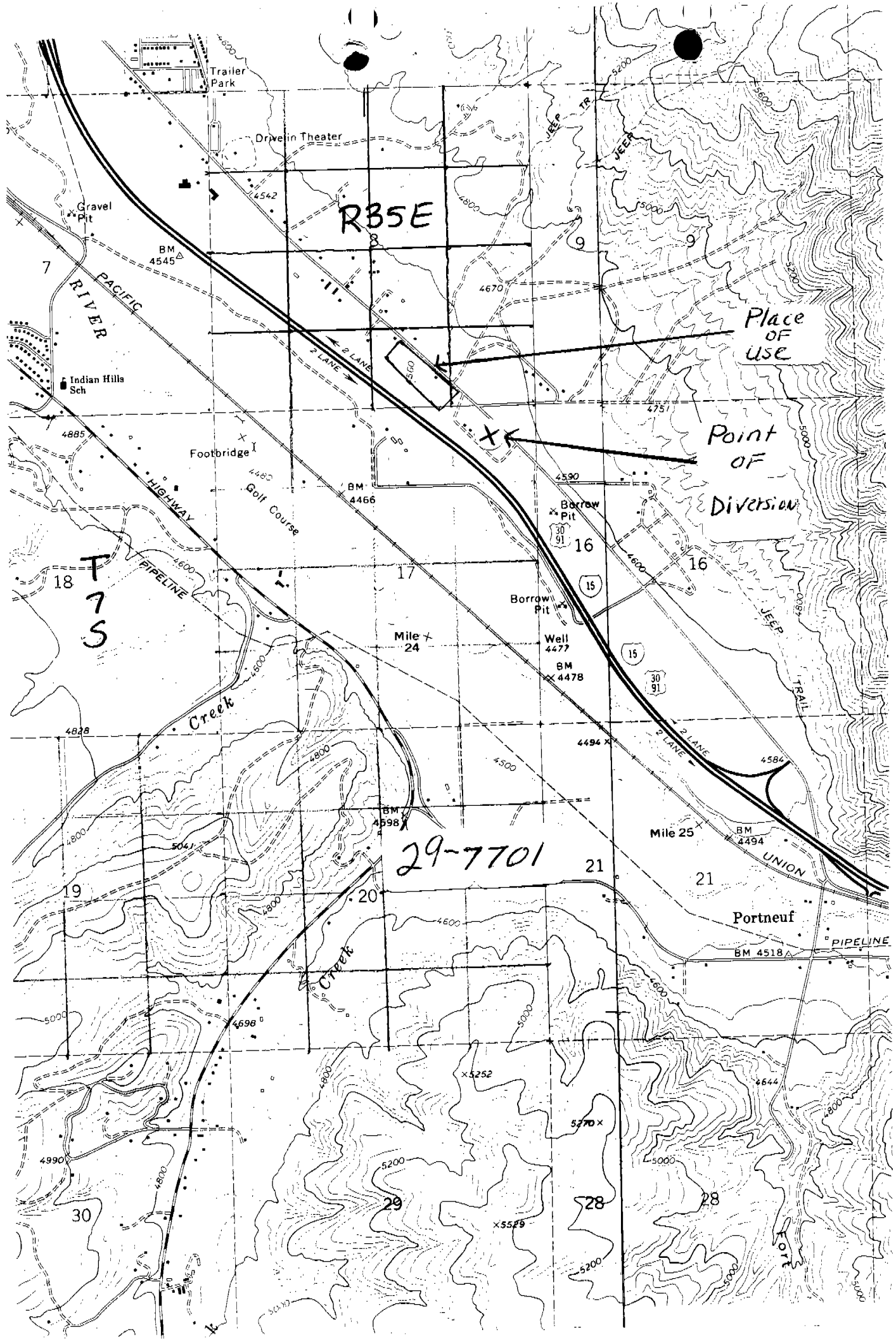
psi = Operating Pressure = 44 psi

$$Q_{cfs} = \left[\frac{15}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{140}{Lift} + \left(\frac{44}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = [92.547] \div [241.552]$$

$$Q_{cfs} = \underline{0.38} \text{ cfs}$$

PERMIT NO. 29-7701



TR35E
7
S

8

8

8

17

Place
of
Use

Point of Diversion

29-7701

JUNIPER HILLS
COUNTRY CLUB

NHE

6.2

NHE

5

10.2

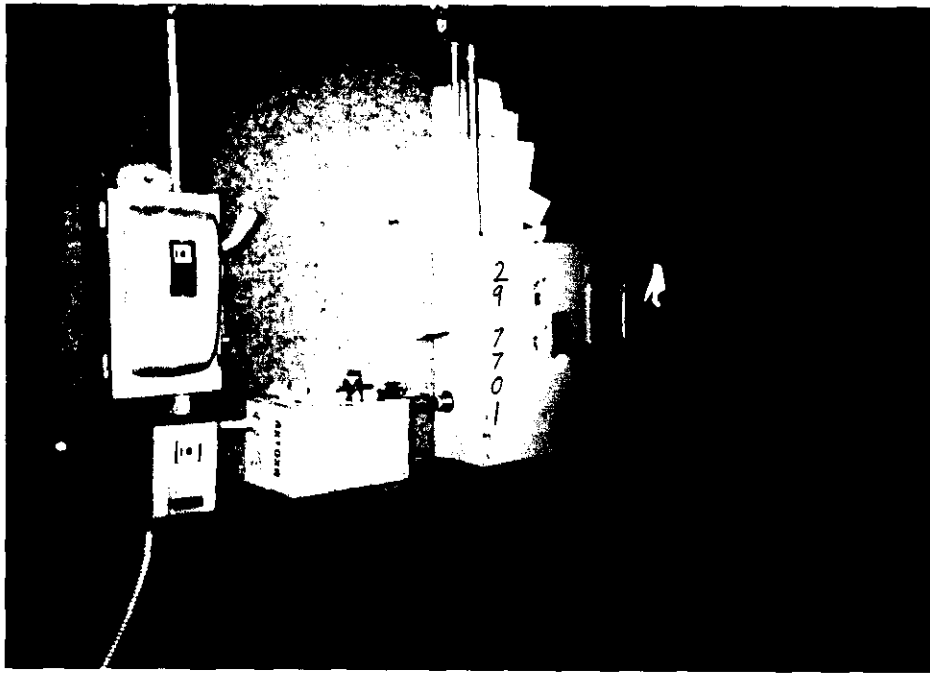
HEL 6.7

3.7

#8
James
Katsilomete

T1352

41043



Examiner: Steven Garrison



Pressure Tank/well

29-7701

April 18, 1990

BLACK CLIFFS DEVELOPMENT INC.
C/O DOUG PATTERSON
P.O. BOX 4525
POCATELLO, ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07701

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

APR 19 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-7701

Date: 4-18-90

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
Y Groundwater
_____ 1. well log in file
_____ 2. drilling permit
Y A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
SEPTEMBER 03, 1987

BLACK CLIFFS DEVELOPMENT, INC.
P.O. BOX 4525
POCAHELLO, ID 83201

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-7701

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH 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.

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.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

MICROFILMED

SEP 25 1987

RE: PERMIT NO. 29-7

2

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 INTO A LICENSE.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

RECEIVED

SEP 25 1987

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCW APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. Final date for protests: 7-20-87
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-13-87
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 29C or 29H
☒ Date of priority recommended. 25 April '83
Special conditions of approval or cover letter. _____

MICROFILMED

SEP 25 1987

DCMI - OK to process

3 yrs. seems reasonable for B/L development

By: Ernest Carlson

Date: 24 July 1987

STATE OFFICE REVIEW:

123, 105, 117

41 26 43

RECEIVED

- ☐ See attached sheet for more information.

By: KCW

Date: 7/30/87

JUL 29 1987

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

June 25, 1987

Black Cliffs Development, Inc.
c/o Doug Patterson
P.O. Box 4525
Pocatello, Idaho 83201

RE: Application for Permit No. 29-7701

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification no. 29-7701. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Idaho State Journal. The advertisement will be published for two 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,

Ernest Carlsen
Assistant Regional Manager

EC/dg

MICROFILMED

SEP 25 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 24, 1987

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JULY 20, 1987.

Yours truly,

Michele Davis
Office Secretary

*TT paper
6-25
M. Smith*

Encl.

MICROFILMED

SEP 25 1987

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

The permits 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 July 20, 1987.

Ken Dunn

Director

Published July 2, and July 16, 1987

9

MICROFILMED

SEP 25 1987

TT. P. Raper
6-25

29-7701

BLACK CLIFFS DEVELOPMENT, INC.

P.O. BOX 4525, POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 04/25/1983

Diversion Pt: NENE Sec 17 T 07S R 35E

Use: IRRIGATION	(0.12 CFS)
DOMESTIC	(0.35 CFS)

In: SWSE SESE Sec 08 T 07S R 35E NENE NWNE Sec 17 T 07S R 35E
FOR 4 ACRES

MICROFILMED

SEP 25 1987

June 19, 1987

Ms. Susan Berry
P.O. Box 1906
Twin Falls, Idaho 83303

Dear Susan:

According to the provisions of the agreement signed October 25, 1984, applications limited to certain beneficial uses are eligible for dismissal from Ada County Civil Case 81375.

Based on our understanding of the definition "consumptive domestic", we have identified an application that appears to comply with the criteria essential for dismissal. A profile of this application is enclosed for your consideration.

We are proceeding with the publication of notice advising this application has been filed, but will continue to withhold other administrative action pending notification from your office that an application has been released.

Respectfully submitted,

Eric S. Verner
Sr. Water Resource Agent

EV/dg

Enclosure

MICROFILMED

SEP 25 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 12, 1985

RE: Application for Permit No. 29-7701

Black Cliffs Development, Inc.
c/o Doug Patterson
P.O. Box 4525
Pocatello, Idaho 83201

Dear Mr. Patterson:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

SEP 25 1987

March 11, 1983

Doug Patterson
P.O. Box 4525
Pocatello, Idaho 83201

Dear Mr. Patterson:

Enclosed is your application for permit. Please review it carefully. I will need you to draw an arrow from the words "point of diversion" on the map to the general location of the well in the NENE of Section 17.

I will also need you to generally outline the boundaries of the Black Cliffs Development making sure it touches all four $\frac{1}{4}$ of $\frac{1}{4}$ listed as the place of use.

When all is complete, please sign the application and indicate your position in the corporation.

You can send this application with a fee of \$45.00 to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosure

MICROFILMED

SEP 25 1987