

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07145

Priority: October 31, 1983 Maximum Diversion Rate: 0.29 CFS
Maximum Diversion Volume:¹ 74.4 AF

This is to certify, that EIGHTY ACRES INC.

C/O R. A. LYMAN
4037 N. LOWER RD.

POCATELLO, ID 83204

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 13, 1973; and has submitted Proof of Beneficial Use on October 31, 1983. An examination indicates that the works have a diversion capacity of .290 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 11/01	0.29 CFS	63.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.4 AF
	Totals	0.29 CFS	74.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 8, 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	35E	8	SESE	8		8
		9	SWSW	10		10
Total number of acres irrigated:						18

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 19 lots also known as Lot 26

MICROFILMED

JUL 17 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07145

CONDITIONS/REMARKS:

Lots 1-9, Block 3, Eighty Acres Inc. 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 5th
day of July, 1989.

Acting for

Norman C. Young
R. Keith Higginson, Director

MICROFILMED

JUL 17 1989

Identification No. 29 7145

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Eighty Acres, Inc. BY R. A. Lyman
post office address Rt. #3, Box 259, Pocatello, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is ^(2 points) SE 1/4 of SE 1/4 of Section 8 Township 7S
Range 35E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.0 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or ~~acre-feet per annum~~)
Amount 1.0 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or ~~acre-feet per annum~~)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep wells, turbine pumps, electric
motors, 39,000 gal. storage reservoir, distribution system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 175 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 50,000.00.
8. Description of proposed uses: Same as Item 8b
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served Eighty Acres, Inc., Subdiv., or number of families to be
supplied with domestic water 30.
(5) If water is to be used for other purposes describe: _____

29-7145

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

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	35E	8																20	20
"	"	9										20	20						40

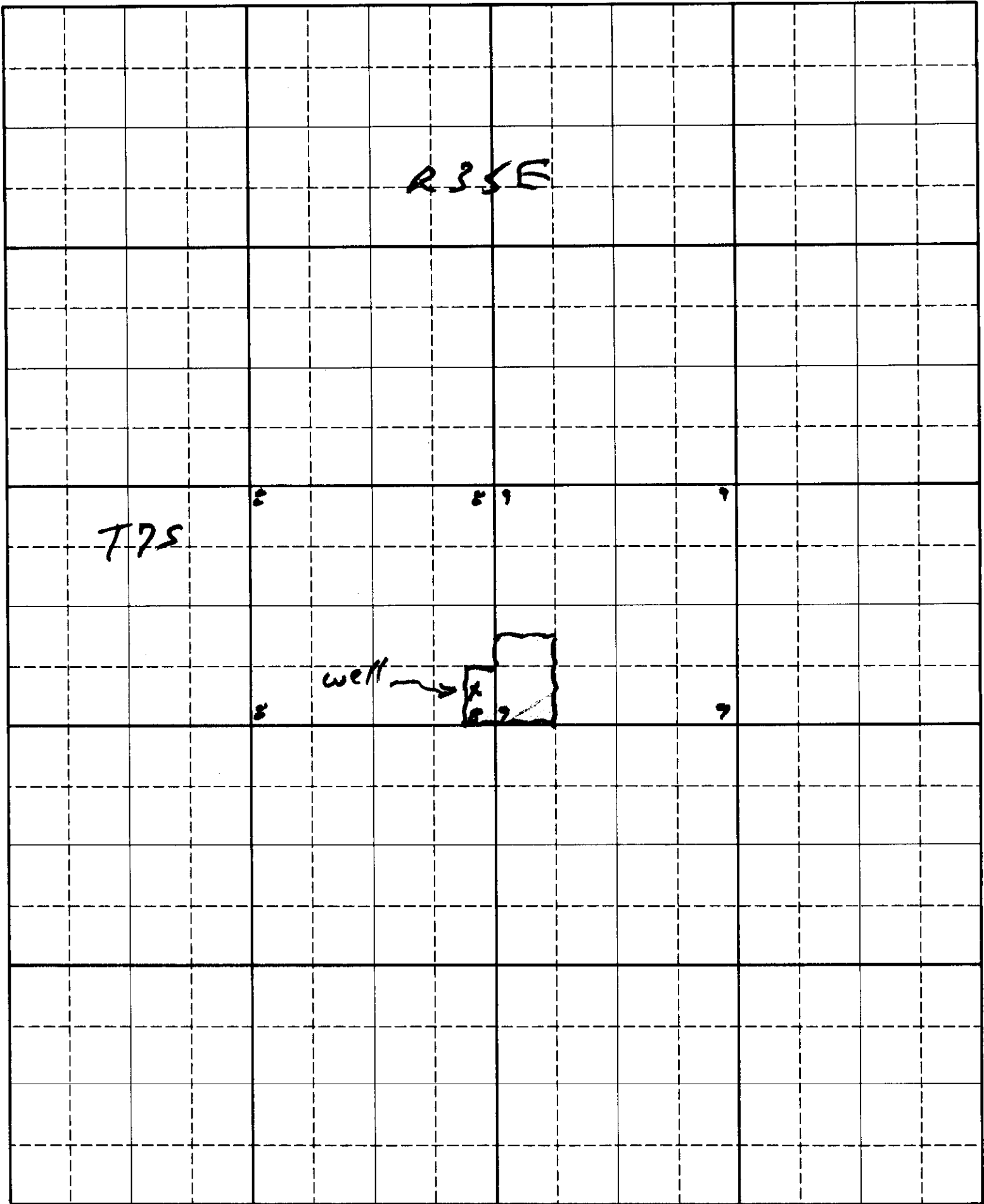
Total number of acres to be irrigated 60

c. Describe any other water rights used for the same purposes as described above. Claim to a water Right No. 29- 4023 for same well, different land

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use "
- 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.

Eighty Acres, Inc.

BY
(Applicant)

R. A. Lyman

Secretary, Treasurer

29-7145

29-7145

Proposed Priority 7-13-1973

Received by mb Date 7-13-73 Time 4:00p
Preliminary check by AKY Fee \$ 25.⁰⁰
Receipted by mb Date 7-13-73 # 10272
Publication prepared by mb Date 7-18-73
Published in Idaho State Journal
Publication dates 7-26 + 8-2-73
Publication approved RDC Date 8/13/73
Priority ~~reduced to~~ 7-13-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC/W

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

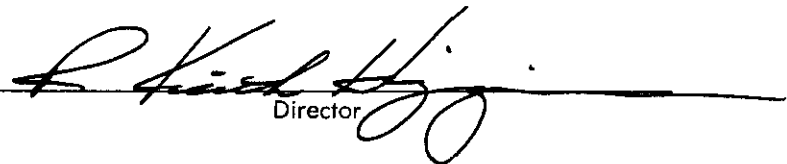
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7145, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of August 1973.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 29-7145 IN THE NAME OF	)	ORDER OF REINSTATEMENT
EIGHTY ACRES, INC.	)	

WHEREAS, on August 16, 1973, the Director of the Department of Water Resources issued Permit No. 29-7145 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1978; and,

WHEREAS, on May 31, 1978, the Department sent a proof due notice to the permit holder; and,

WHEREAS, on June 12, 1978, the Department received a request for an extension of time in which to submit proof of beneficial use; and,

WHEREAS, on June 15, 1978, the Department approved said request for extension of time, extending the proof due date to August 1, 1983; and,

WHEREAS, on May 31, 1983, the Department again sent a proof due notice to the permit holder; and,

WHEREAS, on August 5, 1983, the Department sent a lapse notice to the permit holder since neither proof of beneficial use nor a request for extension of time had been received from the permit holder; and,

WHEREAS, on October 31, 1983, proof of beneficial use was submitted by the permit holder; and,

WHEREAS, amendments to Section 42-218A, Idaho Code, effective April 8, 1983, provide that the Director may reinstate a permit upon which proof has been submitted subsequent to the sixty day period after the notice of lapsing; and,

WHEREAS, permit holder has shown adequate cause that the permit can be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that permit No. 29-7145 be reinstated; and It Is Further ordered that the priority be advanced to October 31, 1983.

Dated this 10th day of October, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 29-7145
IN THE NAME OF EIGHTY ACRES, INC.

ORDER

WHEREAS, on July 13, 1973, Eighty Acres, Inc. by R. A. Lyman applied to the Department of Water Administration for a permit to appropriate 1.0 cubic feet per second of water from a groundwater source within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, (two points) Sec. 8, Twp. 7S, Rge. 35E, B.M., Bannock County, to be used for irrigation and domestic purposes; and,

WHEREAS, on August 16, 1973, the Department approved said application and issued Permit No. 29-7145 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before August 1, 1978; and,

WHEREAS, on June 12, 1978, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED THAT the time within which to submit proof of beneficial use of water under Permit No. 29-7145 be extended to August 1, 1983.

Dated this 15th day of June, 1978.


L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>NCY</u>	<u>7/16/73</u>	Application No. <u>29-7145 Eighty Acres</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>Yes</u>
	<u>"</u>	<u>"</u>	Send Copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	<u>N.A.</u> ☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>Yes</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. _____
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes _____ no <u>1</u>
(8)	<u>"</u>	<u>"</u>	Groundwater levels: _____ Decline (comment) _____ ☒ Stable (comment) <u>W. 2 # 27</u> _____ Increasing (comment) _____
(9)	<u>"</u>	<u>"</u>	Comments: <u>No other G.W. rights shown on E.D. plat</u>
(10)	<u>mb</u>	<u>8-6-73</u>	Affidavit of Publication received (date) <u>Aug 6, 1973</u>
(11)	<u>RDC</u>	<u>8-13-73</u>	Final date for protests <u>Aug 13, 1973</u> Protests received: yes _____ no <u>1</u>
(12)	<u>mb</u>	<u>8-13-73</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>RDC</u>	<u>8-13-73</u>	All requested information received from agencies or applicant yes <u>1</u> no _____
(14)	<u>RDC</u>	<u>8-13-73</u>	Action recommended: ☒ Approve Priority <u>7-13-73</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>RDC</u>	Date <u>8 AUG -73</u> Depart: <u>14</u> 1973

29-7145

RECEIVED

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

Arleen Turner

AUG 6 1973
Department of Water Administration
Eastern District

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:

..... July 26, 1973 , 19.....
..... August 2, 1973 , 19.....
..... , 19..... , 19.....
..... , 19..... , 19.....
..... , 19..... , 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

Arleen Turner

Subscribed and sworn to before me this..... 2nd
day of..... August, 19 73

Della L. Ladd

Notary Public, State of Idaho
Residence: Pocatello, Idaho

29-7145

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

6
ml

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Eighty Acres, Inc., Route 3 Box
259, Pocatello, Idaho, has on
7/13/73 submitted Application
No. 29-7145 for a permit to ap-
propriate 1.0 cubic feet per sec-
ond of water from a ground-
water source by means of well
and pump within the SE1/4SE1/4,
(2 points) Sec. 8, T. 7S, R. 35E,
B.M., Bannock County; to be used
from Jan. 1 to Dec. 31 for do-
mestic purposes for 30 families
and from Apr. 1 to Nov. 1 for
the irrigation of 60 acres; all
uses within the SE1/4SE1/4, Sec.
8; W1/2SW1/4, Sec. 9, T. 7S, R.
35E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, 240 South Holmes,
Idaho Falls, Idaho, 83401 on or
before August 13, 1973.

R. KEITH HIGGINSON
Director
July 26, Aug. 2, 1973
No. 438

Irvin Turner

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:

July 26	, 1973	, 19
August 2	, 1973	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly pub-
lished 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.

Irvin Turner

Subscribed and sworn to before me this 2nd

day of August, 19 73

Keith Higginson

Notary Public, State of Idaho

Residence: Pocatello, Idaho

29-7145

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

AUG 6 1973

Department of Water Administration
Eastern District Office

Duplicate
Arleen Turner

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:

July 26	, 19.73	, 19.....
August 2	, 19.73.	, 19.....
.....	, 19.....	, 19.....
.....	, 19.....	, 19.....
.....	, 19.....	, 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

.....
Subscribed and sworn to before me this.....2nd

day of.....August....., 19.73.

.....
Notary Public, State of Idaho
Residence: Pocatello, Idaho

29-7145

A C K N O W L E D G E M E N T

Date: 7-13-73

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: R. A. Lyman

Applicant

29-7145

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Eighty Acres, Inc., Route 3 Box
259, Pocatello, Idaho, has on
7/13/73 submitted Application
No. 29-7145 for a permit to ap-
propriate 1.0 cubic feet per sec-
ond of water from a ground-
water source by means of well
and pump within the SE1/4SE1/4,
(2 points) Sec. 8, T. 7S, R. 35E,
B.M., Bannock County; to be used
from Jan. 1 to Dec. 31 for do-
mestic purposes for 30 families
and from Apr. 1 to Nov. 1 for
the irrigation of 60 acres; all
uses within the SE1/4SE1/4, Sec.
8; W1/2SW1/4, Sec. 9, T. 7S, R.
35E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, 240 South Holmes,
Idaho Falls, Idaho, 83401 on or
before August 13, 1973.

R. KEITH HIGGINSON
Director
July 26, Aug. 2, 1973
No. 438

Given under

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:

July 26, 1973, 19____
August 2, 1973, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly pub-
lished 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.

Subscribed and sworn to before me this 20th
day of August, 1973.

Keith H. Higginson
Notary Public, State of Idaho
Residence: Pocatello, Idaho

29-7145

July 5, 1989

EIGHTY ACRES INC.
C/O R. A. LYMAN
4037 N. LOWER RD.
POCATELLO, ID 83204

RE: PERMIT NO. 29-07145

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUL 11 1989

March 14, 1989

EIGHTY ACRES INC.
C/O R. A. LYMAN
4037 N. LOWER RD.
POCATELLO, ID 83204

RE: PERMIT NO. 29-07145

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

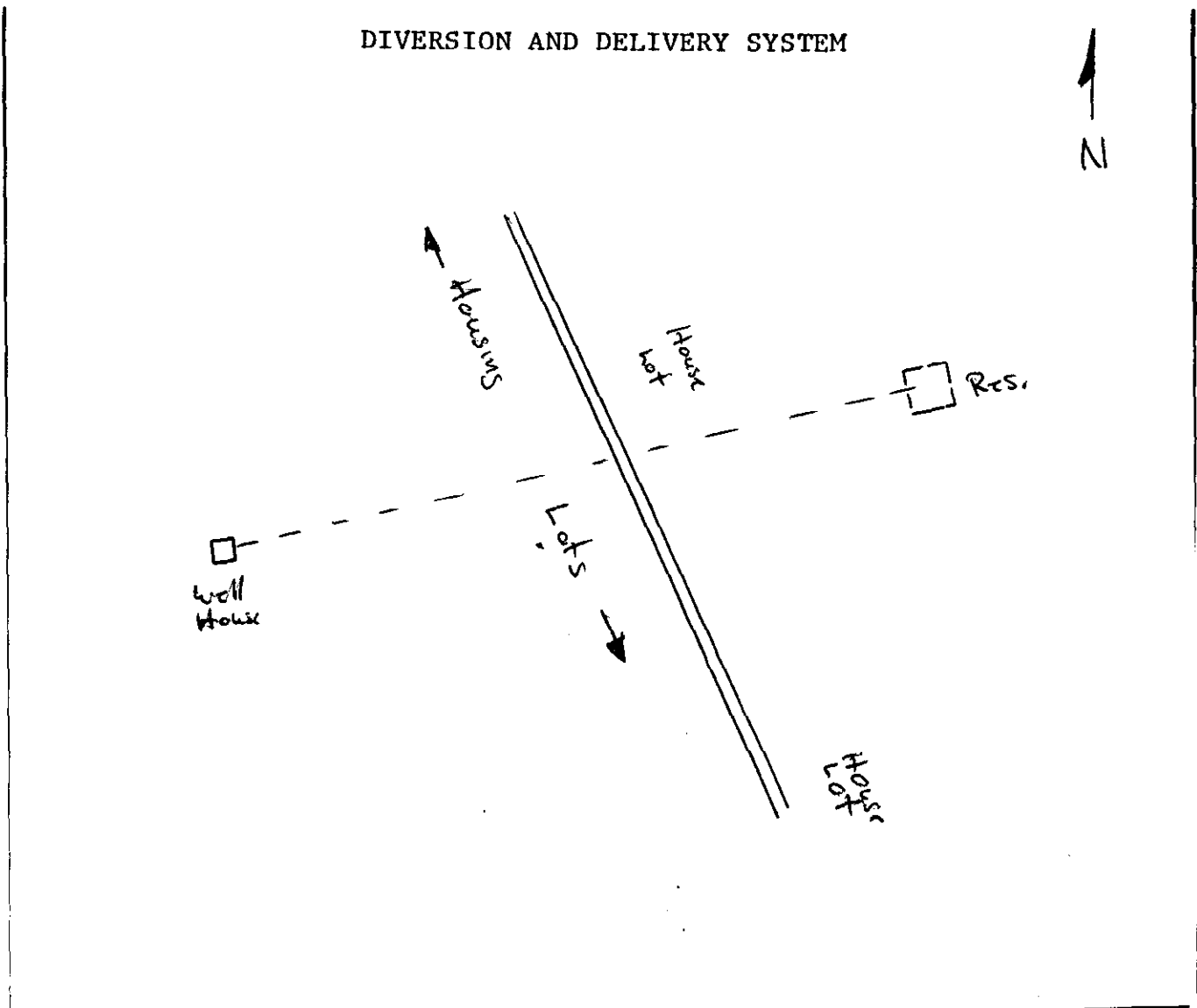
JJ:sc

Enclosure

MICROFILMED

JUL 17 1989

10. Other water rights on these lands NA
11. Other water right diverted from same p.d. NA
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks I suggest licensing of Lot 1-10 in Block 2 & Lot 1-9 in Block 3 as there are stubbed in (total of 8 houses thus far). I realize the Health Dept has limited this subdivision to 9 homes off this well because of water quality problems but another well source might be tapped in the future which could change this ruling. I also recommend dropping the requirement for a measuring device as these types of systems do not lend themselves to that type of situation.

15. 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

16. Examiner's/Consultant's Signature HL Jones Date 1-21-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

UNRECORDED
CONSULTANT SEAL

JUL 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

FEB 20 1986

29-7145

Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$Q = \frac{10hp (8.814) (8090)}{160' \text{ lift} + (2.308 \times 35psi)}$$

$$= \frac{70.512}{240.78} = 0.29 \text{ cfs theoretical capacity}$$

a, allow 0.20 cfs for domestic use to 19
studded in lots (8 houses exist now)

b, Give wms. credit to all 19 lots

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 18 \text{ acres} \times 3.5 \text{ cfs/acre} = 63 \text{ cfs}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.29 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 123 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 63 \text{ cfs}$$

c) Volume Calculations for Other Uses:

allow 0.6 cfs domestic for 19 lots
19 x 0.6 cfs = 11.4 cfs

2. Overlap Review

a) Other water rights with same place of use: NA

b) Other water rights with same point of diversion: NA

c) Analysis:

MICROFILMED

JUL 17 1989

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: _____
Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4-1	11-1	0.29	63
Domestic (19 Lots)	1-1	12-31	0.20	11.4
Allowable Maximums:			0.29 cfs	74.4 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

10. 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 _____

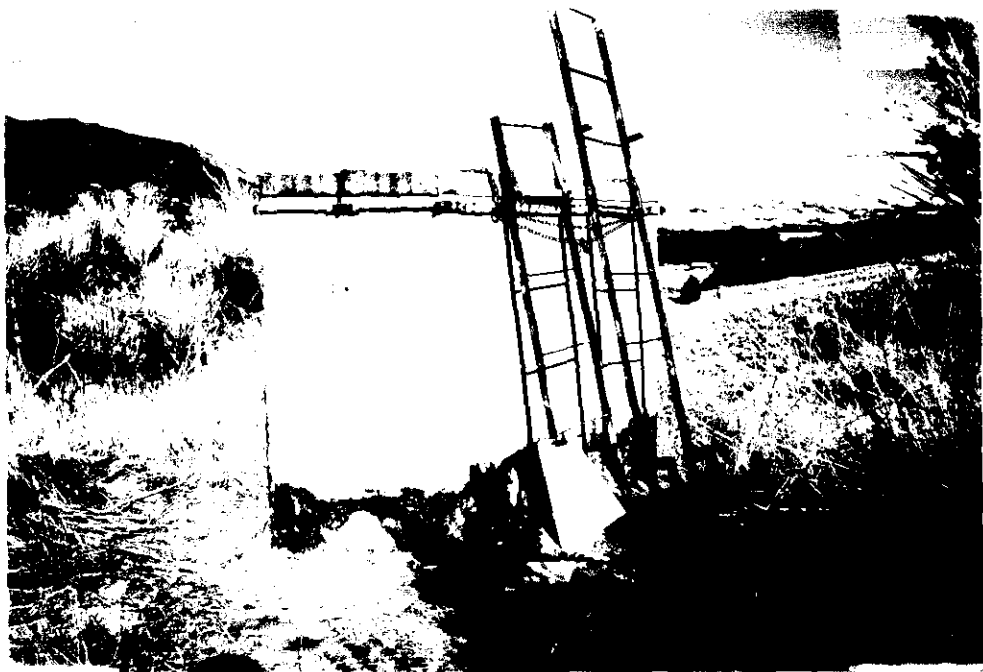
11. Examiner's Signature W. Jones Date 2-04-86

Checked in Regional Office by Gary Spackman Date 2-13-86

Approved in State Office by FOU Date 12/1/88

MICROFILMED

JUL 17 1989



#29-7145

OF SECTION 8, T. 7 S., R. 35 E., BM.

SCALE: 1"=300'

SURVEYED:

JULY 1949.

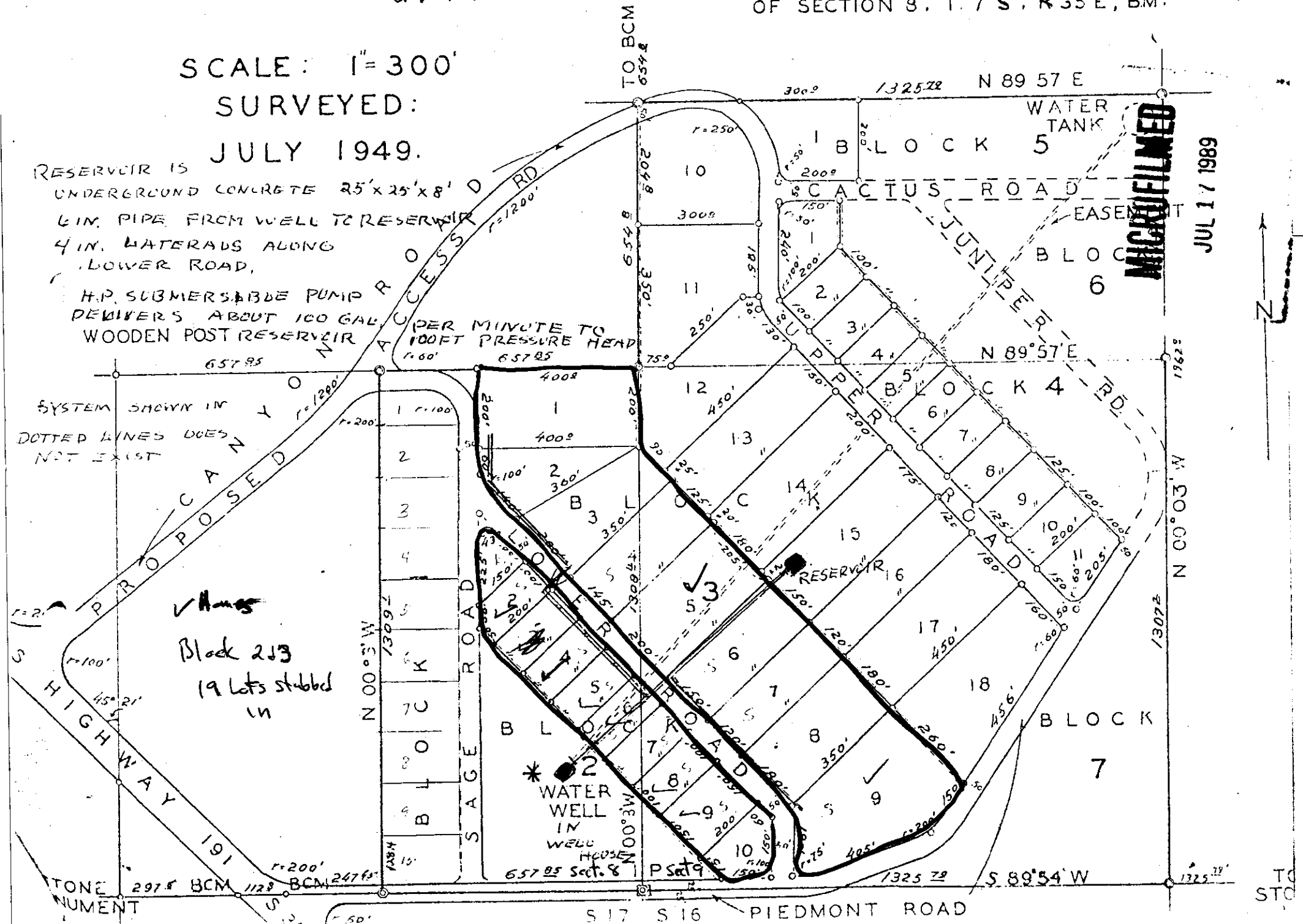
RESERVOIR IS
UNDERGROUND CONCRETE 25'X25'X8'
6 IN. PIPE FROM WELL TO RESERVOIR
4 IN. WATERAIDS ALONG
LOWER ROAD.

H.P. SUBMERSIBLE PUMP
DELIVERS ABOUT 100 GAL.
WOODEN POST RESERVOIR

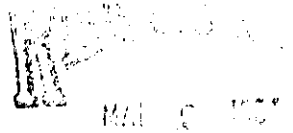
UPPER MINUTE TO
100 FT PRESSURE HEAD

SYSTEM SHOWN IN
DOTTED LINES DOES
NOT EXIST

✓ Ames
Block 213
19 Lots stubbed
in



March 6, 1984



Mr. Jim Johnson
Dept. of Water Resources
State Office
450 West State St.
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Johnson:

I have your letter of March 1, 1984 relating to Eighty Acres Inc., and its water permit # 29-7145. Please bear with me while I recount my version of the entire sordid matter, since I suspect you are unacquainted with at least parts of it.

I received a notice dated May 31, 1983 to the effect that I should submit a "Proof of the extent of beneficial use" on or before August 1, 1983 together with a postcard to be "used to submit the required proof". As an alternative I was instructed to submit a request for extension of time, if we had not completed construction of our project.

I chose the latter alternative because there is, and was, an excessive concentration of nitrate in our water supply. Because of this situation the Health Department will not issue septic tank permits on Eighty Acres Subdivision. Without septic tank permits building permits cannot be secured. Without building permits, lots cannot be sold readily. Denied income from the sale of lots, we cannot complete the water distribution system to supply the remaining unsold lots in the subdivision. I hoped that if an extension of time were approved, we might somehow solve the nitrate problem and, through sale of lots, be able to finance completion of the water distribution system.

So on June 15, 1983 I submitted a Request for Extension of Time, for the reason described above, together with the \$15.00 fee required. On 6/22/83, this request was returned to me with the check I had sent for the reason that some years before we had already been given an extension of time, and only one extension could be granted. You went on to say (see letter inclosed) that we might accomplish our purpose (that is, gain additional time) by filing for a new permit, which I did on July 9, 1983. In my lamentable and unforgivable ignorance, I assumed that filing for a new permit would entail allowing the old one to expire. Incidentally, with the application for a new permit I enclosed the fee of \$45.00. In due course, from the Idaho Falls office came a communication to the effect that my application was not quite right in all respects. An amended application was inclosed for my signature. I could not see the sense of the changes, but in awe of the wisdom of officialdom, I dutifully signed the amended application and sent it back.

MICROFILMED

JUL 17 1989

Thereafter nothing happened--no reply, no permit, no nothing. August 1, that fatal date came and went. The well continued to deliver water, albeit laced with nitrate, and I together with some dozens of neighbors, continued to drink it, with no discernible ill effects. Finally I began to wonder what had become of the application for a permit and \$45.00 that accompanied it and so on October 18, 1983 I wrote a letter of inquiry. On October 26, 1983 one Steve McCormick of the Idaho Falls Field office called and we had a long confused and confusing telephone conversation. I tried to write a summary of this conversation for my own enlightenment.. Here, as nearly as I could tell at the time, is the only meaningful (to me) upshot of this half hours benevolence to McBell.

1) To let the original permit lapse and apply for a new one was a great mistake, and whoever recommended such a course of action deserved (pray excuse me) severe censure, at the very least.

2) The \$45.00 which accompanied the application for a new permit, whether intended as gift, fee, or bribe, was gone forever, as the Dept. of Water resources recognizes the exchange of funds in one direction only.

3) I had best mail the magic postcard at once if the residents of Eighty Acres Subdivision wanted to continue ingesting the fluid from the earth.

4) None of this business matters, as no water use permits will be issued anyway until it is decided whether or not the Idaho Power Company owns all the water in southeastern Idaho.

5) Not much, if any, communication exists between Idaho Falls and Boise.

Well, as you know, I mailed the enchanted postcard at once (October 26, 1983), and about four months later it must have got to you. So there proves to be poor communication between Boise and Pocatello as well.

Now as to your letter of March 1, 1984, I trust that the foregoing provides what you ask for under -b/ "Reasonable cause why the proof of beneficial use was filed late."

Now as to what is asked for under -a/ "Evidence that the beneficial use of water did commence during the authorized permit period etc.,etc." I am at somewhat of a loss as to what to provide. If one has lived in the same house and has drunk water for 34 years from the same well, it is rather hard to prove that he has done so. However, in desperation I am sending copies of (1) the well driller's affidavit of 1949, (2) A sample of the water bills (1983) that I have on hand going clear back to 1950. Would you like a few more? (3) A short if not sweet affidavit of my own composition. I have a whole file full of various receipts, But I can't send copies of them all and I dislike criticism and prejudice by selecting one or two. Unfortunately, I have no aerial photographs.

MICROFILMED

JUL 17 1989

March 6, 1984

This is to certify that water has been used continuously from the well on Eighty Acres Subdivision, south of Pocatello, Idaho for domestic purposes and for irrigation of lawns and gardens from the Fall of 1950 until the present date. One house was served in 1950 and over the years more have been added, until at present eight houses are supplied by the well and distribution system.

R. A. Lyden
R. A. Lyden
Secretary-Treasurer
Eighty Acres, Inc.

3-7-84

Naomi S. Lyden
Notary Public - Com. Expires July 19, 1988

MICROFILMED

JUL 17 1989

#29-7145

AR-156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 7414
10/20/1985

ANSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER STAGE CODE	PRIORITY DATE	SOURCE OF WATER
(POU CONTINUED FROM PREVIOUS PAGE)											
075	35E	08	NESH	06	01.43		29-2367	STEADMAN	C		
			NESH	08	01.43,04		29-2494	GRADY	C	L	07-18-1966 GROUNDWATER
			SMNH	01			29-0263	SMITH	C	D	02-26-1869 MINK CREEK
			SMNH	01			29-0264	SMITH	C	D	07-21-1902 MINK CREEK
			SMNH	34	01.43,04		29-2494	GRADY	C	L	07-18-1966 GROUNDWATER
			SMNH	04	01.43		29-2367	STEADMAN	C	L	06-22-1955 GROUNDWATER
			SMSE	01	01.04,10,42		29-4385	STEADMAN MAAG	C	S	06-01-1948 GROUNDWATER
			SMSE	01	01.43		29-7701	BLACK CLIFFS DEVEL	C	A	04-25-1983 GROUNDWATER
			SESE	01	01.43		29-4033	EIGHTY ACRES INC.	C	A	10-31-1983 GROUNDWATER
			SESE	20	01.43		29-7145	EIGHTY ACRES INC.	C	A	10-31-1983 GROUNDWATER
			SESE	01	01.43		29-7701	BLACK CLIFFS DEVEL	C	A	04-25-1983 GROUNDWATER
			SESE	05	01.43		29-7701	EIGHTY ACRES INC.	C	A	07-13-1983 GROUNDWATER
		09	NHSH	20	01.43		29-7145	EIGHTY ACRES INC.	C	P	10-31-1983 GROUNDWATER
			NHSH	05	01.43		29-7701	EIGHTY ACRES INC.	C	P	07-13-1983 GROUNDWATER
			SMNH	02	01.43		29-4033	EIGHTY ACRES INC.	C	S	07-01-1950 GROUNDWATER
			SMNH	20	01.43		29-7145	EIGHTY ACRES INC.	C	P	10-31-1983 GROUNDWATER
			SMNH	10	01.43		29-7736	EIGHTY ACRES INC.	C	P	07-13-1983 GROUNDWATER
		12	NESH	04	01.16		29-7789	U.S. DEPT. OF INTE	C	L	05-02-1985 SPRING
		14	NONE	01	01.43		29-2069	MC NALLY	C	L	05-08-1908 UNNAMED STREAM
			NONE	01	01.43		29-2069	MC NALLY	C	L	05-08-1908 UNNAMED STREAM
		16	NENH	43			29-2493	NOREEN	C	L	06-02-1964 GROUNDWATER
			NANH	40	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			SHNH	40	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			SENH	07	01.04,43		29-4432	KNOX	C	S	10-15-1952 GROUNDWATER
			SENH	10	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			NESH	40	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			NHSH	20	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			SMNH	04	01		29-4058	CHURCH OF JESUS CH	C	S	04-01-1941 MINK CREEK
			SMNH	20	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			SMSE	10	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
			SMSE	40	01.04,43		29-2309	BLACK ROCK SHEEP C	C	L	09-05-1951 GROUNDWATER
		17	NENE	01	01.43		29-7701	BLACK CLIFFS DEVEL	C	A	04-25-1983 GROUNDWATER
			NENE	26	01.43		29-2285	HILDRETH	C	L	07-13-1949 GROUNDWATER
			NENE	01	01.43		29-7701	BLACK CLIFFS DEVEL	C	A	04-25-1983 GROUNDWATER
			NENH	01			29-0263	SMITH	C	D	02-26-1869 MINK CREEK
			NENH	01			29-0264	SMITH	C	D	07-21-1902 MINK CREEK
			NENH	30	01.43,04		29-2494	GRADY	C	L	07-18-1966 GROUNDWATER
			NENH	40	01		29-4433	POCATELLO GOLF & C	C	S	09-15-1952 GROUNDWATER
			NENH	01			29-0263	SMITH	C	D	02-26-1869 MINK CREEK
			NENH	01			29-0264	SMITH	C	D	07-21-1902 MINK CREEK
			NENH	18	01.43,04		29-2494	GRADY	C	L	07-18-1966 GROUNDWATER
			NENH	40	01		29-4433	POCATELLO GOLF & C	C	S	09-15-1952 GROUNDWATER
			SHNH	01			29-0263	SMITH	C	D	02-26-1869 MINK CREEK
			SHNH	01			29-0264	SMITH	C	D	07-21-1902 MINK CREEK
			SHNH	01			29-0265	SMITH	C	D	02-26-1869 MINK CREEK
			SHNH	01			29-0268	MUNN	C	D	07-21-1902 MINK CREEK
			SHNH	40	01		29-4433	POCATELLO GOLF & C	C	S	09-15-1952 GROUNDWATER
			SENH	01			29-0263	SMITH	C	D	02-26-1869 MINK CREEK

MICROFILMED
JUL 17 1989

September 26, 1984
Piedmont Road, Box 259
Pocatello, Idaho 83204

RECEIVED
SEP 27 1984

Jim Johnson
Dept. of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Johnson:

Department of Water Resources

Here is the information requested in your letter of
June 28, 1984.

1. Approximate dates water first used for houses on
Eighty Acres Subdivision.

House on Block 2, Lot 9	-----1950
" " " 2, Lot 8	-----1951
" " " 2, " 5	-----1953
" " " 2, " 6	-----1955
" " " 3 " 9	-----1956
" " " 2 " 4	-----1973
" " " 3 " 6	-----1978
" " " 2 " 2	-----1978

Only seven houses, not eight, have been added since the first
one in 1950. I understand a septic tank and disposal field
permit has been issued for Block 3, Lot 7, but no building
construction has been undertaken.

2. The water system as it exists at present serves
13 lots. To serve 30 units an additional line would have to
be installed. More than that number have been platted.

3. A drawing of the existing water system is enclosed.

Sincerely,

R. A. Lyman

R. A. Lyman
Sec'y-Treas., Eighty Acres Inc.

MICROFILMED

JUL 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 22, 1983

RE: Permit No. 29-7145

Eighty Acres, Inc.
Route # 5 Box 259
Pocatello, ID 83201

Dear Sir

On June 20, 1983, we received your request for extension of time in which to submit proof to beneficial use of water under Permit No. 29-7145.

Guidelines for approval of extension of time requests are covered within the provisions of Section 42-204, Idaho Code, and the Department must follow these guidelines when reviewing extension requests. The said section limits the Department to approving only one extension request if the permit holder has not been prevented from developing the permit by litigation or lack of approval of a right-of-way.

On June 15, 1983, the Department approved the first request for extension of time. The Department, therefore, cannot approve your request for extension of time. Enclosed is your check, No. 632, 92-23/1241, for \$15.00.

note! → Since you have indicated that work has been started but has not been completed we suggest that if you can complete the work within five years you should refile for a new water permit. Enclosed is a copy of your permit along with a blank application and instructions for a water permit.

If you have any questions, please let me know before August 1, 1983.

Sincerely

JIM JOHNSON
Water Distribution Supervisor

JJ:jvv
Enclosures

MICROFILMED

JUL 17 1989

Burley, Idaho ~~November 28, 1949~~ 194.....

M Eighty Acres, Inc.,

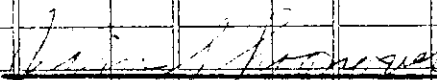
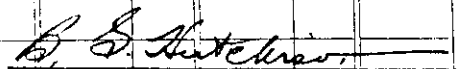
Pocatello, Idaho

IN ACCOUNT WITH

A. J. (Jim) Schoonover

WELL DRILLING OF ALL KINDS
SEPTIC TANK WORK

411 North Malta Avenue

DATE	DESCRIPTION	DEBITS	CREDITS	BALANCE
STATE OF IDAHO				
County of Cassia				
I <u>Jim Schoonover</u> being first duly sworn, depose				
and say upon oath, that the Well Tested for Eighty Acres,				
did Pump and Test at the Rate of 380 Gallons per minute on				
ten Hour Test made by our Company, with out any apperabl				
fall in the water level of the Well.				
 Subscribed and Sworn to before me this <u>28th Day of November</u> <u>1949</u>.				
 (Notary Public for Idaho Notary Public, Residing at Burley, Idaho My Commission Expires Nov. 10, 1951 My Commission Expires				

MICROFILMED

MICROFILMED

JUL 17 1989

Idaho Power

FOR ACCOUNT INQUIRIES CALL 233-2631

CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER NAME EIGHTY ACRES INC		CUSTOMER IDENTIFICATION SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF JANUARY 25, 1983			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO DAYS	BALANCE FORWARD ▶
000110611	11	11217 118	METER READING PREVIOUS PRESENT 06619866449 1 11 EXCHANGE CREDIT 251 1845 101CR
ACCOUNT BALANCE			1744

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER NAME EIGHTY ACRES INC		CUSTOMER IDENTIFICATION SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF FEBRUARY 24, 1983			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO DAYS	BALANCE FORWARD ▶
000110611	11	118 217	METER READING PREVIOUS PRESENT 06644966624 1 11 EXCHANGE CREDIT 175 1327 58CR
ACCOUNT BALANCE			1269

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER NAME EIGHTY ACRES INC		CUSTOMER IDENTIFICATION SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF MARCH 25, 1983			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO DAYS	BALANCE FORWARD ▶
000110611	11	217 318	METER READING PREVIOUS PRESENT 06662466882 1 11 EXCHANGE CREDIT 258 1794 102CR
ACCOUNT BALANCE			1692

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER NAME EIGHTY ACRES INC		CUSTOMER IDENTIFICATION SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF APRIL 25, 1983			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO DAYS	BALANCE FORWARD ▶
000110611	11	318 419	METER READING PREVIOUS PRESENT 06688267153 1 11 EXCHANGE CREDIT 271 1875 107CR
ACCOUNT BALANCE			1768

MICROFILMED

JUL 17 1989

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF MAY 25, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	M E T E R R E A D I N G		M E T E R C O N S T A N T	B I L L I N G D E M A N D	B I L L I N G E N E R G Y K I L O W A T T H O U R S
000110G11	11	FROM	TO	*	PREVIOUS	PRESENT			
		419	519		067153	67501	1	11	348
EXCHANGE CREDIT									2350 137CR
ACCOUNT BALANCE									2213

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF JUNE 24, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	M E T E R R E A D I N G		M E T E R C O N S T A N T	B I L L I N G D E M A N D	B I L L I N G E N E R G Y K I L O W A T T H O U R S
000110G11	11	FROM	TO	*	PREVIOUS	PRESENT			
		519	620		067501	68441	1	11	940
EXCHANGE CREDIT									6008 370CR
ACCOUNT BALANCE									5638

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF JULY 26, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	M E T E R R E A D I N G		M E T E R C O N S T A N T	B I L L I N G D E M A N D	B I L L I N G E N E R G Y K I L O W A T T H O U R S
000110G11	11	FROM	TO	*	PREVIOUS	PRESENT			
		620	720		068441	69880	1	11	1439
EXCHANGE CREDIT									9092 622CR
ACCOUNT BALANCE									8470

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF AUGUST 24, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	M E T E R R E A D I N G		M E T E R C O N S T A N T	B I L L I N G D E M A N D	B I L L I N G E N E R G Y K I L O W A T T H O U R S
000110G11	11	FROM	TO	*	PREVIOUS	PRESENT			
		720	813		069833	71229	1	11	1349
EXCHANGE CREDIT									8535 610CR
ACCOUNT BALANCE									7325

Microfilm

JUL 17 1989

Idaho Power

FOR ACCOUNT INQUIRIES CALL 233-2631

OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCATELLO

233-2631

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF SEPTEMBER 23, 1983									
BALANCE FORWARD									
METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM TO		DAYS	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	11	818	919		071229	72076	1	11	847
EXCHANGE CREDIT									5434
ACCOUNT BALANCE									156CR

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCATELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF OCTOBER 24, 1983									
BALANCE FORWARD									
METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM TO		DAYS	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	919	1018		072076	72423	1	11	347
ACCOUNT BALANCE									1794

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCATELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF NOVEMBER 23, 1983									
BALANCE FORWARD									
METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM TO		DAYS	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	1018	1117		072423	72667	1	11	244
ACCOUNT BALANCE									1025

Idaho Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCATELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF DECEMBER 23, 1983									
BALANCE FORWARD									
METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM TO		DAYS	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	1117	1219		072667	72858	1	11	191
ACCOUNT BALANCE									802

Microfilm

JUL 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 11, 1985

Eighty Acres Inc.
c/o R. A. Lyman
4037 N. Lower Rd.
Pocatello, ID 83204

Re: Water Right Identification No. 29-7145

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

- ☒ Proof of beneficial use has already been submitted for the water right.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

MICROFILMED

JUL 17 1989

November 1, 1984

RE: Permit No. 29-7145

Eighty Acres, Inc.
Attn: R.A. Lyman
Rt. 5, Box 259
Pocatello, ID 83204

Dear Mr. Lyman:

We acknowledge receipt of the statement of beneficial use postcard and the supporting documentation for reinstating the above referenced permit. Enclosed is a copy of the Order of Reinstatement. Please note that the priority date has been advanced to October 31, 1983.

Before a license can be issued, a field examination will be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you or a representative may show him the system.

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

MICROFILMED

29-44
24-272

September 26, 1984
Piedmont Road, Box 259
Pocatello, Idaho 83204

Jim Johnson
Dept. of Water Resources
State House
Boise, Idaho 83720

RECEIVED

SEP 27 1984

Dear Mr. Johnson:

Department of Water Resources

Here is the information requested in your letter of
June 28, 1984.

1. Approximate dates water first used for houses on
Eighty Acres Subdivision.

House on Block 2, Lot 9	-----1950
" " " 2, Lot 8	-----1951
" " " 2, " 5	-----1953
" " " 2 " 6	-----1955
" " " 3 " 9	-----1956
" " " 2 " 4	-----1973
" " " 3 " 6	-----1978
" " " 2 " 2	-----1978

Only seven houses, not eight, have been added since the first
one in 1950. I understand a septic tank and disposal field
permit has been issued for Block 3, Lot 7, but no building
construction has been undertaken.

2. The water system as it exists at present serves
18 lots. To serve 30 units an additional line would have to
be installed. More than that number have been platted.

3. A drawing of the existing water system is enclosed.

Sincerely,

R. A. Lyman
R. A. Lyman
Sec'y-Treas., Eighty Acres Inc.

MICROFILMED

OF SECTION 8, T. 7 S., R. 35 E., BM.

SCALE: 1"=300'

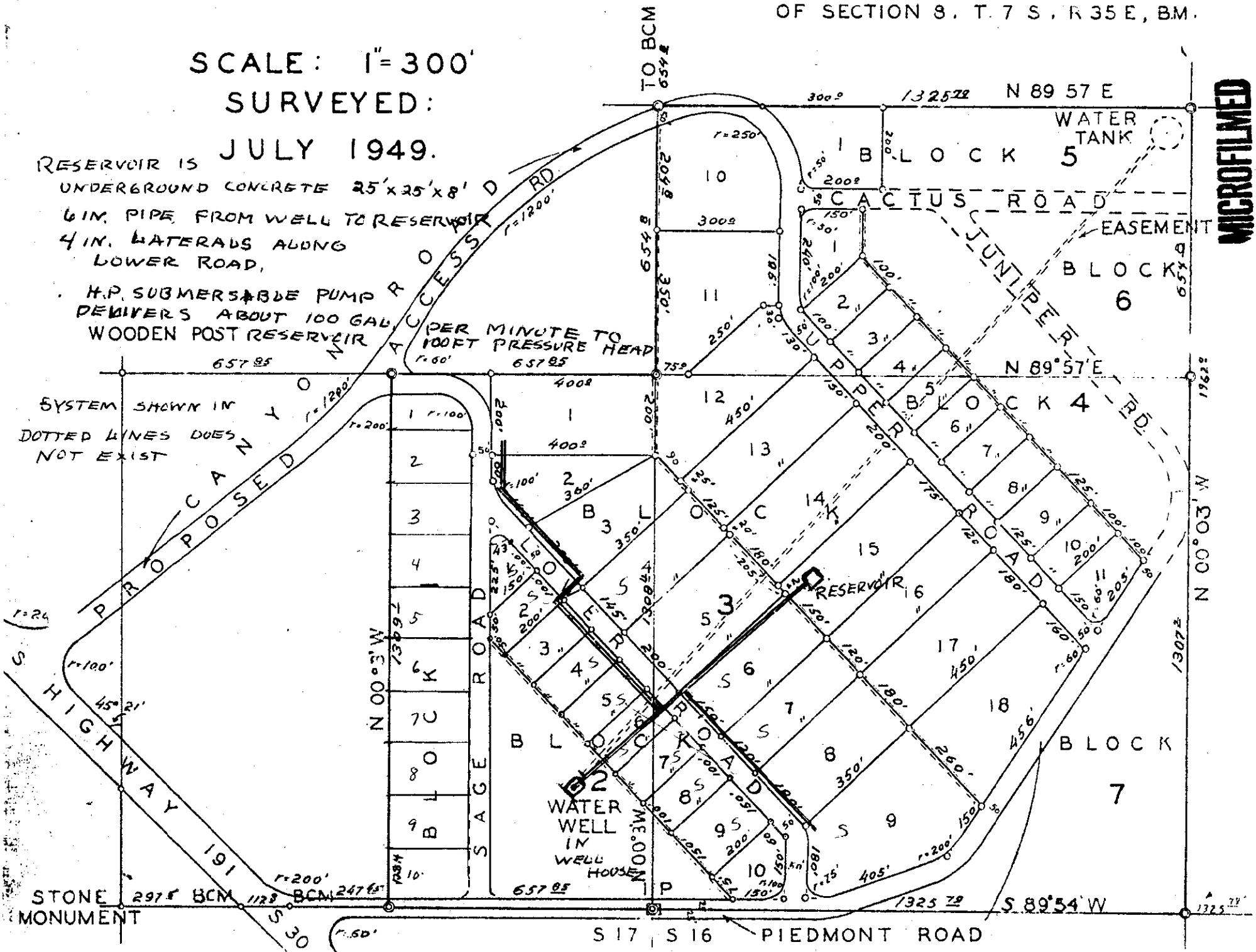
SURVEYED:

JULY 1949.

RESERVOIR IS
UNDERGROUND CONCRETE 25'x25'x8'
6 IN. PIPE FROM WELL TO RESERVOIR
4 IN. LATERALS ALONG
LOWER ROAD.

H.P. SUBMERSIBLE PUMP
DELIVERS ABOUT 100 GAL.
WOODEN POST RESERVOIR
PER MINUTE TO
100 FT PRESSURE HEAD

SYSTEM SHOWN IN
DOTTED LINES DOES
NOT EXIST

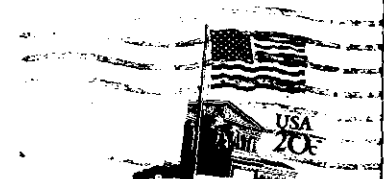


MICROFILMED



TO
STO
M

R. A. Lyman
Piedmont Road Box 259 Rt. #5
Pocatello, Idaho 83204



MICROFILMED

Mr. Jim Johnson
Water Distribution Supervisor
Dept. of Water Resources
State house
Boise, Idaho 83720

September 18, 1984

RE: Lapsed Permit No. 29-7145

Eighty Acres, Inc.
Attn: R. A. Lyman
Rt. 5, Box 259
Pocatello, ID 83204

Dear Mr. Lyman:

This letter is written as follow-up to our correspondence of 6/28/84 in which we requested information regarding water development under the above referenced permit.

As of this date, we have not received said information. Please be advised that if we do not receive this information on or before October 10, 1984, the permit will remain in a lapsed state and of no further force or effect.

Sincerely,

SHARLA CURTIS
Water Rights Processing Clerk

SC:sc

MICROFILMED

June 28, 1984

RE: Permit No. 29-7145

Eighty Acres, Inc.
Attn: B. A. Lyman
Rt. 5, Box 259
Pocatello, ID 83204

Dear Mr. Lyman:

Thank you for your most graphic letter of 3/6/84, explaining your situation. As you are aware, the economy has been very poor and state agencies have had staff cutbacks which cause backlogs in processing water right matters, therefore accounting for the slow response to your letter.

Before we can reinstate your permit, there are a couple of items which are still unclear.

In your correspondence you stated that one house had used water since 1950 and over the years 8 more houses had been added. Could you provide us with the approximate dates when these homes started using the water? Also, is the water supply system designed to serve the number of homes identified on the water permit? Has the water pipeline to 30 units been installed? And can you provide engineering drawings of the water delivery system to the Eighty Acres Subdivision?

Please provide this information by July 30, 1984. If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

MICROFILMED

March 6, 1984

RECEIVED
MAR 9 1984

Mr. Jim Johnson
Dept. of Water Resources
State Office
450 West State St.
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Johnson:

I have your letter of March 1, 1984 relating to Eighty Acres Inc., and its water permit # 29-7145. Please bear with me while I recount my version of the entire sordid matter, since I suspect you are unacquainted with at least parts of it.

I received a notice dated May 31, 1983 to the effect that I should submit a "Proof of the extent of beneficial use" on or before August 1, 1983 together with a postcard to be "used to submit the required proof". As an alternative I was instructed to submit a request for extension of time, if we had not completed construction of our project.

I chose the latter alternative because there is, and was, an excessive concentration of nitrate in our water supply. Because of this situation the Health Department will not issue septic tank permits on Eighty Acres Subdivision. Without septic tank permits building permits cannot be secured. Without building permits, lots cannot be sold readily. Denied income from the sale of lots, we cannot complete the water distribution system to supply the remaining unsold lots in the subdivision. I hoped that if an extension of time were approved, we might somehow solve the nitrate problem and, through sale of lots, be able to finance completion of the water distribution system.

So on June 15, 1983 I submitted a Request for Extension of Time, for the reason described above, together with the \$15.00 fee required. On 6/22/83, this request was returned to me with the check I had sent for the reason that some years before we had already been given an extension of time, and only one extension could be granted. You went on to say (see letter inclosed) that we might accomplish our purpose (that is, gain additional time) by filing for a new permit, which I did on July 9, 1983. In my lamentable and unforgivable ignorance, I assumed that filing for a new permit would entail allowing the old one to expire. Incidentally, with the application for a new permit I enclosed the fee of \$45.00. In due course, from the Idaho Falls office came a communication to the effect that my application was not quite right in all respects. An amended application was inclosed for my signature. I could not see the sense of the changes, but in awe of the wisdom of officialdom. I dutifully signed the amended application and sent it back.

MICROFILMED

Thereafter nothing happened--no reply, no permit, no nothing. August 1, that fatal date came and went. The well continued to deliver water, albeit laced with nitrate, and I together with some dozens of neighbors, continued to drink it, with no discernible ill effects. Finally I began to wonder what had become of the application for a permit and \$45.00 that accompanied it and so on October 18, 1983 I wrote a letter of inquiry. On October 26, 1983 one Steve McCormick of the Idaho Falls Field called and we had a long confused and confusing telephone conversation. I tried to write a summary of this conversation for my own enlightenment.. Here, as nearly as I could tell at the time, is the only meaningful (to me) upshot of this half hours benevolence to MaBell.

- 1) To let the original permit lapse and apply for a new one was a great mistake, and whoever recommended such a course of action deserved (pray excuse me) sever censure, at the very least.
- 2) The \$45.00 which accompanied the application for a new permit, whether intended as gift, fee, or bribe, was gone forever, as the Dept. of Water resources recognizes the exchange of funds in one direction only.
- 3) I had best mail the magic postcard at once if the residents of Eighty Acres Subdivision wanted to continue ingesting the fluid from the earth.
- 4) None of this business matters, as no water use permits will be issued anyway until it is decided whether or not the Idaho Power Company owns all the water in southeastern Idaho.
- 5) Not much, if any, communication exists between Idaho Falls and Boise.

Well, as you know, I mailed the enchanted postcard at once (October 26, 1983), and about four months later it must have got to you. So there proves to be peer communication between Boise and Peacastle as well.

Now as to your letter of March 1, 1984, I trust that the foregoing provides what you ask for under -b/ "Reasonable cause why the proof of beneficial use was filed late."

Now as to what is asked for under -a/ "Evidence that the beneficial use of water did commence during the authorized permit period etc.,etc." I am at somewhat of a loss as to what to provide. If one has lived in the same house and has drunk water for 34 years from the same well, it is rather hard to prove that he has done so. However, in desperation I am sending copies of (1) the well driller's affidavit of 1949, (2) A sample of the water bills (1983) that I have on hand going clear back to 1950. Would you like a few more? (3) A short if not sweet affidavit of my own composition. I have a whole file full of various receipts, But I can't send copies of them all and I dislike showing favoritism and prejudice by selecting one or two. Unfortunately, I have no aircraft, much less aerial photographs.

MICROFILMED

Please forgive me if I seem to regard this business lightly, as indeed I do. One must take insanity lightly in order to maintain what wits he may still have. Both you and I know perfectly well that the State of Idaho for all its power and pomposity is not about to deny me and my neighbors the modest and reasonable use of the water that underlies our property. Therefore all the labor over permits and applications and deadlines is but conventional and perhaps therefore necessary nonsense. It is a small example of the vast amount of internal friction that consumes energy diverted from the real business of living. Society can progress most rapidly and most positively if this internal friction is kept at a minimum. So pray patch up this affair in any way that suits you and let us get on to better things.

Most sympathetically yours,



R. A. Lyman
Secretary-Treasurer
Eighty Acres Inc.

Inclosures:

- 1) letter from Jim Johnson
- 2) Well driller's affidavit
- 3) R. A. Lyman affidavit
- 4) Water bills for 1983

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 22, 1983

RE: Permit No. 29-7145

Eighty Acres, Inc.
Route # 5 Box 259
Pocatello, ID 83201

Dear Sir

On June 20, 1983, we received your request for extension of time in which to submit proof to beneficial use of water under Permit No. 29-7145.

Guidelines for approval of extension of time requests are covered within the provisions of Section 42-204, Idaho Code, and the Department must follow these guidelines when reviewing extension requests. The said section limits the Department to approving only one extension request if the permit holder has not been prevented from developing the permit by litigation or lack of approval of a right-of-way.

On June 15, 1983, the Department approved the first request for extension of time. The Department, therefore, cannot approve your request for extension of time. Enclosed is your check, No. 632, 92-23/1241, for \$15.00.

Note! → Since you have indicated that work has been started but has not been completed we suggest that if you can complete the work within five years you should refile for a new water permit. Enclosed is a copy of your permit along with a blank application and instructions for a water permit.

If you have any questions, please let me know before August 1, 1983.

Sincerely

JIM JOHNSON
Water Distribution Supervisor

JJ:jvv
Enclosures

MICROFILMED

MICROFILMED

March 6, 1984

This is to certify that water has been used continuously from the well on Eighty Acres Subdivision, south of Pocatello, Idaho for domestic purposes and for irrigation of lawns and gardens from the Fall of 1950 until the present date. One house was served in 1950 and over the years more have been added, until at present eight houses are supplied by the well and distribution system.

R. A. Lyman
R. A. Lyman
Secretary-Treasurer
Eighty Acres, Inc.

3-7-84

Naomi S. Anderson
Notary Public - Com. Expires July 19, 1988

MICROFILMED

Idaho
Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION			
CUSTOMER NAME EIGHTY ACRES INC		SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF JANUARY 25, 1983			
BALANCE FORWARD ▶			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO	D A Y S
000110G11	11	1217 118	06619866449
		METER READING PREVIOUS PRESENT	
		1 11	
		EXCHANGE CREDIT	
		251	
		1845	
		101CR	
		ACCOUNT BALANCE	
		1744	

Idaho
Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION			
CUSTOMER NAME EIGHTY ACRES INC		SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF FEBRUARY 24, 1983			
BALANCE FORWARD ▶			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO	D A Y S
000110G11	11	118 217	06644966624
		METER READING PREVIOUS PRESENT	
		1 11	
		EXCHANGE CREDIT	
		175	
		1327	
		58CR	
		ACCOUNT BALANCE	
		1269	

Idaho
Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION			
CUSTOMER NAME EIGHTY ACRES INC		SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF MARCH 25, 1983			
BALANCE FORWARD ▶			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO	D A Y S
000110G11	11	217 318	06662466882
		METER READING PREVIOUS PRESENT	
		1 11	
		EXCHANGE CREDIT	
		258	
		1794	
		102CR	
		ACCOUNT BALANCE	
		1692	

Idaho
Power

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 233-2631 OR CONTACT YOUR LOCAL OFFICE AT 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION			
CUSTOMER NAME EIGHTY ACRES INC		SERVICE LOCATION 259 PIEDMONT RD	
CUSTOMER NUMBER 1770-021473-8		TYPE OF SERVICE GENERAL SERVICE	
ACCOUNT INFORMATION AS OF APRIL 25, 1983			
BALANCE FORWARD ▶			
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO	D A Y S
000110G11	11	318 419	06688267153
		METER READING PREVIOUS PRESENT	
		1 11	
		EXCHANGE CREDIT	
		271	
		1875	
		107CR	
		ACCOUNT BALANCE	
		1768	

MICROFILMED

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF MAY 25, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
		FROM	TO	*	PREVIOUS	PRESENT			
000110G11	11	419	519		067153	67501	1	11	348
EXCHANGE CREDIT									2350 137CR
ACCOUNT BALANCE									2213

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF JUNE 24, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
		FROM	TO	*	PREVIOUS	PRESENT			
000110G11	11	519	620		067501	68441	1	11	940
EXCHANGE CREDIT									6008 370CR
ACCOUNT BALANCE									5638

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF JULY 26, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
		FROM	TO	*	PREVIOUS	PRESENT			
000110G11	11	620	720		068441	69880	1	11	1439
EXCHANGE CREDIT									9092 622CR
ACCOUNT BALANCE									8470

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF AUGUST 24, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	S E R V I C E		D A Y S	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
		FROM	TO	*	PREVIOUS	PRESENT			
000110G11	11	720	818		069880	71229	1	11	1349
EXCHANGE CREDIT									8535 610CR
ACCOUNT BALANCE									7925

MICROFILMED

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF SEPTEMBER 23, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	11	818	919	11	071229	72076	1	11	847
EXCHANGE CREDIT									5434
ACCOUNT BALANCE									156CR
									5278

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF OCTOBER 24, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	919	1018	11	072076	72423	1	11	347
ACCOUNT BALANCE									1794
									1794
									2.24
									15

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF NOVEMBER 23, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	1018	1117	11	072423	72667	1	11	244
ACCOUNT BALANCE									1025
									1025
									1128

**Idaho
Power**

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
233-2631 214 E CENTER, POCA TELLO

CUSTOMER IDENTIFICATION									
CUSTOMER NAME EIGHTY ACRES INC					SERVICE LOCATION 259 PIEDMONT RD				
CUSTOMER NUMBER 1770-021473-8					TYPE OF SERVICE GENERAL SERVICE				
ACCOUNT INFORMATION AS OF DECEMBER 23, 1983									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
0001106	07	1117	1219	11	072667	72858	1	11	191
ACCOUNT BALANCE									802
									802
									1102
									1020

MICROFILMED

R. A. LYMAN
Route 5, Box 259 *Piedmont*
Pocatello, Idaho 83204



MICROFILMED

State Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Mr. Jim Johnson

March 1, 1984

RE: Permit No. 29-7145

Eighty Acres, Inc.
Rt. 5, Box 259
Pocatello, ID 83204

Gentlemen:

The Department received your proof of beneficial use postcard for the above referenced permit on October 31, 1983. The permit lapsed August 1, 1983, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence during the authorized permit period from the time the permit was issued until the proof due date. This evidence could be in several forms such as a convincing combination of a well driller's log, pumping or power records, affidavits, aerial photos, receipts, etc.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use postcard together with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

WATER PERMIT

DEPARTMENT OF WATER-RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below on Permit No. 29-7145.

Name(s) of Permit Holder: Egghy Acres, Inc.

Post Office Address: Rt 5, Box 259 Piedmont Rd
Pocatello, Idaho 83204 Ph. No. 232-7685

Source of Water: well
 Extent of Use: ☒ Domestic 19 (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 20 (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No PC

The above information is a true statement of the extent to which the above numbered permit has been developed.
Oct 26, 1985 **MICROFILMED** Egghy Acres Inc
R.C. Lyman (Secy - Treas.)
 Date Signature of Permit Holder

RECEIVED
R. A. LYMA
Route 45, Box 1
Pocatello, Idaho 83204
Pocatello, Idaho 83204

RECEIVED

OCT 31 1983



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

EIGHTY ACRES INC.
C/O R. A. LYMAN
RT. 3 BOX 259
POCATELLO, ID 83201

LAPSE NOTICE

AUGUST 02, 1983

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 29-7145 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED MAY 31, 1983.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 8/5/83
a ~~copy~~an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Sharla Curtis

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 22, 1983

RE: Permit No. 29-7145

Eighty Acres, Inc.
Route # 5 Box 259
Pocatello, ID 83201

Dear Sir

On June 20, 1983, we received your request for extension of time in which to submit proof to beneficial use of water under Permit No. 29-7145.

Guidelines for approval of extension of time requests are covered within the provisions of Section 42-204, Idaho Code, and the Department must follow these guidelines when reviewing extension requests. The said section limits the Department to approving only one extension request if the permit holder has not been prevented from developing the permit by litigation or lack of approval of a right-of-way.

On June 15, 1983, the Department approved the first request for extension of time. The Department, therefore, cannot approve your request for extension of time. Enclosed is your check, No. 632, 92-23/1241, for \$15.

Since you have indicated that work has been started but has not been completed we suggest that if you can complete the work within five years you should refile for a new water permit. Enclosed is a copy of your permit along with a blank application and instructions for a water permit.

If you have any questions, please let me know before August 1, 1983.

Sincerely

JIM JOHNSON
Water Distribution Supervisor

JJ:jvv
Enclosures

MICROFILMED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

EIGHTY ACRES INC.
C/O R. A. LYMAN
RT. 3 BOX 259
POCATELLO, ID 83201

138612

PROOF DUE NOTICE

MAY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7145 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

June 16, 1978

Re: Permit No. 29-7145

R. A. Lyman
Eighty Acres, Inc.
Route 3, Box 259
Pocatello, ID 83201

Dear Mr. Lyman:

Enclosed is a copy of the order extending the proof of beneficial use due date on the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to August 1, 1983.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

MICROFILMED

29-7145
(2)

June 7, 1978

Janice Renk
Idaho Department of Water Resources
State house
Boise, Idaho 83720

RECEIVED

JUN 12 1978

Department of Water Resources

Dear Ms. Renk:

This is an application for extension of time before proof of application of water to beneficial use must be submitted. The reason for this request is as follows: (see copy of plat of Eighty Acres Subdivision enclosed)

The extent of the water distribution system as it now exists, or is at present under construction, is shown in solid blue lines. It now serves six houses and within a matter of about one month will serve a seventh house which at present is about two thirds completed. The existing system also serves 12 other lots, three of which are sold, and 9 of which are unsold. Within the next few years we expect to plat an additional approximately 16 lots in Blocks 1 and 2. This will require extending the water system as shown by the dotted lines. In the more distant future water will be required on the rest of Block 3, Block 4, and the yet unplatted blocks 5,6, and 7.

From these considerations it is obviously to our advantage to defer submission of proof of application of water to beneficial use for a period of at least 5 years. At present a great deal of real estate development is in progress in the immediate vicinity of the subdivision which lies about two miles south of Pocatello, Idaho. The Banfle Corporation, for example, is planning to put in an elaborate subdivision comprising several hundred lots immediately to the east and south of our property. It is inevitable that this subdivision as well as ours will be incorporated in the city of Pocatello within the decade.

With reference to the metering device mentioned in your communication, please consider the following suggestion for meeting that requirement. It was approved by the Department of Water Administration in correspondence that I had during August 1973.

We have a 10 horsepower submersible pump delivering water to an underground reservoir which now serves seven houses through a gravity flow system. The pump therefore operates against a constant head of pressure. Hence the consumption of current as indicated by the electric meter is a measure of the volume of water delivered. When this pump

MICROFILMED

was installed in November, 1977, I calibrated the system and found that 585.8 gallons of water are delivered to the reservoir per kilowatt hour of current consumed. I can recalibrate the system at whatever interval you suggest. I don't know exactly what is meant by a "professional engineer", but I can furnish you an affidavit attesting to the care and accuracy with which the measurement is made. I hope this will prove acceptable to you.

Sincerely,

R. A. Lyman

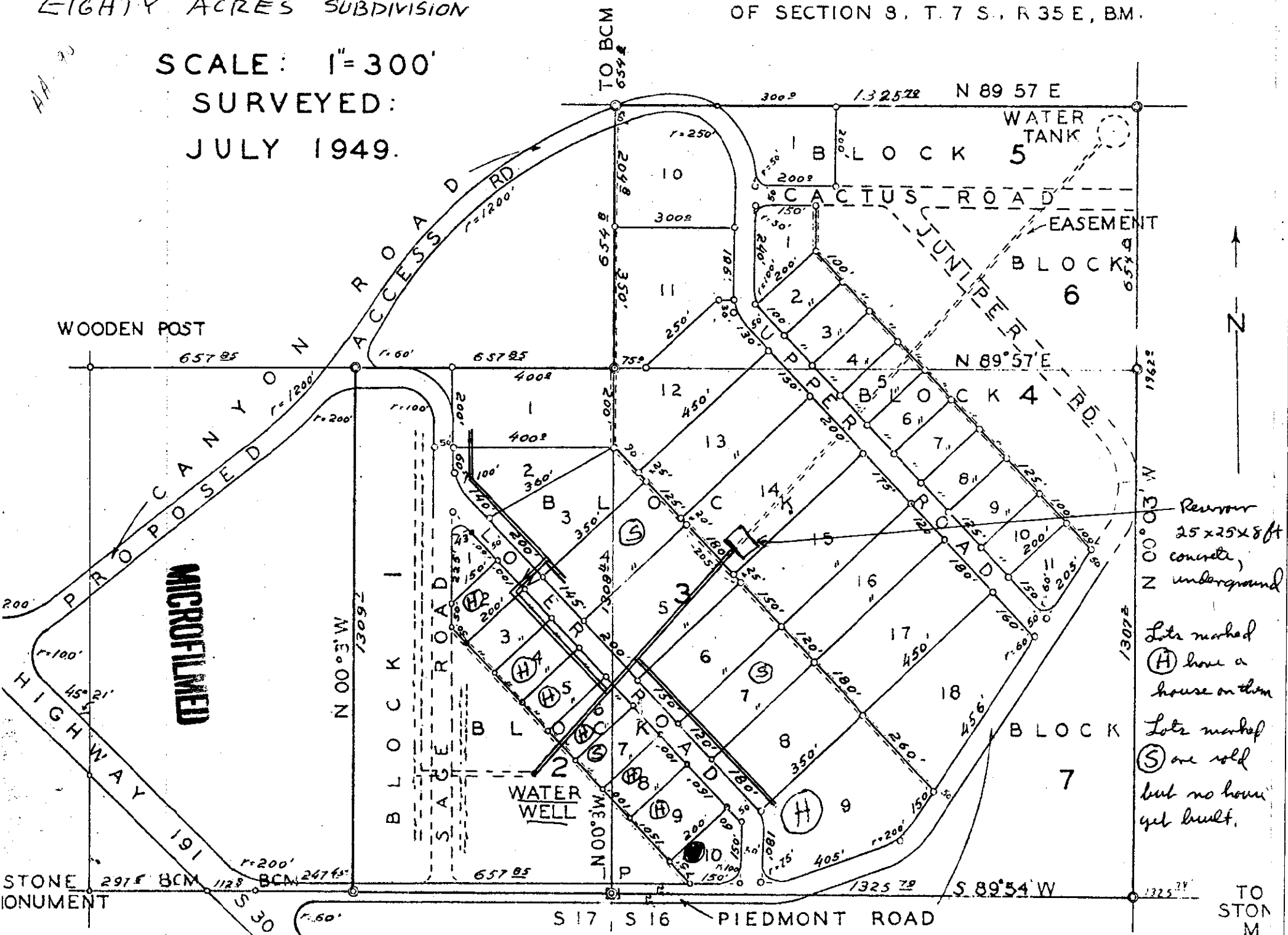
R. A. Lyman
Secretary- Treasurer
Eighty Acres, Inc.
Route # 5 Box 259
Pocatello, Idaho 83201

MICROFILMED

OF SECTION 8, T. 7 S., R. 35 E., B.M.

SURVEYED:

JULY 1949.



R. A. LYMAN
Route 25, Box 259
Pocatello, Idaho 83201



Mr James Penck
Idaho Dept of Water Resources,
Statehouse
Boise, Idaho 83720

MICROFILMED

29-7295

29-7218

29-7145(2)

61

ALERT



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

May 31, 1978

173011

Re: Permit No. 29-7145

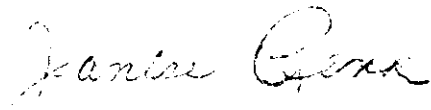
Eighty Acres, Inc.
by B. A. Lyman
Route 3, Box 259
Pocatello, Idaho 83201

Dear Mr. Lyman:

One of the conditions of approval of the above referenced water right permit was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1978. The enclosed affidavit form is the document you must complete and submit as the proof of application of water to beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



JANICE RENK
Water Rights

Encl: Proof affidavit

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 4, 1973

Re: Permit No. 29-7145

R. A. Lyman
Route 3, Box 259
Pocatello, Idaho 83201

Dear Mr. Lyman:

The information concerning the calibration of your pump is adequate for the present time.

We will examine your project for licensing, after you submit proof of beneficial use of the water. This proof is not due on the above referenced permit until August 1, 1978, but we suggest that you submit it as soon as your development is complete. A proof affidavit is enclosed for your consideration.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/jfr

Enclosure: Proof Affidavit

29-7145

118 F-118
NOV 14 1973
Route #3 Box 259

Pocatello, Idaho 83201

November 13, 1973

Department of Water Administration

29-7145

Bobby D. Fleenor, Assistant Director
Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

Dear Mr. Fleenor:

In accordance with your letter of August 22, 1973,
I have calibrated the pump serving Eighty Acres Sub-
division, and find that it delivers 464 gallons of
water per kilowatt hour.

Please let me know at what interval the pump must
be re-calibrated and how frequently you require reports
of the water used.

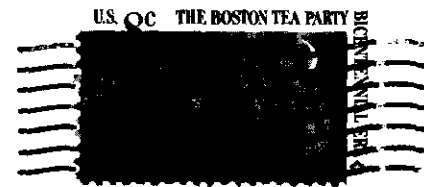
Sincerely,

R. A. Lyman

R. A. Lyman, Secretary-Treasurer
Eighty Acres, Inc.

29-7145

R. A. Lyman
Route #3 Box 259
Pocatello, Idaho 83201



Mr. Bobby D. Fleenor, Assistant Director
Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

29-7145

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 22, 1973

Mr. R. A. Lyman
Route #3, Box 259
Pocatello, Idaho 83201

Dear Mr. Lyman:

We received your August 20 request to use the pump rating as a measuring device.

This arrangement is not satisfactory unless the pump is actually calibrated after it is installed and each year afterwards. Periodic calibrations between the power input and volume of water pumped are necessary since the efficiency of the pump changes.

The results of these calibration tests should be sent to the department for use in making the field examination.

If you have further questions please let us know or you may contact our Eastern District office at 1515 Lincoln Road in Idaho Falls.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

cc: Eastern District

29-7145

RECEIVED

AUG 21 1973

Route #3 Box 258
Pocatello, Idaho
August 20, 1973

Department of Water Administration

Bobby D. Fleener, Assistant Director
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Fleener:

I have received water permit #297145 and note the requirement of a measuring device to be installed at the site of diversion, in this case at the pump.

I wish to make use of what I suppose you would call a "non-standard device", according to your letter of August 16, 1973. The device I propose using is the electric meter serving this pump.

We have a 15 H.P. turbine type pump delivering water to a reservoir which serves five houses through a gravity system. The pump therefore operates against a constant head of pressure. The manufacturers specifications designate the rate of delivery of water at specified pressures. The rate can be verified by experiment. Hence the consumption of current as measured by the electric meter is a measure of the volume of water delivered. The kilowatt hours of electricity consumed each month can readily be converted into gallons of water.

Please let me know if this arrangement will satisfy the requirement for a measuring device at the point of diversion.

Sincerely,

R. A. Lyman

R. A. Lyman, Secretary-Treasurer
Eighty Acres Incorporated.

29-7145

August 16, 1973

Re: Permit No. 29-7145

Eighty Acres, Inc.
Route #3, Box 259
Pocatello, ID 83201

ATTN: Mr. R. A. Lyman

Dear Mr. Lyman:

Enclosed is a copy of your approved Application for Permit No. 29-7145. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

29-7145

July 20, 1973

Re: Claim to a Water Right No. 29-4073 Eighty Acres, Inc.
Application for Permit No. 29-7145 Eighty Acres, Inc.
29-7146 Preslar
29-7148 Preslar

Idaho State Journal
Box 431
Pocatello, ID 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 8-6-73 by ymf

HCY:nb

Enc: Legal notices (4)

29-7145

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eighty Acres, Inc.,
Route 3 Box 259, Pocatello, Idaho
has on 7/13/73 submitted Application No. 29-7145
for a permit to appropriate 1.0 cubic feet per second ~~acres feet per second~~
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, (2 points) Sec. 8, T. 7S, R. 35E, B. M., Bannock County;
to be used from Jan. 1 to Dec. 31
for domestic purposes for 30 families and from Apr. 1 to Nov. 1 for the irrigation of
60 acres; all uses
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 7S, R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
August 13, 1973.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho
on July 26 and August 2, 1973.

OK
OK

29-7145

1004