

11 7027

Identification No. \_\_\_\_\_

Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
**APPLICATION FOR PERMIT**

**APPROVED**

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

1. Name of applicant Lakeside Estates, a partnership  
post office address 3 Lyle G. Tapper, Jr., Montpelier, Idaho
2. Source of water supply Subterranean which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 16 South  
Range 44 E. B.M. Bear Lake County; additional points of diversion if any: None  
\_\_\_\_\_  
\_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 1 CFS for domestic purpose from 1 Jan to 31 Dec. (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (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. one CFS cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Pump (type unknown), 50 horse-  
power motor and four inch underground pipeline.  
\_\_\_\_\_  
\_\_\_\_\_  
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 250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is five years.  
b. Estimated construction cost is \$ 4,500.00.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 16 South  
Range 44 E. 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 \_\_\_\_\_, or number of families to be  
supplied with domestic water 296.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

| TWP. | RANGE | 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 number of acres to be irrigated \_\_\_\_\_

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

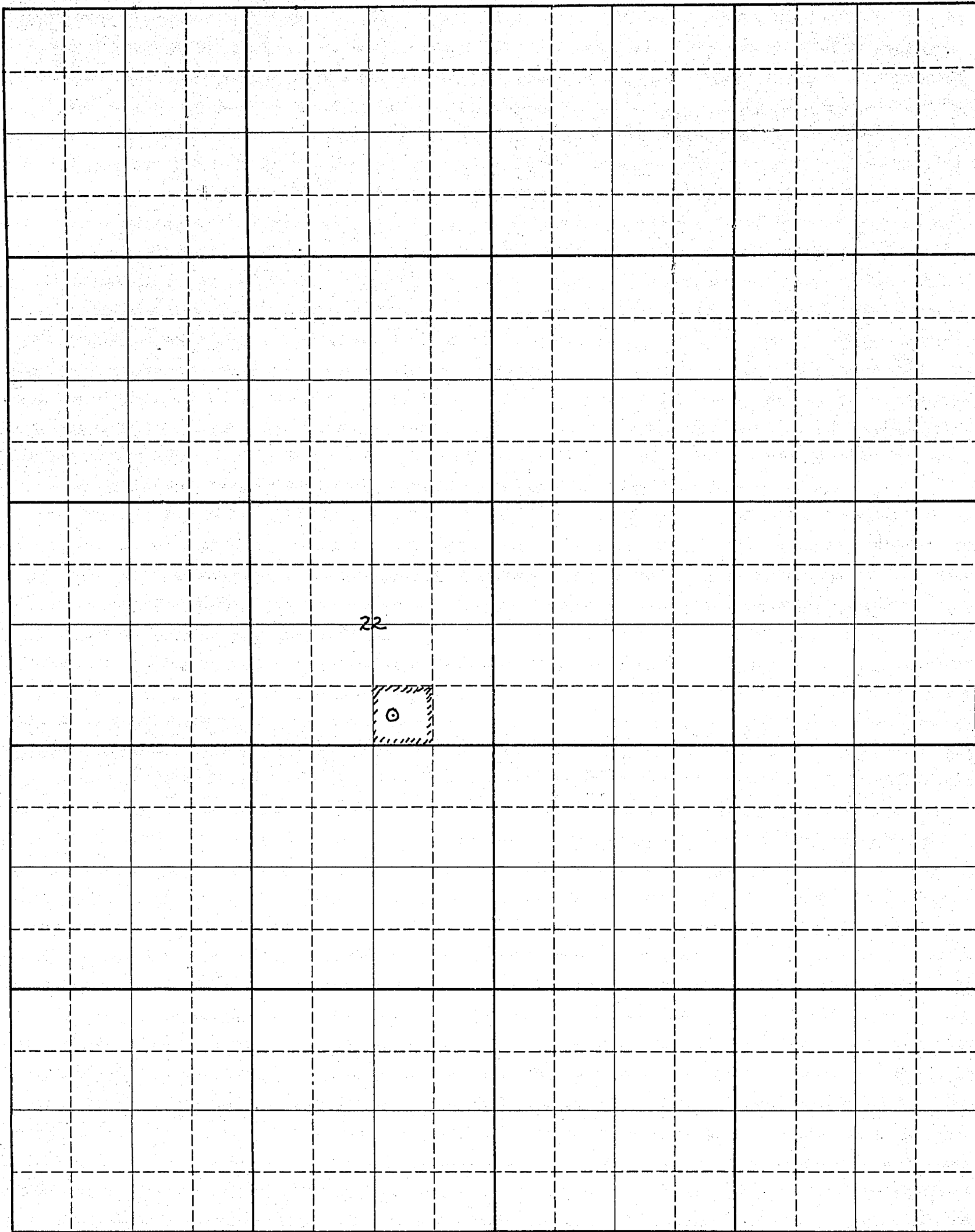
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks \_\_\_\_\_

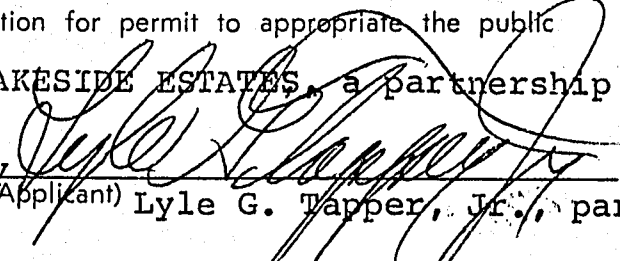
11. Map of proposed project:



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.

LAKESIDE ESTATES, a partnership

By   
(Applicant) Lyle G. Tapper, Jr., partner

11 7027

Received by ef Date 6-12-72 Time 8:00 A  
Preliminary check by DDF Fee \$ 25.00  
Received by ef Date 6-14-72  
Publication prepared by ef Date 6/22/72  
Published in News-Examiner, Montpelier, ID  
Publication dates 6/29 & 7/6/72  
Publication approved NCY Date 7/26/72  
Priority reduced to 6/12/72 Reason \_\_\_\_\_

11-7027

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by NCYD

#### ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7027, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 77.
- 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 2 day of August, 19 72.

R. Kirk Higgins  
State Reclamation Engineer

# THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

JUL 21 1972

## AFFIDAVIT OF PUBLICATION

Department of Water Administration  
Eastern District Office

STATE OF IDAHO, )  
County of Bear Lake, ) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is  
Publisher and Foreman of the News-  
Examiner; that the said News-Examiner is a  
weekly newspaper published at Montpelier,  
County of Bear Lake, State of Idaho, of  
general circulation in said County and State.

That the notice attached was published in  
the said News-Examiner, and not in a  
supplement, for two

successive weeks, commencing with the issue  
dated June 29, 1972,

and ending with the issue

dated July 6, 1972

*W. Jerome Taylor*  
Publisher and Foreman

Subscribed and sworn to before me this 21st day of July, 1972.

*Jan Z. Burgeson*  
Notary Public.

### NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lake-  
side Estates, a partnership, Mont-  
pelier, Idaho, has on June 12, 1972  
submitted Application No. 11-7027  
for a permit to appropriate 1.0 cu-  
bic feet per second of water from  
a ground-water source by means of  
well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Sec. 22, T. 16S, R. 44E, B. M., Bear  
Lake County; to be used from  
January 1 to December 31 for  
domestic purposes for 296 families  
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, T.  
16S, R. 44E, B. M.

If issued, this permit will be sub-  
ject to all prior water rights. Pro-  
tests against the granting of this  
permit must be filed with the Ida-  
ho Department of Water Admini-  
stration, 240 South Holmes, Idaho  
Falls, Idaho, 83401, on or before  
July 17, 1972.

R. KEITH HIGGINSON  
Director

Published in The News-Examiner,  
Montpelier, Idaho, on June 29 and  
July 6, 1972.

(j-29!jy6)

11 7027

June 22, 1972

Re: Application for Permit No. 11-7027

Mr. Jerry L. Yoder  
Sr. Public Health Engineer  
Environmental Improvement Division  
Idaho Department of Health  
STATEHOUSE  
Boise, ID 83707

Dear Mr. Yoder:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:BA

Enclosure

11 7027

June 22, 1972

Mr. Lyle G. Tapper, Jr.  
Lakeside Estates  
Montpelier, ID 83254

Dear Mr. Tapper:

Attached herewith is departmental receipt No. 9379 in the amount of \$25 for Application for Permit No. 11-7027, in the name of Lakeside Estates.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:BA

Attachment

11 7027

Jones, Pomeroy & Jones  
Lawyers

CENTRAL BLDG.  
PHONE 232-3461

Pocatello, Idaho 83201

T. D. JONES, DECEASED  
G. W. POMEROY, DECEASED  
RALPH H. JONES  
RALPH H. JONES, JR.  
LAMONT JONES

RECEIVED

JUN 12 1972

Department of Water Administration

June 8, 1972

RECEIVED

JUN 21 1972

Department of Water Administration  
Eastern District Office

Idaho Department of Water Administration  
Statehouse, Annex No. 2  
Boise, Idaho 83707

Gentlemen:

Please find enclosed application for permit of  
Lakeside Estates, duly executed, together with a check in  
the sum of \$25.00.

Please advise if any additional information is  
necessary in order to complete the application; as appears  
from the application, all waters applied for will be used  
for culinary purposes.

Sincerely,

JONES, POMEROY & JONES

By

Lamont Jones

LJ rb

11 7027

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 11-7027 Name Lakeside Estates, a partnership  
 Source Ground Water  
 Point of Diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, T. 16S, R. 44E, B.M., Bear Lake County  
 Quantity 1.0 cfs Use domestic Period Jan 1 to Dec. 31  
 Quantity        Use        Period         
 Quantity        Use        Period         
 Well Size        Diameter 10" Proposed Depth 250' Feet  
 Use Domestic purposes for 296 families.

Date Forwarded        Date Returned        Received by       

COMMENTS: Unable to adequately evaluate the quantities required; will irrigation  
be included in each of these domestic uses? Adequate well logs and records on water  
rights are not available for this area.

RECOMMENDED:

|               |                |     |               |        |                  |      |               |    |               |
|---------------|----------------|-----|---------------|--------|------------------|------|---------------|----|---------------|
| Applied: Qty. | <u>1.0 cfs</u> | Use | <u>dom.</u>   | Period | <u>1/1-12/31</u> | AF/A | <u>--</u>     | AF | <u>?</u>      |
| Qty.          | <u>      </u>  | Use | <u>      </u> | Period | <u>      </u>    | AF/A | <u>      </u> | AF | <u>      </u> |
| Qty.          | <u>      </u>  | Use | <u>      </u> | Period | <u>      </u>    | AF/A | <u>      </u> | AF | <u>      </u> |
| Maximum: Qty. | <u>?</u>       | Use | <u>--</u>     | Period | <u>--</u>        | AF/A | <u>--</u>     | AF | <u>--</u>     |
| Qty.          | <u>      </u>  | Use | <u>      </u> | Period | <u>      </u>    | AF/A | <u>      </u> | AF | <u>      </u> |
| Qty.          | <u>      </u>  | Use | <u>      </u> | Period | <u>      </u>    | AF/A | <u>      </u> | AF | <u>      </u> |

ACTION: Approved X Denied       

Conditions of approval or reason for denial: Copy to State Health ✓

By NCY Title District Engineer  
 NORMAN C. YOUNG Date 6/22/72

11 7027

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lakeside Estates, a partnership,

Montpelier, Idaho

has on 6/12/72 submitted Application No. 11-7027

for a permit to appropriate 1.0 cubic feet per second ~~XXXXXXX XXXXXXXXXX~~  
~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, T. 16S, R. 44E, B.M., Bear Lake County;

to be used from Jan. 1 to Dec. 31

for domestic purposes for 296 families

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, T. 16S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before July 17, 1972.

R. KEITH HIGGINSON

Director

Published in the News-Examiner, Montpelier, Idaho

on June 29 and July 6, 1972.

11 7027

*NCI*

June 22, 1972

Re: Application No. 11-7027 - Lakeside Estates

News-Examiner  
P.O. Box 278  
Montpelier, ID 83254

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 our 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 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. 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

NCY:BA  
Enc: Legal notice

*Bill submitted to  
Boise 7/24/72*

*As*

11 7027

July 20, 1972

Re: Application No. 11-7027 - Lakeside Estates

News-Examiner  
P.O. Box 278  
Montpelier, Idaho 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your newspaper on June 29 and July 6, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:cw

11 7027

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed \_\_\_\_\_ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of \_\_\_\_\_ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. \_\_\_\_\_, \_\_\_\_\_ River.

☐ The proposed well shall not be drilled within \_\_\_\_\_ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C August 2, 1972

Lakeside Estates  
% Lyle G. Tapper, Jr.  
Montpelier, Idaho

O Dear Mr. Tapper:

Enclosed is a copy of your approved Application for Permit No. 11-7027. We direct your attention to the conditions of approval as listed on the fourth page.

P 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.

Very truly yours,

Y BOBBY D. FLEENOR  
Assistant Director

BDF:cr

Enclosures

11 7027



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-7027  
IN THE NAME OF LAKESIDE ESTATES

ORDER OF REINSTATEMENT

WHEREAS, on June 12, 1972, Lakeside Estates, a partnership, filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 1.00 cubic feet per second of groundwater to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, Twp. 16S, Rge. 44E, B.M., Bear Lake County, to be used for domestic purposes; and,

WHEREAS, on August 2, 1972, the Department approved said application and issued Permit No. 11-7027 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, 1977; and,

WHEREAS, on May 31, 1977, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on September 26, 1977, the Department notified the permit holder that Permit No. 11-7027 had lapsed for failure to submit the proof of beneficial use of water; and,

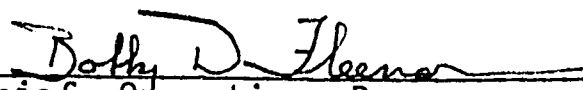
WHEREAS, on October 3, 1977, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-7027 be REINSTATED and the priority advanced to August 12, 1972.

Dated this 14 day of October, 1977.

  
Chief, Operations Bureau

RECEIVED

Identification No. 8 1977

Permit No. 1011 Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Lakeside Estates  
b) Post Office Address 1029 Washington Montpelier, Idaho
2. Permit Number 11-7027
3. Date of Priority that you are prepared to establish today
4. a) Source from which water was appropriated well  
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 22  
Township 16 South, Range 44E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount one cfs for domestic purposes from 9/29/77 to 9/29/82 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated \_\_\_\_\_ cfs and/or acre-feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Bert Westlake well driller from Bear Lake put pump on well and pumped for 24 hours with test pump
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: \_\_\_\_\_  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 10" casing with pump of 50 HP Well depth 210'  
b) Describe the type and size of measuring device which you have installed at your point of diversion: \_\_\_\_\_  
c) Give well driller's name and address and the date the well was completed: Bert Westlake Star Rt. 2 Montpelier, Idaho  
well completed 1972
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: water for domestic use at subdivision at XXXX Fish Haven Idaho

10/18/77 J

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

| T | R | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|---|---|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|   |   |      | 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 |       |
|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
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|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

Total number of acres irrigated \_\_\_\_\_

10. Remarks: \_\_\_\_\_

The above information is a true statement of the extent to which the above numbered permit has been developed.

9/29/77  
(Date)

[Signature]  
(Signature)

State of Idaho )  
County of Blaine Lake ) ss.

On this 29 day of Sept., 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]  
Notary Public residing at Montpelier

My commission expires lifetime

October 14, 1977

Re: Permit No. 11-7027

Lakeside Estates  
1029 Washington  
Montpelier, Idaho 83254

Gentlemen:

Enclosed is an Order of Reinstatement; please note that the priority has been advanced to August 12, 1972.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the ~~irrigation~~ season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK  
Water Rights Bureau

/jr

May 31, 1977

CERTIFIED MAIL

138 538

Re: Permit No. 11-7027

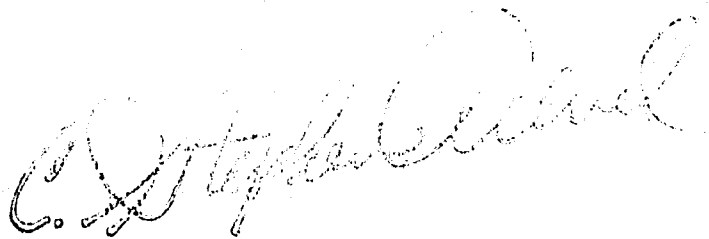
Lakeside Estates  
c/o Lyle G. Tapper, Jr.  
Montpeller, Idaho 83254

Dear Mr. Tapper:

One of the conditions of approval of your water Permit No. 11-7027 (see last page of your approved 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, 1977. Enclosed is an affidavit form which must be used to submit the required proof of 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.

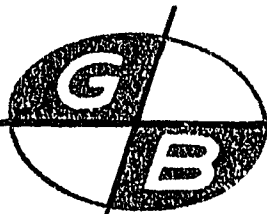


---

C. STEPHEN ALLRED  
Director

CSA:jfr

Enc: Proof affidavit



# GREAT BASIN ENGINEERING, INC.

Consulting Engineers and Land Surveyors

3505 Grant Avenue • P. O. Box 9307  
Ogden, Utah (801) 394 - 4515

July 14, 1977

RECEIVED

JUL 18 1977

Department of Water Resources

|                 |  |
|-----------------|--|
| DIRECTOR        |  |
| DEPUTY DIR.     |  |
| ASST. ADMIN.    |  |
| PLANNING        |  |
| DESIGN          |  |
| CONSTRUCTION    |  |
| RECORDS & COMM. |  |
| TRAINING        |  |
| GENERAL         |  |
| FILES           |  |

State of Idaho  
Department of Water Resources  
State House  
Boise, Idaho 83720  
ATTN: Mr. C. Stephen Allred, Director

Gentlemen:

RE: PERMIT No. 11-7027  
Proof of Application of Water  
to Beneficial Use

On May 31, 1977, a letter was sent from your office to Lyle G. Tapper Jr., Developer of Lakeside Estates Subdivision in reference to submitting Proof of Beneficial Use of Permit No. 11-7027. Mr. Tapper has recently sold the Lakeside Estates Subdivision, including all water rights and culinary water facilities to Bear Lake West Inc., Fish Haven, Idaho.

As the new owner is in the process of formulating plans to complete the culinary water system, it will be necessary to request an extension of time to submit Proof of Beneficial Use.

At the present time, the well development is complete, together with a portion of the distribution system.

Please send the necessary forms to officially request the extension of time. Should you have any questions, please let us know. Thank you.

Sincerely,

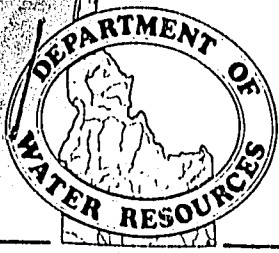
*Kent L. Jones*

Kent L. Jones

jd

cc: Bear Lake West Inc.

*7/18 mailed extension of Permit*



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

John V. Evans  
Governor

C. Stephen Allred  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

18 July, 1977

Mr. Kent L. Jones  
Great Basin Engineering, Inc.  
Box 9307  
Ogden, Utah 84403

Dear Mr. Jones,

As requested in your letter of 14 July, I am sending you a form to apply for an extension of time on permit #11-7027.

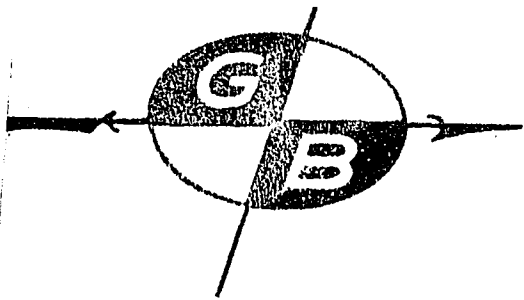
In your letter, you stated that Lyle G. Tapper, Jr, who developed Lakeside Estates Subdivision, has sold all rights to the development to Bear Lake West, Inc. of Fish Haven, Idaho. Mr. Tapper should fill out the enclosed assignment of permit form and return it to the department.

Please feel free to contact us if you have any questions.

Sincerely,

  
(MS) Kay Weaver  
Records Supervisor

Encl.



**GREAT BASIN ENGINEERING, INC.**

Consulting Engineers and Land Surveyors

3505 Grant Avenue • P. O. Box 9307  
Ogden, Utah (801) 394 - 4515

*ok  
file  
jc*

July 26, 1977

Mr. Lyle G. Tapper Jr.  
% Tapper Chevrolet  
1029 Washington  
Montpelier, Idaho 83254

Dear Mr. Tapper:

As the engineers for Bear Lake West Inc., we have been assisting our client in processing water appropriation permits with the state of Idaho. As you have recently sold your interest in the Lakeside Estates Subd., it will be necessary to complete the enclosed "Assignment of Permit" form in order for permit No. 11-7027 to be in the name of the new owners.

We would appreciate it if you would complete this form and forward it to:

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83270

Thank you very much!

Sincerely,

*Kent L. Jones*  
Kent L. Jones

ta

cc: Bear Lake West  
State of Idaho

August 8, 1977

Re: Permit No. 11-7027

Bear Lake West, Inc.  
Fish Haven, ID 83261

Gentlemen:

We are in receipt of the Application for Extension of Time you submitted for the above referenced permit.

However, this permit is still in the name of Lakeside Estates, c/o Lyle G. Tapper. We have correspondence from one of your engineers, Kent L. Jones, indicating that he has requested Mr. Tapper assign the permit to you. Therefore, we will hold processing of this extension until we receive this assignment.

If you have any questions, please contact us.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG/cah

September 2, 1977

Re: Permit No. 11-7027 - Lakeside Estates  
c/o Lyle G. Tapper, Jr.

Bear Lake West, Inc.  
Fish Haven, ID 83261

Gentlemen:

On July 26, 1977, we received a letter from Kent L. Jones of Great Basin Eng., Inc. stating he was requesting an assignment from the present owner of the above permit to you.

You submitted an application for extension of time on August 3, 1977, and we wrote informing you that until we receive the assignment form we cannot process this extension.

This assignment must be received within 10 days to prevent this permit from lapsing since proof of beneficial use was due August 1, 1977. When the assignment is received, we will process the extension previously submitted.

Sincerely,

JAN GROVER  
Water Rights Supervisor

cc: Lakeside Estates  
c/o Lyle G. Tapper  
Montpelier, ID 83254

Kent L. Jones  
Great Basin Eng., Inc.  
Box 9307  
Ogden, UT 84403



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

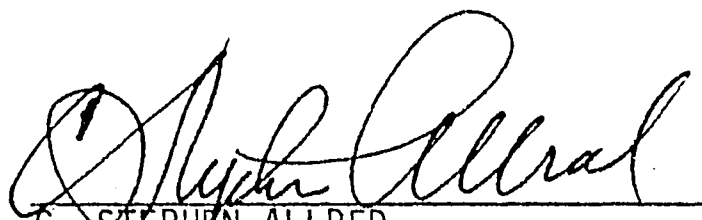
September 26, 1977

Lakeside Estates  
c/o Lyle G. Tapper, Jr.  
Montpelier, Idaho 83254

Dear Mr. Tapper:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 11-7027 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated May 31, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.



C. STEPHEN ALLRED  
Director

CSA:jfr

Encl.

cc: Bear Lake West, Inc.  
Fish Haven, ID 83261

# 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

WATER RIGHT LICENSE

License of Water Right No. 11-7027 Priority August 12, 1972 Amount 0.06 cfs  
(late proof)

THIS IS TO CERTIFY, that LAKE SIDE ESTATES  
of Montpelier, Idaho, has complied with the terms and conditions of Permit  
No. 11-7027 issued pursuant to Application for Permit dated June 12, 1972,  
and has submitted proof to the Department of Water Resources on October 3, 1977,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.06 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use     | Period of Use                 | Rate of Diversion | Annual Volume     |
|--------------------|-------------------------------|-------------------|-------------------|
| Domestic (3 units) | from January 1 to December 31 | at 0.06 cfs       | and 3.6 acre feet |
|                    | from _____ to _____           | at _____ cfs      | and _____         |
|                    | from _____ to _____           | at _____ cfs      | and _____         |

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
3.6 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 22, Twp. 16S,  
Rge. 43E, B.M. in the County of Bear Lake

Description and location of place of use:

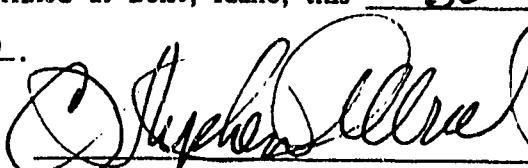
| Twp. | Range | Sec. | NEW |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NEW | NW 1/4 | SW 1/4 | SE 1/4 | NEW    | NW 1/4 | SW 1/4 | SE 1/4 | NEW    | NW 1/4 | SW 1/4 | SE 1/4 | NEW    | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 16S  | 43E   | 22   |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | X      |
|      |       |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of  
October, 19 79.

  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

OCT 23 1979

Comes now Lakeside Estates

Department of Water Resources

of (address) 1029 Washington, Montpelier, Idaho 83254, and represents to the  
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho  
No. 11-7027, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 22, Township 16S, Range 43E, B.M.,  
County of Bear Lake. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.06 for Domestic purposes from January 1 to December 31 (both dates inclusive)  
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)  
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)  
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

| TWP | RGE | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 16S | 43E | 22  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | X                | X                |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion?  
b. Who owns the land to be irrigated or the 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:

Show 40-acre subdivisions, townships, ranges and ditches.

Hand-drawn map on a grid showing a diversion point. The map includes labels for "RGE. 43E", "TWP. 14S", and "22". A specific location is marked with an asterisk and labeled "\* Pt. of Diversion". An arrow points from this location to the text "Place of use".

**Scale: 2 inches equal 1 mile.**

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signature)

**FOR DEPARTMENT USE ONLY**

77 15642

Preliminary check by ig Fee = \$20.00

Received by ag Date 10/16/79

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in N/A

Publication dates N/A

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

approve the above referenced application for amendment for Permit No. 11-7027.

Witness my hand this 30 day of October

October 11 1979

Director

The township and range  
as stated in the permit  
has been found to be in  
error. The correct location  
is, SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec 22,  
Twp 16 S, Rge. 43 E.

J. F.

**DEPARTMENT OF WATER RESOURCES**  
FIELD REPORT

OCT 18 1977

1. Name of permit holder Lakeside Estates  
 Post office address 1029 Washington, Montpelier, ID  
 Person to contact Lyle G. Tapper  
 Source of water supply: Groundwater ☒ Surface water ☐  
 (name spring, stream, etc.)  
 Tributary to \_\_\_\_\_

Department of Water Resources  
Eastern District Office

Phone \_\_\_\_\_

3. Water will be used for the following purposes:

Amount 1.00 c.f.s. for Domestic (296)  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31  
 (mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
 (mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
 (mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

Permit No. 11-7027  
b/u

4. Total amount to be appropriated:

Max Rate of Diversion 1.00 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 16S N/S, Range 44E E/W, B.M., Section 22, Subdivision SW 1/4 SE 1/4, Bear LAke  
 County \_\_\_\_\_  
 Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, \_\_\_\_\_  
 County \_\_\_\_\_  
 Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, \_\_\_\_\_  
 County \_\_\_\_\_

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: 10" casing with pump of 50 hp, 210' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

| TWP. | RANGE | 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 |        |
| 16S  | 44E   | 22   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | X      |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

TOTAL ACREAGE \_\_\_\_\_

Rye 43E

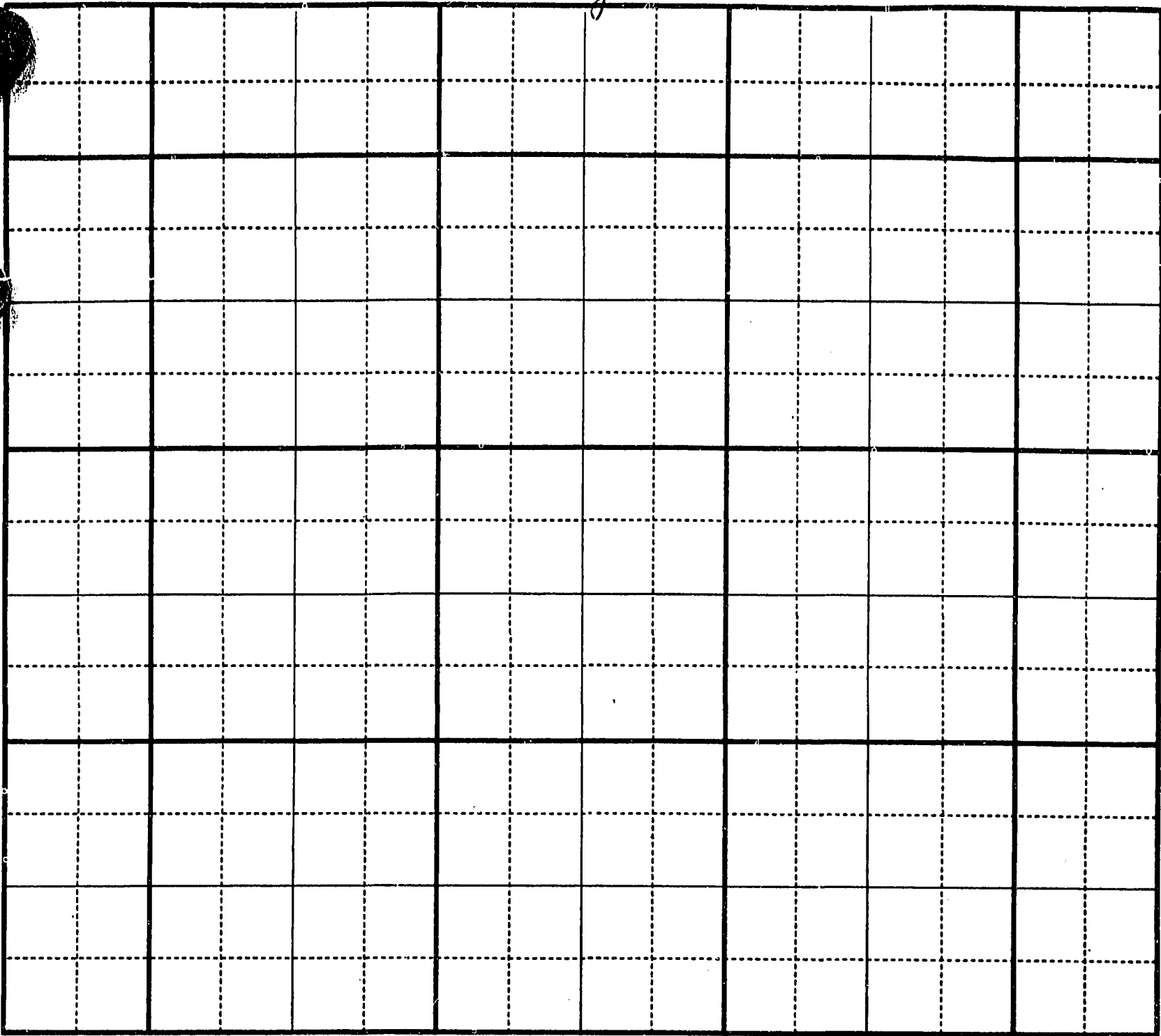
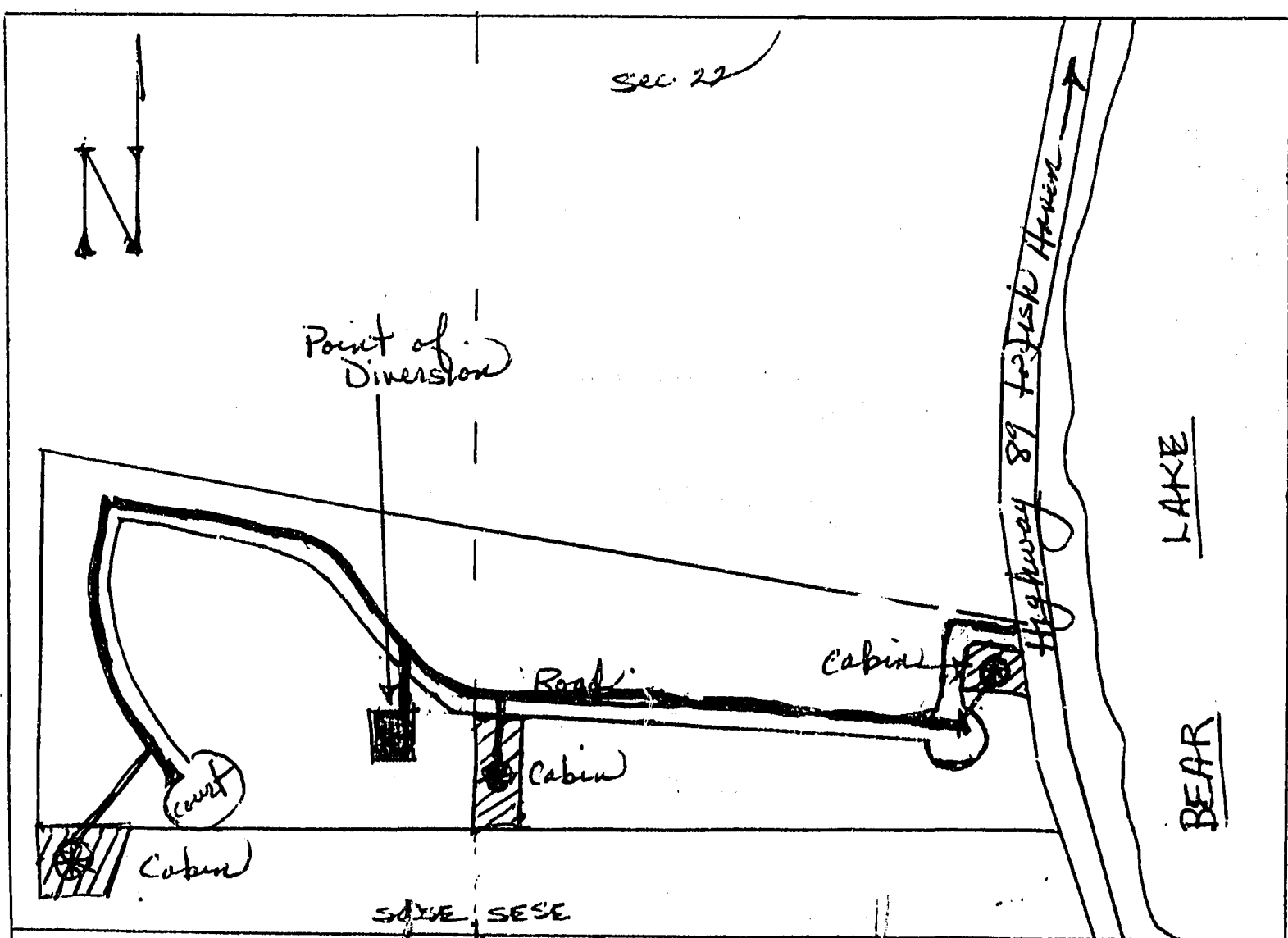


Diagram of System



DATE OF EXAM 2/17/78

ACREAGE  
Found n/a  
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE  
Irrigation Q =        c.f.s. V =        AF/Ann. from        to         
Domestic Q = .06 c.f.s. V = 3.60 AF/Ann. from Jan 1 to Dec 31  
Livestock Q =        c.f.s. V =        AF/Ann. from        to       

Is water co-mingled? yes        no X

Name source: n/a  
twp.        N/S, Rge        E/W, B.M., Sec.       , Sub.        1/4        1/4        County       

Exchange? yes        no X

Name source exchanged with: n/a  
twp.        N/S, Rge        E/W, B.M., Sec.       , Sub.        1/4        1/4        County       

Point of injection: n/a  
twp.        N/S, Rge        E/W, B.M., Sec.       , Sub.        1/4        1/4        County       

Point of exchange: n/a  
twp.        N/S, Rge        E/W, B.M., Sec.       , Sub.        1/4        1/4        County       

Total Q measured n/a Method of measurement Theoretical  
Total Q recommended .06 cfs Meter No. n/a Type n/a Condition n/a  
Total V recommended 3.60 AF/yr

Recommended Amendments:

P.D. SWSE Sec 22, Twp 16 S, Rge 43 E, B.M. Bear Lake County  
Place of Use 3 1/2 SE 1/4 Sec 22, Twp 16 S, Rge 43 E, B.M. Bear Lake County  
Other         
None       

MEASUREMENT CALCULATION:

$$Q = \frac{(HP)(\text{Efficiency of pump})(8.814)}{(SWD) + (PSD)(2.301)} = \frac{(5)(.70)(8.814)}{(85) + (40)(2.301)} = \frac{30.85}{177.04} = .17 \text{ cfs}$$
$$V = 1.20 \times 3 = 3.6 \text{ AF/yr}$$

Recommend .02 cfs x 3 = .06 cfs

SYSTEM DESCRIPTION:

Groundwater is diverted from a 210' deep well having a 10" diam casing. Static water level is approximately 2' below L.S.D. and the well drawdown to approximately 85' in 0.2 hrs of pumping at 10 gpm. The water is diverted by a 5 H.P. submersed pump & motor with an operating range between 40-60 psu. Pressure is maintained by 4-100 gal capacity Air-Air pressure tanks.

REMARKS:

System shown & described by Mr. Izatt (foreman) for Bear Lake West Development Co. (Although 27 units (cabins) were proposed for this portion of their development only 3 cabins were constructed and diverting water for domestic beneficial use.

Examiner's Signature Anthony R. Kozlowski Date 2/23/78

Checked by Dennis M. Dunn Date 2/27/78

Approved by        Date         
Lakeview Estates is currently owned by Bear Lake West Development Co. of Fish Haven Idaho. Previous owner & current permit holder is Luke Tapper of Montpelier. Mr. Tapper will not assign the permit to Bear Lake West for reasons unknown.

M E M O

TO: File  
FROM: Tony Kozlowski  
RE: Field Exam No. 11-7027  
DATE: February 23, 1978

The exam report indicates that a 50 Hp pump and motor was installed at the point of diversion. As a result, the capacity of this system was projected to be in excess of 0.20 cfs and a measuring device was required as a condition of licensing.

The field examination revealed that a 5 Hp. submersible pump had been installed and that the theoretical capacity of the system was less than this value.

$$Q = \frac{(H.P.) (\text{Efficiency of pump}) (K_1)}{(\text{Lift}) + (\text{psi}) (K_2)} =$$

$$\begin{aligned} \text{Lift} &= \sim 85' \\ \text{psi} &= 40 \text{ psi} \end{aligned}$$

$$\text{Where: } K_1 = 8.814$$

$$K_2 = 2.301$$

Efficiency of submersed system .70 or 70%

$$\frac{(5) (.70) (8.814)}{(85) + (40) (2.301)} = .17 \text{ c.f.s.}$$

$$.17 \text{ c.f.s.} < .20 \text{ c.f.s.}$$

Therefore, I recommend that the measuring device requirement be withdrawn and license issued for the amount recommended on the rough draft license.



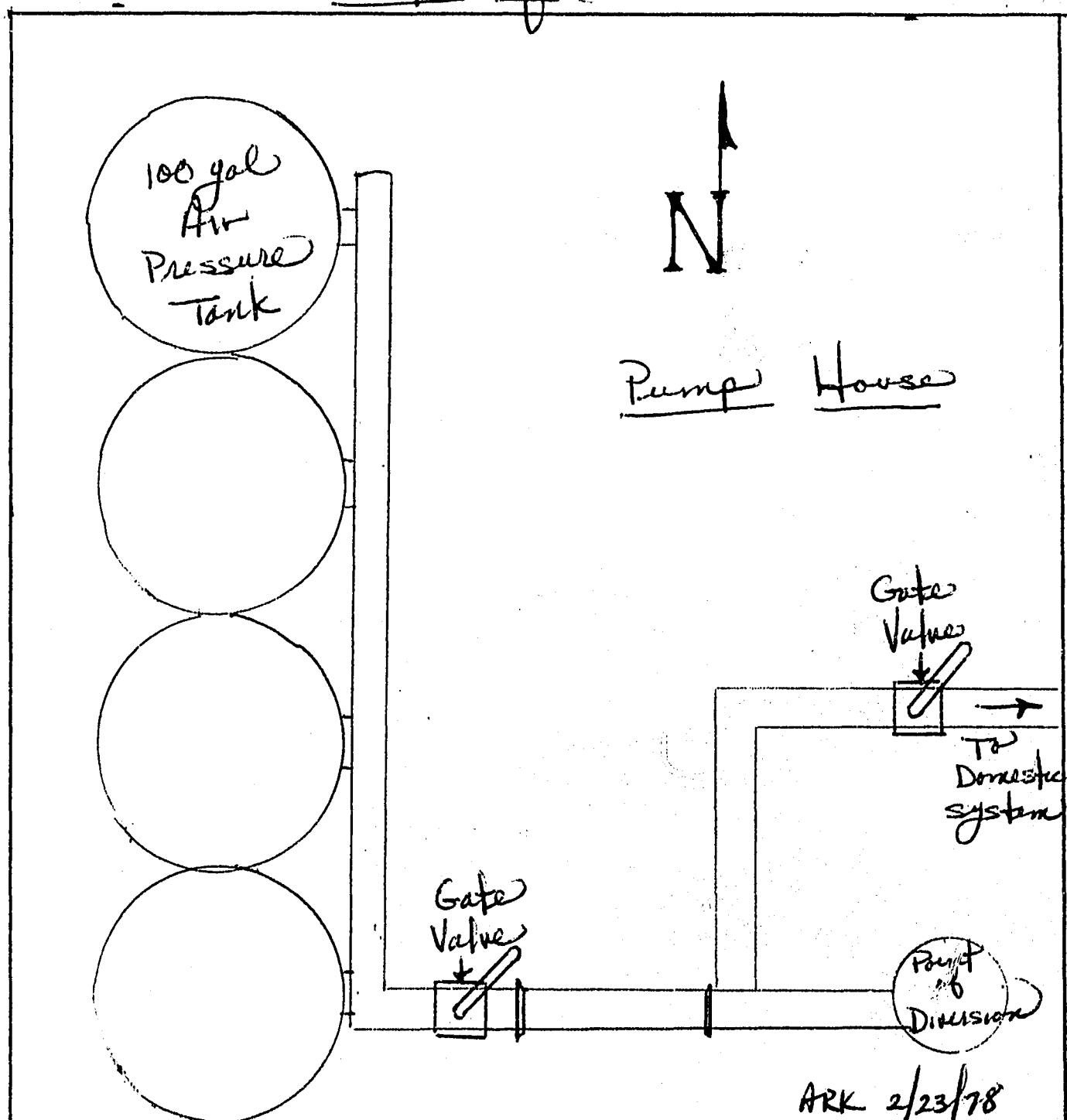
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

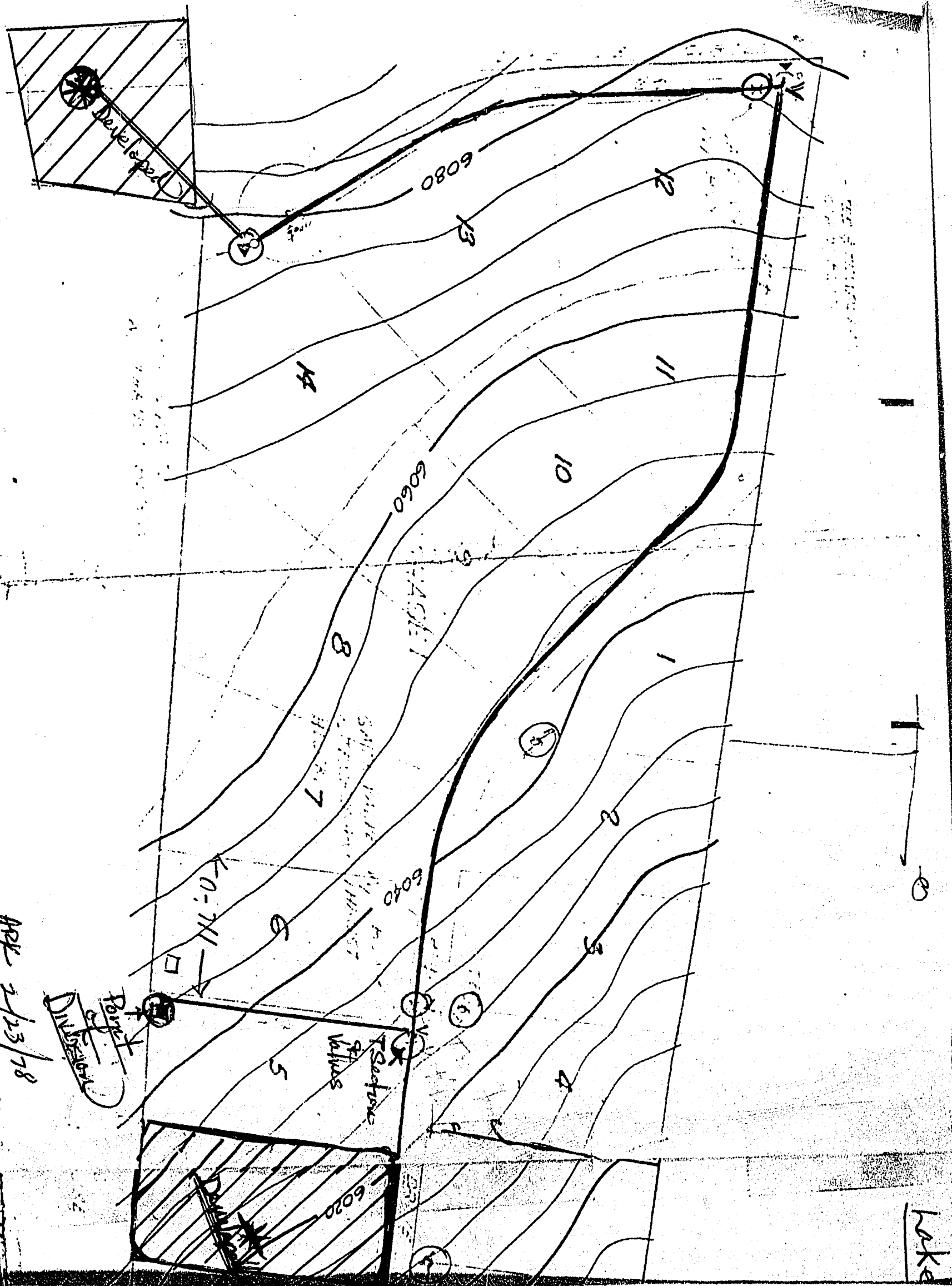
John V. Evans  
Governor

C. Stephen Allred  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7188

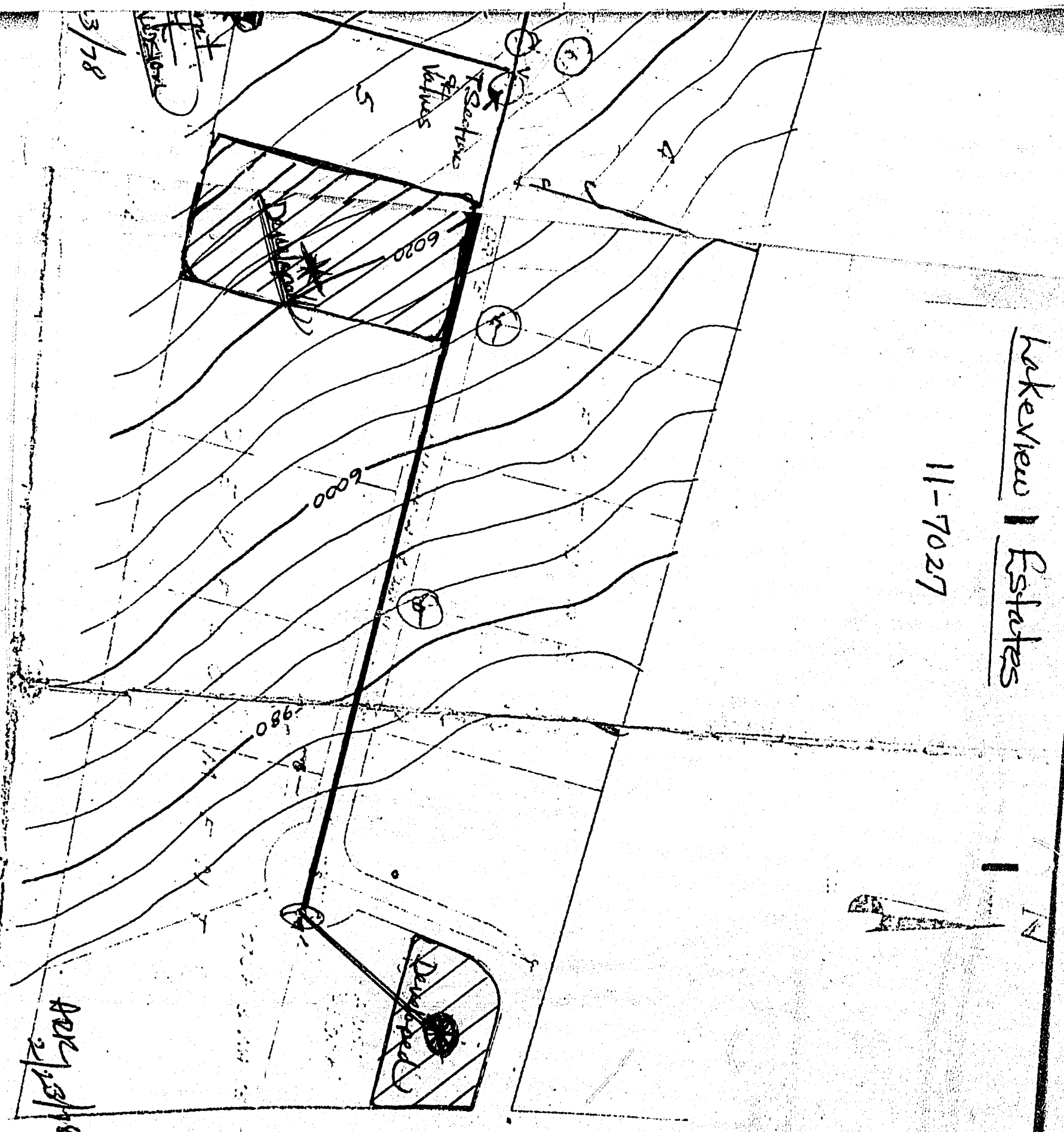
Works of Diversion





Lakeview Estates

11-7027



3/78

ALC  
2/23/78

STATE HIGHWAY 89 TO FISH HAVEN

AL



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

JG/kw  
Enclosure

November 5, 1979

Re: Permit No. 11-7027

Lakeside Estates  
1029 Washington  
Montpelier, ID 83254

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 15642 in the amount of \$20.00.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:pb