

11 7119

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**
APPLICATION FOR PERMIT

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

1. Name of applicant North side pipeline Co. Inc. Phone: 847-0341
 post office address Star Route Montpelier Idaho
2. Source of water supply Deep well which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 12-S
 Range 44 E B.M. BEAR LAKE County; additional points of diversion if any: _____

- 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 4.0 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)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 4.0 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, sprinkling
pipe.

- 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 _____ inches; proposed depth of well is _____ 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 \$ _____.
8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ 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 _____.
 (5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 350 ac

c. Describe any other water rights used for the same purposes as described above. _____

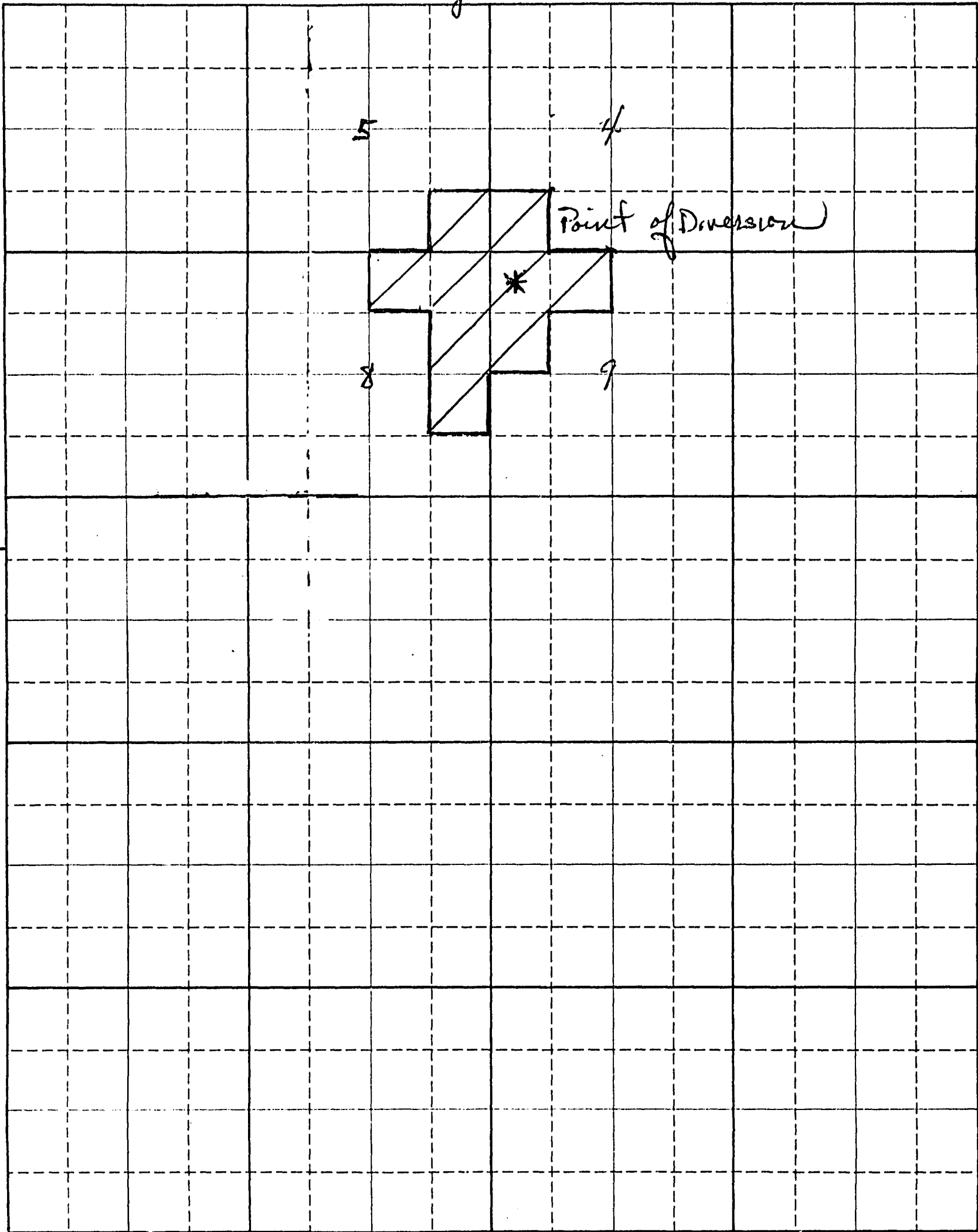
9. a. Who owns the property at the point of diversion _____
b. Who owns the land to be irrigated or place of use _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

11 Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Range 44E

Township 12S



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.

North Side Pipe Line Co. Inc.
Jack Deane pres
(Applicant)
J. L. Cron Sec.
Bryant Gibson

Proposed Priority 5/24/77

Received by CW Date 5-24-77 Time 9:15A.

Preliminary check by AKK Fee \$55.00

Receipted by CW Date 5-24-77 # 7297

Publication prepared by CW Date 5-27-77

Published in Transoceanian

Publication dates June 24 June 29 1977

Publication approved me Date June 27, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AKK jc

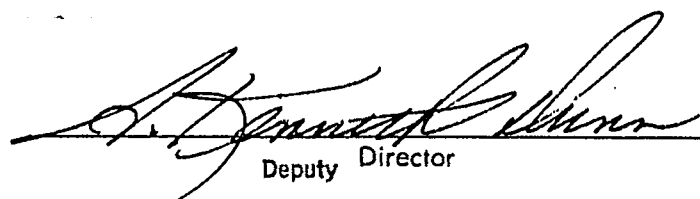
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7119, 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 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

Witness my hand this 22 day of August 19 77.


Deputy Director

Nº 636

AFFIDAVIT OF PUBLICATION

JUN 28 1977

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Loren W. Thompson
being duly sworn,

deposes and says:

That he is the publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 2, 1977, and ending
with the issue of June 9, 1977

Loren W. Thompson
Fees, 13.39

Subscribed and sworn to before me this 23 day

of June, 1977
Maeda J. Thompson

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 13, 1979

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Northside Pipeline Co., Montpelier, Idaho has on 5-24-77 submitted Application No. 11-7119 for a permit to appropriate 4.00 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 9, T. 12S, R. 44E, B.M., Bear Lake County; to be used from Apr. 1 to Nov. 1 for the irrigation of 350 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 12S, R. 44E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 20, 1977.

C. STEPHEN ALLRED

Director

Published in the News Examiner, Montpelier, Idaho on June 2 and June 9, 1977.

Jn2-9

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Northside Pipeline

☒ 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

(1) ARK 5/24/77

In form to receipt yes

(2) ARK 5/24/77

Send Copies to:

n/a Idaho State Health Department
n/a Idaho Fish and Game Department
n/a Bureau of Land Management

(3) ARK 5/24/77

n/a Request Special Use Permit from U.S.F.S.
n/a Request Easement from B.L.M.
n/a Request Information from Applicant
n/a Request Dam Safety Information

(4) ARK 5/24/77

In form for advertising yes

(5) ARK 5/24/77

Platted on Map No. 125 44E

(6) ARK 5/24/77

Located within Water District No. B. Sec 11

(7) ARK 5/24/77

Critical groundwater area: yes no X

(8) ARK 5/24/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) No Obstacles in Area

(9) ARK 5/24/77 RNS

Other rights on the same place of use none

(10) ARK 5/24/77

Comments: none

(11) CU 6-27-77

Affidavit of Publication received (date) June 27 1977

(12) CU 6-27-77

Final date for protests June 20-1977

Protests received: yes no X

(13) SPC 6/27/77

All requested information received from agencies or applicant: yes no

(14) 11 11

Action recommended:

✓ Approve Deny

5/24/77 Proposed Priority

Reason for Reduction

✓ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By SPC Date 6/27/77

Cyot
Subt

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Northside Pipeline Co.,
Montpelier, Idaho

has on 5-24-77 submitted Application No. 11-7119
for a permit to appropriate 4.00 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 12S, R. 44E, B.M., Bear Lake County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 350 acres

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8,
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 12S, R. 44E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
June 20, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the News-Examiner, Montpelier, Idaho
on June 2 and June 9, 1977

*Called
6-23-77
aw*

*the
D.
the
H.*

May 27, 1977

RE: Application for Permit No. 11-7118 SKINNER
11-7119 NORTHSIDE PIPELINE
11-7120 RIGBY

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 6-27-77 by Cul

RDC:CW

Enc: Legal Notice (3)

June 7, 1977

RE: Application for Permit No. 11-7119 NORTHSIDE PIPELINE CO.

Mr. Ted Crane
Box 205
Bennington, ID 83219

Dear Mr. Crane:

Attached herewith is departmental receipt No. 7297 in the amount of \$55.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

August 25, 1977

Re: Permit No. 11-7119

North Side Pipeline Co.
Star Route
Montpelier ID 83254

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 11-7119 . 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 either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 11-7119

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-7119 IN THE)
NAME OF NORTHSIDE PIPELINE CO., INC.)

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1982; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

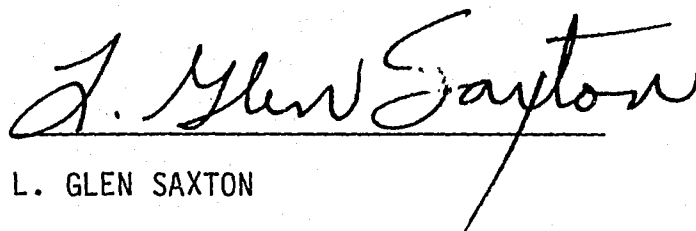
WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of 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 by submitting proof of beneficial use on October 5, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-7119 be REINSTATED and the priority advanced to July 28, 1977.

Dated this 30th day of November, 1982.


L. GLEN SAXTON

Chief, Operations Bureau



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

May 31, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138962

NORTHSIDE PIPELINE CO. INC.
STAR RT.
MONTPELIER, ID 83254

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 11-7119 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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 POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL 6

NORTHSIDE PIPELINE CO. INC.
STAR RT.
MONTPELIER, ID 83254

MAY 31, 1982

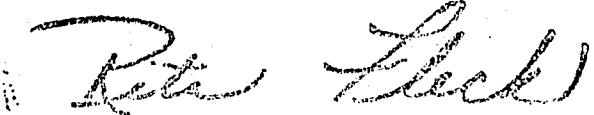
DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 11-7119 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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.

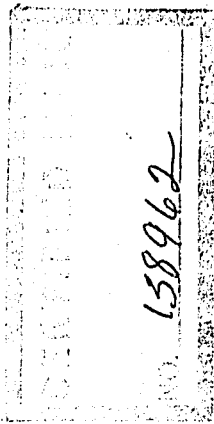
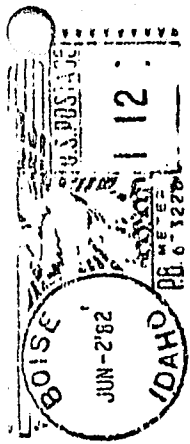
EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,



RITA FLECK
SR. SECRETARY

ENC: 1



RECEIVED

JUN 8 1982

Department of Water Resources



INSUFFICIENT ADDRESS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

NORTHSIDE PIPELINE CO. INC.
STAR RT.
MONTPELIER, ID 83254

AUGUST 03, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 11-7119 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED MAY 31, 1982.

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 ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING

I hereby certify that on Aug. 9, 1982
a copy of original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

John Fleck

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7119.

Name(s) of Permit Holder: North Side Pipeline Co.

Post Office Address: Star Route 2

Montpelier Idaho Tel. No. 847-0341

Source of Water: _____

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 120 (acres)
☐ Other _____

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

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

10-4-82
Date

North Side Pipeline Co.
Les J. Crane
Signature of Permit Holder

North Side Pipeline Co
Ted J. Crane
Star Route 2
Montpelier Idaho 83254



RECEIVED

OCT 5 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck
 TO: File # 11-7119
 DATE: Nov. 23, 1982

Date Proof Received
 Proof Due
 Number of Days Proof Late

278 Oct. 5
 213 Aug. 1
 65

Priority Date
 Number of Days Proof Late
 New Priority Date

144 May 24, 1977
 65
 209 = July 28, 1977

Remarks



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

December 27, 1982

North Side Pipeline Company
Star Route #2
Montpelier, Idaho 83254

RE: Permit No. 11-7119

Dear Sir:

We acknowledge receipt of your statement 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.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

COLLEEN WRAY
Adm. Secretary

Enclosure: Reinstatement Order



John V. Evans
Governor

A. Kenneth Dunn
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

DEC 10 1986

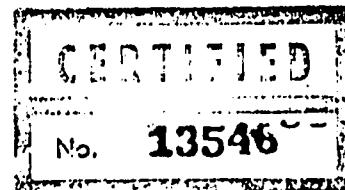
150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

Department of Water Resources

11-7119
NORTHSIDE PIPELINE CO. INC.
STAR RT. 2
MONTPELIER, ID 83254

December 8, 1986

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

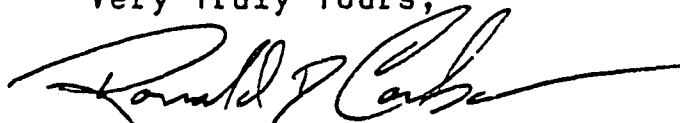
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson
Eastern Regional Manager

Enclosures



Cecil Andrus
Governor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

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

A. Kenneth Dunn
Director

April 17, 1987

11-7119
NORTHSIDE PIPELINE CO. INC.
STAR RT. 2
MONTPELIER, ID 83254

Dear Permit Holder:

On December 9, 1986 this Department sent you a certified letter explaining the recent statutory changes in the licensing procedure that will pertain to the above referenced permit. The new statutes provide the permit holder with a choice of who will perform the licensing field examination. You may either choose a certified water rights examiner from the private sector, or select the Department. If you elect to have the examination done by the Department there is now a fee for this service based on the amount of water being diverted.

The letter advised you had a period of 60 days to notify the Department of your decision. You were to notify the Department by returning the examination fee information form which accompanied the certified letter and the appropriate examination fee, provided you wanted the Department to do the examination. As indicated in the certified letter, failure to return the form and submit the examination fee, within 60 days would cause the priority of your permit to be advanced.

Our records indicate you did not respond within the 60 day period. Starting with February 9, 1987 the priority of your permit will be advanced one day for each day your response is late. Failure to submit a completed examination fee information form, with the examination fee, by February 9, 1988 will result in the permit being lapsed.

As always our staff is available to assist you or answer questions concerning the above matter. For your convenience, we have enclosed another examination fee information form.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Manager

EC/md

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

NORTHSIDE PIPELINE CO. INC. 11-7119
STAR PT. 2
MONTPELIER, ID 83254

January 27, 1988

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on February 8, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on December 8, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before April 6, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

I certify that file No. 11-7119 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

H. Walker
Signature

10-17-88
Date

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. 834003
Receipt By: SS
Date Received: 6/12/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 12 1997

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed the development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 11-07119 Telephone No. 847-1743
2. Name(s) of Permit Holder(s): North Pipeline Co, Inc. c/o Scott Crane
3. Mailing Address: 24761 Hwy 30 N., Montpelier, ID 83254
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. / yr.
 - a. Well Driller: Bert Westlake Drilling Permit Number: - -
 - b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 120 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.44 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u> </u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u> </u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u> </u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u> </u>
8. Fee Enclosed: \$ 100⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Scott Crane Telephone Number: 847-1743
Address: 24761 Hwy 30 N., Montpelier, ID 83254
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.
Northside Pipeline Co
Signature of permit holder: Scott Crane Date: June 7, 1997
(include your title, if on behalf of company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-07119)
IN THE NAME OF NORTHSIDE PIPELINE CO.) REINSTATEMENT ORDER
INC.)
_____)

This matter having come before the Idaho Department of Water Resources (Department), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 22, 1977, the Department of Water Resources issued Permit No. 11-07119 in the name of Northside Pipeline Co. Inc. (permit holder) with a condition of approval that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before August 1, 1982.

2. On October 5, 1982, the permit holder filed proof of beneficial use with the department.

3. On December 8, 1986, the Department sent an Examination Fee Notice to the permit holder to which the permit holder did not respond.

4. On January 27, 1988, the Department sent a lapse notice to the permit holder rejecting the proof of beneficial use for failure to submit the license examination fee.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been diverted and applied to beneficial use during the authorized development period of the permit by submitting proof on June 12, 1997.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the beneficial use was not submitted in a timely manner.

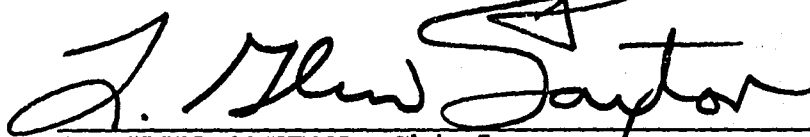
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 11-07119 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to June 12, 1997.

Dated this 14th day of July, 1997.



L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

JUN 04 1997

Department of Water Resources

Dear Sir,

I am writing to request a reinstatement of a pumping right on permit # 11-07119.

During a conversation with Kieth Wilson in your Idaho Falls office it came to my attention that our water right had lapsed.

My father was the one who had this well drilled and used the well on a regular basis over the years. He has since passed away.

I don't know why the permit lapsed because everything seemed to be in place. Dad had proved beneficial use.

Can we please have our right reinstated. We have continued to use the well and would appreciate your consideration for reinstatement. We would like to have a right for 120 acres 2.4 CFS. Apparently this lapsed when our father passed away.

Thank you very much,

Don L. Crane



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 4, 1997

Scott Crane
24761 Hwy 30 N.
Montpelier, ID 83254

RE: REQUEST TO REINSTATE LAPSED PERMIT NO. 11-07119

Dear Mr. Crane:

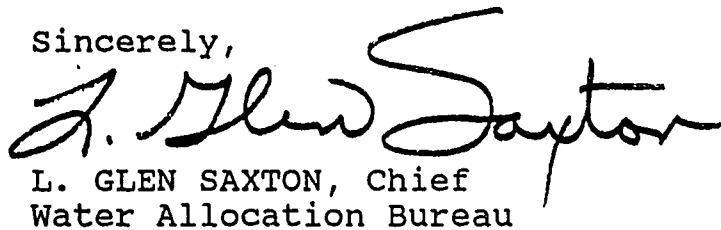
I visited today with Representative John Tippetts relative to reinstatement of the above referenced permit. I advised Mr. Tippetts that the submittal of the proof of beneficial use was not needed, since it had originally been submitted to the department in 1982. I also advised Representative Tippetts that the fee was a total of \$125 calculated as \$100 for 0.44 cfs (200 gpm) and a late fee of \$25 for a total of \$125.

After Representative Tippetts left my office, I reviewed the microfilm record of the permit in more detail together with the Beneficial Use Examination rules and determined a couple of items different that I told Representative Tippetts. More specifically, the lapse notice sent by the department in 1988 rejected the original proof of beneficial use. Hence, please complete the partially enclosed proof, sign it and return it to me. I have highlighted items which you should fill out if you know the information.

Since the original proof was rejected, the penalty of \$25 does not apply to the fee you need to submit. Hence, the fee should be a total of \$100, not \$125 as I advised Representative Tippetts.

The permit does appear to be reinstatable with an advance in priority. If you have questions, please feel free to contact me or the department.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: Rep. Tippetts
Keith Wilson

MEMORANDUM

To: Scott Crane - FAX No. (208) 847-3759
From: L. Glen Saxton
RE: REINSTATEMENT OF LAPSED PERMIT NO. 11-07119
Date: July 14, 1997

As a follow up to your phone call today, I located the water right file and prepared a reinstatement order which I signed today. I will be out of the office for the rest of the week, so you likely will not receive a copy of the order until I return. The reason for the delay is more than just mailing you a copy.

The department now needs to update its water right data base and give you instruction relative to assigning ownership of the permit to another party, if that is your intent.

Please call me next week if you have questions.

Cindy Z
FAXED this
memo
to
Scott
Crane.

1/8
7-14

I R-DEPARTMENT MEMO--1

FROM *Kari Lynne*

DATE 8.5.97

TO *File #11-07119*

SUBJECT *Phone Conversation*

*Scott Crane phoned to say he had talked to
Glen Saxton & was told that his reinstatement
had been approved. Jim Duncan said it would
be OK to give Mr. Crane the info on the Order.
Mr. Crane left phone & fax numbers so we could
reach him.*

*Shop - 847-3163
Home - 847-1743
Fax - 847-3759*

Kari Lynne
SIGNATURE

Post-It® Fax Note 7671		Date 8.6.97	# of pages 3
To SCOTT CRANE		From KARI LYNN T.	
Co./Dept.		Co. IDWR	
Phone #		Phone # 208-327-7941	
Fax # 208-847-3759		Fax # 208-327-7866	

Scott -

Here is a fax of the Reinstatement Order that you phoned about. a hard copy of the Order along with a cover letter will be mailed to you soon.

Please call if you have any questions.

Thank you,

Kari Lynn



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

August 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

North Pipeline Co., Inc.
C/o Scott Crane
24761 HWY 30 N
Montpelier ID 83254

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07119

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The department has issued the enclosed order reinstating the permit and advancing the priority date to June 12, 1997, since proof was submitted after the proof due date.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - Region

MEMORANDUM

To: File 11-07119
From: L. Glen Saxton *LS*
RE: TELEPHONE CALL -- REINSTATED PERMIT NO. 11-07119
Date: August 28, 1997

On this date, Mitch Greer of Shepherd Engineering in Pocatello called on behalf of the city of Bennington. He wanted to know why proof of beneficial use for the above referenced permit was filed for 0.44 cfs (200 gpm) while the permit provided for 4.0 cfs (1800 gpm).

I advised Greer that the 0.44 cfs was based on a representation by Scott Crane on behalf of the permit holder North Pipeline Co, Inc. that the well produced 200 gpm. Greer advised that the well contained the original pumping equipment and that he has roughly measured the discharge from the well using a 55 gallon drum at approximately 600 gpm. Greer then wanted to know if the proof could be amended to a higher rate.

I advised Greer that IDAPA Rule 37.03.03050.01.c (Beneficial Use Examination Rule 50.01.c) provides for increasing the rate of diversion of the proof if the examiner finds a higher rate being diverted than for which proof was filed.

Greer also advised that it was his understanding that Keith Wilson of the department's Idaho Falls office planned to conduct a field examination of the system on August 29, 1997 and that Greer might attend the examination on behalf of the City of Bennington.

c: IDWR - Keith Wilson