

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Emerald Beach Home Owner Assoc. Phone 801-825-2538

Post office address 1830 N 400 W, Layton, Utah 84041

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE(1-4) $\frac{1}{4}$ of Section 12 Township T 16 S

Range R44E B.M. Bear Lake County, additional points of diversion if any: _____

~~Loc 26 of Emerald Beach Subdivision~~

4. Water will be used for the following purposes:

Amount .23 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.08 cfs for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. .26 cfs cubic feet per second and/or b. ~~XXXX~~ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well pump and distribution lines to
26 homes, w/lawn and gardens. Lawns and gardens to be watered from house taps
with garden hose. No flumes, headgates or ditches involved.

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

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

c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE(1-4) $\frac{1}{4}$ of Section 12 Township T16S

Range R44E B.M. Bear Lake County, Idaho

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

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

(4) Name of municipality to be served Emerald Beach, Inc., or number of families to be
supplied with domestic water 26.

(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:

TWP	RANGE	SEC.	NE¼ (160)				NW¼ (160)				SW¼ (160)				SE¼ (160)				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	44E	12															4 (L-4)		4 Acres

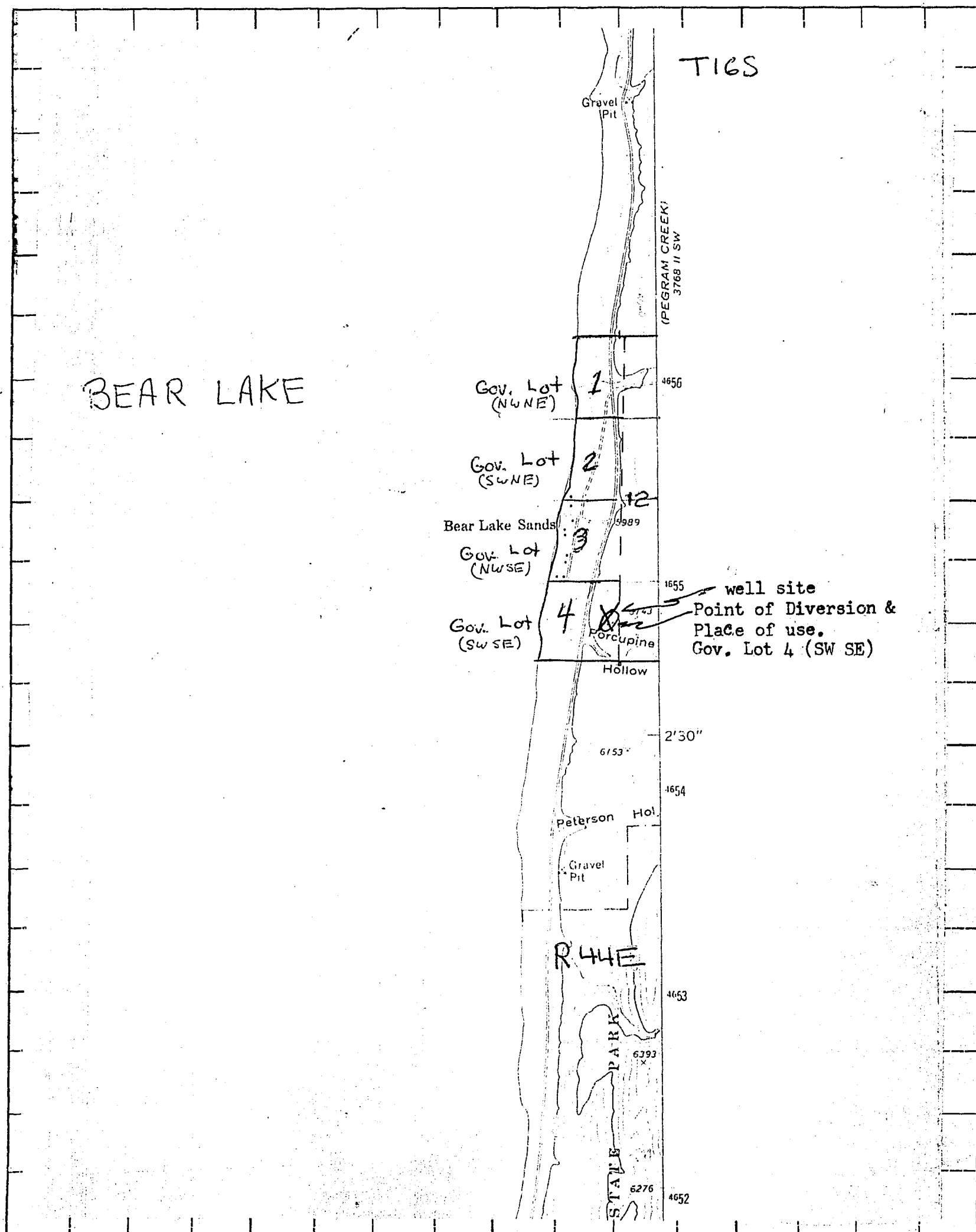
Total number of acres to be irrigated 4

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

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

10. Remarks: Description of supply - one domestic well drilled approximately 100 feet deep, equipped with a 7½ HP submersible pump, and six pressure tanks. Well setting is 40 - 60 PSI and the distribution system consists of 2" and 3" PVC lines with provisions for each family dwelling. Emerald Beach Subdivision is located on Gov. Lot #4 SW SE according to map furnished.

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Leland Chadwick

(Applicant)

Emerald Beach Home Owners Association

Mr Chadwick is the Emerald

Proposed Priority 7/1/1982

Received by CW

Date 7-01-82

Time 10:00 AM

Preliminary check by KCW

Fee \$ 45.00

Received by BP

Date 7-7-82

22375

Publication prepared by BP

Date 7-15-82

Published in News Examiner

Publication dates 7-22 & 7-29-82

Publication approved CW

Date 8-05-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by EMC

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. 11-7292, 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 87.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 26th day of August, 1982.

L. Glen Saxton
Chief, Operations Bureau

Nº 2040

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Marie B. Nye
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 2 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

July 24, 1982 and ending
with the issue of July 29, 1982

Fees, \$1.25

Subscribed and sworn to before me this 29 day
of July, 1982

Karl J. Jansen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985

RECEIVED
AUG 3 1982
Department of Water Resources
Eastern District Office

LEGAL NO. 2040

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

11-7292

EMERALD BEACH HOME OWNER ASSOC.

1830 N. 400 W., LAYTON, UT 84041

Source: GROUNDWATER

Date Filed: 07-01-1982

Amount: 0.26 CFS

Diversion Point: LOT 04 (SWSE) Sec 12 T 16S R 44E, BEAR LAKE Co.

Use: IRRIGATION (0.08 CFS) from 04-15 to 10-15

DOMESTIC (0.23 CFS) from 01-01 to 12-31

Place of Use: LOT 04 (SWSW) Sec 12 T 12S R 44E FOR 4 ACRES

Diversion Means: WELL, PUMP & LINES

If issued, the permit(s) will be subject to all prior water rights. Protests

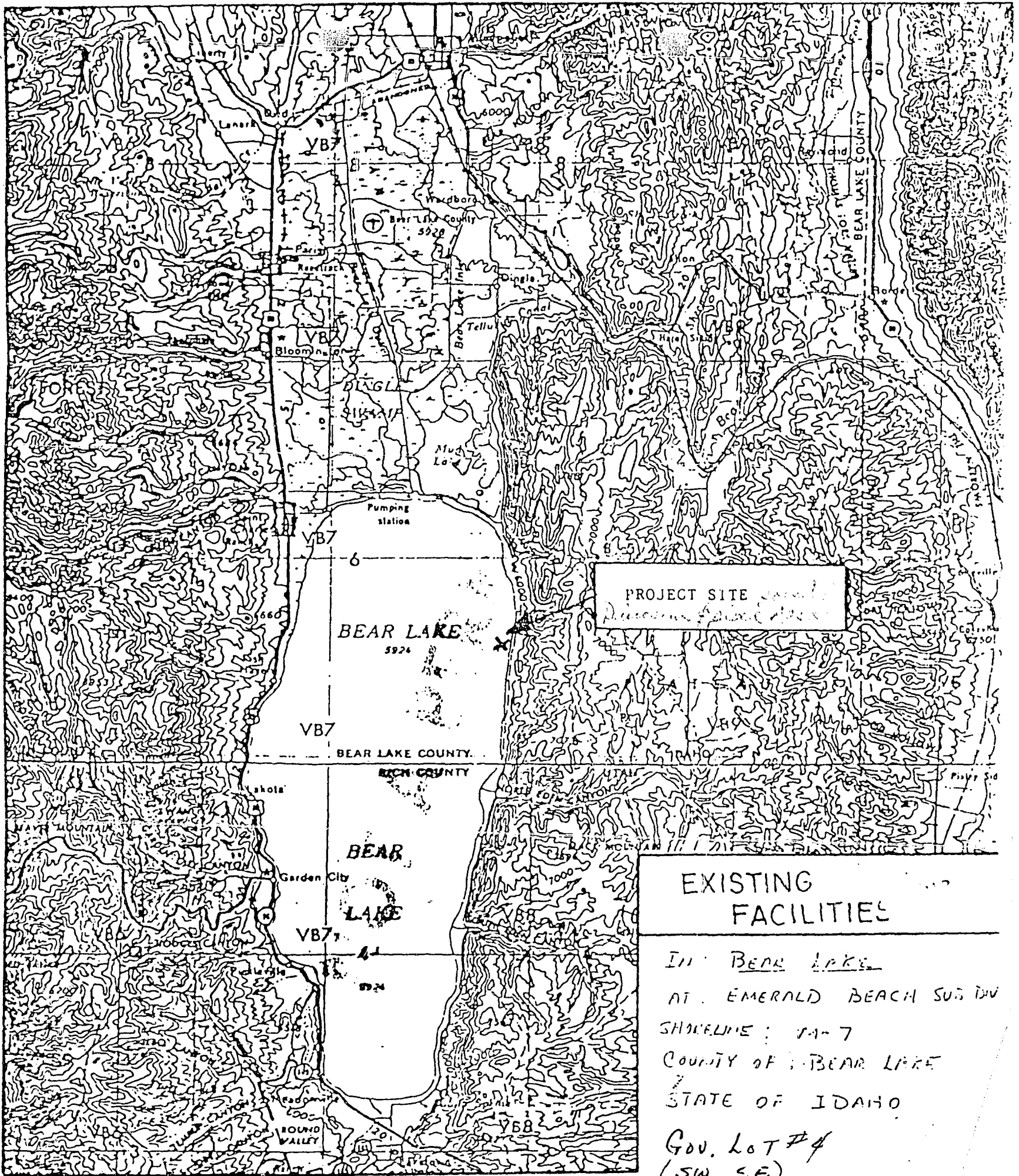
against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

7-22, 7-29-82

34 LINES

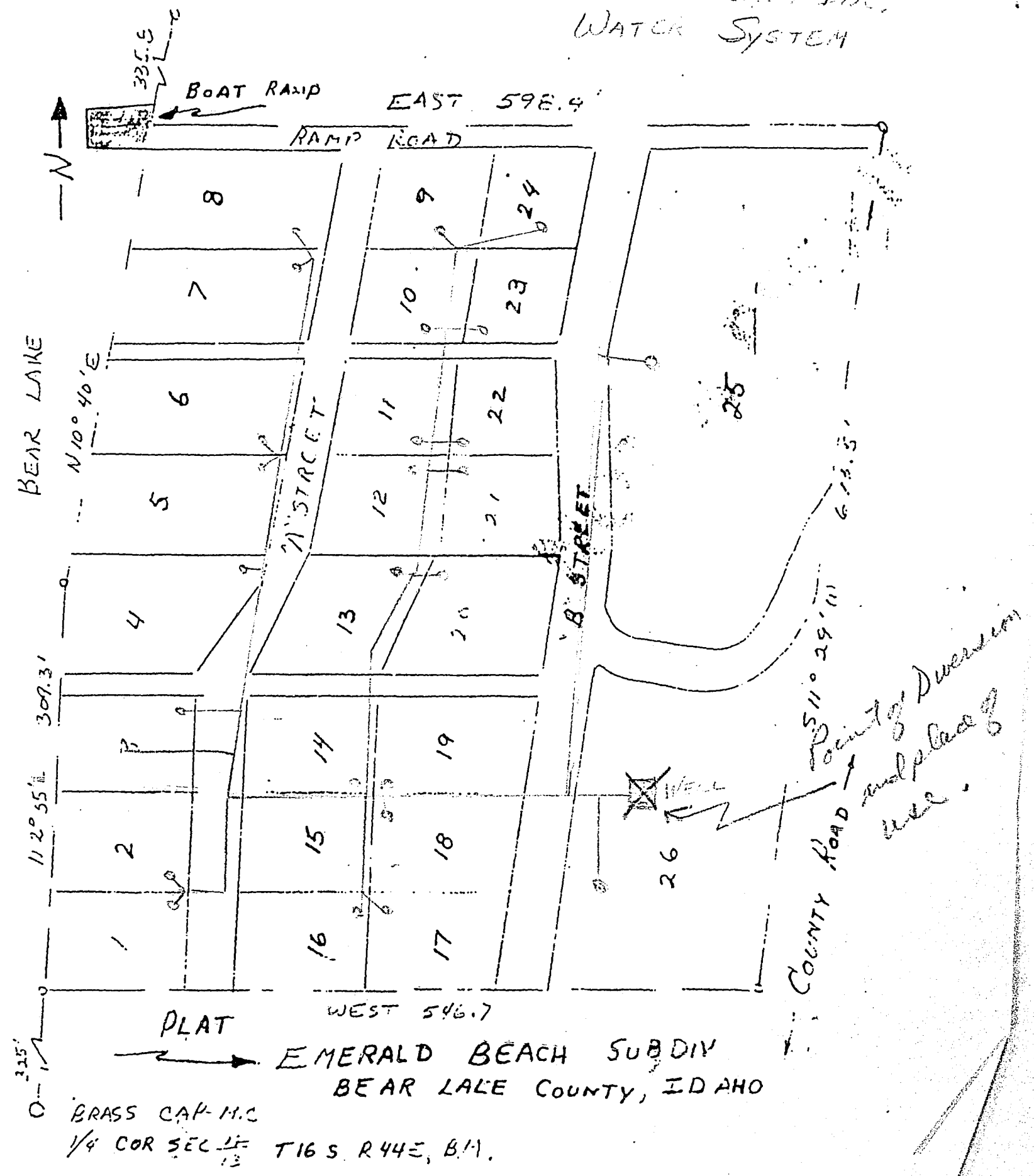


PROJECT SITE

EXISTING FACILITIES

IN BEAR LAKE
AT EMERALD BEACH SUB DIV
SHORELINE: 7A-7
COUNTY OF BEAR LAKE
STATE OF IDAHO
Gov. Lot #4
(SW SE)
DATE:

EMERALD BEACH TRAIL WATER SYSTEM



June 4, 1982

Emerald Beach Home Owners Assoc.
1830 N. 400 W.
Layton, UT 84041

Dear Sir:

Enclosed you will find your application for permit and check #31-4 for \$46.00.

Several items on the application need to be completed. Item 3 needs the point of diversion or well location. Item 5 needs the total quantity applied for in cfs. Item 6c needs to be completed.

Since you list irrigation as a use, Item 85b needs to be completed as to how many acres in which $\frac{1}{4}$ of $\frac{1}{4}$.

Item 9a should say applicant or appropriate property owners name.

Items 3, 8a and 85b need to be described in terms of Government Lots and $\frac{1}{4}$ of $\frac{1}{4}$. Please refer to the enclosed map for locations.

You may return the completed application with the enclosed map attached with a fee of \$45.00 to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

JUNE 21, 1982

Emerald Beach Home Owner Assoc.
1830 N. 400 W.
Layton, UT 84041

Dear Sir:

Enclosed is check #31-4 for \$45.00 and an application for permit that was submitted to this office. Several problems require that the application be returned. Each problem is noted in red on a copy of the application for permit. The basic problem is that the point of diversion and place of use listed does not correspond with the Gov. Lot number from the public law survey nor with item #10, (remarks).

Upon receipt of a completed application for permit and filing fee, processing will begin.

Please feel free to contact this office for any additional assistance that may be needed.

Sincerely,

KEI

KEITH C. WILSON
Sr. Resource Agent

KCW:BP

Enclosures

11-7292

EMERALD BEACH HOME OWNER ASSOC.

1830 N. 400 W., LAYTON, UT 84041

Source: GROUNDWATER

Date Filed: 07/01/1982

Amount: 0.26 CFS

Diversion Point: LOT 04 (SWSE) Sec 12 T 16S R 44E, BEAR LAKE Co.

Use: IRRIGATION	(0.08 CFS)	from 04/15 to 10/15
DOMESTIC	(0.23 CFS)	from 01/01 to 12/31

Place of Use: LOT 04 (SWSW) Sec 12 T 12S R 44E FOR 4 ACRES

Diversion Means: WELL, PUMP & LINES

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the Permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

Published 7/22 & 7/29/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 15, 1982

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 9, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

July 16, 1982

RE: Application for Permit No. 11-7292 EMERALD BEACH HOME OWNER ASSOC.

Department of Health & Welfare
150 North 3rd
Pocatello, ID 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 9, 1982, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
150 North 3rd Avenue
Pocatello, Idaho
83201

20 July 1982

Ernest Carlsen, Asst. Rgnl. Supervisor
Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Application #11-7292
(Bear Lake)

Dear Mr. Carlsen:

We have reviewed the subject application submitted by Emerald Beach Home Owners Association, Layton, Utah, for a permit to appropriate the public waters of the State of Idaho to supply 26 families with domestic water.

We have no objections to this application.

Sincerely,

Elmer W. Smith

Elmer W. (Bill) Smith
Environmental Engineer

EWS/md

RECEIVED

JUL 21 1982

Department of Water Resources
Eastern District Office

EQUAL OPPORTUNITY EMPLOYER

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson APPLICATION NUMBER: 11 7292

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____
Date: _____
Comments: _____

- ☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: JD Date: 7-16-82
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No In form for advertising.
Final date for protests: Aug. 9, 1982
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-05-82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
7-1-82 Date of priority recommended.
Special conditions of approval or cover letter. _____

Code 26

By: Ernest Carlson Date: Aug 6, 1982

STATE OFFICE REVIEW:

Return to applicant
SL/L12 26

- ☐ See attached sheet for more information.

By: [Signature] Date: 8/17/82

RECEIVED

AUG 12 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

EMERALD BEACH HOME OWNER ASSOC.
1830 N. 400 W.
LAYTON, UT 84041

SEPTEMBER 02, 1982

RE: PERMIT NO. 11-7292

DEAR PERMIT HOLDER:

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

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS MUST BE STARTED WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. THE PROJECT MUST THEN BE DILIGENTLY CONSTRUCTED UNTIL COMPLETED. TO MAINTAIN THE PERMIT IN A VALID STATUS YOU MUST COMPLETE AND RETURN THE ENCLOSED POSTCARD WHEN CONSTRUCTION IS COMMENCED, NO LATER THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PERMIT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07292

Priority: July 1, 1982

Maximum Diversion Rate: 0.14 CFS
Maximum Diversion Volume:¹ 14.4 AF

This is to certify, that EMERALD BEACH HOME OWNER ASSOC.
1830 N. 400 W.

LAYTON, UT 84041

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 1, 1982; and has submitted Proof of Beneficial Use on October 4, 1982. An examination indicates that the works have a diversion capacity of .270 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	12.0 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF
	Totals	0.14 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSE), Sec. 12, Township 16S, Range 44E
BEAR LAKE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	44E	12	LOT 4(SWSW)	4		4

Total number of acres irrigated: 4

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The maximum combined rate of diversion under this right & Right 11-7016 shall not exceed 0.27 cfs.
6. Domestic use is for 2 homes.

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07292

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4th
day of OCTOBER, 1987.

Acting for *R. Keith Higginson*
R. Keith Higginson, Director



Rite

RECEIVED

SEP 15 1982

Department of Water Resources

LaMont Chadwick
Home Owners Assoc.
Representative, Emerald Beach
1830 N 400 W
Layton, Utah 84041

12 September 1982

Department of Water Resources
State House
Boise, Idaho 83720

Dear Sirs,

I received our approved permit (117292) along with a card and a "Making Proof of Beneficial Use" form which refers to another form available through Dept. of Water Resources.

The card (Form 204-p) has been filled out and returned but I do not have the form referred to by the "Making Proof of Beneficial Use" form. Could you please send me referenced form?

Thank you,

LaMont Chadwick

September 20, 1982

LaMont Chadwick
Home Owners Assoc.
1830 N 400 W
Layton, UT 84041

Dear Mr. Chadwick:

Re: Permit No. 11-7292

Pursuant to your letter of September 12, 1982, enclosed is a Statement of Beneficial Use postcard used for "making proof".

Please be advised that this postcard should only be completed and returned at the time the proposed project under this permit is developed. A Statement of Beneficial Use postcard is a signal to the department that a field examination of the project needs to be conducted. Based on the field examiner's recommendation, the license will be issued.

Also, please be advised that you have until August 1, 1987 as per the last page of your permit to submit this postcard. Sixty days prior to that date, the department is obligated to notify you that this postcard or an extension of time request needs to be submitted. Thus, if there is a change in address, please notify the department of each.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

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. 11-7272.

Name(s) of Permit Holder: EMERALD BEACH HOME OWNER ASSOC.

Post Office Address: 1830 NO 400W LAYTON UTAH 84041

Tel. No. 801 825 2538

Source of Water: GROUND WATER

Extent of Use: ☒ Domestic 26 (.23 cfs) (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 4 (.08) (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.

29 Sept 82
Date

L. M. Chadwick
Signature of Permit Holder

LAMONT CHARLES

1830 NO 400 W

LAYTON, UTAH

SUPPORT

HISTORIC PRES

WEF

20c

RECEIVED

OCT 4 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 11 2292
Name(s) of Permit Holder(s): EMERALD BEACH HOME OWNER ASS
Post Office Address: 1830 N 400 W, LAYTON UT 84041
Tel. No. 825 2530

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on May 28 June 1977 (Date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

13 Aug 87
Date

Signature of Permit Holder

L. M. Colebrook
for Emerald Beach Home Owners Association

LAMONT CHADWICK
1830 No. 400 W. PM
LAYTON UTAH 84041-12



RECEIVED
SEP 15 1992
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



John V. Evans
Governor

A. Kenneth Dunn
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

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

October 26, 1982

Emerald Beach Home Owner Assoc.
1830 North 400 West
Layton, Utah 84041

RE: Permit No. 11-7292

Dear Sirs:

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.

 X 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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 26, 1992

Emerald Beach Home Owner Assoc.
1330 North 400 West
Layton, Utah 84041

C/o Mrs. Chadwick

*Third
RAFT
South side*

RE: Permit No. 11-7292

Dear Sirs:

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

Green pump house

*Water into
25 lots*

*From Paris to N. Beach
(Beady Over-maintenance)
14
to N. Beach Port Rotunda
the Old Rd 3 miles - last house
Area 25154*

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 11-7016 Priority (late proof)
August 3, 1970 Amount 0.27 cfs

THIS IS TO CERTIFY, that W. GLENN TAYLOR
of Kaysville, Utah, has complied with the terms and conditions of Permit
No. 11-7016 issued pursuant to Application for Permit dated June 16, 1970
and has submitted proof to the Department of Water Resources on September 18, 1975
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 0.27 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 (24 units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.27</u> cfs and	<u>28.8 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.27 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
28.8 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 16S,
Rge. 44E, B.M. in the County of Bear Lake

Description and location of place of use:

Twp.	Range	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	44E	12															X		

RECEIVED

DEC 17 1979

Department of Water Resources
Eastern District Office

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
November, 19 79

Director

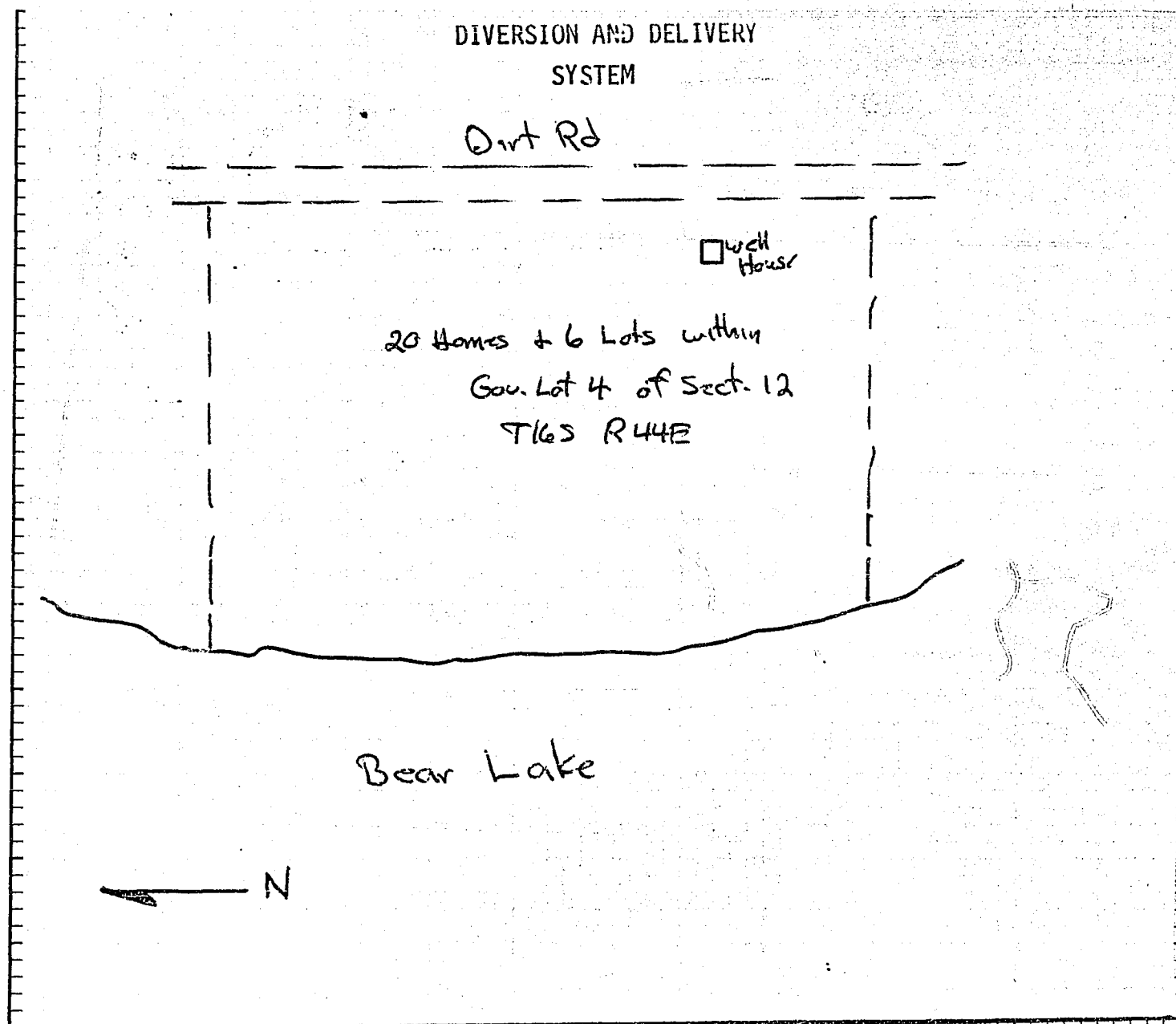
11-7292

Department of Water
Permit No. 93

Phone No. 801-835-2538

Place(s) of Use:		Indicate Method of Determination																	
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16S	44E	12													Domestic	X			
																2-43			
															Irrig	4		4	
Total Acres																		4	

10. Other water rights on these lands 11-7016
11. Other water right diverted from same p.d. 11-7016
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ ^{USGS Map}
~~Aerial Photo~~ of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature H. Jones Date 9-20-85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

RECOMMENDED AMOUNTS

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

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irri ~~gation~~	4-15	10-15	0.08	12
Domestic	1-1	12-31	0.06	2.4

Allowable Maximums: 14.4 g/g

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature Attila Jones

Date 9-20-85

Checked in Regional Office by Barry Falkman

Date 12-26-85

Approved in State Office by _____

Date 2/17/80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JAN 2 1986

11-7292
Permit No.

Department of Water Resources

1. Measurement Calculations

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

theoretical;
$$\frac{7\frac{1}{2} \text{ hp } (8.814) (8090)}{100' \text{ lift} + (40 \text{ psi} \times 2.308)} = \frac{52.884}{192.32} = 0.27 \text{ cfs capacity}$$

allow 0.06 cfs for Domestic use (2 more units than described in #11-7016)
allow 0.08 cfs for Irrigation on 4 acres

(with 26 lots this works out to)
Less than 1/4 acre per lot

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \text{ acres} \times 3.0 \text{ af/a} = 12 \text{ af/a} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.08 \text{ cfs} \times 183 \text{ d} \times 1.9835 = 29 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12 \text{ af/a} \end{aligned}$$

c) Volume Calculations for Other Uses:

$$2 \text{ homes } @ 1.2 \text{ af/a} = 2.4 \text{ af/a}$$

2. Overlap Review

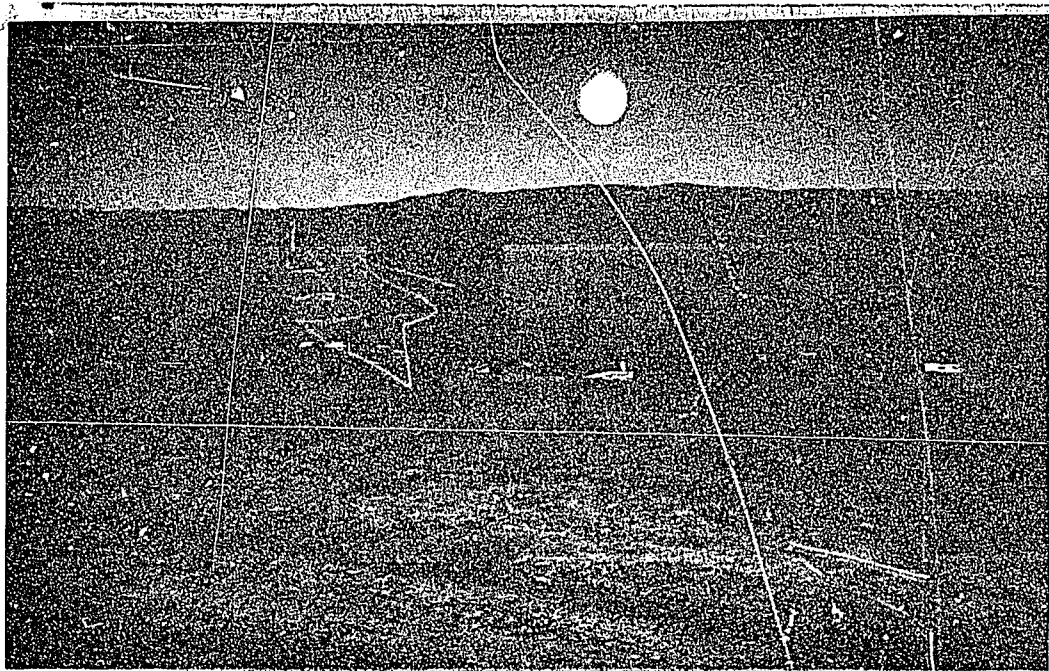
a) Other water rights with same place of use: 11-7016 (Domestic for 24 units)

b) Other water rights with same point of diversion: 11-7016

c) Analysis:

- 1/ capacity of well is 0.27 cfs
- 2/ 24 units under License # 11-7016 credited with 0.27 cfs
- 3/ 2 extra units on property for 0.06 cfs non-additive quantity
- 4/ 4 acre irrigation for 0.08 cfs non-additive quantity

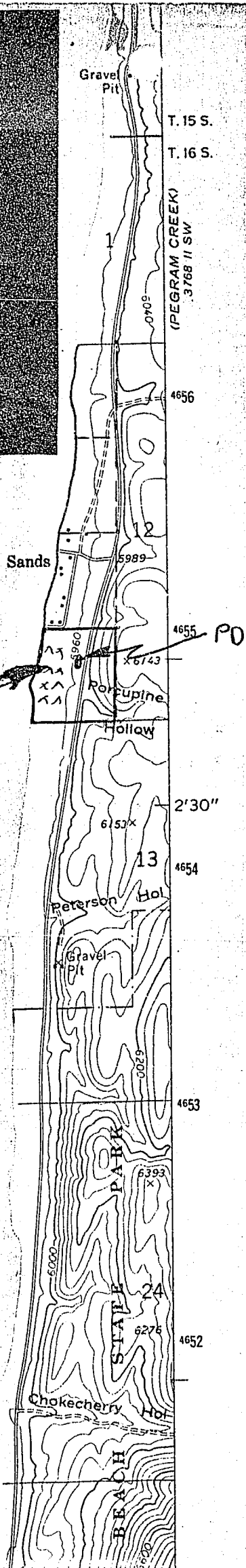
Condition with R17(11-7016) (0.27 cfs)



11-7292

Pau
G- Lot 4
only

T16S
R44E



For Clarity of
Photographs Filmed
Please See File

POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
1107292	16S	44E	12	SW SE	4	GROUNDWATER	EMERALD BEACH
NO MATCHES FOR THIS POD							

117016 NOT IN VAULT

4/3
~~March 27~~, 1989

EMERALD BEACH HOME OWNER ASSOC.
1830 N. 400 W.
LAYTON, UT 84041

RE: PERMIT NO. 11-07292

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

April 6, 1989

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
APR 11 1989

Department of Water Resources

RE: Permit No. 11-07292

Dear Sir,

Thank you for the draft copy of the license proposed to be issued.

We do have a question concerning condition No. 5, which allows "Domestic Use" for only 2 homes. Our application for Permit dated Sep. 13, 1982, indicated distribution lines to 26 homes. Reference 6. a and 8. a (4).

There seems to be a conflict of application concerning Permit 11-07292 and 11-7016. Mr. W. Glenn Taylor (Permit 11-7016) was the developer of Emerald Beach. The purchase price of each lot included the provision of water being piped to each lot. Since that time the Property Owners have maintained the complete water system, including the operation, control and the purchase and installation of a new pump. All water samples, necessary compliance with water regulations, and all other expenses have been paid for by the Property Owners.

Your attention is invited to Items 6 and 8 of the enclosed "Field Survey" conducted in 1981. This report recommends the well be deeded to the Homeowners Assn., either by easement declaration or a well lot ownership.

It is not our intent to influence your office but it would appear a decision must be made as to which permit shall be recognized as the governing authority. Adequate, quality water supply has been of continued concern by each property owner and we would appreciate your consideration in this matter.

Yours truly,

Audrey F. Chadwick

Audrey F. Chadwick
Secretary, Emerald Beach Inc.

Encl:
Field Survey

IDAHO DEPARTMENT OF HEALTH & WELFARE
Environmental Services
Boise

REPORT OF WATER SUPPLY

Year 1981
Place Emerald Beach Subdivision County Bear Lake Census Population 60
Ownership Glenn Taylor and/or Emerald Beach Home Owners Assn.
Supply used by Residents (non-community)
Population served 60

FIELD SURVEY DATA

DESCRIPTION OF SUPPLY: Give a brief description of the source and the main features of treatment, pumping equipment, storage available, adequacy of system, distribution or direct pumping, supervision of additions and extensions from a public health viewpoint, adequacy of pressures, separation between sewers and water mains, laboratory and related controls of quality. If supply is untreated or chlorinated only, describe protection against entrance of contamination. Attach additional sheets if necessary.

One domestic water well drilled approximately 100' deep, equipped w/ a 7-1/2 hp submersible pump, and six pressure tanks. All the equipment is centralized in a well house on a large undeveloped lot. The pressure setting at the well site is 40-60 psi. The distribution system consists of 2" and 3" PUC lines w/ provisions. The method of sewage disposal at the subdivision is by individual septic tanks and drainfields. Apparently there are no leach lines within 25' of the distribution system, nor places where water lines cross the septic systems. This system was constructed in and around 1972 to serve approximately 25 lots; currently, approximately 14 summer homes are constructed. Ownership of the system is not clear at this time.

At the time of the sanitary survey, the system appeared to be functioning satisfactorily. The Homeowners Association has some concerns regarding the reliability of adequate production capabilities of the system, particularly if development was to continue.

The 7-1/2 hp and 4 additional pressure tanks recently installed replaced one 5 hp and supplied additional pressure equipment.

PUBLIC HEALTH DEFECTS: Describe briefly the sanitary defects such as by-passes, cross connections, emergency intakes to unsafe supplies, inadequate protection against sources of pollution, inadequacy of treatment, defective structural features, possibility of flooding, deficient operating practices, inadequate sanitary control of additions or extensions to system, lack of proper plumbing regulations and enforcement, inadequate control of water in distribution system. Attach additional sheets if necessary.

See Conclusions and Recommendations.

XXXXXX

James M. Goodloe
James M. Goodloe
Sr. Environmental Specialist

Date of investigation 17 July 1981

LABORATORY DATA BACTERIOLOGICAL ANALYSES

Number of samples required ~~per month~~ Quarterly Laboratory Rgnl State Lab, Pocatello

MONTH AND YEAR	No. SAMPLES	10-ML. PORTIONS POSITIVE		SAMPLES HAVING 8 OR MORE PORTIONS POSITIVE	
		Number	Percent Positive (1)	Number	Percent Positive (2)
June 1981	1	0			
March	1	0			
August 1980	1	0			
May	1	0			

- (1) Should not exceed 10% in any one month
(2) Should not exceed 5% in 20 or more per month nor one sample in less than 20 per month.

CHEMICAL AND PHYSICAL ANALYSES (Chemical results in p. p. m.)

Results collected during period from None on record to _____

pH _____	Calcium _____	Hardness _____
Temperature _____	Magnesium _____	
Turbidity _____	Alkalinity _____	
Color _____	Sulfates _____	
Taste _____	Chlorides _____	
Odor _____	Fluoride _____	
Total Solids _____	Lead _____	
Iron and Mang _____	Arsenic _____	

CONCLUSIONS AND RECOMMENDATIONS

Based on Engineering Survey and Laboratory Data

1. Bacteriological samples to be taken once per quarter (four times per year) (compliance continual).
2. A nitrate chemical sample shall be taken, analyzed by a certified Idaho laboratory. The results are to be submitted to this office (compliance - immediate).
3. At present, no drains exist in the well housing; a drain must be installed (compliance 1 September 1981).
4. A berm to be constructed around the southeastern corner should be available to divert runoff water from the well housing (compliance 1 September 1981).
5. The sample tap should be inverted to a downward direction (compliance 1 September 81).
6. The well, all its equipment, and its line to the distribution line should be deeded to the Homeowners Assn. either by easement declaration or a well lot ownership (compliance - as soon as possible).

-Continued-

Recommendations should be complied with ~~as noted~~ as noted in Conclusions & Recommendations.19

This water supply is _____ satisfactory for provisional approval.

Date 22 July 1981

Gordon J. Hopson
Principal, Environmental Specialist

Re: Emerald Beach Subdivision
Sanitary Survey
22 July 81
Page 2

Conclusions and Recommendations (Contd.)

7. Records of this office indicate that the water system to date has not received approvals for construction issued by this office. Until these approvals are obtained, additional connections, other than the original 24, will not be allowed (compliance - immediate).
8. Ownership, control, operation and maintenance responsibilities of the system is not clear. In order to provide reliable, dependable water of good quality, production, and pressures, it is imperative to resolve these inequities (compliance - immediate).



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 19, 1989

RE: Water Right No. 11-7292

Emerald Beach Inc.
c/o Audrey F. Chadwick, Secretary
1830 N. 400 W.
Layton, UT 84041

Dear Ms. Chadwick:

I have received your letter dated April 6, 1989 and hope to respond to your concerns.

A water right at the time of license in Idaho becomes appurtenant to the property on which it is used. Because 24 of the 26 domestic units under consideration are covered by License 11-7016, they cannot be covered by Right 11-7292. Water quality is not under our jurisdiction and ownership of the water works (i.e. well, pump, etc.) is a private legal matter. Your license does guarantee your right to use the water without interference from subsequent users.

Thank you for your questions and feel free to contact our office again, if necessary.

Sincerely,

A handwritten signature in cursive script that reads 'Roxanne McCarthy'.

ROXANNE MCCARTHY
Technical Reviewer

October 5, 1989

EMERALD BEACH HOME OWNER ASSOC.
1830 N. 400 W.
LAYTON, UT 84041

RE: PERMIT NO. 11-07292

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure