

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 Virgil and/or Verda Empey and/or Roger A. Empey Phone 547-3482 or 5474008
Post office address P.O. Box 602, Soda Springs 83276

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 9S
Range 42E B.M. Caribou County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .10 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Stockwater purposes from 1-1- to 12-31 (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. .16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pump with pipelines
to home and sprinkler system

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

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

c. Proposed well diameter is 6 inches; proposed depth of well is 130 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 9S
Range 42E B.M.

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

(3) List number of each kind of livestock to be watered 4 horses and 4 cows

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.

(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				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	42E	19		5															5

Total number of acres to be irrigated 5

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 Applicant

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

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

10. Remarks

NO OTHER WATER RIGHTS USED FOR THE SAME PURPOSES AS DESCRIBED ABOVE.

APPLICANT'S NAME IS DAVID G. GILBERT.

THE LAND TO BE IRRIGATED IS LOCATED IN THE NE 1/4 OF SECTION 19, RANGE 42E, TOWNSHIP 9S.

THE POINT OF DIVERSION IS LOCATED ON THE WEST BANK OF THE RIVER, 1/2 MILE UPSTREAM FROM THE LAND TO BE IRRIGATED.

THE ARRANGEMENT ENABLING THE APPLICANT TO MAKE THIS FILING IS THAT THE APPLICANT IS THE OWNER OF THE LAND TO BE IRRIGATED.

NO OTHER WATER RIGHTS USED FOR THE SAME PURPOSES AS DESCRIBED ABOVE.

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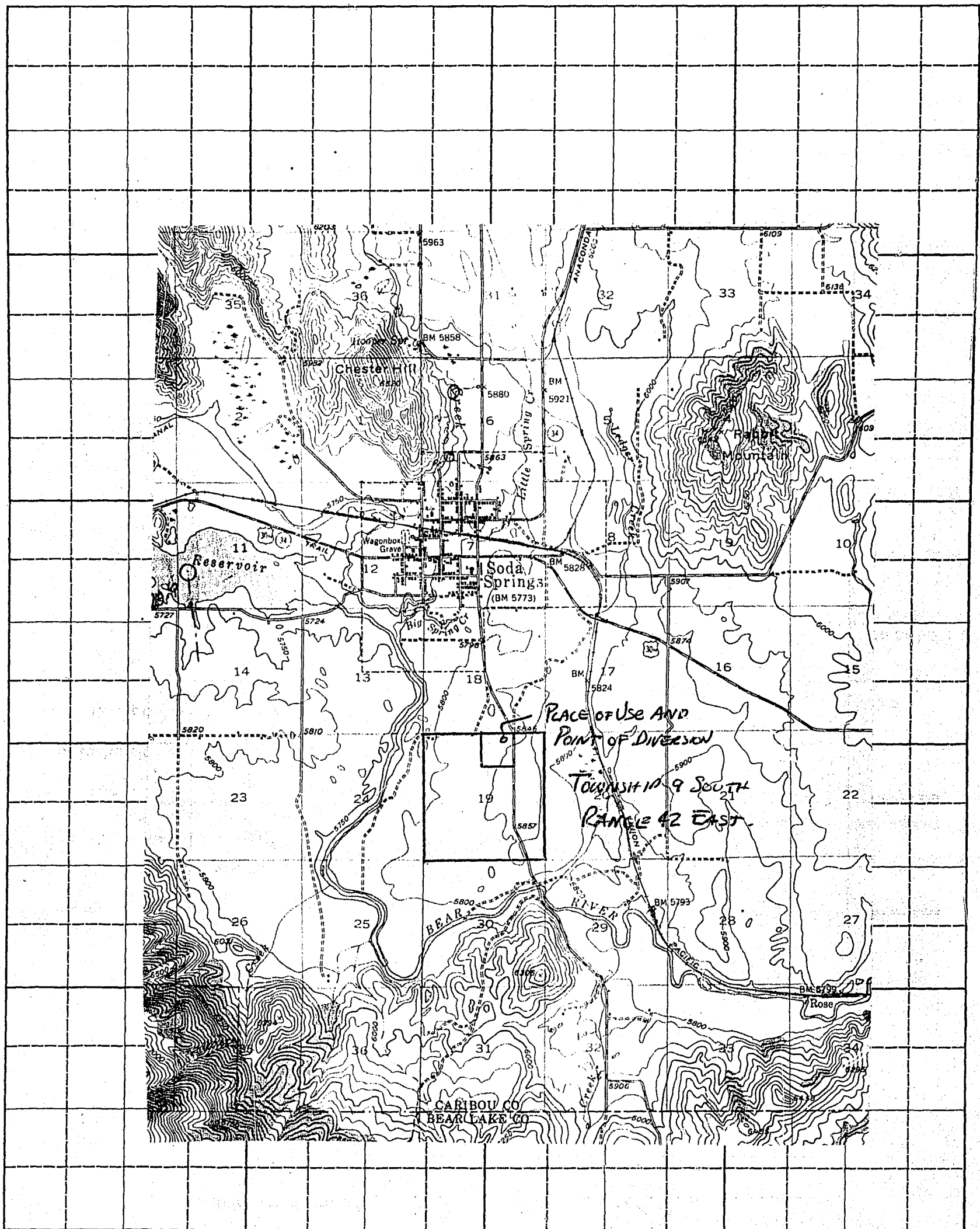
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11. 1215

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.

Vigil E. Emery
(Applicant)

Proposed Priority 3/22/83

Received by S.M. Date 3-22-83 Time 5:00

Preliminary check by HWS Fee \$ 30.00 # 25537

Receipted by S.M. Date 3-23-83

Publication prepared by BP Date 3/30/83

Published in Caribou County Sun

Publication dates 4/7 & 4/14/83

Publication approved cin Date 5-10-83

Protests filed by: one

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC H

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. 11-7312, 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 July 1, 19 88.
- 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 17th day of June, 1983.

L. Glen Gayton
Chief, Operations Bureau

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

7th day of
April, 1983

The date of the last publication

being the 14th day of
April, 1983

Subscribed and sworn to be-

fore me this 28th day
of April, 1983

Wendy Steele
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March

1984.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s)
have been filed to appropriate the
public waters of the State of
Idaho:

11-7312

EMPEY, VIRGIL & or
VERDA & or ROGER A.
P.O. BOX 602, SODA
SPRINGS, ID 83276

Source: GROUNDWATER

Date Filed: 03-22-1983

Diversion Point: NWNE Sec
19 T 09S R 42E

Use: IRRIGATION (0.10
CFS) STOCKWATER (0.02
CFS) DOMESTIC (0.04 CFS)

In: NWNE Sec 19 T 09S R
42E FOR 5 ACRES

13-7386

RIGBY, M. KEITH
RT. 1, BOX 7, GRACE, ID
83241

Source: SPRING trib. to
STEVES CREEK

Date Filed: 03-23-1983

Diversion Point: NWNW
NENW Sec 20 T 11S R 40E

Use: DOMESTIC (0.04 CFS)
In: NENW Sec 20 T 11S R
40E

13-7387

JORGENSEN, CARL B. & or
PATRICIA
HC 72 BOX 2410, BAN-
CROFT, ID 83217

Source: TROUT CREEK,
NORTH FORK trib. to BEAR
RIVER

Date Filed: 03-25-1983

Diversion Point: NWNE Sec
10 T 11S R 41E

Use: POWER (20.00 CFS)
In: NENW Sec 09 T 11S R
41E

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before APRIL
25, 1983.

KEN DUNN, Director
Published April 7, and 14, 1983
in the Caribou County Sun.

RECEIVED

MAY 9 1983

Department of Water Resources
Eastern District Office

11-7312

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The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 25, 1983.

KEN DUNN, Dir.

Published 4/7 & 4/14/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 30, 1983

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

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 APRIL 25, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.



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

April 27, 1983

RE: Application for Permit No. 11-7312 EMPEY
13-7386 RIGBY
Claim to a Water Right No. 27-4097 WINSHELL

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 7 and 14, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: _____

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising. _____

Final date for protests: April 25, 1983

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-9-83
☒ 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? _____
☒ 3-22-83 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: Ernest Carlson
STATE OFFICE REVIEW:
SLW/LIT

Date: June 3, 1983

RECEIVED
JUN 14 1983

☐ See attached sheet for more information.

By: [Signature] Date: 6/15/83

Department of Water Resources

August 11, 1983

RE: Permit No. 11-7312

Virgil &/or Verda Empey
&/or Roger A. Empey
P.O. Box 602
Soda Springs, ID 83276

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 as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed instructions 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. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosures

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

P.O. Bx. 602
Soda Springs, ID 83276
Sept. 7, 1983

RECEIVED

SEP 8 1983

Department of Water Resources

To Whomever it may concern:

The map that was included with Permit #11-7312 has the wrong place of diversion. This 5 acre lot we got the permit for is on the South end NOT the North. We are sending a copy of the map with the correction on it. Will you please make this change in your files. ✓

No response req'd

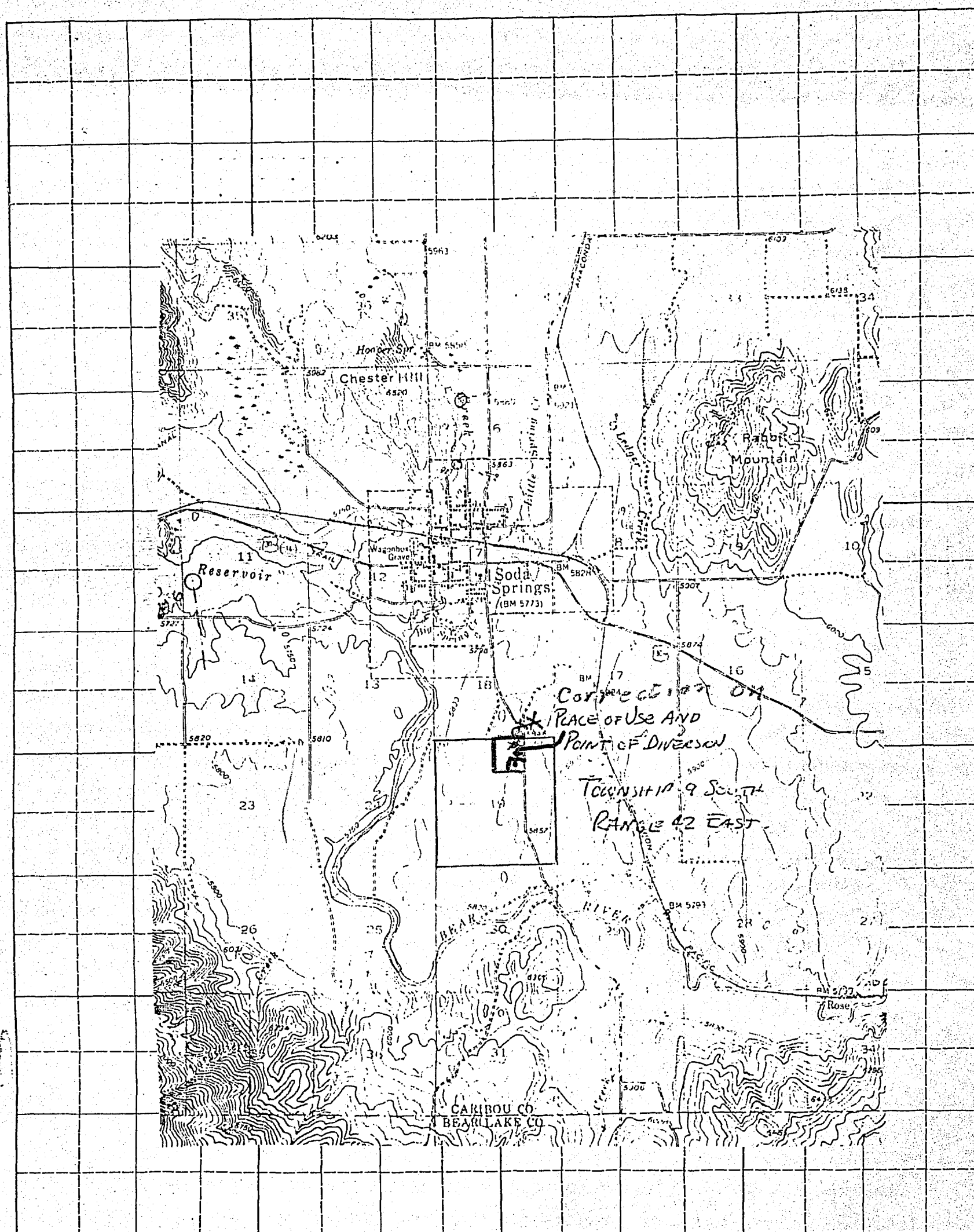
DRT

9-28-83

Sincerely,

Nirgil E. Empery

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.

Virgil E. Empey
(Applicant)

138494
CERTIFIED MAIL
April 30, 1988

EMPEY, VIRGIL & VERDA & ROGER
P.O. BOX 602
SODA SPRINGS, ID 83276

PROOF DUE NOTICE

RE: Permit No. 11-7312

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

To: File 11- 7312

From: Groundwater Protection

Date: 7/19/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:
☐ Not found, due to reported age of well
probably not available
☐ Found and is in file
☒ Not found

Follow-up ☒ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 11, 1987.

August 29, 1988

Virgil, Verda and Roger Empey
P. O. Box 602
Soda Springs, ID 83276

RE: Permit No. 11-7312

Dear Permit Holder:

The department received your Proof of Beneficial Use form, however, before completing processing, additional information is needed.

If you have a well driller's report, please send a copy to the department. If you do not have one, please let me know who drilled the well and when it was drilled.

Please remit the requested information by September 29, 1988 to keep your permit from losing priority.

If you have any questions, feel free to call me.

Sincerely,

RITA FLECK
Secretary/Records Manager

c: E. Region

INTER-DEPARTMENT MEMO — 1

FROM

Rita Fleck

TO

File 11-7312

SUBJECT

Drilling Info.

DATE

8-2-88

Verda Empey called to inform the Dept. that they bought this piece of property in 7, 1982 and the well was in place. She thinks Nelson Drilling of Soda Springs (347-3802) drilled the well.

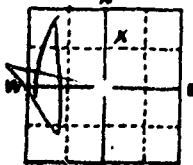
Mrs. Empey stated that the well may have been drilled in 1974 since the double wide trailer ~~was~~ ~~put in at the~~ is a 1974 model.

Well is 165 ft deep
Pump at 115 ft.

SIGNATURE

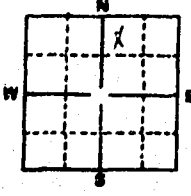
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>JAY LOWE</u> Address <u>SODA SPRINGS, IDAHO 83276</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>7 1/2</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>50</u> °F. Quality <u>SLIGHT SODA TASTE</u> Artesian closed-in pressure _____ psi Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																		
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td><u>5</u></td> <td><u>2 1/2</u></td> <td><u>7 1/2</u></td> </tr> </tbody> </table>	Discharge G.P.M.	Draw Down	Hours Pumped	<u>5</u>	<u>2 1/2</u>	<u>7 1/2</u>																																																																																																																												
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USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <u>Don't know</u> Address <u>501 South 1st St</u> <u>Soda Springs, Idaho</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>7.0</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																							
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other _____ Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____																																																																							
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11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. Nelson Drilling 215 Driller's or Firm's Name Number Box 344 Soda Springs, Idaho 83270 Address Signed By <u>Ray Nelson</u> 4-6-1974 Date																																																																									

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

To: File 11-7312

From: Groundwater Protection

Date: 9/2/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

?

☐ Not found, due to reported age of well
probably not available
☐ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

*Any or none of these logs could
be for this well. ?*

No follow up recommended.

Form 217
03/86

RECEIVED
MAY 13 1988

STATE OF IDAHO

Department of Water Resources DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$50.00
Date 5-16-88
Receipt # 000661
Reviewed by [Signature]
Sent to region [Signature]

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

Permit No. 11-7312

Name(s) of Permit Holder: Virgil and/or Verda Empey and/or Roger A. Empey

Post Office Address: P.O. Box 602, Soda Springs, Idaho 83276

Telephone No. 547-3482 or 547-4008

Source of Water: groundwater

Extent of Use:

Domestic 1 (number of households)

Stockwater 4 horses and 4 cows (number and type of stock)

Irrigation 5 (acres)

Other/Remark

Total rate and/or volume for which proof is submitted .16 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 17th day of June, 1983

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No

Fee enclosed \$50.00 by check
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ☒ No
Installed? Yes ☒ No

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

Virgil Empey

(Name)

547-3482

(Telephone Number)

P.O. Box 602 (261 Court St.) Soda Springs, Idaho 83276

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5-10-88

Date

Virgil Empey, Verda Empey, Roger A. Empey
Signature of Permit Holder (and title, if appropriate)