

11-7374

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Brave Phelps and/or Sons Phone (208) 847-2142
Post office address 36 Bennington Cemetery Road, Montpelier, Idaho 83254
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW _____ 1/4 of SE _____ 1/4, Govt. Lot _____
Sec. 8 Township 12S Range 44E B.M. Bear Lake County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount ~~2.10~~ ^{* 2.00} for Irrigation purposes from April 15 to October 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) ~~2.10~~ ^{* 2.00} and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. a well and pump to sprinkler system
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 10 inches; proposed depth of well is 250 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

* As per telephone conversation with Mr Phelps
10 May 1989 1:30 PM

D. L. L. L. L.

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	44E	8				5								10	35	15	30	10	105

Total number of acres to be irrigated 105

10. Describe any other water rights used for the same purposes as described above. 571 Shares of Bennington Irrigation Company

11. a. Who owns the property at the point of diversion? Applicant

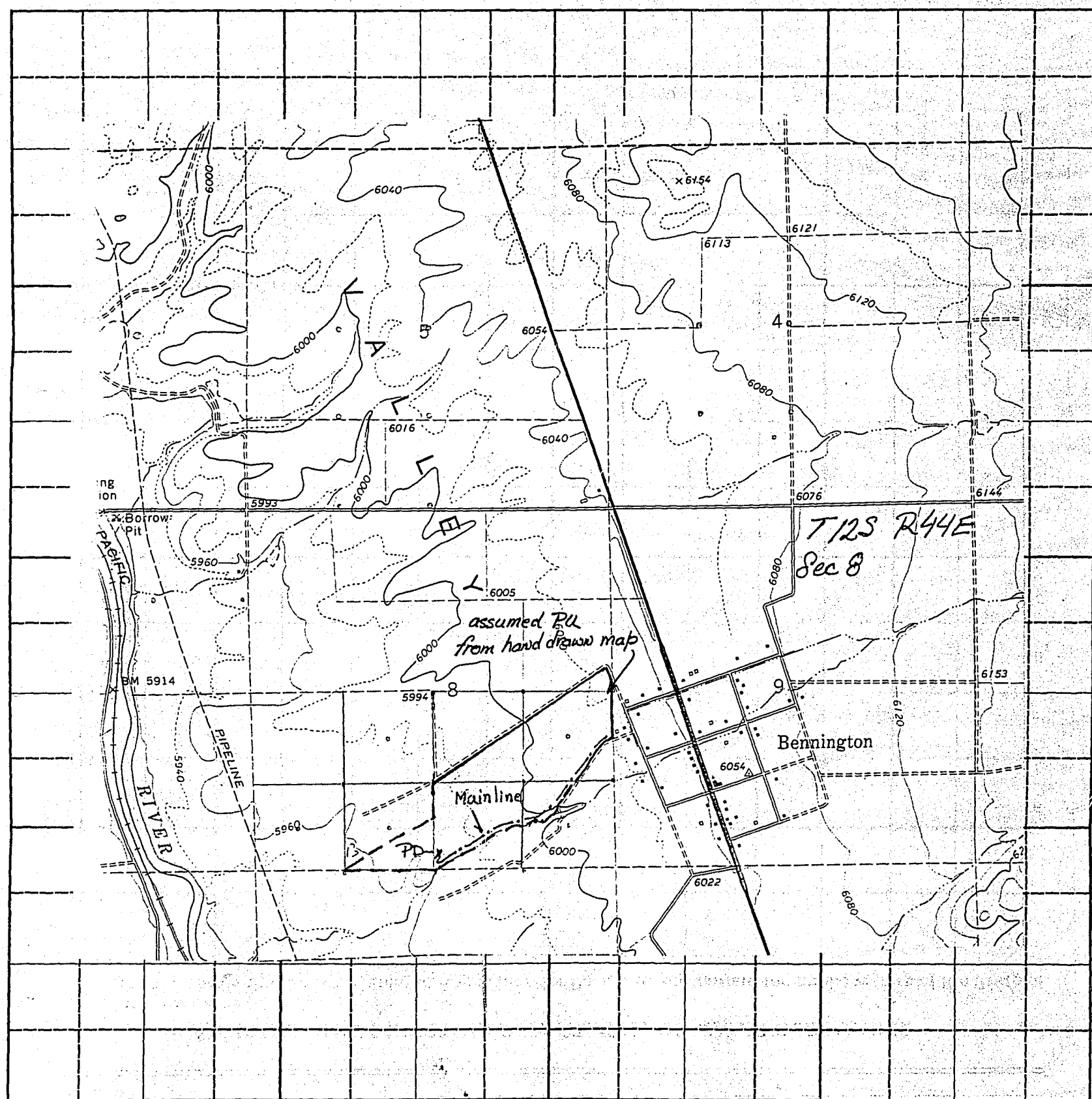
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: The water will be used on years when the water is low in the Bennington Irrigation Water Company.

11 1954

13. 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.

Ernest M. Phelps & Sons by Albert L. Phelps
 Rhett Phelps (Applicant)

Prepared by SMD

Received by CW Date 5-8-89 Time 2:30P Preliminary check by SMD
5-5-89 12:05P
Fee \$ 65¹⁰⁰ Received by HDT # FD6710 Date 4-5-89
6-18-89
Publication prepared by AB Date 5-24-89 Published in News Examiner
Publication approved CW Date 6-29-89

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

Grove Phelps
87 S. Main Bennington
Montpelier, ID 83254

Allyn Phelps
128 S Main Bennington
Montpelier, ID 83254

Rhett Phelps
36 Bennington Cemetery Rd
Montpelier, ID 83254

RECEIVED

MAY 8 1989

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Grove Phelps & Sons Phone 847-2142
Post office address 36 Bennington Cemetery Rd. Montpelier ID 83254
2. Source of water supply Water Well which is a tributary of N/a
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot —
Sec. 8 Township 12 S Range 44 E B.M. Bear Lake County; additional
points of diversion if any: —
4. Water will be used for the following purposes:
Amount 2 cfs for irrigation purposes from Jun 1 to Aug 20 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2 cfs and/or (b) 320
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. a well pump to
sprinkler main line.
b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.
c. Proposed well diameter is 10" inches; proposed depth of well is 250 feet.
d. Is ground water with a temperature of greater than 90°F being sought? no
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).

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	44E	8	-	-	-	5	-	-	-	-	-	-	-	10	35	15	30	10	105

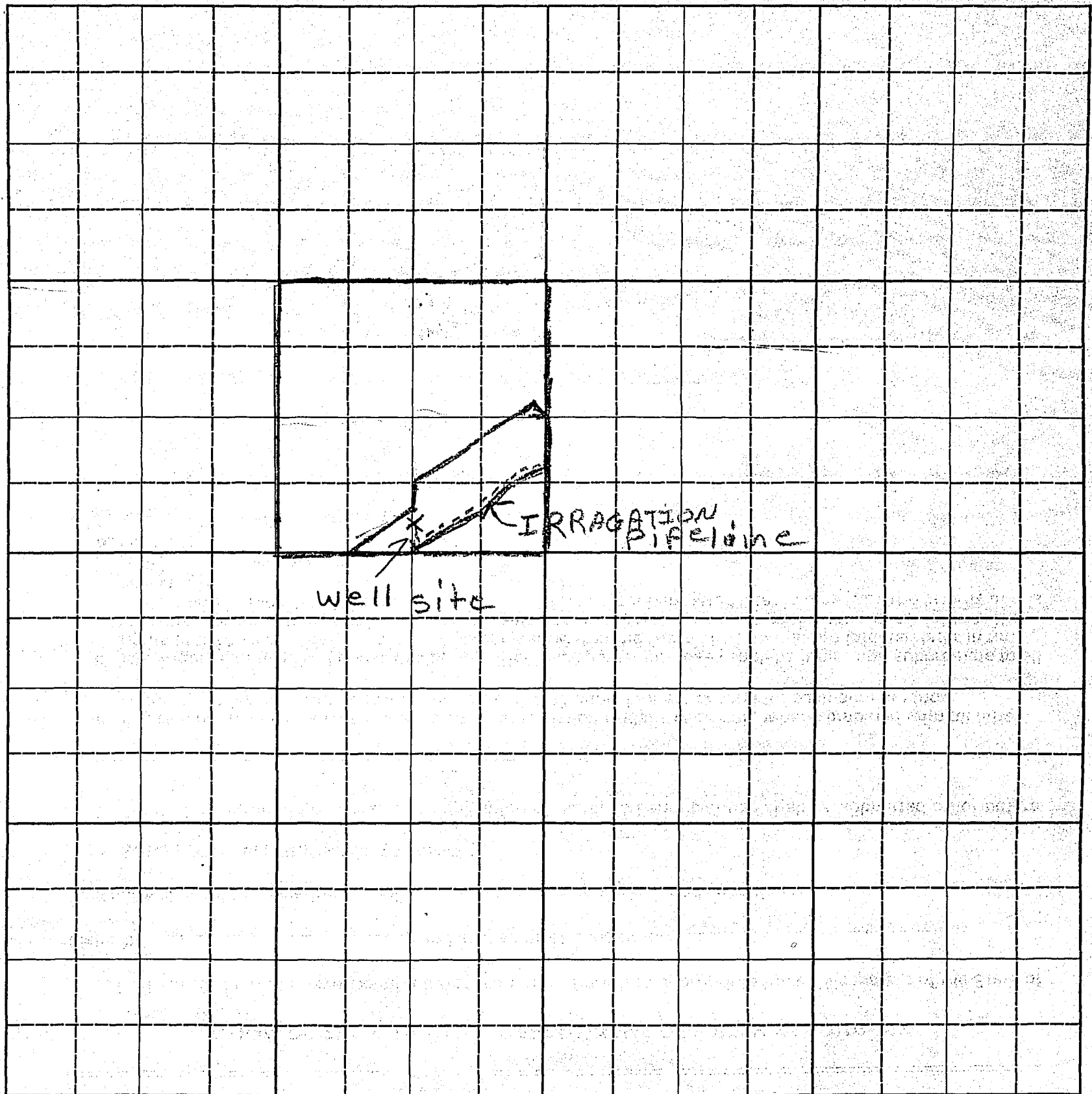
Total number of acres to be irrigated 105

10. Describe any other water rights used for the same purposes as described above. 571 shares of Bennington Irrigation Company
11. a. Who owns the property at the point of diversion? Grove Phelps & Sons
 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. N/A

12. Remarks: Water would be pumped on years when water is low in Bennington Irrigation Water Company.

T 12 S. R. 4 E
Section 8

13. 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.

Grove Phelps & Sons
(Applicant)
by: Rhett Phelps

Received by CW Date 4-05-89 Time 11:35A Preliminary check by SMJ
Fee \$ 125.00 Received by HWS # E006710 Date 4-5-89
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

No 3743

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Therese Stamm

being duly sworn,

deposes and says:

That he is the 2 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 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 1, 1989, and ending with the issue of *June 8*, 1989.

Fees, \$39.80

Subscribed and sworn to before me this 14 day of *June*, 1989.

Mary Glensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires 11, 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

11-07374

PHELPS AND/OR SONS, GROVE
36 BENNINGTON CEMETERY RD.
MONTPELIER, ID 83254

Source: GROUNDWATER

Diversion Pt: SWSE Sec 8 T 12S R 44E

Use: IRRIGATION (2,000 CFS)

Date Filed: 6/01/1989

In: T12S R44E S08 SENE SESW
NESE NWSE SWSE SESE
105.0 acres total

11-07376

RILEY, LARRY E.

304 W. 1000 N.

LOGAN, UT 84321

Source: SPRING

Tributary: BEAR LAKE

Diversion Pt: SWNWSW Sec 2 T 15S R 43E

Use: FISH PROPAGATION (8,000 CFS)

Date Filed: 5/01/1989

In: T15S R43E S02 SWNW NWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 19, 1989.

R. KEITH HIGGINSON,

Director

Legal No. 3743 — Publish June 1, 8, 1989.

RECEIVED

JUN 13 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 11-07374

Proposed Priority: April 5, 1989 Maximum Diversion Rate: 2.00 CFS

This is to certify, that GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 8, Township 12S, 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	8	SENE 5	SESW 10	NESE 35	
			NWSE 15	SWSE 30	SESE 10	105
Total number of acres irrigated:						105

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

14th day of August, 1989.

R. Keith Higginson
R. Keith Higginson, Director



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 2, 1989

Mr. Rhett Phelps
36 Bennington Cemetery Road
Montpelier, ID 83219

Dear Mr. Phelps:

Enclosed is a corrected copy of your application. The following items were changed; amount of water applied for, the length of the irrigation season, and time allowed for construction of the project. Two years is the maximum allowed by State law unless one provides a year by year construction plan and engineering drawings.

As the application was made in the name of Grove Phelps and Sons you must attach a list naming each of the interested parties and their addresses.

If you have any questions please call me.

Sincerely,

Dennis M. Dunn

Dennis M. Dunn
Sr. Resource Agent

DMD:lk
Enc.



Idaho Department of Water Resources

150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83401

DENNIS DUNN
WATER RESOURCE AGENT
(208) 525-7161

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 19, 1989.

R. KEITH HIGGINSON, Director

Published 6/01/1989 & 6/08/1989

11-07374

PHELPS AND/OR SONS, GROVE
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

Source: GROUNDWATER

Diversion Pt: SWSE Sec 8 T 12S R 44E

Use: IRRIGATION (2.000 CFS)

Date Filed: 6/01/1987

In: T12S R44E S08

SENE
SWSE

SESW
SESE

NESE

NWSE

105.0 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 24, 1989

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 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. 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 JUNE 19, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

June 1, 1989

Grove Phelps
36 Bennington Cemetery Road
Montpelier, ID 83254

RE: Application for Permit No. 11-7374

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the News Examiner. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

Form 235-1
3/89

Drilling Permit 11-89-EB16
Water Permit No. 11-07374
Injection Permit No. _____

Expedited

RECEIVED

JUN 19 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
DRILLING PERMIT

1. Applicant Shore Phelps & Sons
2. Address 036 Remington Cemetery Rd. Montpelier Id
83254 Telephone 847-2142
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 8, Twp. 12S, Rge. 44E, County Bear Lake,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 12" Maximum depth 200'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date June 20 1989
7. Well Driller (if known) Westlake Drilling
Address 184 N. 7th Montpelier Idaho
8. Applicant's signature Rhett Phelps
Title Owner
Date June 15, 1989

ACT OF DEPARTMENT OF WATER RESOURCE

This Permit is APPROVED.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 20th day of June, 1989.

Signed

Title

Ronald D. Clark
REGIONAL MANAGER

Received by HWT Fee 5 100.00 Date 6-20-89

Receipt No. ECO 9160 Construction start extension to _____

Extension approved by _____

ADDENDUM TO DRILLING PERMIT:

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPIDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

20 June 1989

Mr. Rhet Phelps
26 Bennington Cemetery Road
Montpelier, Idaho 82254

Mr. Phelps,

As per your request during our telephone conversation I am sending you an expedited drilling permit. Please note the attached conditions.

Sincerely,
Dennis M. Dunn
Sr. Water Resource Agent

July 3, 1989

RE: Application for Permit No. 11-7374 PHELPS

Mrs. Julia C. Wright
104 Wright Road, Bnnngtn
Montpelier, ID 83254

Dear Mrs. Wright

On June 26, 1989, the Department received your letter in reference to the above captioned application. It is necessary to return your letter as it arrived in this office after the last date of protest and, therefore, cannot be considered as a timely protest.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P11-07374

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the 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 a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 11-07374
Name(s) of Permit Holder(s): Grave Phelps & Sons
Post Office Address: 36 Bennington Cemetery Rd
Montpelier ID 83254 Tel. No. 847-2142
☒ I hereby certify that construction of diversion works for the above referenced
permit began on 2-28-90 . I understand that I must
(date)
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.

2-28-90
Date

Rhett Phelps
Signature of Permit Holder

Rhett R 21ps
36 Bennington Cemetery Rd
Montpelier, ID 83201

25 USA



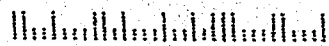
RECEIVED

MAR 1 1990



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



138758
June 30, 1991

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

RE: PERMIT NO. 11-07374 PROOF DUE NOTICE

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 September 1, 1991. (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 complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

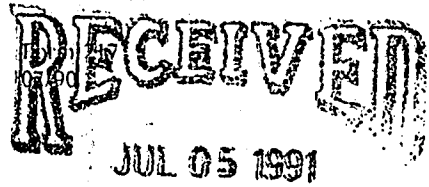
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 125.00
Date 7/5/91
Receipt No. 1021081
Received by J. Arnesen

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have 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.

1. Permit No. 11-07374 Telephone No. 847-21422. Name(s) of Permit Holder(s): Grove Phelps & Sons3. Post Office Address: 36 Bennington Cemetery Rd Montpelier Id 832544. Source of Water: Wella. If ground water, well driller's name: Bert Westlake Date drilled: Nov 1963b. Pump horsepower: 40 Pressure (psi): 90 Dynamic pumping level (ft.): 80'

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 100 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 2 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes No Installed? Yes NoOR
Flow Measurement Port: Required? XYes No Installed? ✓Yes No8. Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Rhett Phelps 847-2142
Name Telephone No.36 Bennington Cemetery Rd. Montpelier Id 83254
Address

10. 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.

7-2-91
DateRhett Phelps Owner
Signature (and title if on behalf of a company or organization)

mm

July 12, 1991

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07374

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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 this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region