

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant Owen M. Casperson Phone: 852-0680
 post office address Rt. #3, Box 33, Preston, Idaho 83263
2. Source of water supply unnamed springs which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 15S
Range 39E B.M. Franklin County; additional points of diversion if any: 3 points in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 1.14 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 1.00 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 2.14 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. buried drain pipe and headboxes at each spring with pump and pipe line to storage reservoir
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
 b. Estimated construction cost is \$ 12,000.00.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 15S
Range 39E B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 50.
 (5) If water is to be used for other purposes describe: Mobile Home Trailer Park

[illegible]

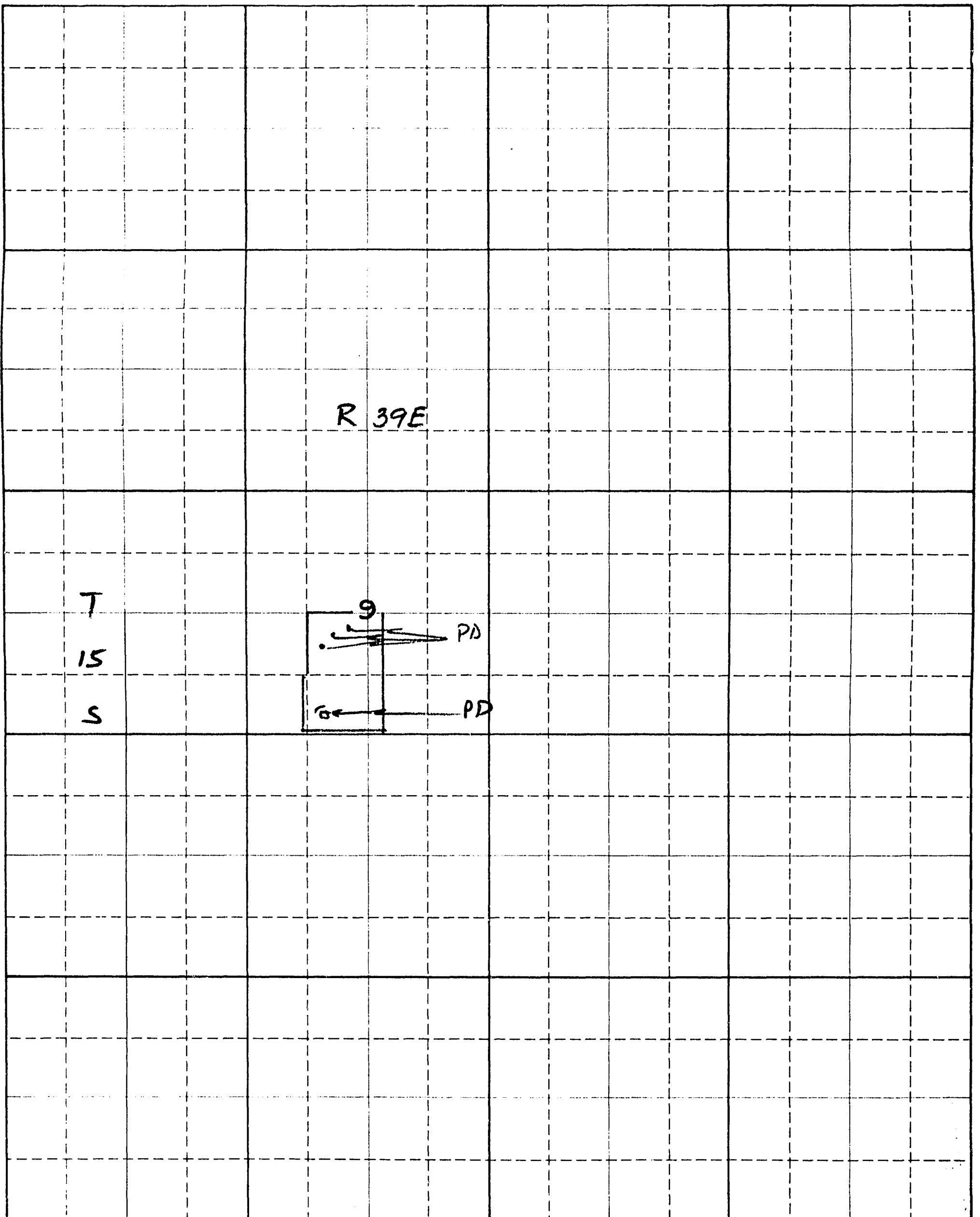
Total number of acres to be irrigated_____

No. 13-2271 and 150 shares in Preston-Whitney Irrig. Co.

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

10. Remarks _____

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



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.

Owen M. Casperson
(Applicant)

Proposed Priority 5/25/77

Received by AW Date 5-25-77 Time 1:05P

Preliminary check by JAD Fee \$ 45.00

Received by AW Date 5-25-77 # 3322

Publication prepared by AW Date 5-24-77

Published in Bozeman Citizen

Publication dates June 2 & 9-1977

Publication approved Mc Date June 15, 1977

Priority reduced to _____ Reason _____

Protests filed by Ken Austin, Linda H.

Linda H. Hing

PROTESTS WITHDRAWN

Copies of protests forwarded by AW

Hearing held by _____ Date _____

Recommended for approval denial by JG

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. 13-7187, 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 November 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) 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.

Witness my hand this 8 day of November 19 77.

[Signature]
Deputy Director

JUN 17 1977

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

Idaho Department of Water Resources
Eastern District Office

In the Matter of Claim to)
Water Right of OWEN R. CASPERSON)
No. 13-7187

A F F I D A V I T

STATE OF IDAHO)
: SS
COUNTY OF FRANKLIN)

LORIN A. WINGER and LINDA J. WINGER, Being first duly sworn deposes
and says that:

The application for water permit filed by OWEN M. CASPERSON under
Application No. 13-7187 will interfere with the water rights of the protestants
and adjoining neighbor to the West, and they have the oldest and prior rights
to said water source and springs and creek that OWEN M. CASPERSON is filing
on.

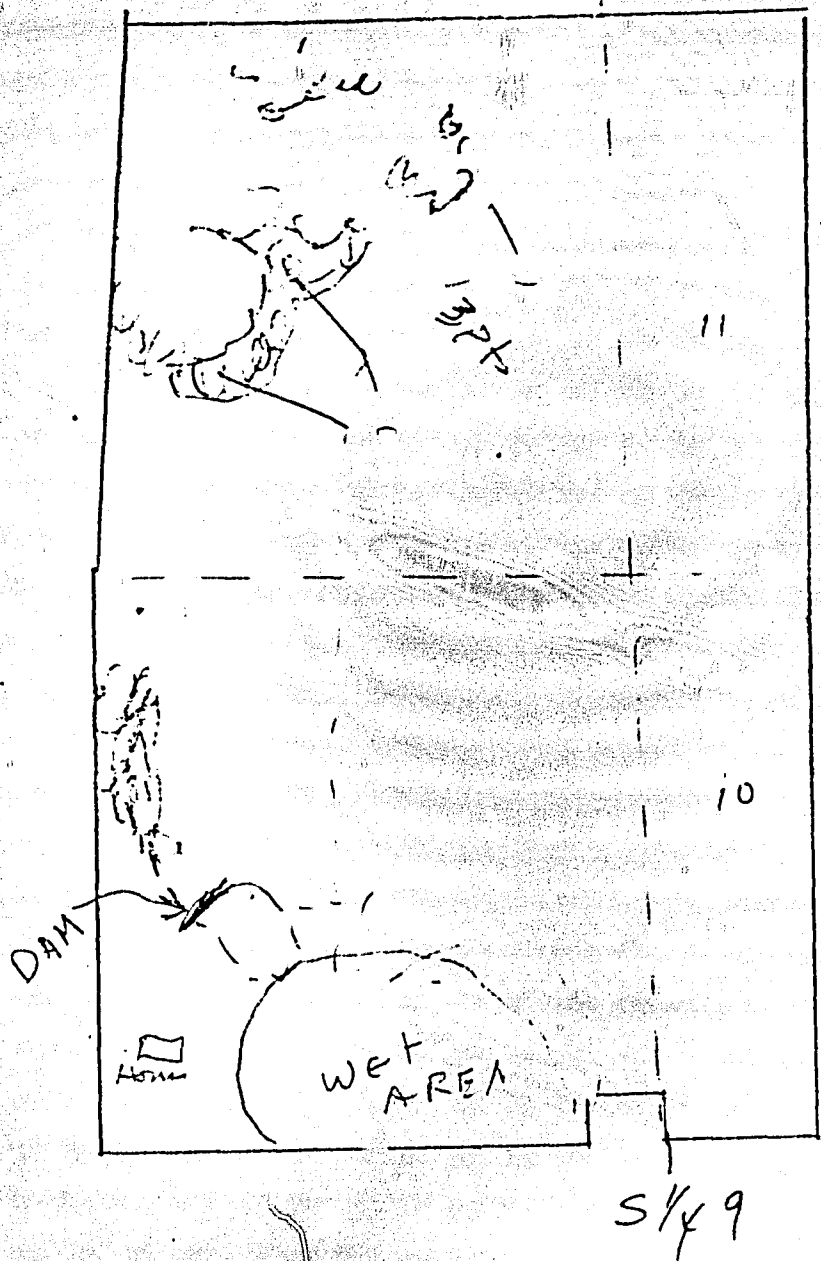
DATED this 16th day of June, 1977.

Lorin A. Winger
Linda J. Winger

SUBSCRIBED AND SWORN TO BEFORE ME This 16th day of June, 1977,

Jay H. Smith
Notary Public for Idaho
Residing at Preston, Idaho
My Commission Expires: April 1, 1981

Owen Caspersen



Lic. 0.36 ft 8/12/64

SESW 9, 15S, 39E 30 ac
13 2271??

13 2271??

JUN 15 1977

Franklin County, Idaho
Clerk's Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

RICHARD A. STOCKDALE

being duly sworn,

deposes and says:

That he is the Office Manager of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 of 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 2nd, 1977, and ending

with the issue of June 9th, 1977.

Richard A. Stockdale

Fee \$ 13.69

Subscribed and sworn to before me this 13th day

of June, 1977.

Ottie W. Casperson

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Owen M. Casperson, Preston, Idaho has on 5-25-77 submitted Application No. 13-7187 for a permit to appropriate 2.14 cubic feet per second of water from unnamed springs tributary to sinks by means of pump and pipelines within the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (3 points), Sec. 9, T. 15S, R. 39E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 50 families within a mobile trailer park within the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E; and from Apr. 1 to Nov. 1 for the irrigation of 57 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 20, 1977.

C. STEPHEN ALLRED
Director

Published in the Preston Citizen, Preston, Idaho on June 2 and June 9, 1977.

Legal No. 397 — Pub. June 2 and 9, 1977.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 1000000000

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ARK 5/25/77

(2) ARK 5/25/77

(3) ARK 5/25/77

(4) ARK 5/25/77

(5) ARK 5/25/77

(6) ARK 5/25/77

(7) ARK 5/25/77 n/a

(8) ARK 5/25/77 n/a

(9) ARK 5/25/77

(10) ARK 5/25/77

(11) OW 6-15-77

(12) OW 6-17-77

(13) RDC 8/29/77

(14) 11 11

In form to receipt yes

Send Copies to:

n/a Idaho State Health Department
n/a Idaho Fish and Game Department
n/a Bureau of Land Management
n/a ~~Request Special Use Permit from U.S.F.S.~~ EMC 8-29-77
n/a Request Easement from B.L.M.
n/a Request Information from Applicant
n/a Request Dam Safety Information

In form for advertising yes

Platted on Map No. DD-43

Located within Water District No. Basin 13

Critical groundwater area: yes no

Groundwater levels:

Declining, Stable, Increasing

(comment)

Other rights on the same place of use None

Comments: None - no filling in
Abstract 13-2271

Affidavit of Publication received (date) June 15-1977

Final date for protests June 20-1977

Protests received: yes no

All requested information received from agencies or applicant: yes no

Action recommended:

Approve Deny

5/25/77 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval 9/26/77

(15) District E By RDC Date 8/30/77

Supplemental

Copy Sent

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Owen M. Casperson,
Preston, Idaho
has on 5-25-77 submitted Application No. 13-7187
for a permit to appropriate 2.14 cubic feet per second ~~XXXXXX~~ acre feet per annum
of water from unnamed springs tributary to sinks
by means of pump and pipelines
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (3 points), Sec. 9, T. 15S, R. 39E, B.M., Franklin
County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for 50 families within
XXX a mobile trailer park within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E; and from Apr.
for
1 to Nov. 1 for the irrigation of 57 acres
within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
June 20, 1977

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~
R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho
on June 2 and June 9, 1977

FILED
JUN 10 1977
C. S. ALLRED

May 27, 1977

RE: Application for Permit No. 13-7185 HEGERHORST 13-7190 FELLOWS
13-7186 CITY OF CLIFTON 13-7191 ANDERSEN
13-7188 JOHNSON 13-7192 BARSON
13-7187 CASPERSON
13-7188 JOHNSON

The Preston Citizen
Box 472
Preston, Idaho 83236

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

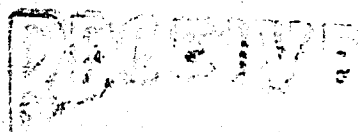
Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 6-15-77 by Ced

RBC:CW

Enc: Legal Notice (8)



JUN 17 1977

Department of Water Resources
Eastern District Office

Gene Austin

RF #3 Box 59

Prater, Idaho

Dept. of Water Resources
1515 Lincoln Rd.
Idaho Falls, Idaho

Dear Sirs;

I do by formally protest the issuance of a permit for application # ⁷¹⁸⁷ 137812 because it would reduce the quantity of water under my existing water rights. I currently have a claim to water rights #134018 and that the water supply is insufficient for the purpose intended.

Before he has the permit he has already stopped and is using all flow from this spring and caused us considerably damage. Our pasture that we use as feed is drying up as well as our gardens, yards and orchard. Besides ~~extra~~ irrigation purposes we have sold off of Idaho Stock that use this spring solely for their drinking water.

Sincerely,
Gene Austin



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

June 21, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

C. Stephen Allred
Director

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Lorin A. Winger
315 South 2nd East
Preston, Idaho 83263

Dear Mr. Winger:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office
Ben B. Johnson, Attorney



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

June 21, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

C. Stephen Allred
Director

Mr. Owen M. Casperson
Rt. #3, Box 33
Preston, Idaho 83263

Dear Mr. Casperson:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 13-7187. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

June 21, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

C. Stephen Allred
Director

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Gene Austin
Rt. #3, Box 59
Preston, Idaho 83263

Dear Mr. Austin:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against)
Application for Permit No. 13-7187)
in the Name of OWEN M. CASPERSON)
_____)

NOTICE OF CONFERENCE

AND/OR HEARING

On May 25, 1977, Owen M. Casperson, Preston, Idaho, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On June 17, 1977, the Department received protests from Gene Austin and Lorin A. and Linda J. Winger

The Department has set the matter of protests for conference and/or hearing for Friday, July 22, 1977, at 11:30 a.m., in the Courtroom of the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 10th day of July, 1977.

s/ Ronald D. Carlson

RONALD D. CARLSON

Supervisor, Eastern Region

DEPARTMENT OF WATER RESOURCES

Name and Address of Sender
 EASTERN DISTRICT OFFICE
 1515 LINCOLN ROAD
 IDAHO FALLS, IDAHO 83401

Indicate type of mail:
☐ REGISTERED
☐ C.O.D.
☒ CERTIFIED

Attach stamp here if issued as certificate of mailing or return addressed
 POSTMARK AND DATE OF RECEIPT
 1973 JUL 15

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.F. FEE	REMARKS
1	441 B King St, Idaho Falls, Idaho	13	60		13-2126
2	442 Albert A. Sharp, Preston, Id.				13-2122478
3	443 Thomas Edwards, P.O. Box 832, Idaho Falls				13-2122478
4	444 Appleby & Whitcomb, P.O. Box 3, Preston, Id.				13-2128
5	445 Appleby & Whitcomb, Preston, Id.				"
6	446 Appleby & Whitcomb, Preston, Id.				"
7	447 Appleby & Whitcomb, Preston, Id.				"
8	448 Appleby & Whitcomb, Preston, Id.				"
9	449 Appleby & Whitcomb, Preston, Id.				"
10	450 Appleby & Whitcomb, Preston, Id.				"
11	451 Appleby & Whitcomb, Preston, Id.				13-2129
12	452 Appleby & Whitcomb, Preston, Id.				"
13	453 Appleby & Whitcomb, Preston, Id.				13-2126
14	454 Appleby & Whitcomb, Preston, Id.				"
15	455 Appleby & Whitcomb, Preston, Id.				"
16	456 Appleby & Whitcomb, Preston, Id.				"
17	457 Appleby & Whitcomb, Preston, Id.				13-2122
18	458 Appleby & Whitcomb, Preston, Id.				"
19	459 Appleby & Whitcomb, Preston, Id.				"
20	460 Appleby & Whitcomb, Preston, Id.				13-2128

Form 207, Dec. 1973
 TOTAL NO. OF PIECES BY SENDER: 20
 TOTAL NO. OF PIECES RECEIVED AT P.O.: 20
 POSTMASTER, PER NAME OF EMPLOYEE: [Signature]
 Declaration of value is required on international registered mail
 * U. S. GOVERNMENT PRINTING OFFICE: 1972-0-280-720

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

Name and Address of Sender

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

Indicate type of mail:
☐ REGISTERED
☐ C.O.D.
☒ CERTIFIED

Affix stamp here if issued as certificate or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE

NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS

POSTAGE

FEE

R.R. FEE

INSURANCE FEE

ACTUAL VALUE

1977 JUL 5
IDAHO FALLS
DEPT OF WATER RESOURCES

REMARKS

1	461	Samuel H. Wagner, 315 S. 2nd St., Pocatello, Idaho 83201	13	60						13-7187
2	462	Neel Quatey, Rt. #3, Pocatello								"
3										
4										
5		SENT UNREGISTERED TO:								
6		Alvin W. Lane, Rt. 1, Box 52, Pocatello, Idaho								29-2384
7		2. Leona Manning, P.O. Box 1301, Pocatello, Idaho								29-2391
8		3. Marion Foster, Market Street, Pocatello, Idaho								"
9		4. Harold Shaff, Washington, Idaho, Rt. 1, Box 1, Idaho								"
10		5. Russell H. Hines, 1st St., Pocatello								13-7182, 13-7174
11		6. Wayne H. Hines, 1st St., Pocatello								11-7182 & 14
12		7. Alvin W. Lane, Pocatello, Idaho								13-7126
13		8. Russell H. Hines, Pocatello, Idaho								13-7124
14		9. William H. Hines, Pocatello								13-7186
15										
16										
17										
18										
19										
20										

TOTAL NO. OF PIECES LISTED BY SENDER

2

TOTAL NO. OF PIECES RECD AT P.O.

2

POSTMASTER, Print name of receiving employee

*Show under "Remarks" class postage paid if other than first or if international

Declaration of value is required on international registered mail

U. S. GOVERNMENT PRINTING OFFICE: 1974-0-555-726

FORM 3877, Dec. 1973

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

July 12, 1977

Franklin County Clerk
Franklin County Courthouse
Preston, Idaho 83263

Gentlemen:

This is to confirm the use of the Courtroom in the Franklin County Courthouse for conferences and/or hearings to be held by this office on Thursday, July 21 and Friday, July 22, 1977, beginning at 9:00 a.m. each day.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

13-7187 - Owen M. Casperson

Courtroom, Franklin County Courthouse, Preston, Idaho

July 22, 1977 - 11:30 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Sen. Austin	RT 3, Preston, Idaho	Self
Yanna Austin	"	"
Linda J Winge	315 S 2 E Preston Idaho	Self
L a Winger	"	"
Owen Casperson	RT 3 Box 33 Preston Idaho.	"
Dottie Casperson	RT 3 Box 33 Preston Idaho	"
Perr Jones	"	"

July 28-1977

State of Idaho

Department of Water Resources

Eastern District Office

1515 Lincoln Road.

Idaho Falls Idaho

83461

RECEIVED

AUG 1 1977

Department of Water Resources
Eastern District Office

Dear Sir

No 13 - 7187. We have decided
our legal rights of said stream
is unjustable but this water
has run over our farm for
40 yrs or more. So we will
with draw the filing on 1347187
as we do not wish to go into
Court.

Yours Truly
Loren A. Wingon
Presion, Idaho.

83263

315802 E

August 4, 1977

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Lorin A. Winger
315 South 2nd East
Preston, ID 83263

Dear Mr. Winger:

The Department is in receipt of your letter of July 28, 1977, and I assume from your letter that you wish to withdraw the protest you submitted against the above referenced application for permit which was filed by Owen S. Casperson. For added clarity in our records, we have prepared a statement for you to sign and return if you do wish to withdraw your protest.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:me

Enclosure

RECEIVED
AUG 10 1977
BUREAU OF LAND MANAGEMENT
IDAHO

AUG 15 1977

WITHDRAWAL OF PROTEST

Department of Water Resources
Eastern District Office

We no longer wish to continue the protest we previously submitted against Application for Permit No. 13-7187 filed in the name of Owen S. Casperson. We request that our protest be withdrawn.

Loren E. Winger

Linda J. Winger

Aug 11- 1977

State of Idaho

Department of Water Resources

Eastern Region

Ronald Carlson

Supervisor

Eastern Region

Dear Sir

AUG 15 1977

Department of Water Resources
Eastern District Office

Will you please let us
know how much is our
expense of the hearing.
13- 7187. and other
expenses if any.

Thank you
Loren Winger

August 16, 1977

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Lorin A. Winger
315 South 2nd East
Preston, Idaho 83263

Dear Mr. Winger:

We are in receipt of your statement of August 15, 1977, withdrawing your protest submitted against the above referenced application for permit.

There are no direct charges to the parties involved in an administrative hearing before the Department.

We will now proceed with the processing of this application without regard for the protest you previously submitted. If you have other questions, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

August 16, 1977

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Gene Austin
Rt. #3, Box 59
Preston, Idaho 83263

Dear Mr. Austin:

As you are probably aware, you and Lorin and Linda Winger protested approval of the above referenced application for permit. The Wingers have withdrawn their protest leaving you as the only remaining protestant.

Please advise me, at your earliest convenience, if you and the applicant have been able to get together and reach some suitable agreement. If you can not reach an agreement and wish to continue this protest, it appears it will be necessary for the Department to reschedule this matter for hearing.

Please keep us advised of this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:cw



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 16, 1977

RE: Application for Permit No. 13-7187 CASPERSON

Mr. Gene Austin
Rt. #3, Box 59
Preston, Idaho 83263

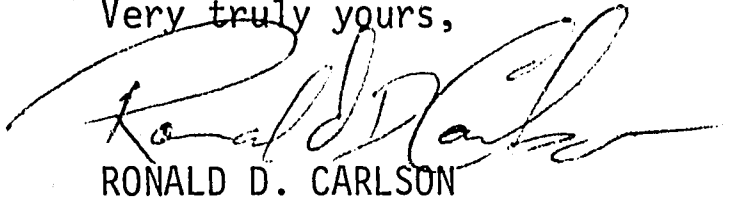
Dear Mr. Austin:

As you are probably aware, you and Lorin and Linda Winger protested approval of the above referenced application for permit. The Wingers have withdrawn their protest leaving you as the only remaining protestant.

Please advise me, at your earliest convenience, if you and the applicant have been able to get together and reach some suitable agreement. If you can not reach an agreement and wish to continue this protest, it appears it will be necessary for the Department to reschedule this matter for hearing.

Please keep us advised of this matter.

Very truly yours,


RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:cw

RECEIVED

AUG 18 1977

Department of Water Resources
Eastern District Office

Sene. Austin
RT-3-
permit. Idaho 83263

Mr. Donald D. Casperson

I Sene. Austin do hereby with draw
my protest on the application for permit No. 13-7187
Mr. Casperson.

Thank you

Sene. Austin

MEMORANDUM

TO: File
FROM: Ron Carlson *RDC*
RE: Application for Permit No. 13-7187
DATE: August 25, 1977

I have been contacted by Mr. Dave Gallafent, attorney from Pocatello, who is representing Lorin Winger. Mr. Gallafent stated in his opinion Mr. Winger withdrew his protest because he did not understand that he wouldn't have to pay court costs for the administrative hearing.

Parenthetically, Mr. Gallafent indicated he was representing Mr. Winger at no charge because he is Mr. Winger's son-in-law. He indicated that Mr. Winger has used the overflow from Casperson's pond for a number of years and will file claim to a water right to preserve a record of this right.

RECEIVED
AUG 27 1977
FBI

August 29, 1977

RE: Application for Permit No. 13-7187

Mr. Gene Austin
Rt. #3, Box 59
Preston, Idaho 83263

Dear Mr. Austin:

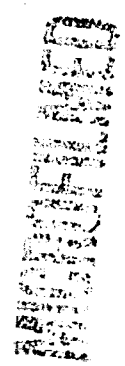
We are in receipt of your statement of August 18, 1977, withdrawing your protest submitted against the above referenced application for permit.

We will now proceed with the processing of this application without regard for the protest you previously submitted. If you have other questions, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW



August 29, 1977

RE: Application for Permit No. 13-7187

Mr. Owen M. Casperson
Rt. #3, Box 33
Preston, Idaho 83263

Dear Mr. Casperson:

This letter is to inform you that all protests submitted against the above referenced application have been withdrawn.

The Department will now proceed with the processing of this application without regard of the protest previously submitted.

If you have other questions, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

August 29, 1977

RE: Application for Permit No. 13-7187

Mr. Henry Moran
Public Health Engineer
Department of Health & Welfare
636 Perching
Pocatello, Idaho 83201

Dear Mr. Moran:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

RECEIVED



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Resources
Planning Office

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho
83201

30 August 1977

C

Owen M. Casperson
Route #3, Box 33
Preston, Idaho 83263

Re: Application #13-7187 (Franklin
County)

Dear Mr. Casperson:

O

We have been apprised of your application to appropriate the public waters of the State of Idaho to provide domestic water for a 50-unit mobile home park to be located near Preston.

P

Title 39-100 of the Idaho Code defines public water systems as a source of domestic water for ten or more separate premises or households; further, the statute requires that plans and specifications for public water facilities must be reviewed and approved by this Department prior to construction.

Operation and maintenance of public water systems must conform to the Idaho Drinking Water Standards, copy of which is enclosed for your information.

Y

If you have any questions concerning our requirements, please do not hesitate to contact our office.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md
Enc.
CC: Ron Carlson

EQUAL OPPORTUNITY EMPLOYER

MEMORANDUM

TO: File
FROM: Ron Carlson *RDC*
RE: Application No. 13-7187
DATE: September 19, 1977

A field inspection of the springs indicated in this application was conducted as part of the conference held on July 22, 1977. The field review revealed an existing pond in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E. This pond was fed by a spring area located on the applicant's property some 400 yards to the north. The applicant's property is located on a bench which is probably 75 feet above the elevation of the property owned by Gene Austin and Lorin Winger. Overflow from the applicant's pond runs to the south through a steep gully onto the property of Mr. Winger. A series of springs arise in several locations along the face of the bluff, but at the time of the field inspection they appeared to be flowing very little water.

Neither protestant was able to specifically define a water right but documents they had available indicated that originally the water rights for their property was supplied by springs arising on the edge of the bluff rather than those on Owen Casperson's property.

November 9, 1977

Re: Permit No. 13-7187

Owen M. Casperson
Route #3
Box 33
Preston, ID 83263

Dear Mr. Casperson:

Enclosed is a copy of your approved Application for Permit No. 13-7187. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

For Office Use Only
Fee Received <u>15.00</u>
Date <u>10-13-82</u>
Receipt # <u>24762</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit.

OCT 13 1982

Department of Water Resources

Owen M. Casperson of Rt 3 Box 33 Preston
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No. 13-7187.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
Nov 1, 1982.

That he has heretofore performed the following work described under said permit: 1 collection
field Supply tank 16,000 gal Pump house
the reservoir has been enlarged. Roads
are almost completed to the 2 other
Springs Costing \$ 22,500.00
(This must be filled out! If no work has been completed put none.)

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Need to put in 3 more collection fields
1 at Supply tank + 2 at the other
2 Springs finish roads + etc.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to Nov 1, 1987.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Owen M. Casperson
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the statement of beneficial use is extended to November 1, 1987.

Signed this 3rd day of November, 19 82.

J. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 13-7187

ORDER

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

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

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

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

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

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

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

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1982

Dear Wateruser:

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

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

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

Sincerely,

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

DRT:jg

Enclosures

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138537

CASPERSON, OWEN M.
RT. 3 BOX 33
PRESTON, ID 83263

AUGUST 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7187 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

October 13, 1982

Owen Casperson Auto. Const. Cont.
Owen M. or Dottie W. Casperson
Rt. 3, Box 33
Preston, ID 83263

PERMIT NO. 13-7187

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

- Enclosed is our receipt No. 24762.

Roberta Garrett
Records Supervisor

Enclosure

November 3, 1982

Owen M. Casperson
Rt. 3 Box 33
Preston, ID 83263

Dear Mr. Casperson:

Re: Permit No. 13-7187

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to November 1, 1987.

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 a permit is issued. In the case of this extension you must commence works within a year from the day the extension was signed and 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. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time
Postcard

CASPERSON, OWEN M.
RT. 3 BOX 33
PRESTON, ID 83263

CERTIFIED MAIL
August 31, 1987

138868

PROOF DUE NOTICE

RE: Permit No. 13-7187

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 November 1, 1987. (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

November 3, 1987

CASPERSON, OWEN M.
RT. 3 BOX 33
PRESTON, ID 83263

LAPSE NOTICE

RE: Permit No. 13-7187

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated August 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11-13-87
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Beta Fleck

I certify that file No. 13-7187 has been
reviewed and is ready to be **MICROFILMED**
and **DESTROYED**.

Godi I. Schultz
Signature

10/31/88
Date

Form 217
11/91

RECEIVED

FEB 01 1999

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 150%⁰⁰

Date 1-26-99

Receipt No. E024739

Receipt by PRM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 13-07187 Telephone No. (208) 852-0680
2. Name(s) of Permit Holder(s): DOTTIE W. CASPERSON
3. Mailing Address: 1582 N 1400 W, PRESTON ID 83263
4. Source of Water: UNNAMED SPRINGS

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 25 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 57 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.14 cfs OR _____ acre/feet

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

Measuring device: Required? ____ Yes ☒ No Installed? ____ Yes ____ No

OR

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

8. Fee Enclosed: \$ 150%⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

DOTTIE W. CASPERSON
Name

(208) 852-0680
Telephone No.

SAME AS ABOVE
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.

1-26-1999
Date

Dottie W. Casperson
Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-07187

IN THE NAME OF OWEN M. CASPERSON

)
)
)
)
**ORDER OF
REINSTATEMENT**

This matter having come before the Idaho Department of Water Resources (Department) the Department makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

1. On November 8, 1977, the Department issued Permit No. 13-07187 in the name of Owen M. Casperson with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1982. The proof due date was later extended to November 1, 1987.
2. On August 31, 1987, the Department sent a proof due notice to the permit holder by certified mail stating that proof was due, and instructed the permit holder of the steps to be taken to submit the proof of beneficial use.
3. On November 3, 1987, the Department sent a lapse notice to the permit holder since the Department had not received an acceptable proof of beneficial use statement or extension of time request.
4. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.
5. On January 26, 1999, Dottie W. Casperson submitted an acceptable proof of beneficial use statement, the \$150.00 license examination fee and supporting information. Mrs. Casperson submitted an Affidavit of Death and Heirship which shows she is the surviving heir of Owen M. Casperson, who was the original permit holder. Mrs.

Casperson also submitted four (4) affidavits from homeowners stating that the water in question has been servicing them since before the permit lapsed. Insurance records showing the dwellings on the property in question were erected and being serviced by the spring and an assessment of the property from 1982 describing the diversion works were also submitted. Mrs. Casperson further explained that around the time the proof due notice was mailed the permit holder moved and the proof due notice never reached them.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used within the authorized development period.
2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.
3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 13-07187 is **REINSTATED**.

IT IS FURTHER ORDERED that the priority date is advanced to January 26, 1999.

IT IS FURTHER ORDERED that reinstatement of this permit does not authorize any additional development by the permit holder.

Dated this 25th day of May, 1999.



L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

FEB 02 1999

Department of Water Resources

January 27, 1999

TO: Idaho State Water Resources Board

FROM: Dottie Casperson
1582 North 1400 West
Preston, Idaho 83263

To Whom It May Concern:

I am a recent widow. My husband filed on some springs in 1977 and everything was ok except he was using it for beneficial use and needed to complete the project he wanted. An extension was filed in 1982 and in 1987 apparently it lapsed. I cannot figure out why he did not follow up on this or if he sent in the final card and it was lost, etc. etc. He was very proud of this project and it was mostly completed in 1982 and was finished shortly after that. I just found out about the lapse when I called Idaho Falls for some information.

We have had people living in trailers here since 1978-9 and he added to the amount. We have three homes on this property. One was always here and we remodeled it and had a UP&L audit done on it. We moved onto this place in 1981 and lived in a double wide trailer while we built us a home. We moved into this home in October of 1987. (I wonder if some mail was lost during our move). He took the double wide and enclosed it so we actually have three livable, nice, houses here and also the trailer court all receiving water from his project..

During the period before 1987 we used the irrigation water to raise some potatoes and onions. This was quite successful but our buyer went bankrupt so since that time we have used the ground for alfalfa and for grain. We also have had animals we raised.

I am enclosing several documents to prove we did complete the project and it is in use. I guess I will never know why it was allowed to lapse. I know he was very proud of the project and completed it. I have included a letter from our son who helped him with much of the laying of pipe, putting in the pumps, building the pumphouse with storage area, etc. He is very knowledgeable about this work.

I was astonished to find out it had lapsed and I hope I will be able to re-instate the filing. I know my husband worked hard on it and it is a good system and project.

Thank you,

Dottie Casperson

TO WHOM IT MAY CONCERN :

My name is CRAIG W CASPERSON. I am the son of OWEN and DOTTIE CASPERSON.

I owned the first trailer home to be lived in and have water furnished to it. I also helped my father install the pipe and hookups for mine and future trailer homes.

My family and I returned to the Preston area in the summer of 1979 and the following summer we purchased our mobile home and set it up where my father had planned his trailer court. At this time the reservoir storage area had already been made and the collection of the source had also been done. During 1980 my father and I installed the main line, all hookups and enclosed the reservoir and pumping area.. We began adding other trailers during the fall of 1980.

The irrigation system was installed and in use when my father purchased the farm in 1977. It has been in use every year since.

Sincerely,



CRAIG W CASPERSON

197290 1-4

**AFFIDAVIT OF DEATH AND HEIRSHIP
OF**

OWEN MILTON ROSS CASPERSON

recorded at the request of
Steve Filler

a.m. OCT 10 1996 4:5 p.m.

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO

STATE OF IDAHO

County of Franklin

)
) ss
)

DOTTIE W. CASPERSON, being first duly sworn, deposes and says as follows:

1. I am a resident of the County of Franklin, State of Idaho and I am the wife of Owen Milton Ross Casperson, deceased.

2. Owen Milton Ross Casperson died September 7, 1996, at the age of 68 years, and at the time of death of said decedent, his domicile and legal residence was in Preston, Franklin County, Idaho. (See a death certificate attached hereto as Exhibit "A") At the time of his death, said decedent was married to Dottie W. Casperson.

3. On July 28, 1994, the decedent and I entered into a Trust Agreement titled the "Owen M. Casperson Family Trust", into which the decedent and I transferred and conveyed all of our real and personal property assets. Through inadvertence and mistake, a parcel of property described in Exhibit "B" attached hereto and incorporated herein by reference, was omitted. Said real property should have been made part of the Trust, but was not included in the deed to said Trust.

4. The only portion of the decedent's estate which is not included in the Owen M. Casperson Family Trust is the parcel of property described in Exhibit "B", attached hereto. The decedent's will provides that all property not specifically included in the Trust is to be placed into said Trust upon the death of either of the Grantors.

5. As the surviving heir of Owen M. Casperson, I am entitled to the ownership of the property described in Exhibit "B" attached hereto.

6. Further, I am the surviving Trustee of the Owen M. Casperson Family Trust and as such have full power and authority to convey, transfer and sell any property held by said Trust pursuant to the terms of the Trust Agreement dated July 28, 1994.

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

197290³⁻⁴

CERTIFICATE OF DEATH

DATE FILED: SEPTEMBER 11, 1996

STATE FILE NUMBER: 96-05493

DECEDENT: OWEN MILTON ROSS CASPERSON

DATE OF DEATH: SEPT. 07, 1996 PLACE OF DEATH: PRESTON, IDAHO

DATE OF BIRTH: JUNE 12, 1928 PLACE OF BIRTH: IDAHO

AGE: 68 YEARS SEX: MALE VETERAN? YES

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): DOTTIE WILDE

SOCIAL SECURITY NUMBER: 519-28-4435 RESIDENCE: PRESTON, IDAHO

FATHER: JOHN WILLIAM CASPERSON

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): EDNA MAUGHAN

MOTHERS BIRTHPLACE: IDAHO

MORTUARY: WEBB FUNERAL HOME

MORTICIAN: DOUGLAS S. WEBB

PRESTON, IDAHO

DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: MARK HYRUM GIBBY, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

SUDDEN CARDIAC DEATH
MYOCARDIAL INFARCTION
CORONARY ARTERY DISEASE

30 MINUTES
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

SEPTEMBER 13, 1996

DATE ISSUED:

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR



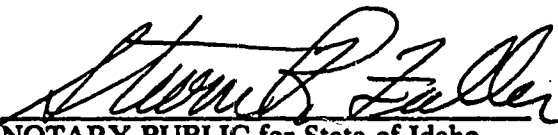
197290 24

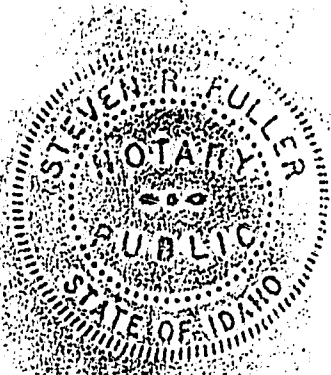
7. This Affidavit is intended to complete the chain of title from the decedent to myself and from myself to the Owen M. Casperson Family Trust.

DATED this 30th day of September, 1996.


DOTTIE W. CASPERSON

SUBSCRIBED AND SWORN TO before me this 30th day of September, 1996.


NOTARY PUBLIC for State of Idaho
Residing at: Preston, ID
Comm. Expires: 2/19/99



TO WHOM IT MAY CONCERN:

Since the death of my husband I am the sole trustee of the Owen M. Casperson Trust. As item number 6 states I can therefore sell any property from the estate. We established said Trust in July of 1994.

Dottie W. Casperson
Trustee of the Owen M. Casperson Family Trust

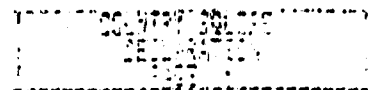
197290 4-4

EXHIBIT "B"

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 15: Commencing at a point 74 rods West and 23 rods North of the Southeast corner of the SW $\frac{1}{4}$ of Section 15, thence North 10 $\frac{1}{2}$ rods; thence West 8 rods; thence South 10 $\frac{1}{2}$ rods; thence East 8 rods to the point of beginning.

*This piece of property
has nothing to do
with what we are
working on. It was
a small piece left out
of our trust.*



POLICY NUMBER: 01-A-22539-01
POLICY PERIOD: 01-31-84 TO 01-31-85
COUNTY: FRANKLIN
AGENCY: MOSES DIVISION MGR
AGENT: GENESEE WESLEY W
EFFECTIVE DATE: 01-31-84
ISSUE DATE: 02-29-84



FARM BUREAU INSURANCE COMPANY OF IDAHO, INC.
PO BOX 6242 - 345 WEST CENTER
BOCATELLO IDAHO 83261

COUNTY: FRANKLIN
POLICY NUMBER: 01-A-28538-01

THE INSURANCE PROVIDED AS INDICATED BY THIS DECLARATION SUPERSEDES
AND REPLACES ALL INSURANCE PREVIOUSLY AFFORDED BY THIS POLICY.

INSURED: CASPERSON GWEN H
CASPERSON DOITTE
ROUTE 5 BOX 307
PRESTON IDAHO 82263

POLICY NUMBER: 01-A-28538-01
POLICY PERIOD: 01-31-84 TO 01-31-85
COUNTY: FRANKLIN
AGENCY: MOSES DIVISION MGR
AGENT: DOETECH WESLEY H
EFFECTIVE DATE: 01-31-84
ISSUE DATE: 02-19-84

SECTION I - PROPERTY

LIMIT OF LIABILITY	COVERAGE	APPLICABLE PERILS	APPLICABLE ENDORSEMENTS	LOCATION
50000	A RESIDENCE PREMISE FRAME BUILDING NUMBER: 001 WAIVE DEDUCTIBLE ON GLASS	1-18	171	01
10000	B ADDITIONAL LIVING EXPENSE			
25000	C PERSONAL PROPERTY	1-18		
100000	E DWELLING FRAME 030X055 BUILDING NUMBER: 011	1-9		02
40000	E DWELLING MASONRY 026X048 BUILDING NUMBER: 012	1-9		01
1500	E GRANARY FRAME 030X030 BUILDING NUMBER: 013	1-9		01
3500	E SHED FRAME 060X120 BUILDING NUMBER: 014	1-9		01

100 DEDUCTIBLE APPLIES TO EACH SECTION I LOSS

SECTION II - LIABILITY

LIMIT OF LIABILITY	COVERAGE
25000	F1 BODILY INJURY EACH PERSON
50000	EACH OCCURRENCE
15000	G PROPERTY DAMAGE EACH OCCURRENCE
1000	F2 PREMISES MEDICAL EACH PERSON
5000	EACH OCCURRENCE
500	H DAMAGE TO PROPERTY OF OTHERS EACH OCCURRENCE

DESCRIPTION OF PREMISES:

LOCATION DESCRIPTION

01 FRANKLN SECT-9 TOWN-15S RANGE-39E ACRES-65 RES-2
02 LOT ACRE 155 1/4 STATE PRESTON IDAHO

SECTION I AND II PREMIUM 574.00

James E. Burke

CONTINUED ON PAGE 2



FARM BUREAU MUTUAL INSURANCE COMPANY OF IDAHO, INC.
PO BOX 4848 - 345 WEST CENTER
POCATELLO IDAHO 83201

COUNTRY 38013E
DECLARATION
PAGE 2

POLICY NUMBER: 81-6-26538-01
EFFECTIVE DATE: 81-31-84

SECTION III - AUTOMOBILE

LIMIT OF LIABILITY COVERAGE

25000	N	BODILY INJURY
50000		EACH PERSON
		EACH OCCURRENCE
15000	D	PROPERTY DAMAGE
		EACH OCCURRENCE
25000	P	UNINSURED/UNDERINSURED MOTORIST
50000		EACH PERSON
		EACH OCCURRENCE
1000	Q	MEDICAL
		EACH PERSON

SCHEDULE OF INSURED VEHICLES:

DESCRIPTION		APPLICABLE COVERAGES
72 PONT AUTO	00767	N,O,P,Q
78 BUIK AUTO	35874	N,O,P,Q
77 CHEV AUTO	77146	N,O,P,Q

SECTION IV - INLAND MARINE

NO COVERAGE

TOTAL POLICY PREMIUM 882.00

INSURED'S COPY
3 (12-35)

James E. Burke

APPROVED REPRESENTATIVE

January 22, 1999

To Whom It May Concern:

I lived in a trailer home parked at the Casperson Trailer Court from 1980 to 1985. There were several other trailer homes there and a working water system with pump house and irrigation pond.

Sincerely,

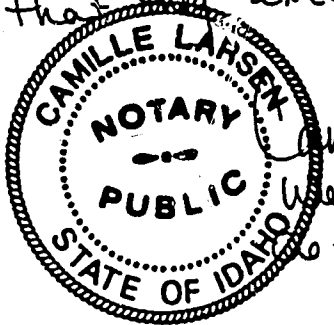
Janet Kimpton

Janet Kimpton
391 North 2 East
Preston, Idaho 83263
208-852-3928

On this 22nd day of January 1999 before me, a notary public in and for said State, personally appeared

Janet Kimpton

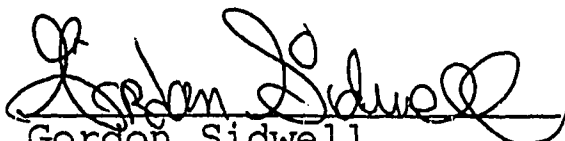
known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that they executed the same.

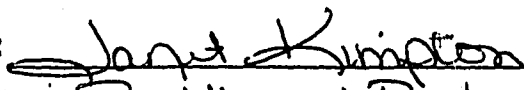


Camille Larset
Western Idaho
6-08-01

Date: 1-25-99

I hereby certify that Gordon Sidwell and his family lived on the Casperson trailer park in 1982-87 and that there were other trailers on said park. The water system was in place and delivering water to all those living there including the Caspersons.

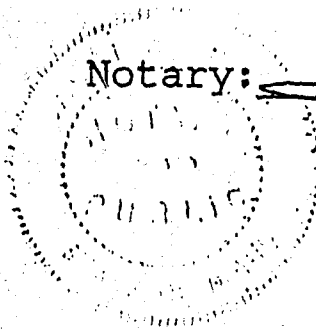

Gordon Sidwell

Notary: 
Residing at Preston, Md.

January 25, 1999

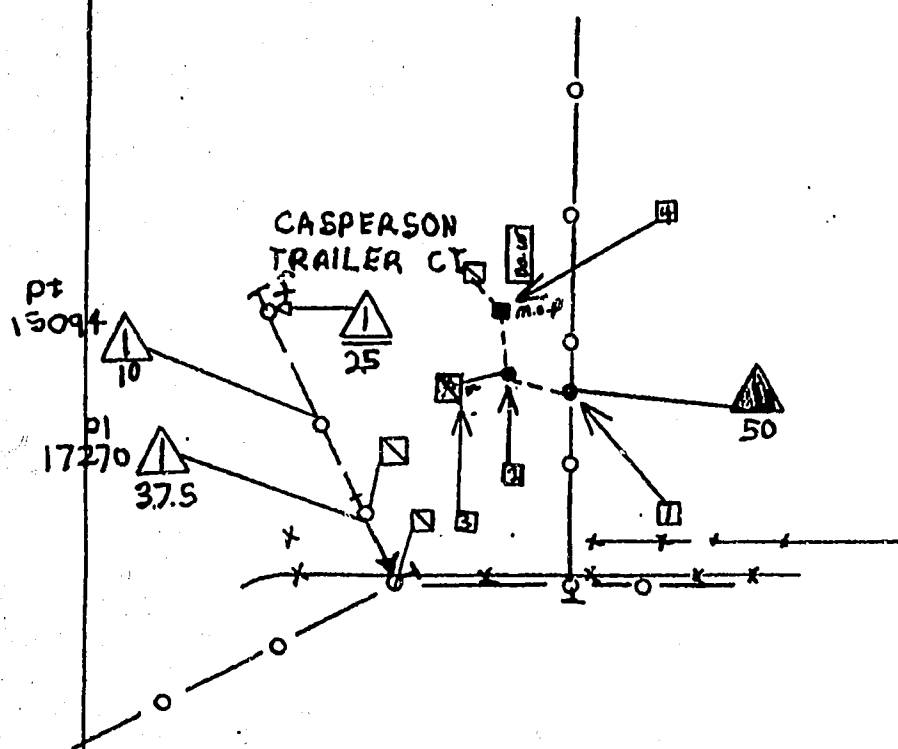
I am Craig Casperson, son of Owen Casperson, and I helped in developing the water system on his property at 1582 North 1400 West in Preston. This system was completed in the early 80's. A pump house was built with storage area and water has been and is currently being served to all those living at the trailer park and to the three houses on said property. I live down the road from this property and have lived there since 1981 and the system was in working when I moved here.

Craig W. Casperson
Craig W. Casperson



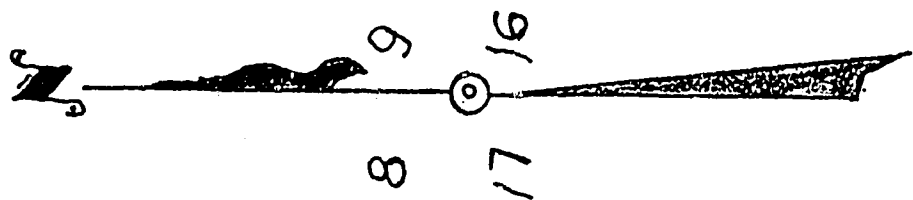
Notary:

Janet Kington
Residing at Preston, Id.



CORRECTED SKETCH

Date Completed by
 Was construction completed according
 to sketch Yes..... No..... (Please Note)
 S-9 ☐ Made ☐ Not required
 Transformers Installed Removed
 CO. NO. CO. NO.



T. 15 S. R. 39 E. SEC. 9

COMPATIBLE UNITS SUMMARY

Construction Location		Action I, R, R, RS, L	Variable Codes	Total Count or Feet	Compatible Units Number	Description or Construction Notes
At	To					
1		I	H	1	22311 AAI	40' 30 T-pole
		I	LM	2	14010 CA	Spread & Release
				1	31121 DF	50 KVA 170/240
2		I		1	2614 JE	35' SEC POLE
1	2	I		85'	20116 J	1/0 Triplex SEC
2	3	I		1	27111 JH	80' 1/0 SERVICE
3		I		1	27210 AB	Res Type metal
2	4	I		85'	20116 J	1/0 Triplex SEC
4		I		2	27210 AB	Res Type metal

UTAH POWER & LIGHT COMPANY #3,284

852-0680

IDAHO

REGION

PRESTON

Project No. 6409957 Type ER 15 Date 7-19-89
 Title DIST: NEW SERVICE FOR OWEN CASPERSON
2- New Homes & 1 DO wide Mobil Home
 Address 1582 N 1400 W Preston, Id
 Area Code 5 Designer BWT
 Ref. Map No. 20868
 Substation PRESTON Circuit 12 - 6-7 k.v. 12.5
 Scale 1" = 400 ft. Sheet 1 of 1 Approved By _____

Land Rights _____ Other Expenses _____
 OH to URD Conversion Credit: Future Devel. _____ Accrued Deprec. _____
 Customer Credits — Cash _____ Improvement _____ 10 HR DAY ☐

OLD AMERICAN APPRAISAL SERVICE

REAL ESTATE APPRAISERS • CONSULTANTS

313 E. ALAMEDA BOX 2738, POCA TELLO, IDAHO 83201, TEL. (208) 234-1776

OWEN CASPERSON PROPERTY
PRESTON, IDAHO

FOR:
OWEN CASPERSON

OCTOBER 8, 1982



ROLAND E. HULL, R.M.
GENE GALLOWAY, R.M.

October 8, 1982

Mr. Owen Casperson
Preston,
Idaho 83263

Dear Mr. Casperson:

Pursuant to your request for an appraisal of the estimated market value of the land and improvements located outside of Preston, Idaho, I attach herewith a report of 9 pages which describes my methods of approach and contains data gathered in my investigation.

After careful analysis of this data and a personal inspection of the property, it is my opinion, that the market value of the property and improvements as of October 8, 1982 is:

\$180,000.00.

Respectfully Submitted,



Roland E. Hull, R.M.
Appraiser (FNMA #1104913)

REH:cm

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ADDENDA

Map
Parcel Plat
Photos

IDENTIFICATION OF PROPERTY

The subject consists of approximately 60 acres of combination farm and waste land with several improvements described herein.

PURPOSE OF APPRAISAL

The purpose of this appraisal is to estimate the market value of the subject together with the improvements. The real estate interest appraised is that of fee simple ownership, the subject appraised as if free and clear and as if without liens and encumbrances.

DEFINITION OF MARKET VALUE

As used in this report, market value is defined as "the highest price in terms of money which a property will bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consumation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1.) buyer and seller are typically motivated.
- 2.) both parties are well informed or well advised, and each acting in what he considers his own best interest.
- 3.) a reasonable time is allowed for exposure in the open market
- 4.) payment is made in cash or its equivalent.
- 5.) financing, if any, is on terms generally available in the community at the specified date and typical for the property type in its locale.
- 6.) the price represents a normal consideration for the property sold unaffected by special financing amounts and/or terms, services, fees, costs, or credits incurred in the transaction."

NEIGHBORHOOD DATA

The subject is located approximately 3 miles northwest of Preston, Idaho on a dead end road.

The homes in this area range in age from new to 50 years old. This is a farming area and most homes are situated on farms or large acreages.

HIGHEST AND BEST USE

At present the site is diversified in use, including wrecking yard and car storage area, home site, farm ground and mobile home sites. Because of the topography of the land and demand for the items mentioned it is my opinion that the present use or a similar use of the site would constitute highest and best use.

ZONING AND RESTRICTIONS

The subject property is located outside the Preston city limits and is not zoned. The site was approved for a car storage site and is presently being partially used for this purpose.

TAXES

Taxes for the year 1981 were \$916.26 recorded on Ledger #1697.

LAND SALES AND VALUE INDICATIONS (Cont'd.)

All comparable land sales vary in usable and non-usable land. Price per acre varies from \$1,500 per acre to \$700 per acre depending on size and type of ground.

The subject has approximately 20 acres of sprinkled farm land and approximately 40 acres of combination dry grazing, pasture and waste land. The sprinkled farm land is valued by comparison at \$1,600 per acre and the balance at \$500 per acre.

DESCRIPTION OF IMPROVEMENTS

Improvements include a large, partially finished, shop and car storage building containing approximately 16,000 square feet at two different levels. Part of the lower storage area is total concrete ceiling, walls and floor and has had extra rebar added. The doors on the front have not been installed and several other items need to be completed to make the building totally usable.

Other storage sheds include a covered portion of the main building containing 1,200 square feet, a loft area containing 1,600 square feet, two sheds--one containing 3,456 square feet and one containing 4,032 square feet, one has concrete stalls and both are roofed and enclosed except in the front.

There is a cinder block well house, approximately 24' x 36'. Water is stored inside this building and used via a pump. Excess water is overflowed into a storage pond and used as irrigation water. This water system is quite elaborate with trenches having been dug and pipe installed throughout the area to contain as much of the spring water as possible.

Other improvements include a two bedroom brick home, approximately 40 years old. This home rents for \$175 per month.

Another older home is located on the site and is of residual value only.

DESCRIPTION OF IMPROVEMENTS (Cont'd.)

There are seven trailer spaces developed with water and sewer available on each space.

VALUE INDICATION BY COST APPROACH

Main building area: 16,000 S.F. @ \$6/S.F.	\$ 96,000
Shed storage area: 10,300 S.F. @ \$3/S.F.	<u>30,900</u>
Total value	\$126,900
Less depreciation	<u>50,000</u>
	\$ 76,900

All other items are added in as a lump sum figure depreciation having been considered:

Water system:	\$30,000	
Brick house:	25,000	
7 trailer spaces:	7,000	
Terracing & misc. items	<u>25,000</u>	
		\$ 87,000

Add land value:	\$ <u>62,000</u>
-----------------	------------------

ESTIMATED REPLACEMENT COST (including land)	\$225,900
---	-----------

Because the improvements are not totally completed and used material was used in some of the construction a lower than average cost per square foot was used in estimating replacement cost.

CORRELATION AND FINAL ESTIMATE OF VALUE

After compiling and reviewing the enclosed information, considering area land sales and replacement costs and considering the demand for this type of land and improvements, it is my opinion, that the fair market value of the land and improvements, as of October 8, 1982, herein described is most fairly represented as ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00).



Roland E. Hull, R.M.
Appraiser

CERTIFICATE OF APPRAISAL

Certification:

I hereby certify that I have no interest, present or contemplated, in the subject property, and that neither the employment to make the appraisal, nor the compensation, is contingent upon the value of the property. I certify that I have personally inspected the property and that, according to my knowledge and belief, all statements and information contained in this report are true and correct, subject to the underlying assumptions and contingent conditions.

Based upon the information contained in this report and upon my general experience as an appraiser, it is my opinion that the Market Value as defined herein of the subject property as of October 8, 1982 is ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00).

Roland E. Hull
Roland E. Hull, R.M.
Appraiser

CONTINGENT AND LIMITING CONDITIONS

The property description furnished me is assumed to be correct.

I assume no responsibility for matters legal in character, nor do I render any opinion as to the title, which is assumed to be good. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear under responsible ownership and competent management.

The sketch in this report is included to assist the reader in visualizing the property. I have made no survey of the property and assume no responsibility for its accuracy.

Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the client without the previous written consent of the appraiser and/or the client.

I am not required to give testimony or attendance in court by reason of this appraisal, with reference to the property in question, unless arrangements have been previously made therefore.

I have no present or contemplated interest in the property appraised.

The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

This appraisal has been made in accordance with the Code of Ethics of the American Institute of Real Estate Appraisers.

LEGAL DESCRIPTION

Township 15 South, Range 39 East of the Boise Meridian, Section 9: E $\frac{1}{2}$ SW $\frac{1}{4}$

ALSO, beginning at the Southwest corner of the South east Quarter of Section 9, running thence East 21 rods; thence North 160 rods, thence West 21 rods, thence South 160 rods to the place of beginning.

ALSO, beginning at the Southeast corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, and running thence North 80 rods; thence West 2 rods; thence South 80 rods; thence East 2 rods to the place of beginning.

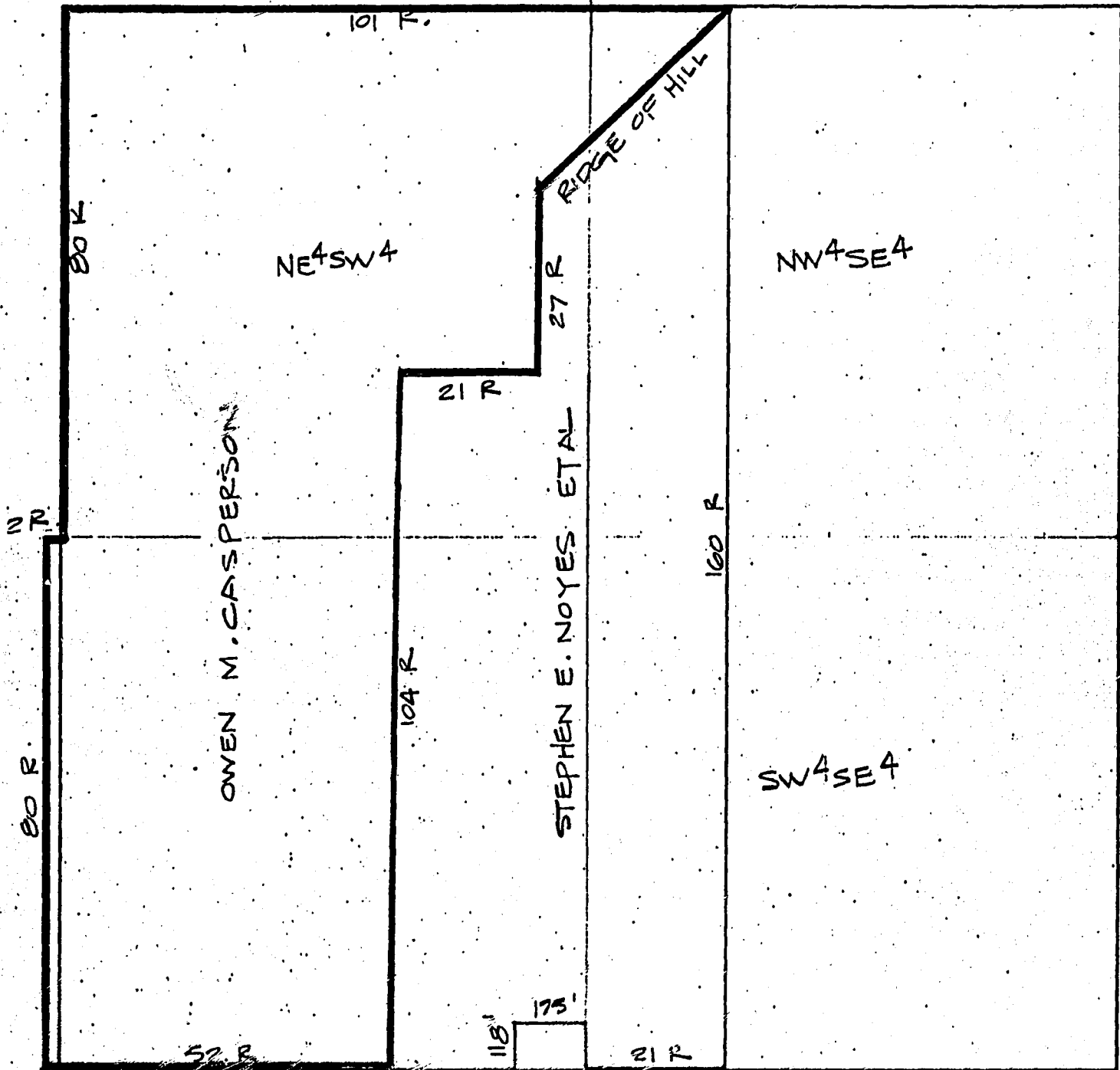
EXCEPTING THEREFROM: Beginning at the Southeast corner of SW $\frac{1}{4}$ of Section 9, and running thence North 118 feet; thence West 175 feet; thence South 118 feet; thence East 175 feet to place of beginning.

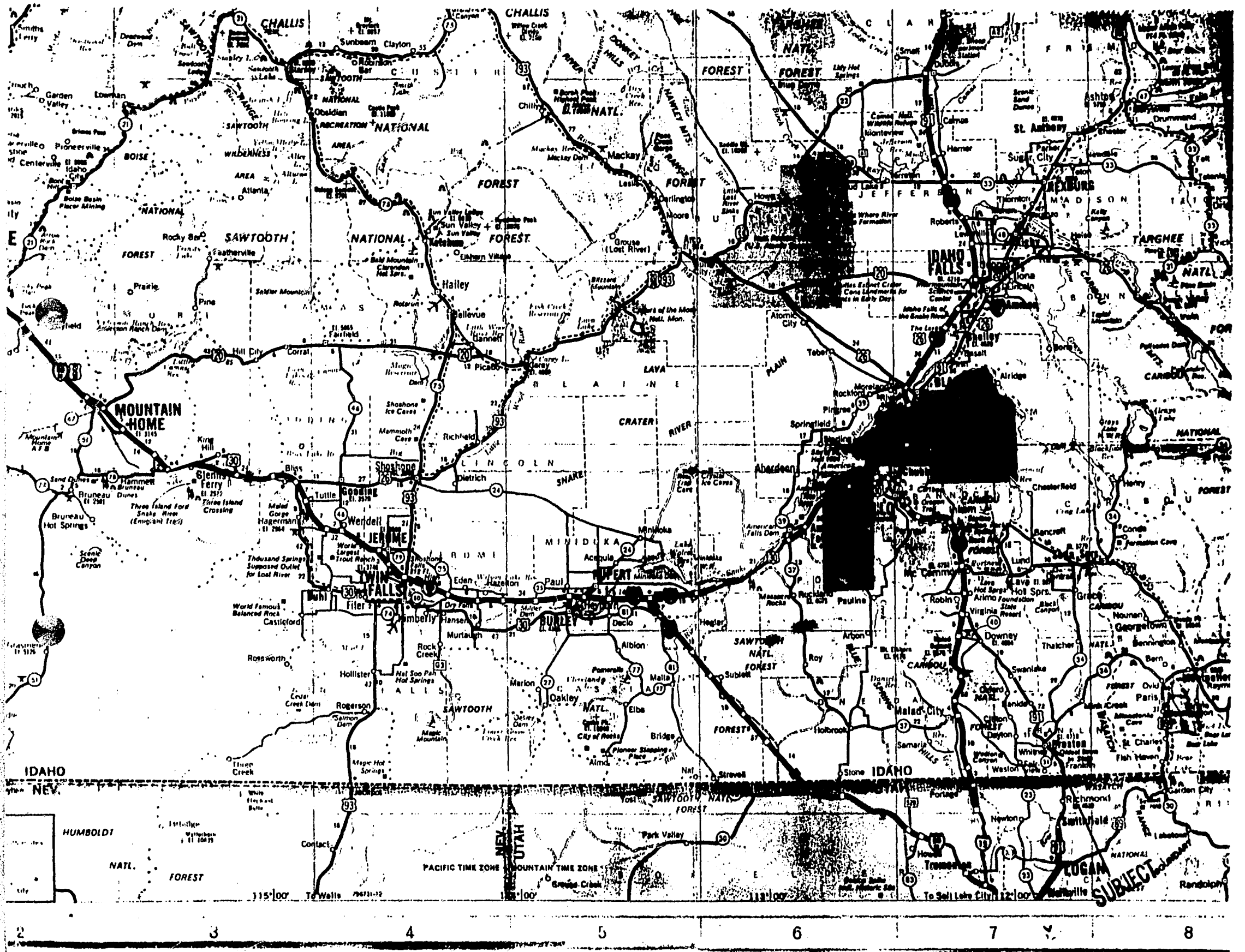
ALSO EXCEPTING THEREFROM: Commencing at a point 21 rods East of the Northwest corner of the Southeast Quarter of said Section 9, running thence South 160 rods; thence West 51 rods; thence North 104 rods; thence East 21 rods; thence North 27 rods; thence Northeasterly along the ridge of a hill to the point of beginning.



SEC. 9 TWP. 15 SO. R. 39 E. B.M.

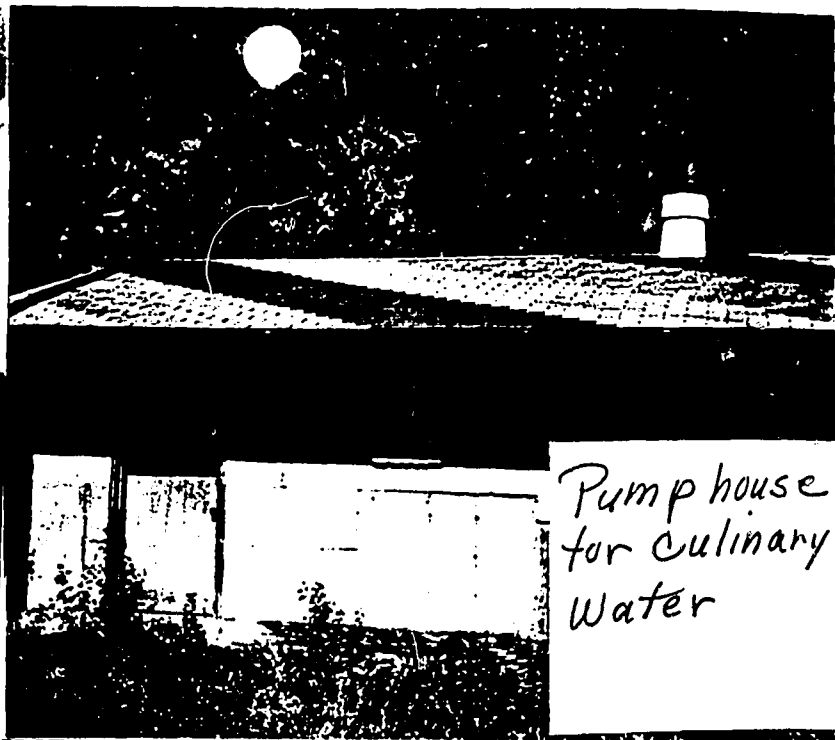
SCALE 1" = 400'







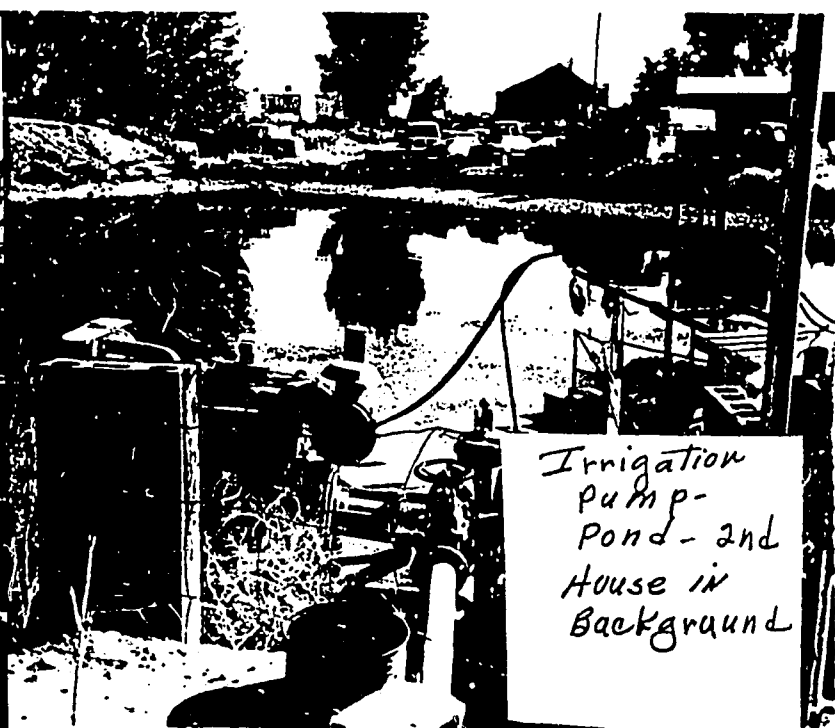
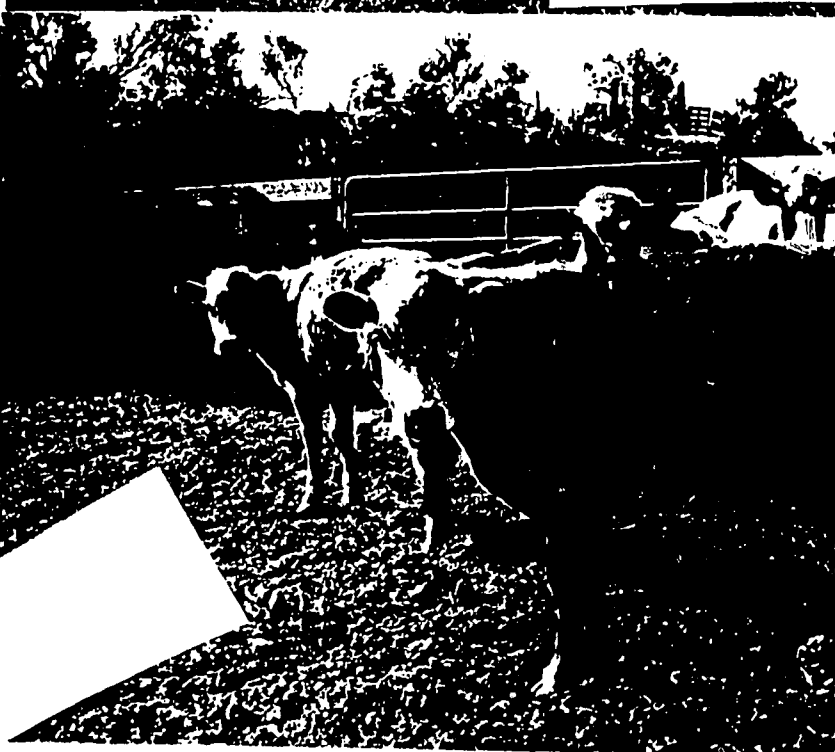
Main House on Property



Pump house for Culinary Water



Corrals



Irrigation pump- Pond - and House in Background



Hay field - Looking SW.

0207131 0222 N N-4-12

No.

Irrigation pond with pump

0207131 0222 N N-4-12

truck in 1979 GMC



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Dottie W Casperson
1582 N 1400 W
Preston ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07187

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to January 26, 1999, as provided in Section 42-218a.2, Idaho Code.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough', written in dark ink.

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Region