

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13 7499

To appropriate the public waters of the State of Idaho

1. Name of applicant Mid-Way Water Assoc. ^{Lynn} c/o Bingham Phone 747-3414 ³⁵⁷⁰
Post office address 2535 N. 4000 W. Dayton, ID 83232
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 15S Range 38E B.M. Franklin County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.16 ^{cfs} for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) 0.16 ^{cfs} and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well + pump to 12 homes

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 8 inches; proposed depth of well is 200 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
1 years (minimum 1 year).

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. 12
- 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.

Symbols - S - D

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	38E	2			D									D			D		
		1						D			D	D							
		12				D	D							D	D				
14S	38E	35																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NA.

11. a. Who owns the property at the point of diversion? Applicant - Dennis Ballif
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Easement

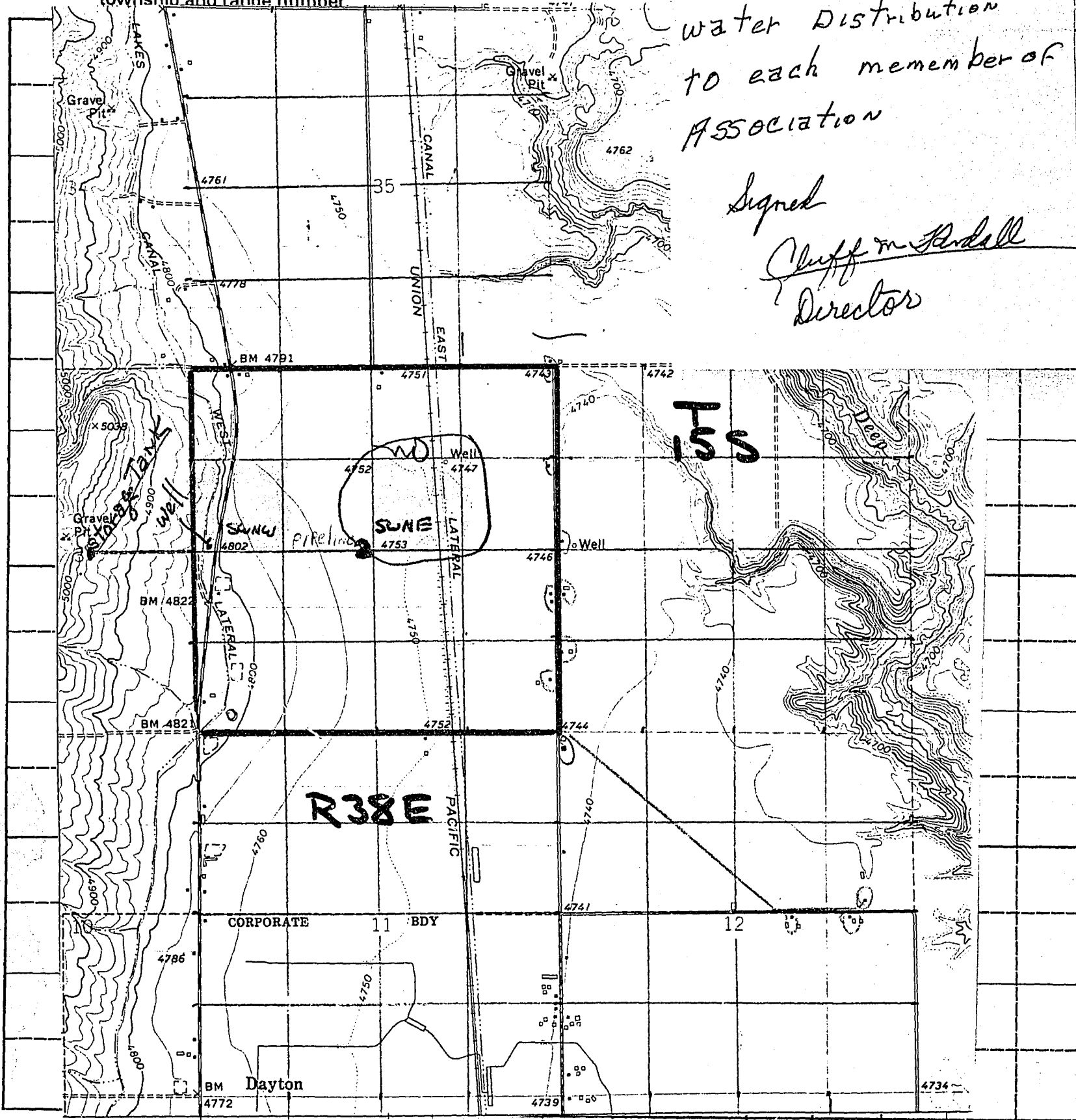
12. Remarks: Association members are; Cliff Kendall, Kent Howell, Jeff Avery, Lynn Bingham, Merlin Stevenson, Garth Stevenson, Jeff Elson, Glenn Bingham, Ray Stradman, Claude Howell, Bruce Naylor, and Dell Griffiths. This new well would replace 12 individual wells.

13-7499

13. Map of proposed project: show clearly the proposed point of township and range number

Revised map to show
water distribution
to each member of
Association

Signed
Cliff M. Randall
Director



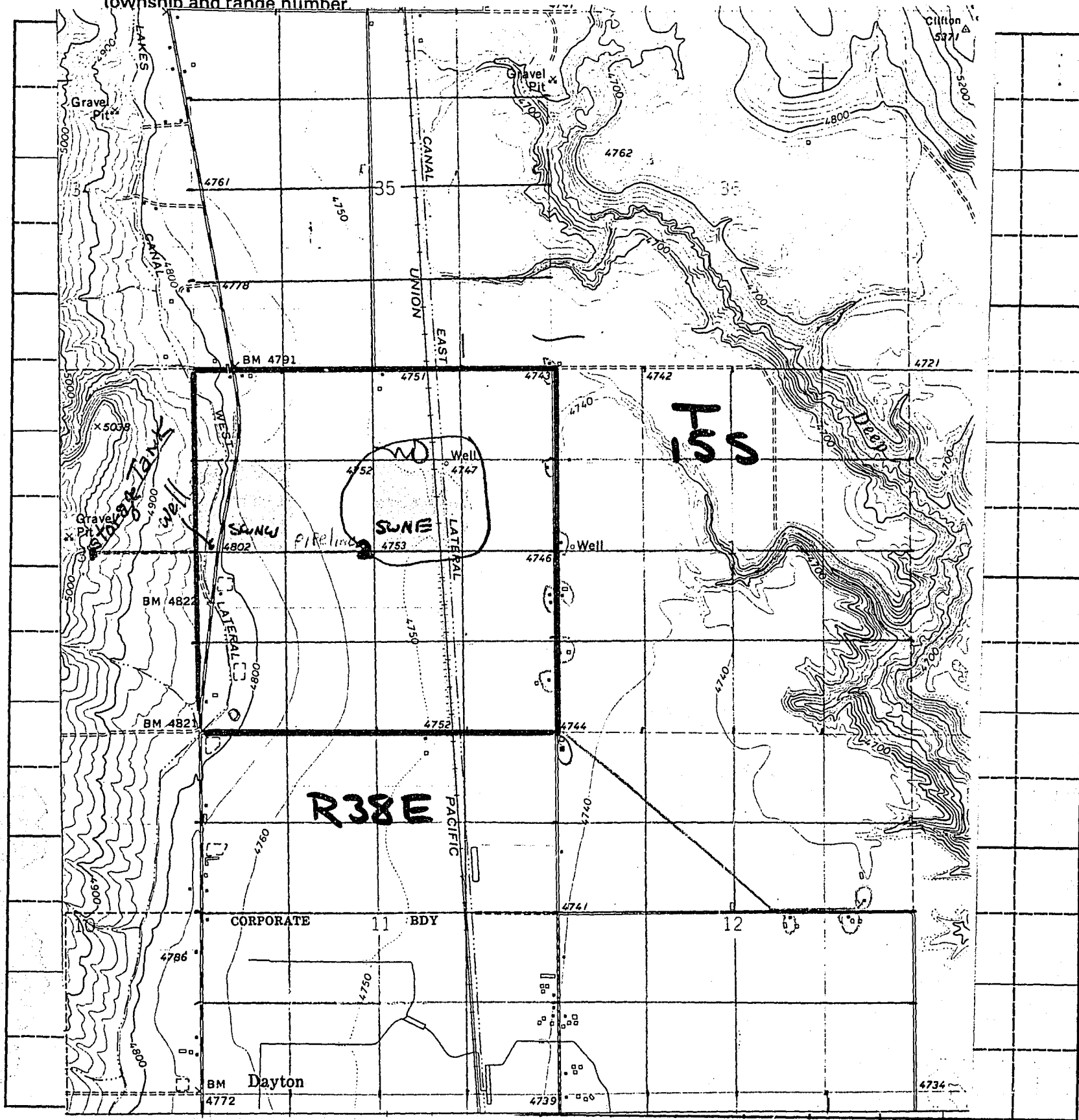
Scale: 2 inches equal 1 mile.

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.

Cliff M. Randall
(Applicant)
Title - Director

13-7499

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



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.

Clifford Randall
(Applicant)
Title — Director

Received by WM Date 8/3/92 Time 2:00pm Preliminary check by \$30.00 CR#102
Fee \$ 30 ^{xx}/₀₀ Received by HWS # E017674 Date 8-3-92
Publication prepared by LB Date 8-20-92 Published in Preston Citizen
Publication approved LB Date 10-6-92

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:

875

142 3505

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

SEP 8 0 1992

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the **CO-PUBLISHER** 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

Aug 19, 1992, and ending
with the issue of Sept 26, 1992

Fee \$ 22.55

Subscribed and sworn to before me this 2 day
of Sept, 1992.

Lilly M. M. M.

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995.

13-07499
MIDWAY WATER ASSOC.
2535 N. 4000 W.
DAYTON, ID 83232
Source: GROUNDWATER
Diversion Pt: SWNW Sec 2 T 15S R
38E in FRANKLIN County.
Use: DOMESTIC (.160 CFS) Total
Diversion: (.160 CFS)
Date Filed: 8/3/1992
In: FRANKLIN County T14S R38E
S35 SESE T15S R38E S01 SWNW
NWSW SWSW S02 SENE NESE SESE
S12 SENE NWNW NESE NWSE.
The permit(s) will be subject to all

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07499

Proposed Priority: August 3, 1992 Maximum Diversion Rate: 0.16 CFS
This is to certify, that **MIDWAY WATER ASSOC**

C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

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>
DOMESTIC	01/01 to 12/31	0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 2, Township 15S, Range 38E
FRANKLIN County

PLACE OF USE: DOMESTIC
TWN RGE SEC

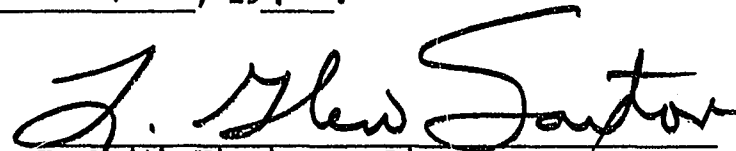
14S 38E	35	SESE		
15S 38E	1	SWNW	NWSW	SWSW
	2	SENE	NESE	SESE
	12	SENE	NWNW	NESE
		NWSE		

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1993.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
5. Construction of the well must comply with Idaho well construction standards.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. Domestic use is for 12 homes.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling.

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

19th day of November, 1992.

for 
R. Keith Higginson, Director

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

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 12, 1992

THE PRESTON CITIZEN
P.O. BOX 472
PRESTON, ID 83263

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 SEPTEMBER 7, 1992.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07499

MIDWAY WATER ASSOC
2535 N 4000 W
DAYTON, ID 83232

Source: GROUNDWATER

Diversion Pt: SWNW Sec 2 T 15S R 38E in FRANKLIN County.

Use: DOMESTIC (.160 CFS)
Total Diversion: (.160 CFS)

Date Filed: 8/ 3/1992

In: FRANKLIN County

T14S R38E S35

T15S R38E S01

S02

S12

SESE

SWNW

SENE

SENE

NWSW

NESE

NWNW

SWSW

SESE

NESE

NWSE

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 SEPTEMBER 7, 1992.

R. KEITH HIGGINSON, Director

Published: 8/27/1992 & 9/ 3/1992

21-Aug-1992

MIDWAY WATER ASSOC
2535 N 4000 W
DAYTON, ID 83232

RE: Application No. 13-07499

Dear Water Right Applicant:

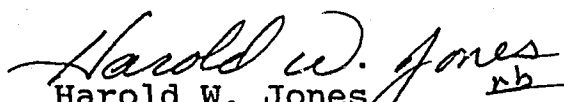
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Preston Citizen on August 8 & 27, 1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the 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 ^{rb}
Water Right Supervisor

HWJ:rb



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 20, 1992

MIDWAY WATER ASSOC
% LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07499

Dear Permit Holder(s):

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosure

Form 217

11/91

RECEIVED

JAN 19 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 1-20-93Receipt No. C0210536Receipt by [Signature]

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. 13-07499 Telephone No. 747-3570
2. Name(s) of Permit Holder(s): MID-WAY WATER CO., INC.
3. Mailing Address: % Lynn Bingham 2535 N. 4000 W. Dayton, Id. 83232
4. Source of Water: groundwater
- If GROUNDWATER, Well Driller's Name: William Bubbe Date Drilled: 9-13-92 started 9-16-92 finished

OPTIONAL:

Pump horsepower: 7.5 Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic 12 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted
- .16
- 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: \$
- 50.00
- (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.

Lynn Bingham 747-3570
Name Telephone No.

2535 N. 4000 W. Dayton, Id. 83232
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.

1-13-93
Date

Lynn Bingham, Secretary
Signature (and title, if on behalf of a company or organization)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 22, 1993

Midway Water Assoc
c/o Lynn Bingham
2535 N 4000 W
Dayton, ID 83232

Re: Permit No. 13-07499

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before the opening of your well began. We have also been unable to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well.

If you have a drilling permit or a copy of the well log, please provide this office with a copy of each. If you do not have a copy of the well log, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 30 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 1, 1993

Midway Water Assoc
c/o Lynn Bingham
2535 N 4000 W
Dayton, ID 83232

Re: Water Right Permit No. 13-07499

Dear Mr. Bingham:

Thank you for calling the Department and supplying me with the drilling permit number. I have since obtained a copy of the drilling permit. However, a couple of problems still exist.

First of all, you indicated that you possessed a copy of the well drillers report. Unfortunately, the Department has not received a copy of the report as of this date. You indicated that you could forward a copy of the report you possess. That would be greatly appreciated.

Secondly, the drilling permit indicates you obtained and paid for a "domestic" drilling permit. However, as indicated on the enclosed drilling permit application sheet, your water use does not meet the domestic requirements. Please note Section II - Drilling Permit Definitions which states in part:

Domestic purposes does not include: Water for multiple ownership subdivisions . . . unless the use meets the diversion rate . . . set forth in Paragraph A.2. . .

The diversion rate set forth in Paragraph A.2 is 0.04 cfs. Since your water right permit allows the diversion of 0.16 cfs, you do meet the domestic drilling permit requirements. You should have obtained a non-domestic permit.

Therefore, at this time, the Department will require that you upgrade your domestic drilling permit to a non-domestic drilling permit. The cost of a non-domestic drilling permit is \$200. Since you have already submitted \$35, you need only submit an additional \$135 to be in compliance.

Please forward the additional \$135 fee and the copy of the well drillers report within 30 days of the date of this mailing. The Department will then continue with the analysis of the proof of beneficial use and the licensing process.

In the mean time, if you have any questions or if we can be of any further assistance, please feel free to contact the Department.

Sincerely,



Karen L. Gustafson
Secretary/Records Manager

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 2, 1993

Midway Water Association
c/o Lynn Bingham
2535 N 4000 W
Dayton, ID 83232

Re: Water Right Permit No. 13-07499
Drilling Permit No. 13-92-E-0011-000

Dear Mr. Bingham:

On February 1, 1993, the Department corresponded with you and explained the need to submit a copy of the well drillers report and an additional \$165 to upgrade your drilling permit for non domestic use. We asked that this information and fee be submitted within 30 days of the date of mailing.

As of this date, the Department has received neither the drilling report or the required fee. The Department will allow an additional 15 days in which to submit the required information.

Please note that one of the conditions of your water right permit requires that you comply with the well drilling requirements of Section 42-235, Idaho Code. If you fail to submit the requested fee and information, you will be in violation of your water right permit.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 22, 1993

William H Dubbe
Dubbe Drilling & Pump Co
PO Box 4465
Pocatello, ID 83205

Re: Permit No. 13-07499 - Midway Water Association
Drilling Permit No. 13-92-E-0011-000
Drilling Date: September 13 - 16, 1992
Proposed Location: 15S, 38E, Section 02, SW $\frac{1}{4}$ NW $\frac{1}{4}$

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted 30 days after completion of the construction of this well.

While it is possible that you have submitted the log, we have been unable to locate it. Please supply me with another copy. Please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of the permit holders system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: Permit Holder



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1993

William H. Dubbe
Dubbe Drilling and Pump Co
PO Box 4465
Pocatello, ID 83205

Re: Permit No. 13-07499 - Midway Water Association
Drilling Permit No. 13-92-E-0011-000
Drilling Date: September 13 - 16, 1992
Proposed Location: 15S, 38E, Section 02, SW $\frac{1}{4}$ NW $\frac{1}{4}$

Dear Mr. Dubbe:

On March 22, 1992, the Department corresponded with you and requested that you submit a copy of the above referenced well log. We asked that it be submitted within 20 days of the date of mailing. As of this date, we have not received the well log.

As we explained before, we cannot continue processing the permit until you have submitted a completed well driller's report. Furthermore, since all well drillers' reports are required to be submitted within 30 days of completion of the well, you are in violation.

The Department will allow an additional 15 days for you to submit the log. If, at the end of that time, we have not received the log, the Department will begin taking action against you for failure to timely submit the log.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

TO: BOISE

APR-15-'93 THU 10:41

IDWR EASTERN REGION TEL NO: (208) 577-7177

#334 P02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

RECEIVED

MAR 15 1993

Department of Water Resources

CO 26978

3-15-93
JW

1. WELL OWNER Name <u>Mild-Wing Water Association</u> Address <u>2535 W. Yarrow Way, Puyallup, WA</u> Owner's Permit No. <u>13-92E-2011 83232</u>		7. WATER LEVEL Static water level <u>15</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of, Quality _____ Describe artesian or temperature zones below.																																									
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>60</u></td><td></td><td><u>7</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>60</u>		<u>7</u>																																		
Discharge G.P.M.	Pumping Level	Hours Pumped																																									
<u>60</u>		<u>7</u>																																									
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From</th><th>To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td><u>10</u></td><td><u>0</u></td><td><u>30</u></td><td><u>TOPSOIL, BROWN CLAY, ROCK</u></td><td>☒</td></tr><tr><td><u>7</u></td><td><u>30</u></td><td><u>85</u></td><td><u>BROWN CLAY, ROCK</u></td><td>☒</td></tr><tr><td><u>7</u></td><td><u>85</u></td><td><u>92</u></td><td><u>ROCK & GRAVEL</u></td><td>☒</td></tr><tr><td></td><td></td><td></td><td><u>LITTLE WATER</u></td><td></td></tr><tr><td><u>9</u></td><td><u>92</u></td><td><u>110</u></td><td><u>BROWN CLAY</u></td><td>☒</td></tr><tr><td><u>10</u></td><td><u>110</u></td><td><u>145</u></td><td><u>GRAVEL & SOME SAND</u></td><td>☒</td></tr><tr><td></td><td></td><td></td><td><u>LOTS OF WATER</u></td><td></td></tr></tbody></table>		Bore Diam.	Depth From	To	Material	Water Yes No	<u>10</u>	<u>0</u>	<u>30</u>	<u>TOPSOIL, BROWN CLAY, ROCK</u>	☒	<u>7</u>	<u>30</u>	<u>85</u>	<u>BROWN CLAY, ROCK</u>	☒	<u>7</u>	<u>85</u>	<u>92</u>	<u>ROCK & GRAVEL</u>	☒				<u>LITTLE WATER</u>		<u>9</u>	<u>92</u>	<u>110</u>	<u>BROWN CLAY</u>	☒	<u>10</u>	<u>110</u>	<u>145</u>	<u>GRAVEL & SOME SAND</u>	☒				<u>LOTS OF WATER</u>	
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____																																											
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>1.50</u> inches</td><td><u>8</u> inches</td><td><u>12</u> feet</td><td><u>127</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td><u>331</u> feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation <u>1/4</u> inches by <u>1</u> inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>50</u> perforations</td><td><u>107</u> feet</td><td><u>127</u> feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☒ CUTTINGS Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between struts Describe access port _____		Thickness	Diameter	From	To	<u>1.50</u> inches	<u>8</u> inches	<u>12</u> feet	<u>127</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	<u>331</u> feet	Number	From	To	<u>50</u> perforations	<u>107</u> feet	<u>127</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet										
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6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td></td><td></td><td>E</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table> Subdivision Name _____ <u>2900th West side Hwy</u> Lot No. <u>N/A</u> Block No. _____ County <u>FRANKLIN</u> SW <u>1/4</u> Sec. <u>2</u> T. <u>15</u> N. R. <u>38</u> E. W. <u>0</u>		N					W				E						10. Work started <u>9/10/92</u> finished <u>9/16/92</u>																										
N																																											
W				E																																							
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>DUBBE DRILLING</u> Firm No. <u>148</u> Address <u>PO Box 445 Puyallup</u> Date <u>9/16/92</u> Signed by (Firm Official) <u>M. J. Dubbe</u> and _____ (Operator)																																											

13-92E-2011

FORWARD THE WHITE COPY TO THE DEPARTMENT

MIDWAY WATER ASSOC
C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

April 16, 1993

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07499

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07499

RECEIVED

JUL 15 1997

Department of Water Resources

Date of Priority: August 3, 1992

Maximum Diversion Rate:

0.16 CFS

Maximum Diversion Volume:

14.4 AF

Comes now

MID WAY WATER ASSN

C/O LYNN BINGHAM

2535 N 4000 W

DAYTON ID 83232

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 13-07499, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.16 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW, Sec. 2, Township 15S, Range 38E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

14S 38E 35

15S 38E 1

2

12

Lot 4 (NWNW)

SESE

SWSW

SENE

SENE

NWSE

SWNW

NESE

NWNW

NWSW

SESE

NESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Dayton, Id., this 10th day of July, 1997.

Lynn R. Bingham
(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07499

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by LB # 60954 Date 7/15/97

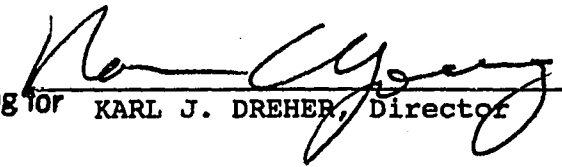
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 13-07499 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. Domestic use is for 12 homes.

Witness my hand this 18th day of July, 1997.


Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07499

Priority: August 3, 1992

Maximum Diversion Rate:
Maximum Diversion Volume:

0.16 CFS
14.4 AF

This is to certify, that MID WAY WATER ASSN
C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 3, 1992; and
has submitted Proof of Beneficial Use on January 19, 1993. An examination indicates
that the works have a diversion capacity of 0.500 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.16 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW, Sec. 2, Township 15S, Range 38E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

14S 38E 35

15S 38E 1

2

12

Lot 4(NWNW)

SESE

SWSW

SENE

SENE

NWSE

SWNW

NESE

NWNW

NWSW

SESE

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
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PAGE 2

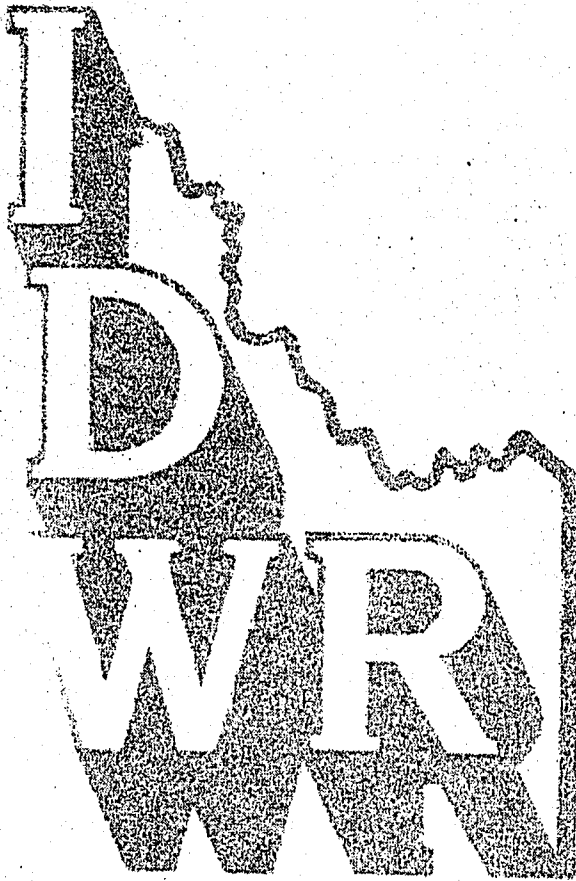
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07499

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15TH
day of July, 1992.


Acting for KARL J. DREHER, Director



Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 19 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 13-7499
Phone No. 208-852-2601 OFF
208-747-3570 HOME

1. Owner: MID-WAY WATER ASSOC.

Current Address: LYNN BINGHAM, 2535 N 4000 W, DAYTON, ID 83232

2. Accompanied by: LYNN BINGHAM

EXAM DATE: 1/22/95

Address: SAME AS ABOVE

Phone No. 208-852-2601

Relationship to Permit Holder: SELF

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	2	15S	38E	FRANKLIN	H.S.G.S. AERIAL PHOTO

2. Place(s) of Use:

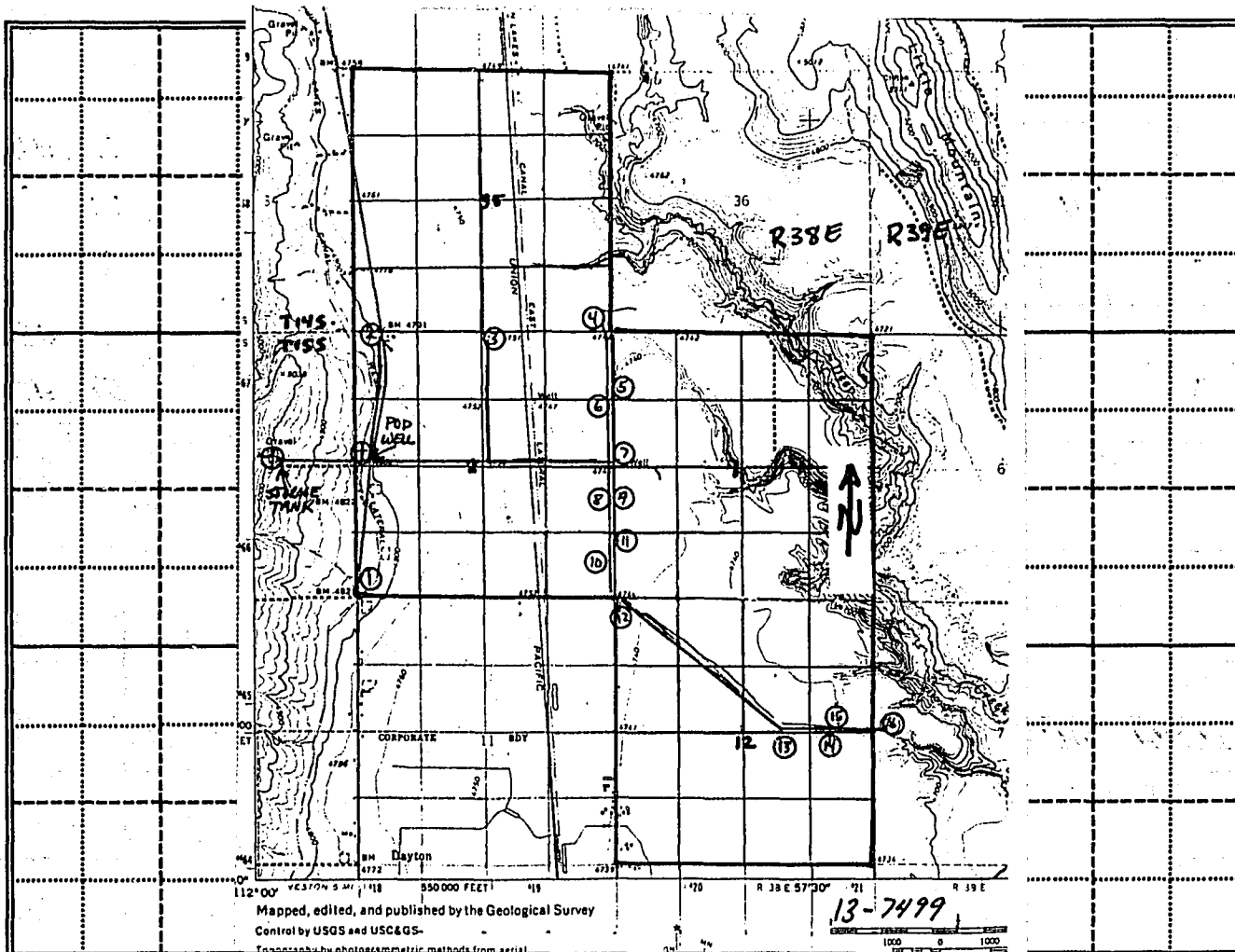
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	38E	35																D	
15S	38E	1																	
		2																	
		12																	
15S	39E	7																	

New app. needed for homes.
in yellow-marked this
way by H. Jones (Eastern) on
a duplicate copy attached to exam

(discarded) 32

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable. *SEE PHOTO*



Scale: 1" = _____

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GOULD	7			2 1/2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None

RECEIVED

RECEIVED

RECEIVED

E. NARRATIVE/REMARKS/COMMENTS

WELL: DRILLED 9/16/92 BY BILL BUBBE (13-92E-011)

8" CASING WITH PITLESS - 3" PIPE OUT OF WELL BUT
NECKS DOWN TO A 2 1/2" PITLESS ADAPTER; BALANCE OF
SYSTEM IS 4".

PUMP IS A GOKLD 100 M07 INSTALLED BY: GLENN'S ELECTRIC
PUMP AT APPROX. 115' STATIC AT 65' LOGAN, UT. 801-752-4178
STORAGE TANK: 12,800 GALLON CAPACITY - GRAVITY FEED SYSTEM.

LOW WATER DEMAND ON PUMP

ELEVATION AT APPROX. 4960'

KSE ELEVATION AT APPROX. 4745'

PRESSURE AT POU WAS 64 PSI

KSE: 16 HOMES CURRENTLY HAVE ACCESS TO SYSTEM.

TESTED BY: SORENSEN ENGINEERING, IF

TEST 225 GPM WITH HEAD AT 90'

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{HP (8.814) (EFF.)}{LIFT + (PSI \times 2.308)} = \frac{7 (8.814) (.7)}{205} = \frac{43.188}{205} = 0.21 CFS$$

205' LIFT WITH

DIVERSION RATE RESTRICTED TO PERMIT 0.16 CFS.

G. VOLUME CALCULATIONS1. Volume Calculations for Irrigation: ~~16 HOMES X 1/2 ACRE = 8 ACRES~~

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{8 \times 3.5 = 28 AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{0.16 CFS \times 183 \times 1.9835 = 58.07 AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{28 AFA}$$

2. Volume Calculations for Other Uses: ~~16~~ 12 homes x 1.2 afa = 14.4 afa**H. RECOMMENDATIONS**

1. Recommended Amounts

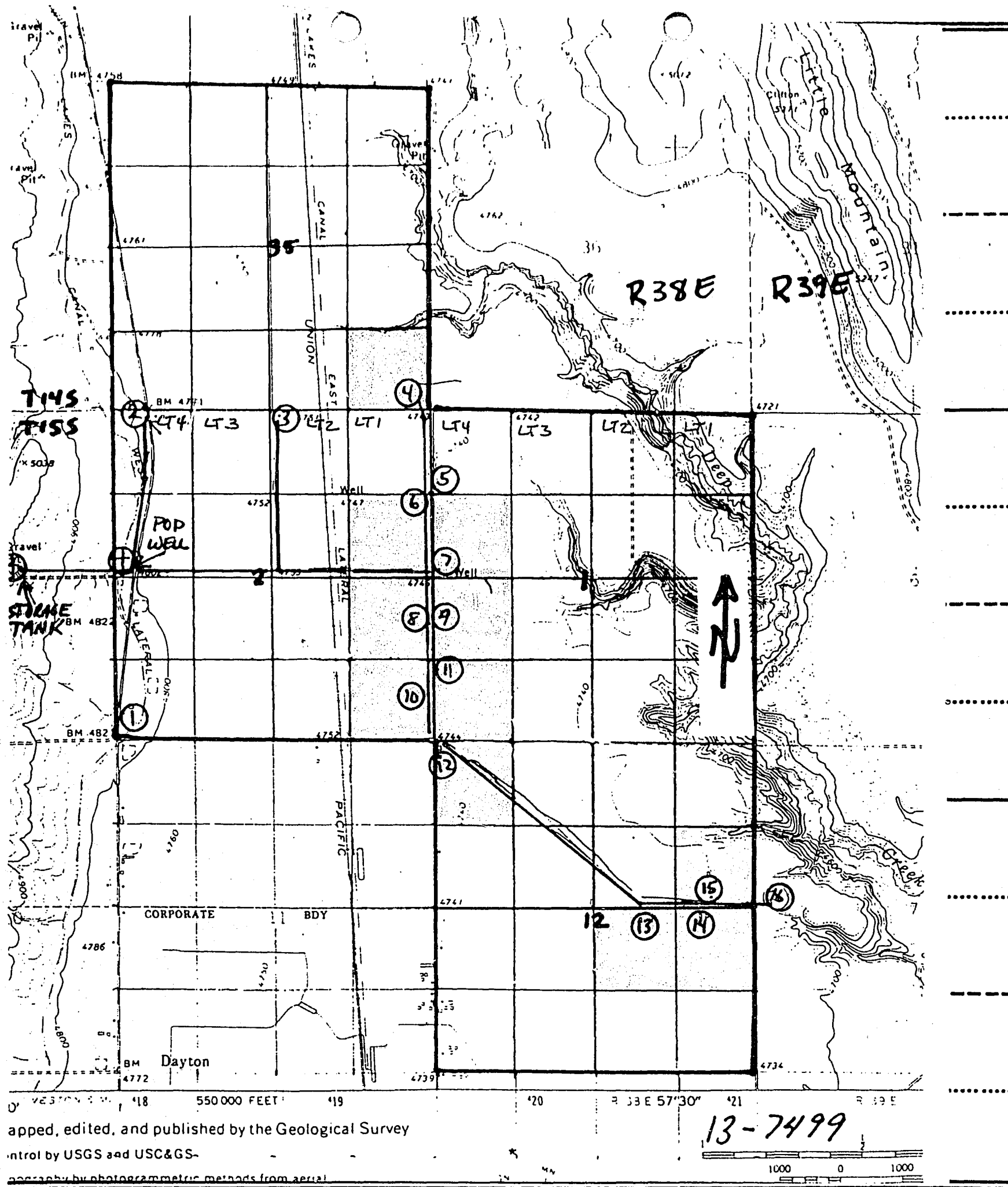
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1/1	12/31	0.16	28 AFA 14.4 afa
Totals:			0.16	28 AFA 14.4 afa

2. Recommended Amendments

Change P.D. as reflected above Add P.D. as reflected above None
Change P.U. as reflected above ☒ Add P.D. as reflected above Other

I. AUTHENTICATIONField Examiner's Name DONALD SIMPKINS Date 3/6/95Reviewer [Signature] Date 1-19-96

SEAL



apped, edited, and published by the Geological Survey
 ntol by USGS and USC&GS-
 nography by photogrammetric methods from aerial

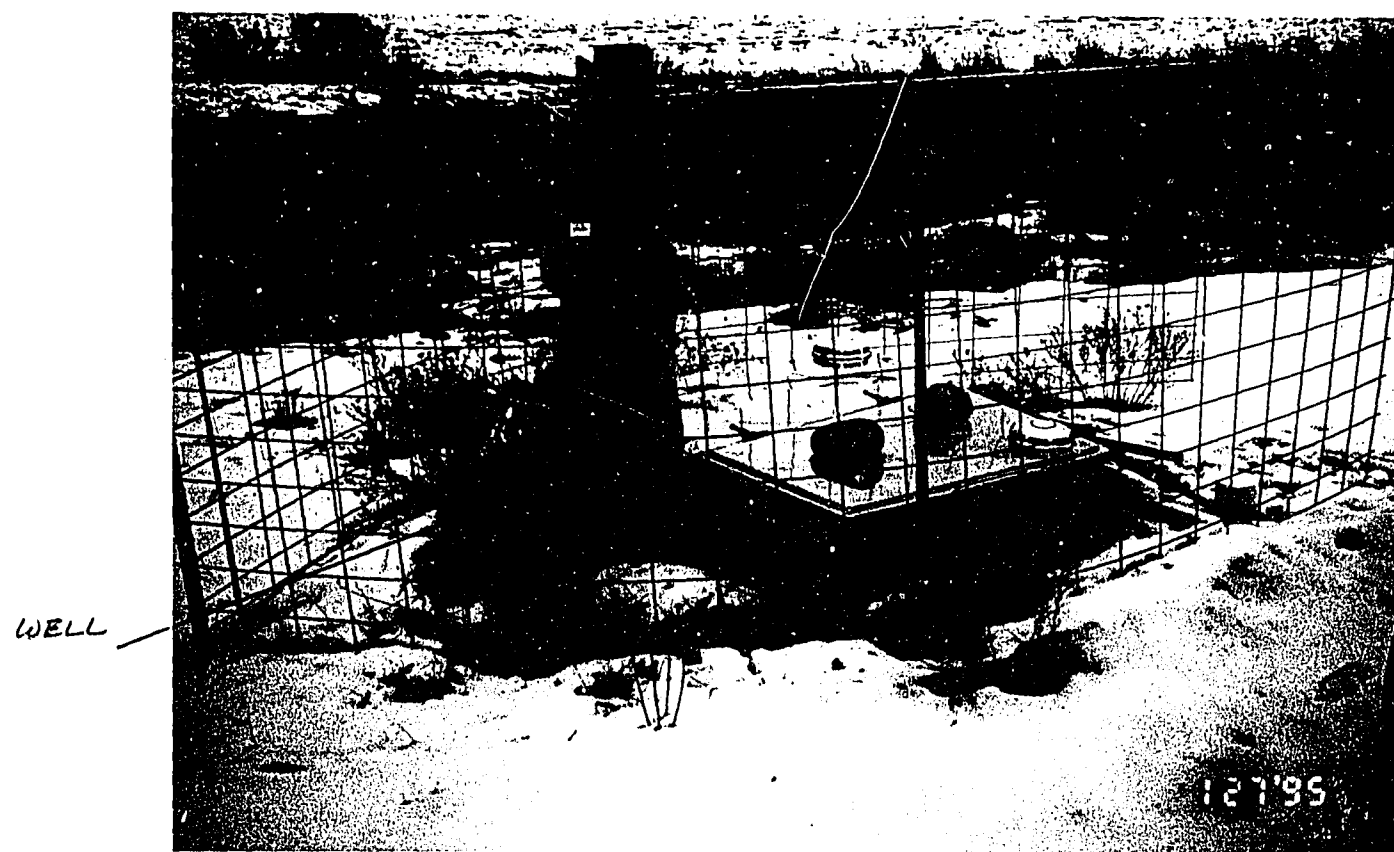
1 Place of use
 under permit

I Showing location(s) of

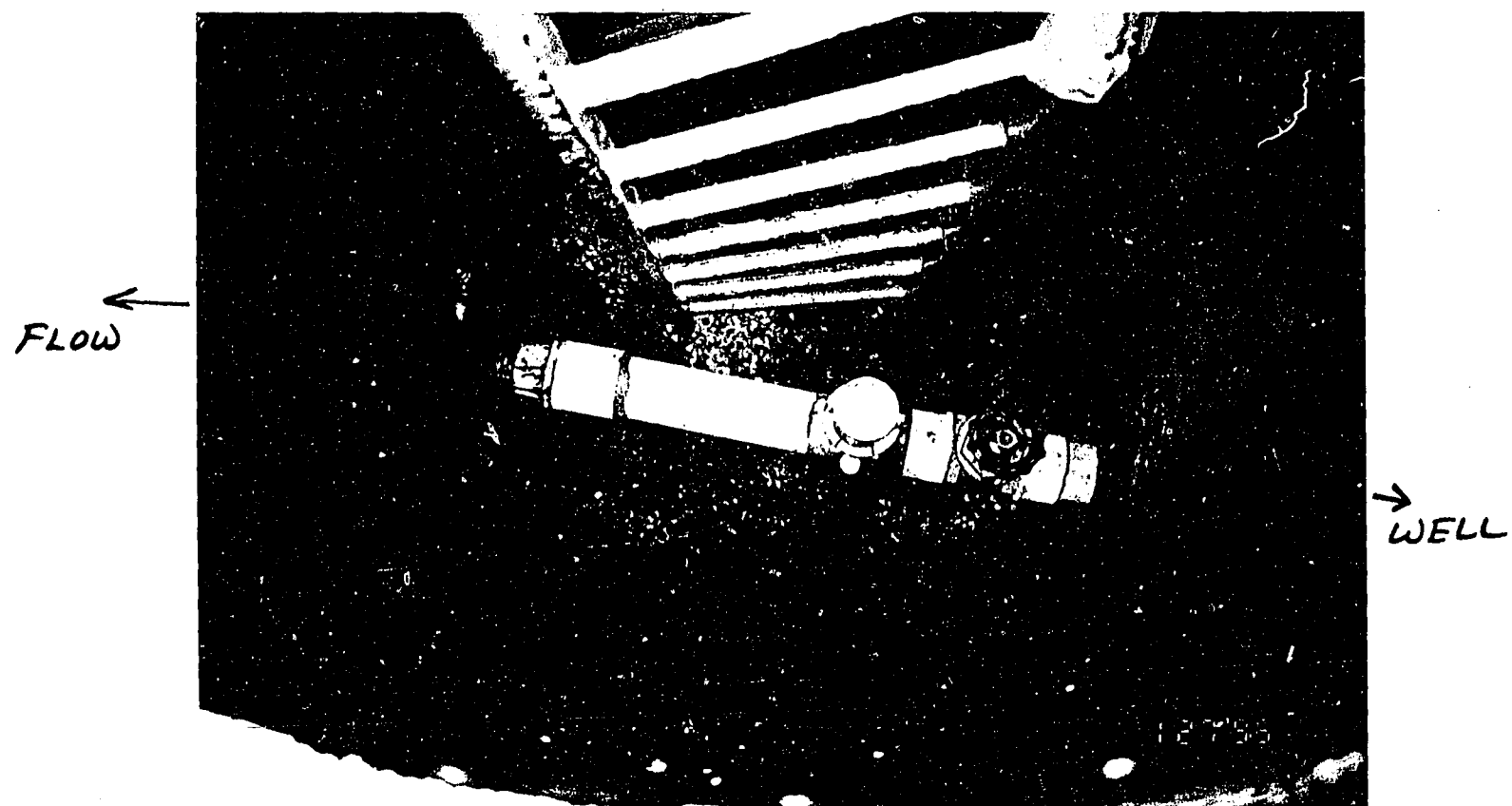
Aerial Photo Attached

Photo of Diversion

WELL AND CONTROL VAULT



CONTROL + FLOW METER VAULT



13-7499

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***



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

June 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MID WAY WATER ASSN
C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

RE: WATER RIGHT NO. 13-07499

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure



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

July 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MID WAY WATER ASSN
C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232

RE: WATER RIGHT NO. 13-07499

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

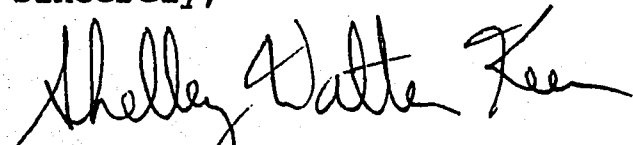
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

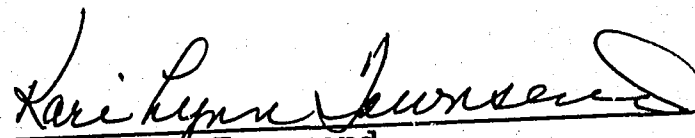
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of July, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 13-07499

MID WAY WATER ASSN
C/O LYNN BINGHAM
2535 N 4000 W
DAYTON ID 83232


Kari Lynn Townsend
Secretary