State of Idaho
Department of Water Resources

Water Right License

Water Right No. 35-14813

Priority: December 01, 2022 **Maximum Diversion Rate:** 0.04 CFS

It is hereby certified that:

DONALD BRICKER 80 N 740 W BLACKFOOT ID 83221-5340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 01, 2022, and has submitted Proof of Beneficial Use on March 01, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion
GROUND WATER NW¼ NE¼, Sec. 35, Twp 02S, Rge 34E, B.M. BINGHAM County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	35			X														

Conditions of Approval

1. Domestic use is for one home and does not include lawn, garden, landscape, or other types of irrigation.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. Point of diversion is located within Lot 1, Blk. 1, Gray Squirrel Addition.
4. Place of use is located within Lot 2, Blk. 1, Gray Squirrel Addition.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 9th day of March, 2023.

PHILL HUMMER
Water Rights Supervisor

SCANNED
MAR 13 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

35-14813

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

34E

02S



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

N

0 400 800 Feet

SCANNED
MAR 13 2023

Form 42-217 Rev. 6/22

RECEIVED
Mar 01, 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee $ _____
Receipt No. _____
Receipted By _____
Date Receipted _____

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 35-14813 Name of Permit Holder(s) Donald M. Bricker

Telephone No. 623-695-7287 Email donald.m.bricker@gmail.com

Mailing Address 80 N 740 W City Blackfoot State ID Zip 83221

2. Source of Water Ground Water If Ground Water (well), Date Drilled mo. Aug / yr. 1982

Drilling Permit/Tag No. Unknown Drilling Company's Name Unknown

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) 1 Irrigation (No. acres) 0 Stockwater (No. and stock type) _____

Other Does not include Garden, Landscape or Lawn

4. Total diversion rate or volume (storage only) for which proof is submitted .04 cfs OR _____ af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

1 HP Well pump to pressure tank and then via 1 1/4" Poly pipe 390' then reduced into the residence with a 1" line.

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☐	☐	☑	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $_____ or ☐ CWRE field report attached or ■ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: _____ Telephone No. _____ Email _____

Mailing Address _____ City _____ State _____ Zip _____

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Donald M. Bricker 03/01/2023

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.

SCANNED
MAR 13 2023

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 35-14813

Priority: December 01, 2022 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

DONALD BRICKER
80 N 740 W
BLACKFOOT ID 83221-5340

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

Beneficial Use	**Period of Use**	**Rate of Diversion**
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion
GROUND WATER NW¼ NE¼, Sec. 35, Twp 02S, Rge 34E, B.M. BINGHAM County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
02S	34E	35		X	X													

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2024.**
2. Subject to all prior water rights.
3. Domestic use is for one home and does not include lawn, garden, landscape, or other types of irrigation.
4. The quantity of water under this right shall not exceed 13,000 gallons per day.
5. Point of diversion is located within Lot 1, Blk. 1, Gray Squirrel Addition.
6. Place of use is located within Lot 2, Blk. 1, Gray Squirrel Addition.
7. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 27th day of January, 2023.

JAMES CEFALO
Eastern Regional Manager

SCANNED
JAN 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 35-14813

RECEIVED
DEC 01 2022
Department of Water Resources
Eastern Region

1. Applicant(s)

DONALD BRICKER
80 N 740 W
BLACKFOOT ID 83221-5340
623-695-7287, DONALD.M.BRICKER@GMAIL.COM

2. Representative(s) N/A

3. Source of Water Supply:
Source : GROUND WATER

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	GROUND WATER
Tributary of	
Township	02S
Range	34E
Section	35
Govt. Lot	
QQQ/QQ/Quarter	NW¼NE¼
County	BINGHAM
Diversion Type	
Local name or Tag#	unknown
Type and size of devices	1 1/4" 250 PSI Poly Pipe from existing well on adjacent property reduced to 1" pex pipe to inside of residence.
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	
Water Temp > 85°F?	No
Drilled Date	12/1/2022
Drilling firm	Unknown
Property Owner	Applicant
Access Arrangement Description	N/A

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	1 /1 to 12/31	0.04 CFS		1 Home(s)

6. Total quantity to be appropriated is (a) 0.04 **cubic feet per second (cfs) and/or (b)** Not Stated **acre-feet / year (af).**

7. Proposed diverting works:

a. If an existing well, who was the well drilled for? Stephen and Sue Larsen

8. Describe other proposed water uses : N/A

SCANNED
DEC 28 2022

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by MH
Fee $ 100 Receipted by ONLINE Receipt No. T114751 Date 12/1/22
35-14813

9. Description of place of use:

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE					Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	No QQ	
02S	34E	35		X	X															

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?
This water right is not for irrigation. Irrigation for the landscape will be by flood irrigation from a ditch.

11.

a. **Who owns the land to be irrigated or place of use?** Applicant.
b. **If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:**

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.
The point of diversion is from a shared well on adjacent property and will be inside use only.

13. Time required for completion of works and application of water to proposed beneficial use is 1 **years (minimum 1 year).**

14. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

DONALD BRICKER

Signature of Applicant

35-14813

SCANNED
DEC 28 2022

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 35-14813

1. Applicants

Donald Bricker
80 n 740 W
Blackfoot ID 83221
623-695-7287
Donald.m.bricker@gmail.com

2. Representatives

Submitter is one of the applicants

3. Source of Water Supply
Source : GROUND WATER

4. Location of Point(s) of Diversion

POD #	Source	Tributary Of	Diversion Type	Township	Range	Section	Govt Lot	QQQ/QQ/Q	County
1	GROUND WATER			02s	34e	35		/NW/NE	BINGHAM

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	01/01 to 12/31	0.04 cfs	0.00 afa	The point of diversion is from a share well and will be inside use only.

6. Total quantity to be appropriated is (a) 0.04 cfs **and/or** 0 afa

7. Proposed Diverting Works:

POD No :1
Description: 1 1/4" 250 PSI Poly Pipe from existing well on adjacent property reduced to 1" pex pipe to inside of residence.
Drill Date :12/1/2022
Metal Tag :unknown
Drilled By :Unknowd
Drilled For :Stephen and Sue Larsen
Drilling Permit :Unknown
GeothermalWater :False

8. Description of Place Of Use:

DOMESTIC							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
02S	34E	35	NW	NE	BINGHAM		
02S	34E	35	SW	NE	BINGHAM		

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping.
This water right is not for irrigation. Irrigation for the landscape will be by flood irrigation from a ditch.

10. Land Ownership

- **Who owns the land to be irrigated or place of use?** Applicant
- **Who owns the land at the point of diversion?** Applicant

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.
The point of diversion is from a share well on adjacent property and will be inside use only.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years **(minimum is 1 year).**

SCANNED
DEC 28 2022

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State of Idaho
Department of Water Resources

Application For Permit

35-14813



Prepared By: Web User

35-14813

SCANNED
DEC 28 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

March 10, 2023

DONALD BRICKER
80 N 740 W
BLACKFOOT ID 83221-5340

RE: License No. 35-14813

ISSUANCE OF LICENSE

Dear Water Right Holder:

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

for Phill Hummer
Water Rights Supervisor

Enclosures

NED
MAR 13 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023, I served a true and correct copy of Water Right License No. 35-14813 by U.S. Mail, postage prepaid, to the following:

DONALD BRICKER (Current Owner)
80 N 740 W
BLACKFOOT ID 83221-5340

Debbi Judd
Technical Records Specialist

SCANNED
MAR 13 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 35-14813
Exam Date: 03/08/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? __X__Y ____N
   a. Irrigation of 5 acres or less
   b. Storage of up to 14.6 AF for stockwater purposes only
   c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. Other < >

2. Current Owner: Name: Donald M. Bricker
   Owner of Record Correct? __X__Y ____N
   Address of Record Correct? __X__Y ____N

3. Beneficial Use Fees have been paid: __X__Y ____N Receipt No: Domestic only, No fee req.
4. **SOURCE** **TRIBUTARY**
   Ground Water N/A

   Method of Determination: GIS and Tax lot Data
   Change in Source: ____Y __X__N

B. OVERLAP REVIEW

1. Other water rights with the same place of use (POU): YES Overlap

Water Right No.	Source	Purpose of Use	Basis
35-11094	Ground Water	Domestic/Stock Water	Decreed
35-11177	Ground Water	Domestic	Decreed
35-10468	Ground Water	Domestic/Stock Water	Decreed
35-10982	Ground Water	Domestic	Decreed
35-10697	Ground Water	Domestic	Decreed
35-10950	Ground Water	Domestic/ Stock Water	Decreed
1-116BB,10091,10092, et al.	Snake River	Danskin Ditch Co, Irrigation	Decreed
1-10612	Ground Water Recharge	State of ID, City of Blackfoot	Application for Permit

Comments: The place of use (POU) is overlapped by water rights for domestic, stock water, irrigation company, and an application for a ground water recharge permit. The domestic and stock water POU shapes are entire quarter-quarters and data for the parcels within the appurtenant quarter-quarters do not list the current water right owners as parcel owners. The parcel data lists Donald Bricker as the owner of the parcels appurtenant to the purposed POU and point of diversion (POD).

2. Other water rights with the same point of diversion (POD): YES Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: No water rights overlap the purposed POD.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Submersible Pump			NW	NE	35	02S	34E	B.M.	Bingham

Method of Determination: GIS and Tax lot data.

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MAR 13 2023

Change in POD? __X___N Amendment Required? __X___N

2. **PLACE OF USE:** **USE:** DOMESTIC

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	35			D														
																Total Acres =			

Method of Determination: GIS & Tax Lot data

Change in POU? __X__N Amendment Required? __X__N

__ Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

_X_ 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
Well-Pump	Unknown		Unknown	unknown	unknown

**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
NONE						

2. Measurements: No measurement is required for an in-house exam, but a theoretical calculation was used to determine a reasonable diversion rate.

E. FLOW CALCULATIONS _____Additional Computation Sheets Attached

Measured Method:

The permit holder did not provide any pump information, however, a theoretical calculation shows that a diversion rate of 0.04cfs is possible with even the smallest ½ Hp pump. Also Processing Memo #22 allows up to 0.04cfs for domestic use in 1 home.I am recommending that the purposed license be with a diversion rate of 0.04cfs, which is the rate allowed on the permit.

Q = (0.5 Hp) (8.8) (0.70)/10 ft lift + (30psi X 2.31) = 0.04cfs

Permit = 0.0.4cfs
Recommendation = 0.04cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

SCANNED
MAR 13 2023

2. Volume Calculations for Other Uses:

This is a domestic use. Conditions on the permit limit the use to 13,000 gallons per day, a total annual volume is not required.

G. PURPOSE OF USE

Irrigation ____Y __X__N # Stock_____ Domestic # of Homes __1____

Other: < >

Change in Purpose of Use? ____Y __X__N

Method of Determination: Tax lot data and GIS data.

H. NARRATIVE/REMARKS/COMMENTS

This permit for domestic use without irrigation meets the criteria for an in-house review. The most recent GIS and Google Earth imagery only indicate a foundation in the southeast corner of the parcel (see figures 1.1 & 1.2). The Bingham County website for the Assessor or Planning and Zoning did not have adequate information to confirm that a certificate of occupancy has been issued for the home. I called the permit holder March 8th, 2023 and inquired about the home and Mr. Bricker asked that I email him and he would respond with a scanned copy of the certificate of occupancy. I also asked Mr. Bricker for a permit number or tag number for the well. Mr. Bricker explained that the well was drilled in approximately 1979 or 1980 and he has no records for it.

The permit holder emailed a scanned copy of the Certificate of Occupancy (figure 2.1) for the home on appurtenant parcel #8270830, as confirmation that the home completed.

As this appropriation is within the ESPA the purposed license will be conditioned as domestic use only, without any irrigation. I am recommending the license be issued with conditions WB5, N13, X59, and X60.

Have conditions of permit approval been met? __**X**__Yes _____No

I. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Domestic	01/01 to 12/31	0.04 CFS	
	Totals:	0.04 CFS	

2. Recommended Amendments

___Change P.D. as reflected above ___Add P.D. as reflected above _X__None

___Change P.U. as reflected above ___Add P.U. as reflected above _X__None

Other: < >

J. AUTHENTICATION- Water Resources Agent- Bob Howe

Water Resource Agent's Name_____ Date 3/9/2023

Reviewer_____ Date 3/9/23

SCANNED
MAR 13 2023



Figure 1.1- 2021 GIS image of the purposed POU (outlined in yellow) within the parcel (purple area) owned by the permit holder.

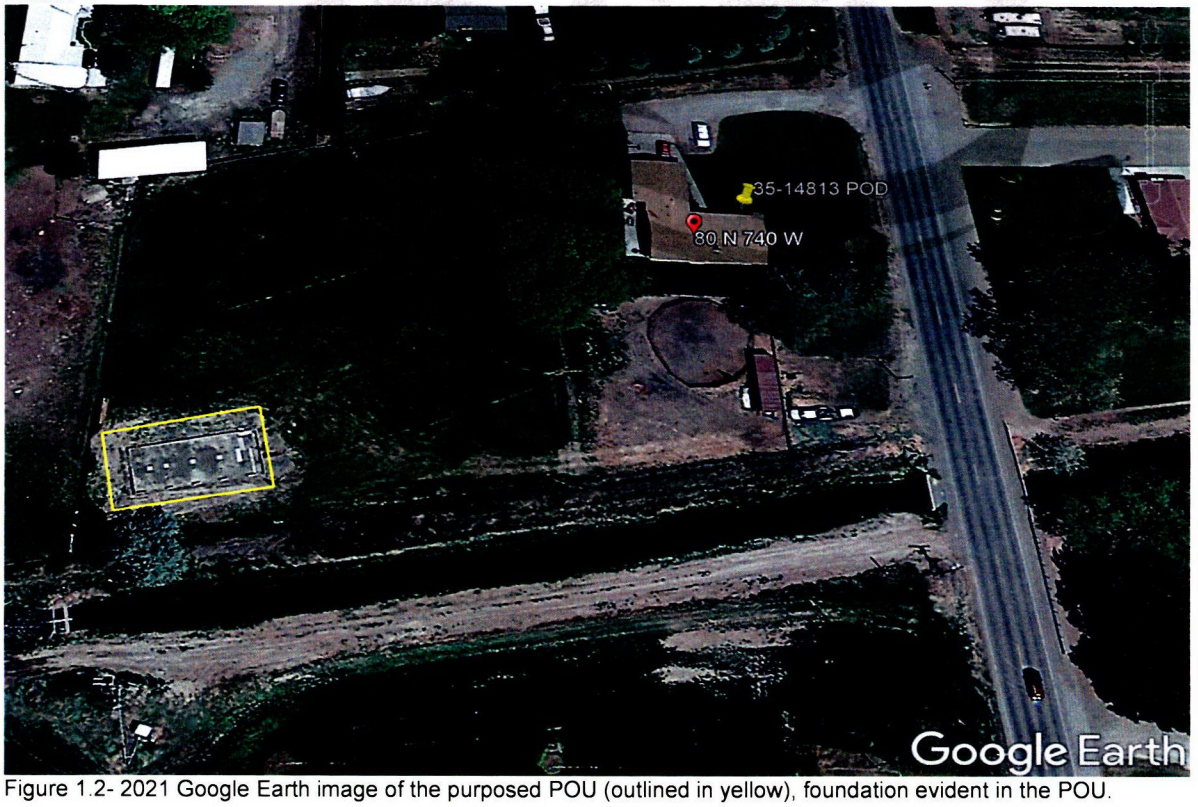


Figure 1.2- 2021 Google Earth image of the purposed POU (outlined in yellow), foundation evident in the POU.

SCANNED
MAR 13 2023

8/23/22, 9:49 AM

BINGHAM COUNTY
Building & Safety Division
Planning & Development Services
Certificate of Occupancy
Building Permit No.

Owner Information			
Name:	Donald M Bricker and Lisa R Bricker Family Trust dated 12/27/07	**Phone #:**	6236957287
Email:	donald.m.bricker@gmail.com		

Project Information					
Address:	78 N 740 W, Blackfoot, ID, 83221				
Subdivision:		**Use Zone:**	R	**Flood Zone:**	Out
Classification	IRC Structure	**Occupancy:**	SFD Structure	**Contractor:**	
STR | Parcel No.	RP8270830; T2S R34E SEC 35 LOT 2 BLK 1 GRAY SQUIRREL ADDITION P/C W/RP8270820				

Project Description

New accessory structure (with living quarters), with 1792 SF on main floor (shop) and 1694 SF on second floor (living quarters)

This document certifies that the following building or portion thereof has been inspected for compliance with the current adopted code and occupancy thereof is hereby authorized

Building Official: CODY GORDON **Date:** August 23, 2022

Address: 490 N Maple, Suite A, Blackfoot, Idaho 83221
Email: buildingpermits@co.bingham.id.us
Phone No. 208-782-3177
Fax No. 208-782-3868

1/1

Figure 2.1- Confirmation from permit holder that the construction of the home was complete as of August 23rd, 2022.

SCANNED
MAR 13 2023

Hersley, Jean

From: Donald Bricker <donald.m.bricker@gmail.com>
Sent: Wednesday, March 1, 2023 1:30 PM
To: IDWR File
Subject: Statement of Completion Permit no 35-14813
Attachments: 35-14813_Statement of Completion_Beneficial Use 20230228_signed.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Respected Associate,

Please refer to the attached statement of completion.
This will qualify for issuance of a water right license for Permit no 35-14813.

Respectfully,
Donald Bricker
623-695-7287

SCANNED
MAR 13 2023

Beneficial Use Proof Evaluation

Permit Number: 35-14813 Reviewer: djudd Review Date: 3/2/2023

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 3/1/2023
4) Proof Due Date: 2/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -337
8) Proof received timely? Yes

Analysis

1) Are the water uses correct? Yes
2) Are one of the following items required?
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
3) Are the required items installed?
    a. Measuring Device --
    b. Lockable Device --
    c. Fish Screen --
4) Is there a request to waive the required items?
5) Drilling Permit Number: UNKNOWN
6) Is a drilling permit upgrade needed?
7) Was a well drillers report filed? No
8) Is proof accepted? Yes

Fees

1) Is a licensing exam fee required? No
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $0.00
4) Filing fee submitted: $0.00
5) Remaining fee or (refund): $0.00

Receipt IDs

T114751

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

January 27, 2023

DONALD BRICKER
80 N 740 W
BLACKFOOT ID 83221-5340

RE: Permit No. 35-14813

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

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JAN 27 2023

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

SCANNED
JAN 27 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2023, I served a true and correct copy of Permit to Appropriate Water No. 35-14813 by U.S. Mail, postage prepaid, to the following:

DONALD BRICKER
80 N 740 W
BLACKFOOT ID 83221-5340

Christina Henman
Administrative Asst. I

SCANNED
JAN 27 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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JAN 27 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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 service date 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.

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JAN 27 2023

Bingham News • Chronicle
www.binghamnewschronicle.com • Covering Aberdeen, Blackfoot, Fort Hall, Firth & Shelley

PROOF OF PUBLICATION
Bingham News Chronicle

RECEIVED
JAN 24 2023
Department of Water Resourc
Eastern Region

RECEIVED
JAN 20 2023
DEPARTMENT OF
WATER RESOURCES

State of Idaho
County of Bingham

I, ~~Dawn Giannini, or~~ Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Bingham News Chronicle, a newspaper of general circulation, published 2 days, Tuesday, and Friday at Blackfoot, Idaho.
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Bingham News Chronicle for 2 day(s), first publication having been made on 01/06/2023 last publication having been made on 01/13/2023, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, on this 13th day of January, 2023

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BINGHAM

On this 13th day of January, 2023 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini or~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

318259

SCANNED
JAN 26 2023

AD# 318259AD#

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

35-14813

DONALD BRICKER, 80 N 740 W, BLACKFOOT, ID 83221-5340

Point of Diversion NWNE S35 T02S R34E BINGHAM County

Source GROUND WATER Tributary

Use: DOMESTIC

1 /1 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 12-01-2022

Place Of Use: DOMESTIC

T02S R34E S35

NWNE,SWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 1/23/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN
Director

Published: January 6, 13, 2023 (BNC2497-318259)

SCANNED
JAN 26 2023

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RE: Application for Permit No. 35-14813

New Appropriation Applicant's Name:

DONALD BRICKER
80 N 740 W
BLACKFOOT, ID 83221-5340

Watermaster's Recommendation:

a) ___X___ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this 3rd day of January 2023.

Blake Jordan

Watermaster's Signature
WD120

SCANNED
JAN 26 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 28, 2022 3:44 PM
To: Jordan, Blake
Subject: Application for Permit of 35-14813
Attachments: tmp16C1.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

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JAN 26 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little Director Gary Spackman

December 28, 2022

DONALD BRICKER
80 N 740 W
BLACKFOOT, ID 83221-5340

RE: Application for Permit No. 35-14813

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 1/6/2023 and 1/13/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

SCANNED
DEC 28 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 28, 2022 12:16 PM
To: legalnotices@postregister.com
Subject: Legal Notice for News Chronicle
Attachments: 35-14813 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Application for Permit No. 35-14813

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 1/23/2023. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
DEC 28 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
35-14813
DONALD BRICKER, 80 N 740 W, BLACKFOOT, ID 83221-5340
Point of Diversion NWNE S35 T02S R34E BINGHAM County
Source GROUND WATER Tributary
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Date Filed: 12-01-2022
Place Of Use: DOMESTIC
T02S R34E S35
NWNE,SWNE
Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 1/6/2023 and 1/13/2023

SCANNED
DEC 28 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY MH DATE 12/16/22 APPLICATION NO. 35-14813

APPLICANT NAME: DONALD BRICKER

REQUIRED INFORMATION:
- ✓ Name (business entities must show proof of organization, check Sec. of State website)
- ✓ Address
- ✓ Source (See USGS Quad for names of water sources)
- ✓ Point of Diversion (QQQ for springs, lot & block description for subdivisions)
- ✓ County
- ✓ Quantity (flow and/or volume)
- ✓ Period of Use
- ✓ Nature of proposed use (including a description of the proposed use)
- ✓ Description of diverting works
- ✓ Place of use (for subdivisions, include lot and block description)
- ✓ Time required for beneficial use of water
- ✓ Signature (if applicant is corporation, partnership, or municipality, title of signer is required)
- ✓ Map
- ✓ Fee

REGULATORY CHECKS:
- _____ Overlapping rights at place of use
- ✓ Other rights diverted at proposed point of diversion EXEMPT DOMESTIC
- _____ Critical Ground Water Area?
- ✓ Ground Water Management Area? SNAKE R.
- _____ Dam Safety Notice
- _____ Power Use? - Is residency affidavit attached?
- NO Trust Water

Water District: 120

SEND NOTICE OF APPLICATION TO:
- _____ Id Dept of Environmental Quality
- _____ Id Dept of Fish & Game
- _____ Id Dept of Lands
- _____ Adjudication Bureau Unit
- _____ U.S. BLM
- _____ U.S. Forest Service
- _____ Other _____