

RECEIVED

SEP 23 2024

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SEP 18 2024

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 \$ 50.00Receipt No. P001301Received By MBDate Received 9/18/24

IDWR/Preston

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.

- Permit No. 13-8104 Name of Permit Holder(s) Richard Chang, Pandi Elison-Chang
Telephone No. 435-232-0486 Email sweibyanni@hotmail.com
Mailing Address 983 S Giraffe Rd City Preston State ID Zip 83263
- Source of Water Ground Water If Ground Water (well), Date Drilled mo. 10 / yr. 1992
Drilling Permit/Tag No. 13-92-E-021 Drilling Company's Name Westlake Drilling
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) 1 Irrigation (No. acres) _____ Stockwater (No. and stock type) _____
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted 0.04 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.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
A 2nd well pump was installed in the existing well and connected to a 1.25" water line to the home.

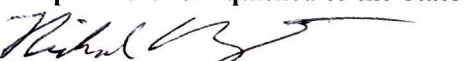
- Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:
Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence 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
- Fee Enclosed \$ 50.00 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.

- Person to contact to accompany a Department representative during the field examination of the water system:
Name: Richard Chang Telephone No. 4353230486 Email sweibyanni@hotmail.com
Mailing Address 983 S Giraffe Rd City Preston State UT Zip 83263

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.



SIGNATURE OF PERMIT HOLDER*

Richard Chang

PRINTED NAME AND TITLE

Sep. 18, 2024

DATE

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

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 13-8104

Priority: September 13, 2022

Maximum Diversion Rate: 0.04 CFS

This is to certify that

RICHARD CHANG
929 N 500 E
LOGAN UT 84321-3445

OR

PANDI ELISON-CHANG
1077 S GIRAFFE RD
PRESTON ID 83263-5496

has applied for a permit to appropriate water from:

Source : GROUND WATER

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	0.04 CFS

Location of Point(s) of Diversion

GROUND WATER SW¼ SE¼, Sec. 28, Twp 15S, Rge 40E, B.M. FRANKLIN 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
15S	40E	28															X	

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2025**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The quantity of water under this right shall not exceed 13,000 gallons per day.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. 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 6th day of February, 2023.


JAMES CEFALO
Eastern Regional Manager

SCANNED
FEB 06 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 13-8104

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SEP 13 2022

Department of Water Resources
Eastern Region

1. Applicant(s)

RICHARD CHANG
929 N 500 E
LOGAN UT 84321-3445
435-232-0486, SWEIBYANNI@HOTMAIL.COM

OR

PANDI ELISON-CHANG
1077 S GIRAFFE RD
PRESTON ID 83263-5496
208-339-5640, PELISONCHANG@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	15S
Range	40E
Section	28
Govt. Lot	
QQQ/QQ/Quarter	SW¼SE¼
County	FRANKLIN
Diversion Type	
Local name or Tag#	
Type and size of devices	Add a second pump to the existing well, and pump water through a pipe to a new home.
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	8 inches / 105 feet
Water Temp > 85°F?	
Drilled Date	10/12/1992 12:00:00 AM
Drilling firm	
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? Drilling Permit No. 13-92-E-021

8. Describe other proposed water uses : N/A**9. Description of place of use:**

SCANNED

NOV 30 2022

Received by Online Date 9/13/22 Time Preliminary check by
 Fee \$ 100 Receipted by SP Receipt No. T113996 Date 9/13/22

13-8104

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
15S	40E	28															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?**

The existing well provides water to the residence at 1077 Giraffe Rd. We have signed and recorded a well use agreement for the existing well. Permit for domestic purposes and to irrigate lawn, garden and landscaping.

- 11.**
- Who owns the land to be irrigated or place of use?** Applicant.
 - 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.**

I am hoping to complete the new home and move in within 1 year to 18 months.

- 13. Time required for completion of works and application of water to proposed beneficial use is 2 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

Signature of Applicant

RICHARD CHANG

PANDI ELISON-CHANG

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NOV 30 2022

13-8104

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 13-8104

1. Applicants

Richard Chang
929 N. 500 East
Logan, UT 84321
435-232-0486
sweibyanmi@hotmail.com

Pandi Elison-Chang
1077 S. Giraffe Rd.
Preston, ID 83263
208-339-5640
pelisonchang@gmail.com

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SEP 13 2022

Department of Water Resources
Eastern Region

2. Representatives

Application submitted on behalf of 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		Beginning Point	15S	40E	28		/SW/SE	FRANKLIN

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	Domestic purposes and to irrigate lawn, garden, landscaping, and animals

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

7. Proposed Diverting Works:

POD No :1

Description: Existing Well. A 2nd pump will be placed in the well to pump water through a pipe to a new home being built on this property.

Drill Date :10/12/1992

Metal Tag :

Drilled By :Westlake Drig., Firm No. 114

Drilled For :Doyle & Glenda Elison

Drilling Permit :13-92-E-021

GeothermalWater :False

8. Description of Place Of Use:

DOMESTIC							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
15S	40E	28	SW	SE	FRANKLIN		

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.

The existing well currently provides water to the residence at 1077 S. Giraffe Rd. We have a signed and recorded well use agreement for the existing well.

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

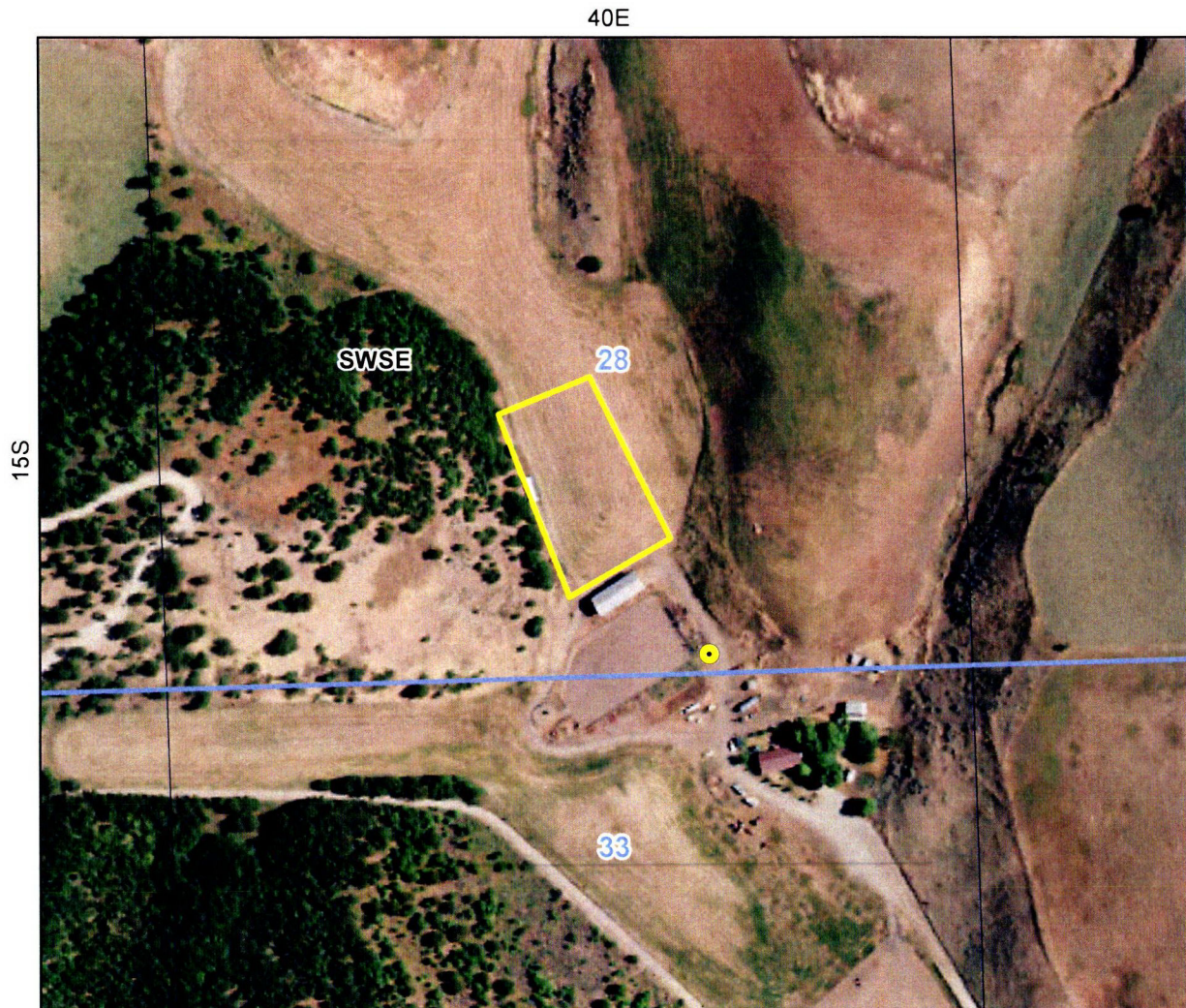
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

I am hoping to complete the new home and move in within 1 year, but it may take up to 18 months.

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

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NOV 30 2022

State of Idaho
Department of Water Resources
Application For Permit
13-8104



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

0 0.035 0.07 0.14 Miles



Prepared By: Web User

13-8104

SCANNED

Idaho Department of Water Resources

Receipt ID: T113996

Payment Amount: \$100.00 **Date Received :** 9/13/2022 **Region :** Electronically Transmitted

Payment Type : Charge Card **Check Number :**

Payer : Richard Chang

Comments :

App Permit 13-8104(1546)ORDERID: 53761414
LOCAL REFID: Cs1CDuhxMkOb+geuhSjvQg==
TOTAL PAID: \$104.00(FEEs: \$4.00)
AUTH_CODE: 071930
REC DATE: 9/13/2022 08:09:05 PM MDT

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	PERMITS	56103	21	0229		1155

For help with the IDWR online applications send mail to : NIA.Help@idwr.idaho.gov

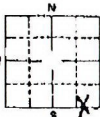
© 2022 - IDWR Online Access

13-8104

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NOV 30 2022

1/1

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.

1. WELL OWNER Name <u>Doyle & Glenda Ellison</u> Address <u>1144 E. Giraffe Rd. Preston, ID</u> Drilling Permit No. <u>13-92-E-021</u> Water Right Permit No. _____	7. WATER LEVEL Static water level <u>29</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 _____ °F. Quality _____ Describe artesian or temperature zones below.																																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Modification ☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ 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>38</td><td>50</td><td>2</td></tr><tr><td>80</td><td>90</td><td>2</td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	38	50	2	80	90	2																																							
Discharge G.P.M.	Pumping Level	Hours Pumped																																															
38	50	2																																															
80	90	2																																															
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Monitor ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG 83781 <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td>10</td><td>0 99</td><td></td><td></td></tr><tr><td>6</td><td>99 105</td><td></td><td></td></tr><tr><td></td><td>0 2</td><td>soil</td><td></td></tr><tr><td></td><td>2 16</td><td>gravel clay</td><td></td></tr><tr><td></td><td>16 30</td><td>siltstone dusty yellow</td><td></td></tr><tr><td></td><td>30 55</td><td>mudstone light bluish gray</td><td></td></tr><tr><td></td><td>55 61</td><td>mudstone yellowish gray</td><td></td></tr><tr><td></td><td>61 91</td><td>mudstone light bluish gray</td><td></td></tr><tr><td></td><td>91 99</td><td>siltstone yellowish gray</td><td></td></tr><tr><td></td><td>99 101</td><td>fractured</td><td>X</td></tr><tr><td></td><td>101 105</td><td>siltstone</td><td></td></tr></tbody></table>	Bore Diam.	Depth From To	Material	Water Yes No	10	0 99			6	99 105				0 2	soil			2 16	gravel clay			16 30	siltstone dusty yellow			30 55	mudstone light bluish gray			55 61	mudstone yellowish gray			61 91	mudstone light bluish gray			91 99	siltstone yellowish gray			99 101	fractured	X		101 105	siltstone	
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	91 99	siltstone yellowish gray																																															
	99 101	fractured	X																																														
	101 105	siltstone																																															
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Auger ☐ Reverse rotary ☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)																																																	
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ Diameter _____ From _____ To _____ _____ inches 8 ID inches + 1 1/2 feet 99 feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet 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? _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer _____ Type _____ Top Packer or Headpipe _____ Bottom of Tailpipe _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8" Placed from _____ 20 feet to _____ 95 feet Surface seal depth 20 Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____ well cap																																																	
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Franklin</u> SE 1/4 SE 1/4 Sec. 28, T. 15 S. R. 40 W. ☒	11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were completed with at the time the rig was removed. Firm Name <u>Westlake Drig.</u> Firm No. <u>114</u> Address <u>Montpelier, ID</u> Date <u>10/12/92</u> Signed by Drilling Supervisor <u>EE Ray Westlake</u> and (Operator) <u>EE Ray Westlake</u> (If different than the Drilling Supervisor)																																																
10. Work started <u>9/29/92</u> finished <u>10/2/92</u>																																																	

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

13-8104

SCANNED
NOV 30 2022

292178

1-6

Recorded at the request of
Pandi Ellison-Chang
Time: 1:17P Amount \$ 25.00

AUG 12 2022

CAMILLE LARSEN, RECORDER
By [Signature] Deputy
Franklin County, IdahoJOINT USE, EASEMENT, AND MAINTENANCE AGREEMENT FOR DOMESTIC WELL

THIS AGREEMENT is entered into between Doyle A. Ellison and Glenda Ellison, as Trustees of the Doyle and Glenda Ellison Family Trust dated February 24, 2020, (hereinafter "Grantors") and Richard Chang and Pandi Ellison-Chang, husband and wife, (hereinafter "Grantees").

RECITALS

A. Grantees are purchasing from Grantors a certain parcel of land which is adjacent to land owned by Grantors, and upon which Grantors reside. Grantors' property is known as 1077 S. Giraffe Road, Preston, Idaho 83263 ("Home"). The "Parcel" which Grantees are purchasing is further described on Exhibit A hereto.

B. Water for culinary and domestic uses for Grantor's Home is supplied from a pre-existing well located to the north and west of the Home on the Parcel. A water distribution system extends from the well that supplies the Home ("Home Water System"). Grantees may build a residence on the Parcel which they are purchasing from Grantors, and in such event, Grantees' home would also be served by this existing well. The distribution system for the Grantees' home are referred to herein as the "Parcel Water System."

C. The water supplied by said well has been adequate to supply Grantors' property with sufficient water for domestic and culinary uses for their single-family dwelling, and the parties anticipate that it will be adequate to also supply Grantees' property with sufficient water for domestic and culinary uses.

D. The parties desire to use said well for their joint use, and further desire to reach an agreement for the sharing of costs, operation, maintenance, repairs, and any improvements that may be needed in connection with said well.

SCANNED

NOV 30 2022

13-8104

ACCORDINGLY, in exchange of the mutual covenants, promises, and conditions contained herein and for other good and valuable consideration, the parties agree as follows:

1. Ownership. Grantors and Grantees shall jointly own any water rights associated with the well and the well itself. Grantees shall have the responsibility and right to file for recognition and protection of said water rights with the Idaho Department of Water Resources. In the event that Grantees build a residence on the parcel adjoining Grantor's parcel, Grantees shall be allowed to install the Parcel Water System, including any necessary piping, pumps, etc. to serve said residence with domestic and culinary water from the well.

2. Easement. Each of the parties hereby grants to the other, and to any tenants, employees, and invitees of the other, such easements over, across, and through the respective parcels as shall be reasonably necessary for the maintenance, upkeep, and repair of the well, Home Water System, Parcel Water System and all of its component parts. The easement shall be 7.5 feet from the center point of the well and 5 feet on either side of the center line of the distribution system, and to and from the pumping system. Neither party will install landscaping or improvements which will impair the use of said easements. Such easements shall be exclusive to the respective parcels described herein and to the parties herein, along with the heirs, successors, and assigns of the parties.

3. Joint Use.

a) Grantor and Grantees shall each be entitled to use as much water from

said well and Water System as may be reasonably necessary for their culinary and domestic uses.

b) The parties will use reasonable efforts to minimize any wasting or overuse of the water.

c) The Grantors will be solely responsible for the use, utilities, maintenance, and repair of the Home Water System. Grantees will be solely responsible for the use, utilities, maintenance, and repair of the Parcel Water System. The parties each will cooperate to maintain the well in good repair. The out-of-pocket costs for maintenance, repair, or replacement of the well will be shared on a 50/50 basis between Grantors and Grantees. Except in the event of emergency, if either party undertakes repairs or expends funds for maintenance, repair, or replacement of the well, and the cost for such is anticipated to be greater than one hundred dollars (\$100), the parties shall agree to such repair or expenditure prior to the repair or expenditure being undertaken or incurred.

4. Damage to System. If either party damages the Home Water System or the Parcel Water system through that party's own negligence or the negligence of that party's family, guests, or invitees, that party shall be responsible to pay for the resulting repairs to the Water System.

5. Legal Action. In the event it becomes necessary for any party to commence legal action to enforce the terms and conditions of this agreement, the prevailing party shall be entitled to recover reasonable attorneys fees and costs.

6. Binding Effect. This agreement shall constitute a binding covenant which runs with the land, and shall be binding on the parties hereto, and upon

their heirs, successors, and assigns.

7. Recordation. It is contemplated this agreement may be recorded in the Franklin County Recorder's office.

8. Termination. If the well shall be contaminated and shall no longer supply water suitable for domestic and culinary uses, or shall no longer supply adequate water for the needs of the parties, then the rights and obligations of the parties under this Agreement shall cease and terminate. Grantees shall disconnect, at their own cost, the Parcel Water System, respectively, and have no further right to receive water from the well. The parties will file a written notice of termination with the office of the Franklin County recorder.

DATED this 9 day of August, 2022

GRANTORS

Doyle A. Elison
Doyle A. Elison

Glenda Elison
Glenda Elison

GRANTEES

Pandi Elison-Chang
Pandi Elison-Chang

Richard Chang
Richard Chang

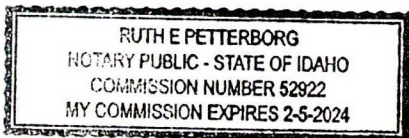
292178

STATE OF IDAHO)

) ss.

County of Franklin)

On this 9 day of Aug, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Doyle A. Elison and Glenda Elison, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Ruth E. Petterborg
 NOTARY PUBLIC for State of Idaho

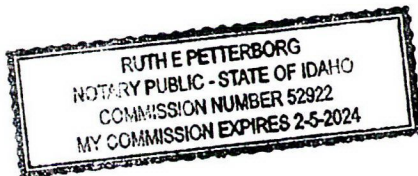
Residing at: Preston, Id Franklin Co
 Comm. Expires: 2/5/24

STATE OF IDAHO)

) ss.

County of Franklin)

On this 9 day of Aug, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~Richard Chang~~ and ~~Pandi Elison-Chang~~, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



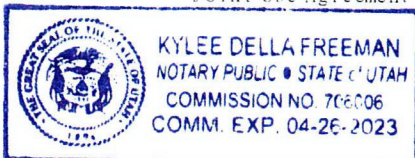
Ruth E. Petterborg
 NOTARY PUBLIC for State of Idaho

Residing at: Preston, Id Franklin Co
 Comm. Expires: 2/5/24

State of Utah
 County of Cache

Notary on this 12 day of Aug, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Chang, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

Joint Use Agreement - Page 5



Residing at: Nibley, UT

Comm. Expires: 4/26/2023

13-8104

Kylee Freeman
Kylee Della Freeman

SCANNED
 8/10/2022

292178

b-6

EXHIBIT "A"

Township 15 South, Range 40 East of the Boise Meridian, Franklin County Idaho:

Section 28: SW 1/4 SE 1/4

Address: 983 S. Giraffe Rd.
Preston, ID 83263

Beneficial Use Proof Evaluation

Permit Number: 13-8104 Reviewer: AVEibell Review Date: 9/18/2024

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? Yes
- 3) Proof Submitted Date: 9/18/2024
- 4) Proof Due Date: 3/1/2025
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -164
- 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? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 4) Is there a request to waive the required items? No
- 5) Drilling Permit Number: 699795
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? Yes
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

T113996

Comments

Permit Holder address updated during evaluation. 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.



Governor Brad Little

Director Gary Spackman

February 06, 2023

RICHARD CHANG
929 N 500 E
LOGAN UT 84321-3445

PANDI ELISON-CHANG
1077 S GIRAFFE RD
PRESTON ID 83263-5496

RE: Permit No. 13-8104

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.

SCANNED
FEB 06 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)

CERTIFICATE OF SERVICE

I hereby certify that on February 06, 2023, I served a true and correct copy of Permit to Appropriate Water No. 13-8104 by U.S. Mail, postage prepaid, to the following:

RICHARD CHANG
929 N 500 E
LOGAN UT 84321-3445

PANDI ELISON-CHANG
1077 S GIRAFFE RD
PRESTON ID 83263-5496



Christina Henman
Administrative Asst. I

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.

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.

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

13-8104

RICHARD CHANG, 929 N 500 E, LOGAN, UT 84321-3445

PANDI ELISON-CHANG, 1077 S GIRAFFE RD, PRESTON, ID 83263-5496

Point of Diversion SWSE S28 T15S R40E FRANKLIN County

Source GROUND WATER Tributary

Use: DOMESTIC

1 /1 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 09-13-2022

Place Of Use: DOMESTIC

T15S R40E S28

SWSE

13-8108

THE JONATHAN & CINDEE REEDER TRUST, 4899 W

HIGHWAY 36, WESTON, ID 83286-5013

Point of Diversion NWSE S15 T16S R38E FRANKLIN County

Source WASTE WATER Tributary WESTON CREEK

Use: IRRIGATION

04/01 to 10/31

2 CFS

Total Diversion:

2 CFS

Date Filed: 09-26-2022

Place Of Use: IRRIGATION

T16S R38E S15

NWNE,SWNE,SENE,SENE,NESW,NESE,NWSE

Total Acres: 83.4

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/WRAApplicationResults/>. 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 12/27/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN

Director

Published: December 7, 14, 2022 (PCZN7542-310205)

SCANNED
DEC 29 2022



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

November 30, 2022

RICHARD CHANG
929 N 500 E
LOGAN, UT 84321-3445

PANDI ELISON-CHANG
1077 S GIRAFFE RD
PRESTON, ID 83263-5496

RE: Application for Permit No. 13-8104

Dear Applicants:

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 PRESTON CITIZEN on 12/7/2022 and 12/14/2022. 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
NOV 30 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, November 30, 2022 3:32 PM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: 13-8104, 13-8108 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Application for Permit No. 13-8104, 13-8108

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 12/26/2022. Your cooperation is appreciated.

Thank You,



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

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

13-8104

RICHARD CHANG, 929 N 500 E, LOGAN, UT 84321-3445

PANDI ELISON-CHANG, 1077 S GIRAFFE RD, PRESTON, ID 83263-5496

Point of Diversion SWSE S28 T15S R40E FRANKLIN County

Source GROUND WATER Tributary

Use: DOMESTIC

1 /1 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 09-13-2022

Place Of Use: DOMESTIC

T15S R40E S28

SWSE

13-8108

THE JONATHAN & CINDEE REEDER TRUST, 4899 W HIGHWAY 36, WESTON, ID 83286-5013

Point of Diversion NWSE S15 T16S R38E FRANKLIN County

Source WASTE WATER Tributary WESTON CREEK

Use: IRRIGATION

04/01 to 10/31

2 CFS

Total Diversion:

2 CFS

Date Filed: 09-26-2022

Place Of Use: IRRIGATION

T16S R38E S15

NWNE,SWNE,SENE,SENW,NESW,NESE,NWSE

Total Acres: 83.4

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/WRAApplicationResults/>.

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 12/27/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/7/2022 and 12/14/2022

SCANNED

NOV 30 2022

Holliday, Michael

From: Eastern Info
Sent: Wednesday, September 14, 2022 3:34 PM
To: Holliday, Michael
Subject: FW: Additional Documents for Water Application No. 13-8104(1546)
Attachments: sharp@iconfitness.com_20220914_142157.pdf

Confirmation that this was submitted online... so you'll likely see it soon (if you haven't already.) I'm going to respond to him that if we need anything further from him, a water agent will contact him.

Thank You,

Christina Henman
Administrative Assistant

From: R C <sweibyanni@hotmail.com>
Sent: Wednesday, September 14, 2022 3:27 PM
To: Eastern Info <easterninfo@idwr.idaho.gov>
Subject: Re: Additional Documents for Water Application No. 13-8104(1546)

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.

Christina,

Thank you for reaching out to me. I filed it last night online and paid the \$100 dollar filing fee. The application number 13-8104(1546) is what it was assigned last night. I am attaching the receipt to this email.

I did not attach a map as the online filing system had me mark the map in the program. Do I need to submit a map?

Thank you for your help.

Richard Chang

From: Eastern Info <easterninfo@idwr.idaho.gov>
Sent: Wednesday, September 14, 2022 11:17 AM
To: R C <sweibyanni@hotmail.com>
Subject: RE: Additional Documents for Water Application No. 13-8104(1546)

Richard,

I did not receive any emails regarding this application, so I just wanted to double-check whether you filed it online or maybe sent to a different email address. Please confirm for me so that I can make sure these additional documents make it to the right person.

Thank You,

Christina Henman
Administrative Assistant

From: R C <sweibyanni@hotmail.com>

Sent: Wednesday, September 14, 2022 10:46 AM

To: Eastern Info <easterninfo@idwr.idaho.gov>

Subject: Additional Documents for Water Application No. 13-8104(1546)

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.

To Whom It May Concern:

I filed Water Application No. 13-8104(1546) last night on September 13, 2022, but I do not believe all of the attachments made it through. Please contact me if you have any questions. Note that my wife, Pandi Elison-Chang, signed the hard copy of the application which I have attached.

Richard Chang

435-232-0486

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

WR # 13-~~855~~8104

INITIAL REVIEW BY SS DATE 11/21/22 APPLICATION NO. 87230

APPLICANT NAME: Richard & Pandi Chang

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
- ☐ Critical Ground Water Area?
- ☒ Ground Water Management Area?
- ☐ Dam Safety Notice
- ☐ Power Use? - Is residency affidavit attached?
- ☐ Trust Water

Water District: ~~13~~ EXC

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 _____