

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
APR 08 2020Department of Water Resources
Eastern Region

1. Name of applicant(s) 344 NORTH 15 LLC Phone _____
 Name connector (check one): ☐ and ☐ or ☐ and/or _____
 Mailing address 344 N 15TH AVE City Pocatello
 State Idaho ZIP 83201 Email _____
2. Name of representative, if any Greg Sullivan Phone 208-736-8543
 Mailing address 2016 N Washington St Ste 4 City Twin Falls
 State Idaho ZIP 83301 Email greg.sullivan@brockwayeng.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground Water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
06S	34E	25		NW	NW		Bannock	Ground Water	

5. Water will be used for the following purposes:
- Amount 0.15/20.0 for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.15 cubic feet per second (cfs) and/or (b) 20.0 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. New irrigation well that will b either 8 or 10 inch casing.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 10 inches; proposed depth of well is 220 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? No; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____

29-14314

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 29-14315

RECEIVED

APR 06 2020

Department of Water Resources
Eastern Region

1. Name of applicant(s) 344 NORTH 15 LLC Phone _____
Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 344 N 15TH AVE City Pocatello
 State Idaho ZIP 83201 Email _____
2. Name of representative, if any Greg Sullivan Phone 208-736-8543
 Mailing address 2016 N Washington St Ste 4 City Twin Falls
 State Idaho ZIP 83301 Email greg.sullivan@brockwayeng.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground Water which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
06S	34E	25		NW	NW		Bonnaville	Ground Water	

5. Water will be used for the following purposes:

Amount 0.15/20.0 for Irrigation purposes from 4/01 to 10/15 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.15 cubic feet per second (cfs) and/or (b) 20.0 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. New irrigation well that will b either 8 or 10 inch casing.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☒ No
- c. Proposed well diameter is 10 inches; proposed depth of well is 220 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? No; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by ca dr Receipt No. 2045804 Date 4/6/2020

29-14314

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

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#)
- Domestic; show number of households _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	25						5.0											

Total number of acres to be irrigated: 5.0

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? None

- Who owns the property at the point of diversion? 344 NORTH 15 LLC
- Who owns the land to be irrigated or place of use? 344 NORTH 15 LLC
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This permit will be mitigated with 29-14300. This permit will be limited to 0.15 cfs (67.3 gpm) for only 8.0 hours a day from April 15 through October 31 annually. The annual volume of 20.0 acre-feet should not be exceeded.

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

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

Application for Permit

Page 2

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IDAHO Department of Water Resources



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

3/23/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 29-14300

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	344 NORTH 15 LLC 344 N 15TH AVE POCATELLO, ID 83201-4023
Original Owner	KETTLE BUTTE FARMS LTD C/O WILLIAM PUGH 6062 ADAMS RD TALENT, OR 97540

Priority Date: 01/14/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.06 CFS	20 AFA
Total Diversion			0.06 CFS	20 AFA

Location of Point(s) of Diversion:

GROUND WATER|NWNW|Sec. 25|Township 06S|Range 34E|BANNOCK County

Licensed Diversion Capacity: 7.58

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	34E	25		NWNW	5									

Total Acres: 5

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 933 This right is for the use of trust water, and it is subject to review 20 years after its initial approval (10/18/1990) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
4. SF2 This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
5. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date: 09/25/1997

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



29-14314

0 125 250 Feet

BROCKWAY ENGINEERING, PLLC.
GWS -Date: 3/23/2020

POCATELLO HEIGHTS INVESTMENTS

IRRIGATION PERMIT
2019 NAIP AERIAL

Legend

-  Irrigation POD
-  Permit_POU





0003536718

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003536718

Date Filed: 6/12/2019 6:08:47 PM

Entity Name and Mailing Address:

344 NORTH 15 LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000614736

Address

2637 134TH AVE NE
BELLEVUE, WA 98005-1813

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W203942

The registered agent on record is:

Registered Agent

KENNETH DUDUNAKIS
Registered Agent

Physical Address

40 SILVER LAKES DR
BELLEVUE, ID 83313

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
KRISTINA DUDUNAKIS	Member	2637 134TH AVE NE BELLEVUE, WA 98005
KENNETH DUDUNAKIS	Member	2637 134TH AVE NE BELLEVUE, WA 98005

The annual report must be signed by an authorized signer of the entity.

Kristina Dudunakis

Sign Here

06/12/2019

Date

Signer's Title: Manager

B0277-7631 06/12/2019 6:08 PM Received by ID Secretary of State Lawrence Denney



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
APR 06 2020
Department of Water Resources
Eastern Region

March 31, 2020

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Gold Emblem Farms

Dear Mr. Cefalo:

The entity 344 North 15 LLC has secured and transferred water right 29-14300 to property they own in Pocatello, Idaho. It has been recommended by IDWR staff to us water right 29-14300 as a mitigation water right for a new irrigation permit. The permit would allow 67.3 gpm (0.15 cfs) to be diverted.

Attached to this letter is the application for permit to utilize 0.15 cfs and 20.0 acre feet annually to irrigate 5.0 acres. Water right 29-14300 will be used for mitigation for the new permit.

Please copy our office on all correspondence regarding this application.

Sincerely,

Shirley Deird on behalf of

Greg Sullivan, M.S., Engineer

Cc: Kenny Dudunakis

Enc: Permit Application, Aerial Map, Annual Report, Brockway Engineering Check
15822 for \$100.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

29-14314



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 29, 2020

344 NORTH 15 LLC
344 N 15TH AVE
POCATELLO, ID 83201-4023

RE: Application for Permit No. 29-14315

Dear Applicant(s):

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 IDAHO STATE JOURNAL on 5/7/2020 and 5/14/2020. 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

CC:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

CITY OF POCATELLO
C/O SARAH KLAHN
SOMACH SIMMONS & DUNN
2033 11TH ST STE 5
BOULDER, CO 80302-5153

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 29, 2020 4:09 PM
To: STATE JOURNAL (legals@journalnet.com)
Subject: Legal Ads for Idaho State Journal
Attachments: 29-14315 Idaho State Journal.rtf

Hello,

Please see attached document regarding legal notices for your paper.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

PLEASE NOTE: CAN CONTAINS 2 OR MORE PAGES

April 29, 2020
Legal Notice Department
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO ID 83204

RE: Application for Permit No. 29-14315

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 June 17, 2019. Your cooperation is appreciated.

Sincerely

Christina Henman
Administrative Assistant
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – Fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

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

29-14315
344 NORTH 15 LLC
344 N 15TH AVE
POCATELLO, ID 83201-4023
Point of Diversion NWNW S25 T06S R34E BANNOCK County
Source GROUND WATER Tributary
Use: IRRIGATION
04/15 to 10/15
0.15 CFS
20 AF
Total Diversion:
0.15 CFS
20 AF
Date Filed: 04-06-2020
Place Of Use: IRRIGATION
T06S R34E S25
NWNW
Total Acres: 5

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 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Wednesday, April 08, 2020 11:11 AM
To: Stosich, Scott
Subject: RE: Permit Application for 344 North 15 LLC
Attachments: Application-for-permit page 1.pdf

Scott,

See the attached page 1.
The permit will be in Bannock County.
The period of use will be 4/15 through 10/15 annually.

Sorry for the confusion.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Stosich, Scott [mailto:Scott.Stosich@idwr.idaho.gov]
Sent: Wednesday, April 08, 2020 10:42 AM
To: greg.sullivan@brockwayeng.com
Subject: Permit Application for 344 North 15 LLC

Good Morning Greg,

I received the permit application to develop a new irrigation well for 344 North 15 LLC. After reviewing the submitted paperwork, there are some errors and inconsistencies that need to be clarified before we can process the application for advertising (Please see highlighted on the pages below).

The county listed with the proposed point of diversion is Bonneville, and the legal description of the new well would be in Bannock County. Also, the season of use states '4/01 to 10/15' when later on in the application it is stated that watering will occur from '4/15 to 10/31'.

If you would clarify these two points of confusion, we will get processing the application for advertising.
Please let me know if you have any questions concerning this application.

Thanks,

Scott Stosich
Water Resource Agent
Department of Water Resources-Eastern Region
(208) 525-7161
Scott.Stosich@idwr.idaho.gov