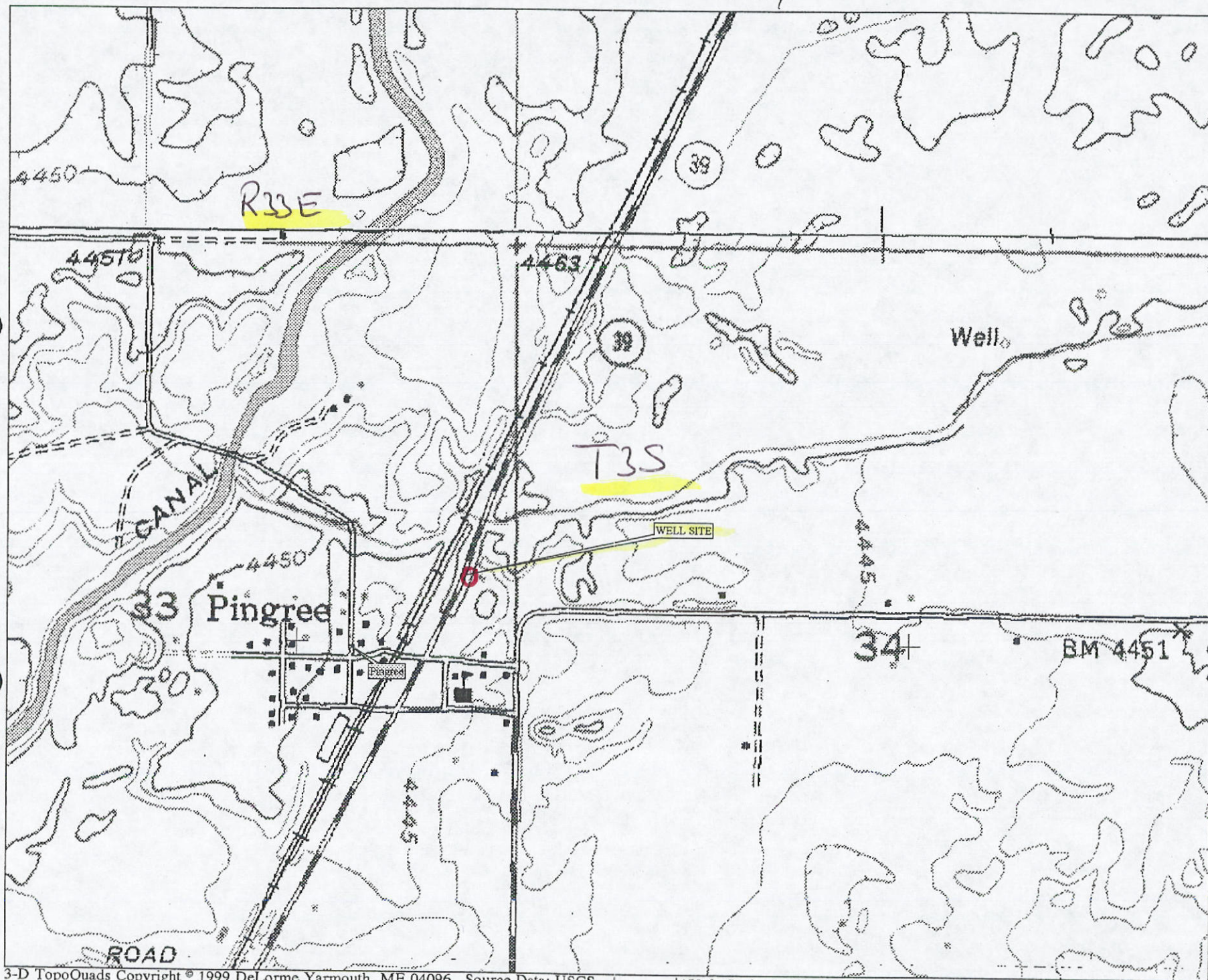


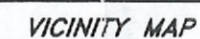
Range 33 E Township 3 South.



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OCT 11 2001



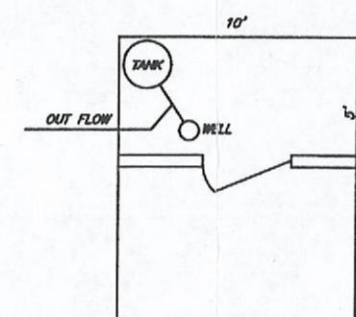
—|— WATER LINE
—●— SANITARY SEWER LINE
—X— FENCE LINE



8" WELL LOG

0' To 7' Top Soil
7' To 9' Clay and Loose Lava Rock
9' To 52' Solid Lava Rock
50' To 52' Block Cinders

1st water stand at 20' and the water temperature was 48 degrees Fahrenheit.
10 feet of 8 5/8" x 1/4" casing in top of the hole.



WELL HOUSE DETAIL
SCALE: NTS

ROADHOUSE BAR AND GRILL
WATER AND SEWER FACILITIES

DAHO

ASBUILT

JOS 112 01003

DATE **JULY 25, 2001**

Entered by FBI	Entered MM
-------------------	---------------

PERSON	DATE
PERSONNEL	DATE

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COPYRIGHT © 2001 N.E.
ALL RIGHTS RESERVED.

Amt. of Fee \$ 50.00
Receipt No. 0063941
Receipt By: [Signature]
Date Received: 8-13-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 13 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 35-13320 Telephone No. 208-684-4999
2. Name of Permit Holder(s): DALE + LINDA BRUMFIELD
3. Mailing Address: 125 N 800W
City BLACKFOOT, IDAHO State ID. Zip 83221
4. Source of Water: GROUND If GROUNDWATER (well), Date Drilled: mo. - / yr. 1965
Well Driller: DALE ENSKEEP Drilling Permit Number: N/A
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 6 Stockwater (No. and type of stock): N/A
Irrigation (No. of acres): 1400/440 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.1 cfs OR acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DALE BRUMFIELD Telephone Number: 208-684-4999
Address: 125 N 800W BLACKFOOT, ID. 83221
10. 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. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

[Signature]
(include your title, if on behalf of company of organization)

Date: 8-8-02

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AUG 26 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 35-13320

Priority: 08/07/2001

Maximum Diversion Rate: 0.10 CFS

This is to certify, that DALE BRUMFIELD
125 N 800 W
BLACKFOOT ID 83221

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	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, Twp 03S, Rge 33E, B.M. BINGHAM County

PLACE OF 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	
03S	33E	33				X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2002**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Domestic use is for 6 homes and includes lawn watering not to exceed a total of 1/4 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of September, 2001.


for **KARL J DREHER, Director**

MICROFILMED

OCT 11 2001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant DALE BRUMFIELD Phone 208-684-4999
Mailing address 125 N 800 W BLACKFOOT, ID-83221
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 3⁵⁰ Range 33 E 8 M Sec. 33, in the SENE 1/4,
1/4, 1/4, Govt. Lot _____, B.M., Bingham County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.10 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.004 for Commercial purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.10 cfs and/or (b) 101.4
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source N/A well + pump
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet
c. Proposed well diameter is 8" inches; proposed depth of well is 55 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? JULY 1964; Drilling firm DALE EWSKEEP;
Well was drilled for (well owner) FRANK HANCOCK; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is N/A years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. 6 TRAILER HOUSES + BAR/GRA

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OCT 11 2001

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	33E	33				D/A													

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 0.04 CFS Domestic
for one Dwelling

11. a. Who owns the property at the point of diversion? DALE & LINDA BRUMFIELD

b. Who owns the land to be irrigated or place of use? N/A

c. 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. Remarks: _____

Existing Structure (Commercial) Completed in Fall
1955. See attached documentation.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dale Brumfield

Signature of Applicant (and title, if applicable)

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OCT 11 2001

Received by HWT Date 8-6-01 Time _____ Preliminary check by _____

Fee \$ 100.00 Received by HWT # E02990 Date 8-6-01

Publication prepared by SC Date 8-16-01 Published in Morning News

Publication approved SC Date 9/4/01

~~Cate Sube 7L 7~~

- File for Pre - 87th

- Power Bills

- Tax Notice

Hosin .10 CFS Dmeste



No. _____ May 18 1968

Received of Vernon Brumfield

one hundred & ^{no}/₁₀₀ _____ Dollars

Amt. of Account	300	00
Amt. Paid	100	00
Balance Due	200	00

Payment on property adjacent to Hancock
ground south east side of highway
\$ 100.⁰⁰
WESTAB.

NORTH OF HANCOCK GROUND TO ROCK CUT

BLACKFOOT BRANCH		92-241
	CASH 4	1241
First Security Bank of Idaho NATIONAL ASSOCIATION		
92-241 BLACKFOOT, IDAHO 13-24 1955 No.		
PAY TO THE ORDER OF <u>Vernon Brumfield</u> \$ <u>100.00</u>		
<u>STOKES & TACKER</u> DOLLARS		
<u>Vernon Brumfield</u> Agent in full - 1 acre		

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OCT 11 2001

Well log for WATER WELL LOCATED 1479W HYDRA 39
PINGREE IDAHO FOR TRAILER PARK, BART CAFE -
DALE BRUMFIELD -

July 23, 1960

Frank Hancock
Pingree, Idaho 83221

Dear Mr. Hancock,

The following are the drilling and well specifications and findings, as per your request.

8" - Well Log

0' to 7' Top Soil
7' to 9' Clay and Loose Lava Rock
9' to 52' Solid Lava Rock
50' to 52' Black Cinders

1st water stand at 20', and the water temperature was 48 degrees Fahrenheit.
10 feet of 8 5/8" X 1/4" casing in top of the hole.

Should you have any further questions please feel free to contact me.

Respectfully,

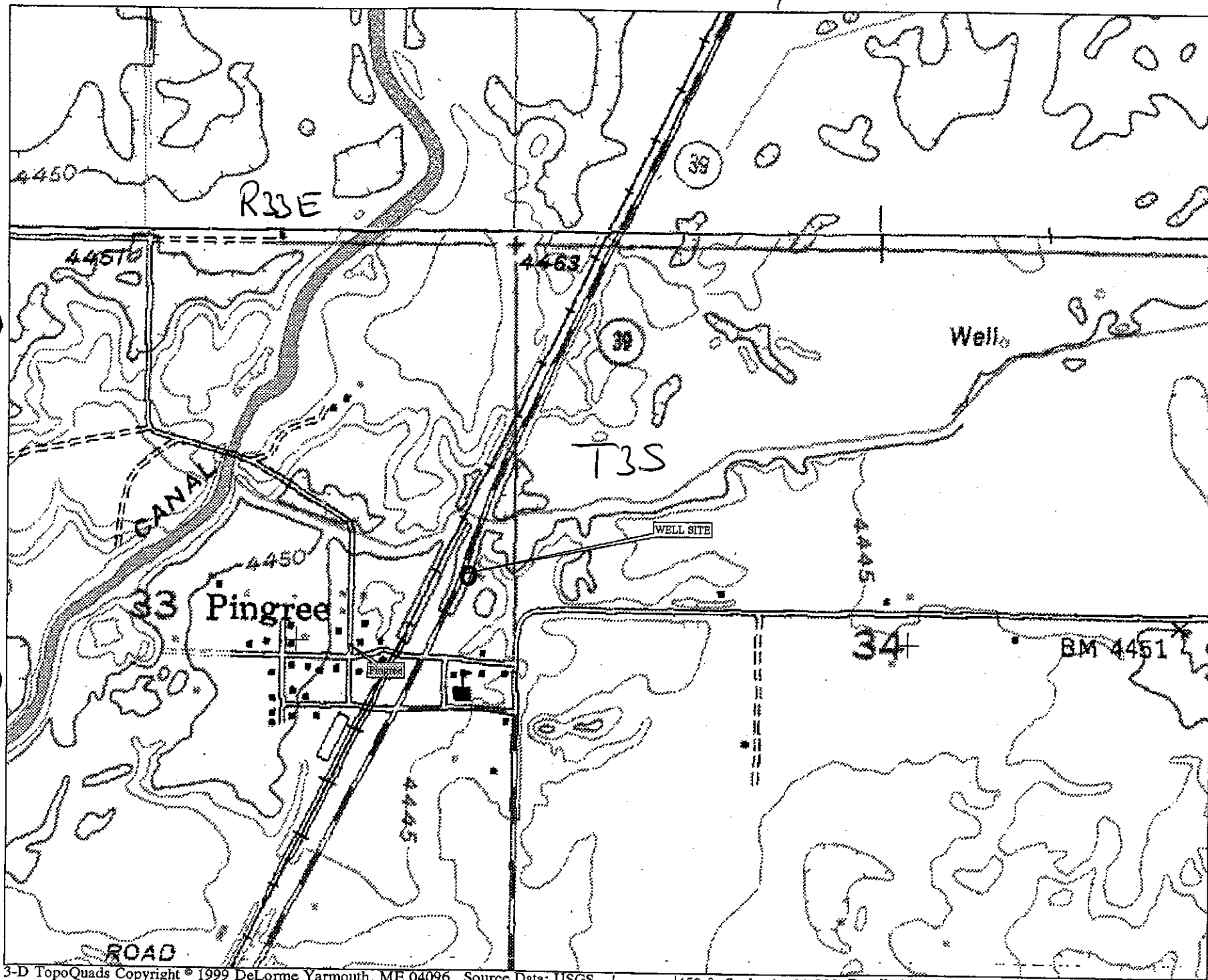
Dale Inskeep

Dale Inskeep
Dale Inskeep Well Drilling

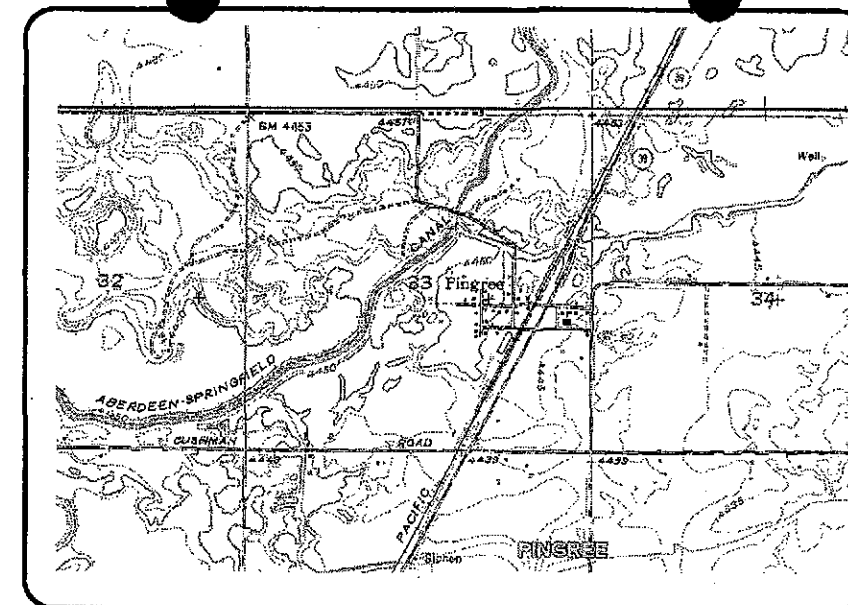
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OCT 11 2001

Range 33 E Township 3 South.



MICROFILMED
OCT 11 2001



 WATER LINE
 **SANITARY SEWER LINE**
 FENCE LINE

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 22, 2002

DALE BRUMFIELD
125 N 800 W
BLACKFOOT ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-13320

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

AUG 26 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 35-13320

Reviewed By: dgibson

Date: August 21, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E026990, C063941		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	08/13/2002
Date proof due	- 10/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 08/07/2001
New priority date	= 08/07/2001

Deficiencies of Actions Items

Acknowledge proof.

July 31, 2002

DALE BRUMFIELD
125 N 800 W
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-13320

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

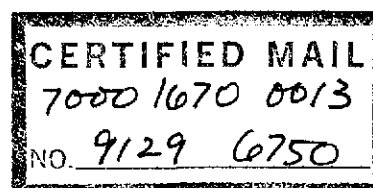
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

AUG 26 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2001

DALE BRUMFIELD
125 N 800 W
BLACKFOOT ID 83221

RE: Permit No. 35-13320

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

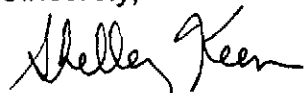
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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OCT 11 2001

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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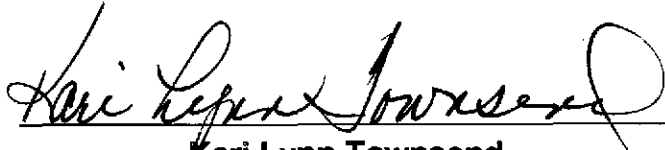
OCT 11 2001

CERTIFICATE OF MAILING

I hereby certify that on September 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 35-13320

**DALE BRUMFIELD
125 N 800 W
BLACKFOOT ID 83221**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 11 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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).

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OCT 11 2001

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 issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

To: File 35-13320

From: Sharla

Date: September 24, 2001

Re: Irrigation

On this date, I spoke with the applicant, Mr. Brumfield concerning any irrigation use intended in connection with the domestic use. He said that there is a small patch of lawns between each of the trailers that will be irrigated. He estimated the total to be less than $\frac{1}{4}$ acre; I told him we would include a remark on the permit limiting the irrigation associated with the domestic use to a total of $\frac{1}{4}$ acre.

No surface water appurtenant per applicant

MICROFILMED

OCT 11 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 9/19/01

No. 35-13320 Name: Brunfield Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

*Bingham
GW Dist*

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust ~~N/A~~ 048-049 (consumptive uses or non-cons. > 1.0 cfs)

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

USES:

MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC *W01 (6)*
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
- 070-071-075 (no parks/common areas)
> 1 in restricted area - WB5
Irr separate or none allowed - 065-104
GW w/irrigation from SW evident - W03 (2500 gpd ~ meets domestic def
i.e. D/convenience store)
Moratorium approvable

BENEFICIAL USE DUE: 10, 01, 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map) IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS 35-13318 temporary status till motion to file late claim
is approved for bas and cage

SEP 17 2001

Department of Water Resources

Dist. for staffing 8-06-01
Submitted for advertising _____

Form No. 202
4/87

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

INITIAL REVIEW BY HWT DATE 8-7-01 APPLICATION NO. 35-13320
#69325

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
Yes _____ No _____ Field check required
_____ Field check by _____
Yes _____ No _____ Field report attached
Yes _____ No _____ Critical groundwater area
Yes _____ No _____ Groundwater management area
Yes _____ No _____ Send dam safety information
Yes _____ No _____ Send power requirement letter
Yes _____ No _____ Send fish farm requirement letter
Yes _____ No _____ Power residency affidavit
Yes _____ No _____ Power efficiency form
Yes _____ No _____ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes _____ No _____ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
 _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other _____

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒	Yes	☐ No	Publication dates & paper, recorded on application
☐	Yes	☒ No	Protests received
			Final date for protest _____
☒	Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐ No	Recommendations, attached
☐	Yes	☐ No	Measuring device required
☐	Yes	☐ No	Access port required
☐	Yes	☐ No	Will water be delivered by watermaster? If yes, what Dist. _____
☐	Yes	☐ No	Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 8-06-2001

By [Signature] Date 9-5-01

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

____ City _____
____ County _____
____ Reservations _____

Idaho Fish & Game
Idaho Health & Welfare
Division of Environment

____ Irrigation District
____ Canal Company
____ Other

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

PUBLIC NOTICE

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

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

35-13320

DALE BRUMFIELD

125 N. 800 W.

Blackfoot, Idaho 83221

Point(s) of Diversion: SENE, S33,
T03S, R33E, Bingham County.

Source: GROUNDWATER

Use: DOMESTIC 01/01 to 12/31 0.1
CFS

Total Diversion: 0.1 CFS

Date Filed: 08/07/2001

Place Of Use: DOMESTIC

T03S, R33E, S33, SENE

Permits will be subject to all prior
water rights. Protests may be
submitted based on the criteria of
Sec. 42-203A, Idaho Code.

Any protest against the approval of
this application must be filed with
the Director, Dept. of Water
Resource, Eastern Region, 900 N.
Skyline Drive, Suite A, Idaho Falls,
Idaho, 83402, together with a
protest fee of \$25.00 for each
application on or before September
4, 2001. The protestant must also
send a copy of the protest to the
applicant.

KARL J. DREHER
Director

(5187)

Pub.: 8/16, 23

MICROFILMED

OCT 11 2001

RECEIVED

AUG 27 2001

Department of Water Resources
Eastern Region

AFFIDAVIT OF PUBLICATION

County of Bingham)

SS

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator of The Morning News,
which is a daily newspaper of
general circulation, published each
day except Sunday at Blackfoot,
Bingham County, Idaho, said
newspaper having been so published
at Blackfoot, aforesaid for more than
one year past; that said newspaper
heretofore complied with all the
provisions of Chapter 154 of the
Sessions Laws of Idaho of 1911,
approved March 11, 1911, and duly
designated, pursuant to law, a
particular day of the week as the day
on which legal notices required by
law or by the order of any Court of
competent jurisdiction within the
State of Idaho shall be published to-
wit: of each week; that the notice
attached hereto and which is a part
of this affidavit and part of the proof
of publication was published in said
issue of said

newspaper 2 consecutive Weeks
the first publication having been
made on the 16 day of Aug
2001, and the last publication having
been made on the 23 day of Aug
2001; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

Jacqueline Graham
On this 2 day of Aug in
the year of 2001, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he
executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....\$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 08, 2001

DALE BRUMFIELD
125 N 800 W
BLACKFOOT ID 83221

RE: Application for Permit No 35-13320

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Morning News on August 16 and 23, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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.

Please feel free to contact this office if you have any questions.

Sincerely,

Harold W. Jones
Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

OCT 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 08, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

RE: Application for Permit No. 35-13320

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 September 4, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
8/9/01
sc*

MICROFILMED

OCT 11 2001

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

35-13320

DALE BRUMFIELD

125 N 800 W

BLACKFOOT ID 83221

Point(s) of Diversion: SENE S33 T03S R33E, BINGHAM County

Source GROUND WATER

Use: DOMESTIC

01/01 To 12/31 0.1 CFS

Total Diversion:

0.1 CFS

Date Filed: 08/07/2001

Place Of Use: DOMESTIC

T03S R33E S33 SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 4, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on August 16 and 23, 2001

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OCT 11 2001