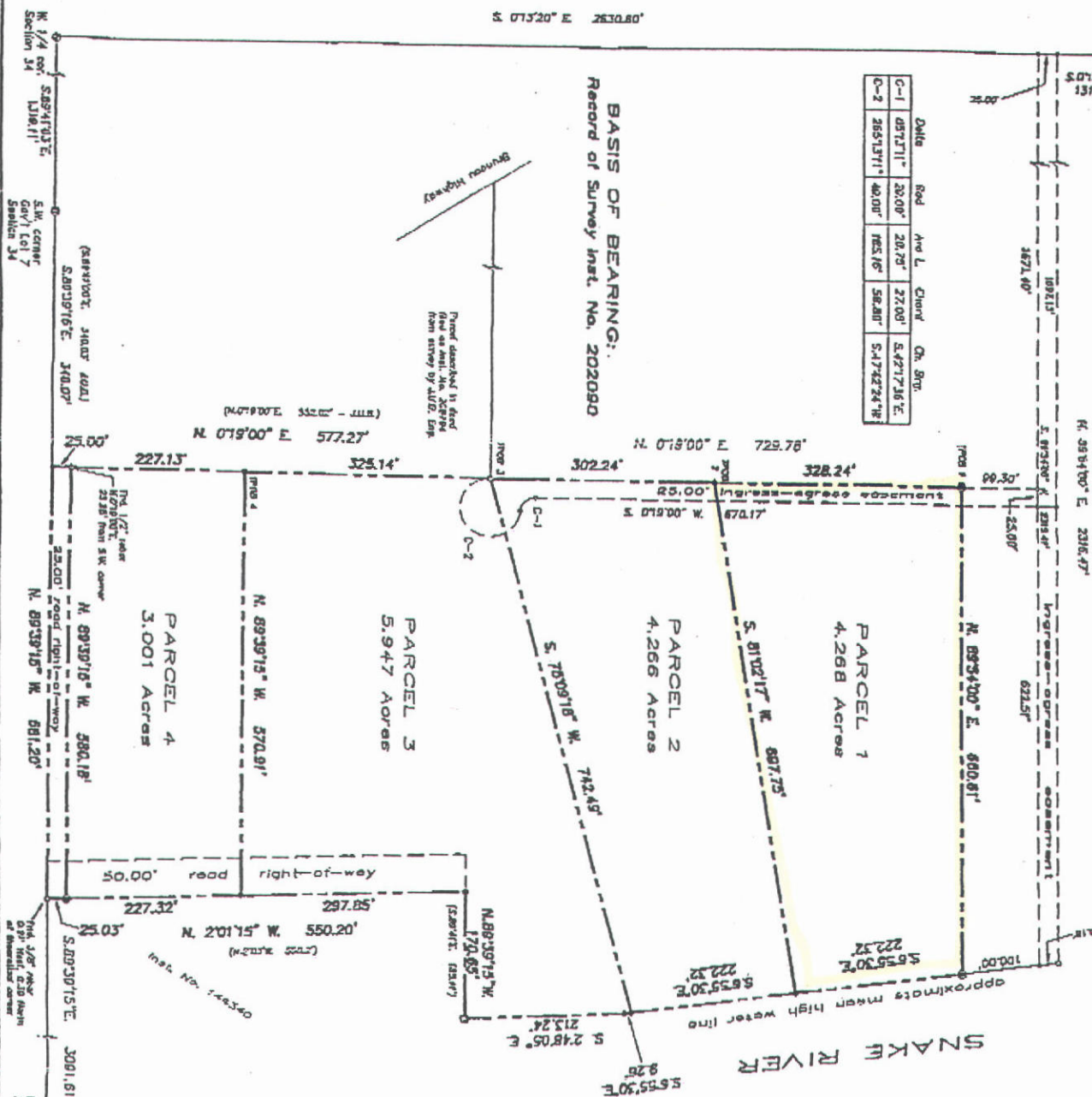


A PORTION OF GOVERNMENT LOT 7, SECTION 34
TOWNSHIP 3 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

C-1	057.511"	20.00°	20.79°	27.08'	5.421736 E.
C-2	265.1311"	40.00°	115.16°	58.80"	5.474224 W.

BASIS OF BEARING:
Record of Survey Inst. No. 202090



- 4) BRASS CAP MONUMENT - FOUND
- 5) 3/8" REBAR - FOUND
- 6) 3/8" REBAR - SET WITH PLASTIC CAP
- 7) 1/2" REBAR - FOUND
- 8) 1/2" REBAR - SET WITH PLASTIC CAP
- 9) CALCULATED POINT
- A) RAILROAD SPOT - FOUND

E.C.C.
WHITES CORNER
PROPERTY BOUNDARY LINE
DATA OF RECORD

COPIED

1. *Geol. Ekman*, as hereby sensibly that I am a *Pygmalion* (not *Baroque*, viewed by the State of Idaho, and that this not but dare proceed from an *Ecological* arrangement on the ground as my that Ily need to an *Ecological* arrangement as I said many and that it is to be consistent with the *Ecological* and *Ecological* state, *Ecological* state (18-1811) through

БУРЯТ ПОЛ

VANCE VAN HALL

Drawn by G.L.S.

DATE: OCT. 13, 1982

Baile D.G.

Jap. Med. Coll. 2022



**Shanmuga, Sagar &
Rasodhara, Inc.**
400 N. Main St. - Suite 20
Tomball, TX 77375
(281) 434-0935

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in TWO (2)
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

May 16 & 23, 2001

SIGNED: _____

STATE OF IDAHO)
COUNTY OF)

On this 30th day of May in the year of 2001 before me, a

Notary Public, personally appeared JOE E. AMAN
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sherley McWherney
Notary Public for Idaho

Residing at Homedale, Idaho

My commission expires: 10/10/06

APPLICATION FOR PERMIT

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

57-11586
ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639
Point(s) of Diversion L7
SENW S34 T03N R04W
OWYHEE

County Source
GROUNDWATER

Use: DOMESTIC 01/01 To
12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 04/04/2001

Place of Use: DOMESTIC

T03N R04W S34 SENW Lot

7

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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER,
Director

5/16 & 23/01

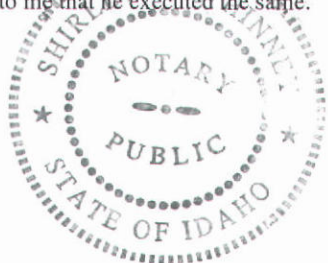
RECEIVED

JUN 01 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 19 2001



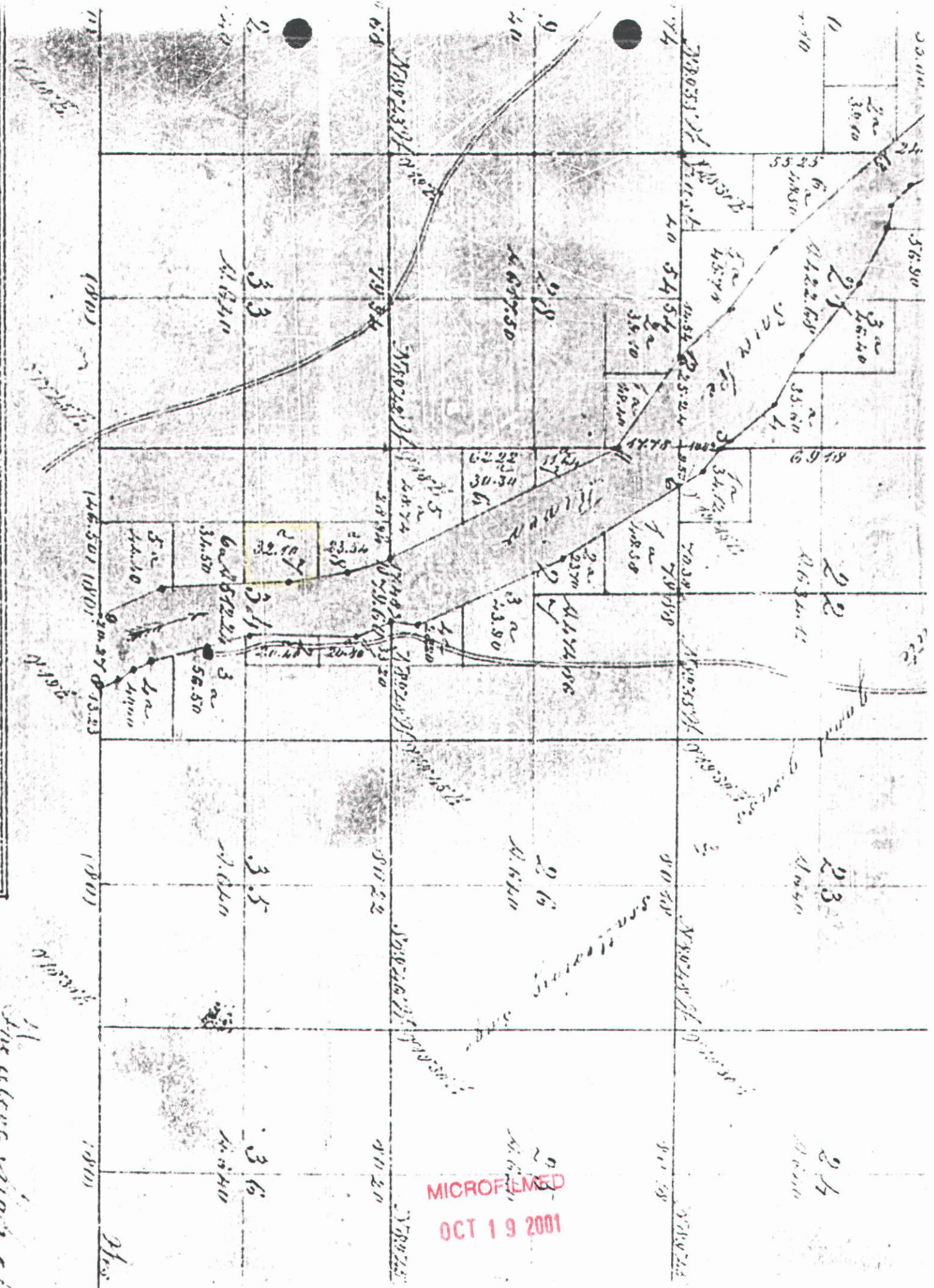
John B. Seaver
John B. Seaver

John B. Seaver

John B. Seaver

John B. Seaver

John B. Seaver



MICROFILMED
OCT 19 2001

Amt of Fee \$ 50.00
Receipt No. 20102659
Receipt By. JAC
Date Received. 5-11-02

RECEIVED

JUN 11 2002

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUN 11 2002

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. 57-115-86 Telephone No. 208 896 5031

2. Name of Permit Holder(s): ROBERT L BELL

3. Mailing Address RT 1 Box 8

City MARSING State ID Zip 83639

4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 6 yr. 98

Well Driller ADAMSON PUMP & DRILLING Drilling Permit Number: UNK.
WELL TAG # 0007077

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 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 ☒

Has the measuring device been installed?

Yes _____ or No ☒

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 ROBERT L BELL Telephone Number: 208 896 5031

Address: RT 1 Box 8 MARSING

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: Robert L. Bell Date: 5/9/02
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 16 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 57-11586

Priority 04/04/2001

Maximum Diversion Rate 0 04 CFS

This is to certify, that ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639

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 L7 SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 34, Twp 03N, Rge 04W, B M OWYHEE County

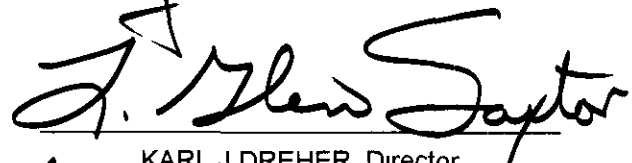
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 04W 34								X									
								L7									

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **August 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 Domestic use is for 1 home

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code Witness the signature of the Director, affixed at Boise, this 30th day of July, 2001


for **KARL J DREHER, Director**

MICROFILMED

RECEIVED

JUL 19 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

1. Name of Applicant ROBERT L. BELL Phone 208-896-5031
Post Office address RRI BOX 8 MARSHING ID 83639
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____
Sec. 34 Township 3N Range 4W B.M. OWYHEE County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? N
 - e. If well is already drilled, when? 6/9/98; Drilling firm Adamsen #457:
Well was drilled for (well owner) ROBERT BELL
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1
 - e. Other; describe fully. _____

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OCT 19 2001

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

[illegible]

10. Describe any other water rights used for the same purposes as described above. A02-10173

11. a. Who owns the property at the point of diversion? APPLICANT

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing:

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT ATTACHED** / Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Robert L. Bell
(Applicant)

Received by DB Date 4-4-01 Time 11:20a Preliminary check by _____
 Fee \$ 100 Received by DB # W027521 Date 4-4-01
 Publication prepared by ST Date 5-16-01 Published in OWYHEE AVALANCHE
 Publication approved _____ Date 6-8-01

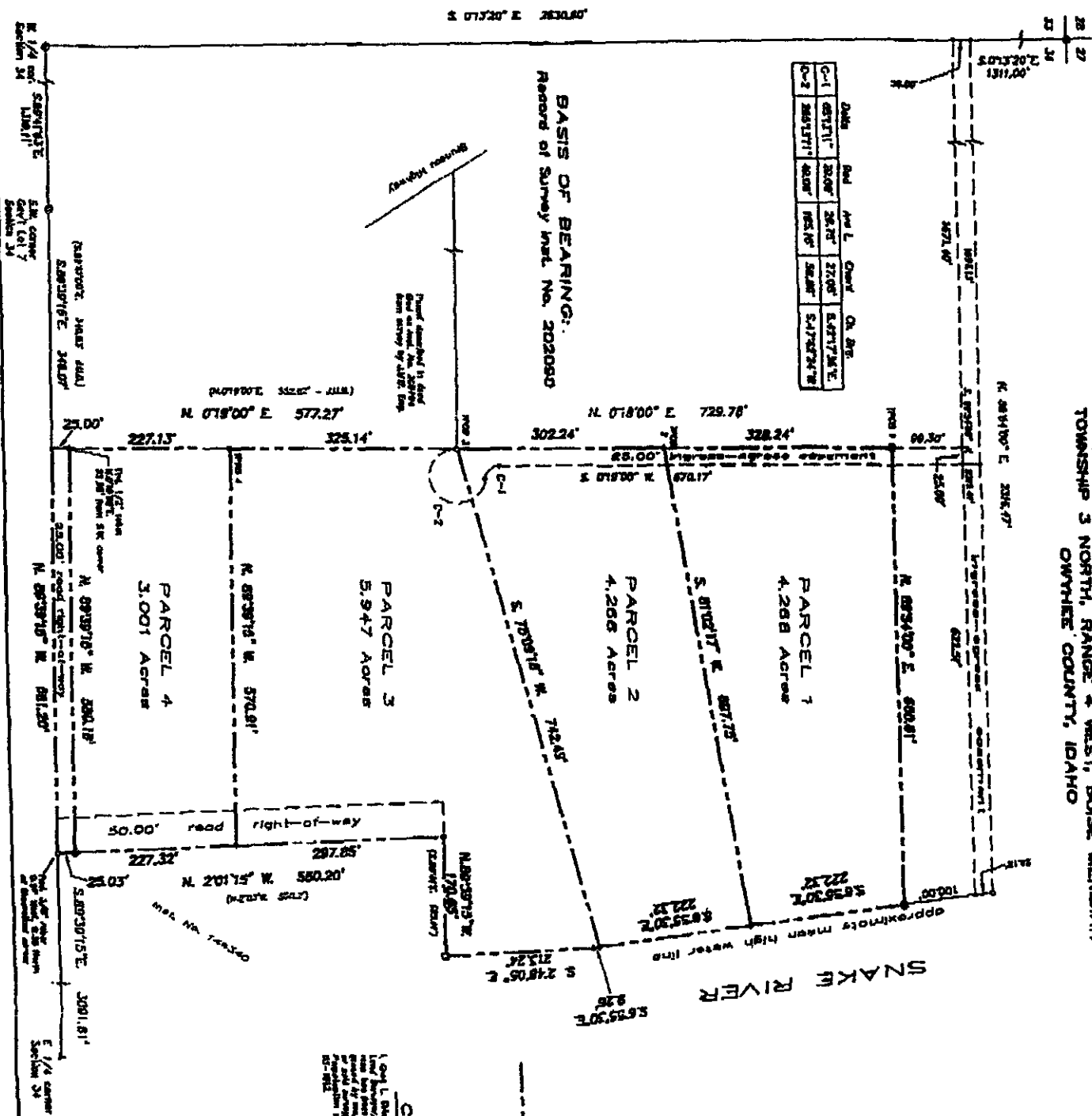
MICROFILMED
DEC 1 2 2001

A PORTION OF GOVERNMENT LOT 7, SECTION 34
TOWNSHIP 3 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

RECORD OF SURVEY

Date	Red	Inv L	Chart	On Site
C-1	05/11/11	20.00	27.00	5,477.74 M.E.
C-2	06/17/11	40.00	105.00	5,477.74 M.E.

BASIS OF BEARING:
Records of Survey Map No. 202080



SCALE 1" = 100'

LEGEND

- BRASS CAP MONUMENT - FOUND
- 5/8" IRON - FOUND
- 1/2" IRON - SET WITH PLASTIC CAP
- 1/2" IRON - FOUND
- 1/2" IRON - SET WITH PLASTIC CAP
- CALCULATED POINT
- RAILROAD SPUR - FOUND
- BRASS CORNER
- PRIORITY BOUNDARY LINE
- () DATA OF RECORD

CERTIFICATION

I, Carl L. Vance, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that the foregoing survey was made by me or under my direct supervision and that the same is true and correct to the best of my knowledge and belief.

VANCE VAN HALL



MICROFILMED
1980



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

June 28, 2002

ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 57-11586

Dear Permit Holder:

The department acknowledges receipt of the Proof of Beneficial Use (proof) form and a \$50.00 license examination fee submitted for the above referenced permit. A license exam fee is not required for a ground water source with a rate of diversion of 0.04 cfs or less. Therefore, I will initiate the process to refund the license examination fee you submitted. You should receive a State of Idaho check for \$50.00 within seven (7) to ten (10) business days.

Additionally, while examining the proof you filed with the department, I found that your right is only for domestic use, which limits irrigation to ½ acre or less. According to the proof you filed you are irrigating 1 acre of land, which is not appropriate. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. Therefore, I suggest you contact the Western regional office and talk to the on-call person about your permit and your irrigation right.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right 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 concerning the field examination or the irrigation allowed, please contact the department's **Western** Regional Office in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

c: IDWR - Region
Fiscal

JUN 28 2002

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat _____ Long _____
☒ Air ☐ Flowing Artesian

1. WELL TAG NO. D 0007077
 DRILLING PERMIT NO. _____
 Other IDWA No. _____

2. OWNER: Name Bell, Robert Deborah
Address B+1, Box 8
City Marsing State Id Zip 23639

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location



Twp. 3 North ☒ or South ☐
 Rge. 4 East ☐ or West ☒
 Sec. 34 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Govt. Lot _____ County _____
 Lat. _____ Long. _____
 Address of Well Site Route 41, Box 8
 City Marion
 (Give at least name of road + Distance to Road or Landmark)

Lt. _____ Bk. _____ Sub. _____ Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Benlate	0	20	500 ^{lb}	Overlure

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 133 ET

Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASINO/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	133	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Partitions	Method
------------	--------

Screens	Screen Time
---------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	liner
						☐	☐
						☒	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

20 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access, port or
control devices: _____
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11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
60	—	at 140	2 hrs

Water Temp. Bottom hole temp.
Water Quality test or comments: 3 GRAINS IRON / PH 7.5

Depth first Water Encounter 7-15

12. LITHOLOGIC LOG: (Describes repairs or abandonment) Water

[illegible]

13. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Adams, Pump & Drilling Firm No. 0457

Firm Official John C. Johnson Date 6-11-98

and
Driver or Operator *W. E. Davis* 6-11-68

Station name & Box Office & Operator

May 31, 2002

ROBERT L BELL
RT 1 BOX 8
MARSING, ID 83639

PROOF DUE NOTICE

RE: PERMIT NO. 57-11586

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 August 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.

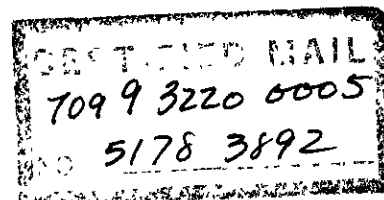
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

JUN 15 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

July 31, 2001

ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639

RE Permit No 57-11586

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.

MICROFILMED
JUL 31 2001

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.

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

Sincerely,



for Shelley W Keen
Water Rights Supervisor

SWK;klt

Enclosure(s)

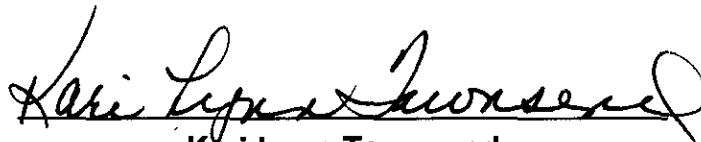
MICROFILMED
OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on July 31, 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. 57-11586

**ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 14 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)

**MICROFILMED
OCT 13 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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 7/23/01

No. 57-11586 Name: Bell Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN No/Yes _____ 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

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons > 1.0 cfs)

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

BENEFICIAL USE DUE: 8/01/2002

MISC CONDITIONS/REMARKS:

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

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:

MUNICIPAL

Restricted area - 022,075
Irr, GW supp to SW - 102
Future needs - 007,109

FISH PROP

DOMESTIC W01 (1)

Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

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 p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6 DATE: 4/26/01 APPLICATION: 57-11586

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
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: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid

Gov't. Lots:
/ P/D
/ P/U

ADDITIONAL INFORMATION

N ADVERTISE REMARK(S)
(Reviewer identify which remarks)

YES NO

/ Overlapping place of use: (Describe source & relationship to present application on next page.)
/ Overlapping point of diversion.
 Critical groundwater area:
 Groundwater management area:
 1992 moratorium:
 Surface water source, IDFG letter needed.
 Protected river or minimum flow reach, notify water planning bureau.
 E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
 E-mail to Dam Safety staff: (for any storage)
 Mitigation plan: Check any that apply.
 immediate = acceptable plan required and submitted.
 future = open areas, acceptance of condition of approval is in file.
 Send power requirement letter &/or fish farm requirement letter.
 Power residency affidavit:
 Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
 *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED

JUL 19 2001

Department of Water Resources

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 11586

YES NO

☒ ☒ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☐ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☒ ☐ Final date for protest 6-4-01
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter: standards

See below for additional information

Recommended Date or Priority 4/4/01
Recommended by: Loi Guzman Date: 7/10/01

ADDITIONAL INFORMATION:

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1 That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2 That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in TWO (2)
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

May 16 & 23, 2001

SIGNED: _____

STATE OF IDAHO)
COUNTY OF)

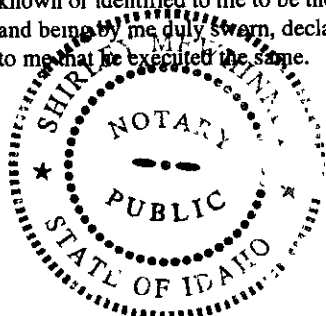
On this 30th day of May in the year of 2001 before me, a

Notary Public, personally appeared JOE E. AMAN
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sherley McWhinney
Notary Public for Idaho

Residing at Homedale, Idaho

My commission expires: 10/10/06



TO: IDAHO DEPT. OF WATER RESOURCES
PERMIT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

57-11586
ROBERT L BELL
ET 1 BOX 8
MAPPING ID 83639
Point(s) of Diversion L7
SENW S34 T03N R04W
OWYHEE
County Source
GROUNDWATER
Use: DOMESTIC 01/01 To
12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 04/04/2001
Place of Use: DOMESTIC
T03N R04W S34 SENW Lot

7
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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER,
Director

5/16 & 23/01

RECEIVED

JUN 01 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

JUN 13 2001

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat : : Long: : :

1. WELL TAG NO. D 0007077
 DRILLING PERMIT NO. 57-98-u2-041-00
 Other IDWR No. _____

2. OWNER:
Name Bell, Robert Deborah
Address Rt #1, Box 3
City Marsing State Id Zip 83629

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location



Twp. 3 North ☒ or South ☐
 Rgs. 4 East ☐ or West ☒
 Sec. 34 SE $\frac{1}{4}$ NW $\frac{1}{4}$ $\frac{1}{4}$
 Gov't Lot _____ County _____
 Lat. _____ Long. _____
 Address of Well Site Route #1, Box 8
 City Marsing

(Give at least name of road - Distance to Road or Landmark)

Li. _____ Bk. _____ Sub. _____ Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Banknote	0	20	500 ^{lb}	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 133 cr

Was drive shoe seal tested? ☐ Y ☐ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	133	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Mandible _____ Length of Tailbone _____

9. PERFORATIONS/SCREENS

Perforations	Method
--------------	--------

Screening	Screen Time
-----------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	liner
						Micro	Flowline
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Sailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
60	—	140	2615

Water Temp. Bottom hole temp.

Water Quality test or comments: 3 GRAINS MAX / PH 7.5

Death first Water Encounter 7-75

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	0	7	Top Soil		
7	7	15	Sand & Gravel	X	
7	15	17	Tan clay		
7	17	20	Gray clay		
6	20	30	Transition to blue clay		
	30	40	Blue clay		
	40	50	Sandy blue clay	X	
	50	67	Clay		
	67	80	Clay - Soft		
	80	101	Super fine sand - streaks Clay	X	
			streak (pumped 4' from half sand)		
	101	118	clay		
	118	120	sand	X	
	120	126	clay		
	126	128	sand (little water)	X	
	128	137	clay		
	137	142	sand - Super fine - Blue 15gr	X	
	142	150	Clay (open drilling to check)		

Completed
Depth ~~142~~ 150 (Measurable)

Date: Started 6-3-98
Completed 6-9-98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Anderson Pump & Drilling File No. 0457

Firm Office Atlanta, Georgia Date 1-11-93

Office of Comptroller *DATE Disbursed 1-17-90*

Open Office & Computer



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
Owyhee Avalanche
PO Box 97
Homedale ID 83628

RE: Application for Permit No. 57-11586

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 06/04/2001. Your cooperation is appreciated.

Sincerely

A handwritten signature in cursive script, appearing to read 'Sue Taylor'.

Sue Taylor

Senior Secretary

MICROFILMED

MAY 11 2001

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

57-11586

ROBERT L BELL
RT 1 BOX 8
MARSING ID 83639

Point(s) of Diversion L7 SENW S34 T03N R04W OWYHEE County Source GROUNDWATER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 04/04/2001

Place Of Use: DOMESTIC

T03N R04W S34 SENW Lot 7

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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Owyhee Avalanche on May 17 and 24, 2001.

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NOV 19 2001