

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07466

1. Owner: NOLAN BROTHERS INC. Phone No. _____

Current Address: 1418 N. Hwy 91, SHELLEY, ID 83274

2. Accompanied by: — EXAM. DATE: 7-2-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: —

☐ Copies Attached

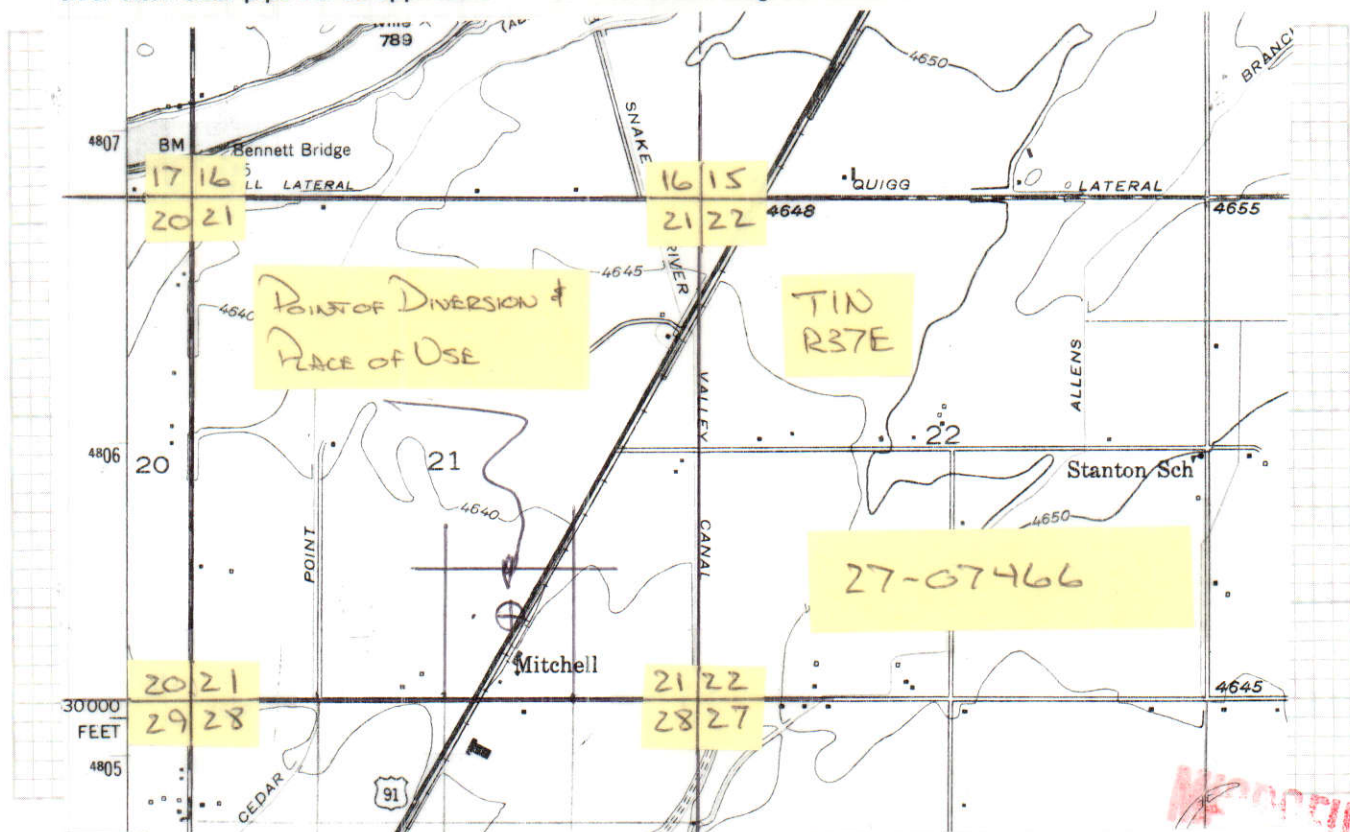
2. Other water rights with same point of diversion: —

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 30000 FEET

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

APR 07 1994

27-7466



COMMERCIAL PLACE OF USE



1/2 ACRE LAWN & POINT OF DIVERSION

27-7466

APR 07 1994
APR 07 1994

27-07466

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07466

Priority: May 3, 1989

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that NULPH BROTHERS INC
1418 N HWY 91
SHELLEY ID 83274

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 3, 1989; and
has submitted Proof of Beneficial Use on August 10, 1990. An examination indicates
that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 21, Township 01N, Range 37E
BINGHAM County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
01N 37E 21 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for a repair shop.

RECORDED

APR 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07466

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of MARCH, 1994.

Acting for R. Keith Higginson, Director

APR 9 1994

Form 217
03/86

RECEIVED
AUG 10 1990

no ☒ enclosed
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # N/A
Receipt by _____
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. P 27-07466
Name(s) of Permit Holder: Nulph Bros INC.
Post Office Address: 1418 North Hwy 91 Shelley Id. 83274
Telephone No. 208-357-5889

Source of Water: ground water

Extent of Use:

Domestic one (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 7-15-87

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ —
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Nulph Bros INC. (Name) (208) 357-5889 (Telephone Number)

1418 North Hwy 91 Shelley Idaho 83274 (Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-6-90
Date

Todd Nulph (Signature of Permit Holder (and title, if appropriate))
Vice Pres.

MICROFILMED
JAN 03 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07466

Proposed Priority: May 3, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **NULPH BROTHERS INC.**
1418 N. HWY 91
SHELLEY, ID 83274

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE Sec. 21, Township 01N, Range 37E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

01N 37E 21

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Commercial use is for a repair shop.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

19th day of October, 1989.

R. Keith Higginson
R. Keith Higginson, Director

for

MICROFILMED

OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Nulph Brothers, Inc. Phone 357-5889
Post office address 1418 N. HWY 91 Shelley, ID. 83274
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is ~~SW~~ SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Govt. Lot _____
Sec. 21 Township 1N Range 37E B.M. Bingham County; additional
points of diversion if any: *Change as per tele-con with Nulph Bros. 6-29-89 HWT
4. Water will be used for the following purposes:
Amount 0.04 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
* Amount 0.02 for Heating purposes from Jan 1 to Dec 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)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. ~~Proposed~~ diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well, 8" casing, 250' deep, pump & distribution system to facilities in shops
 - 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~~ Existing well diameter is 8 inches; ~~proposed~~ depth of well is 250 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. C/ ~~truck~~ repair shop for equipment, culinary water for employees, steamer for washing equipment, G/ heating system using hot water.

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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	37E	21															C/		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None.

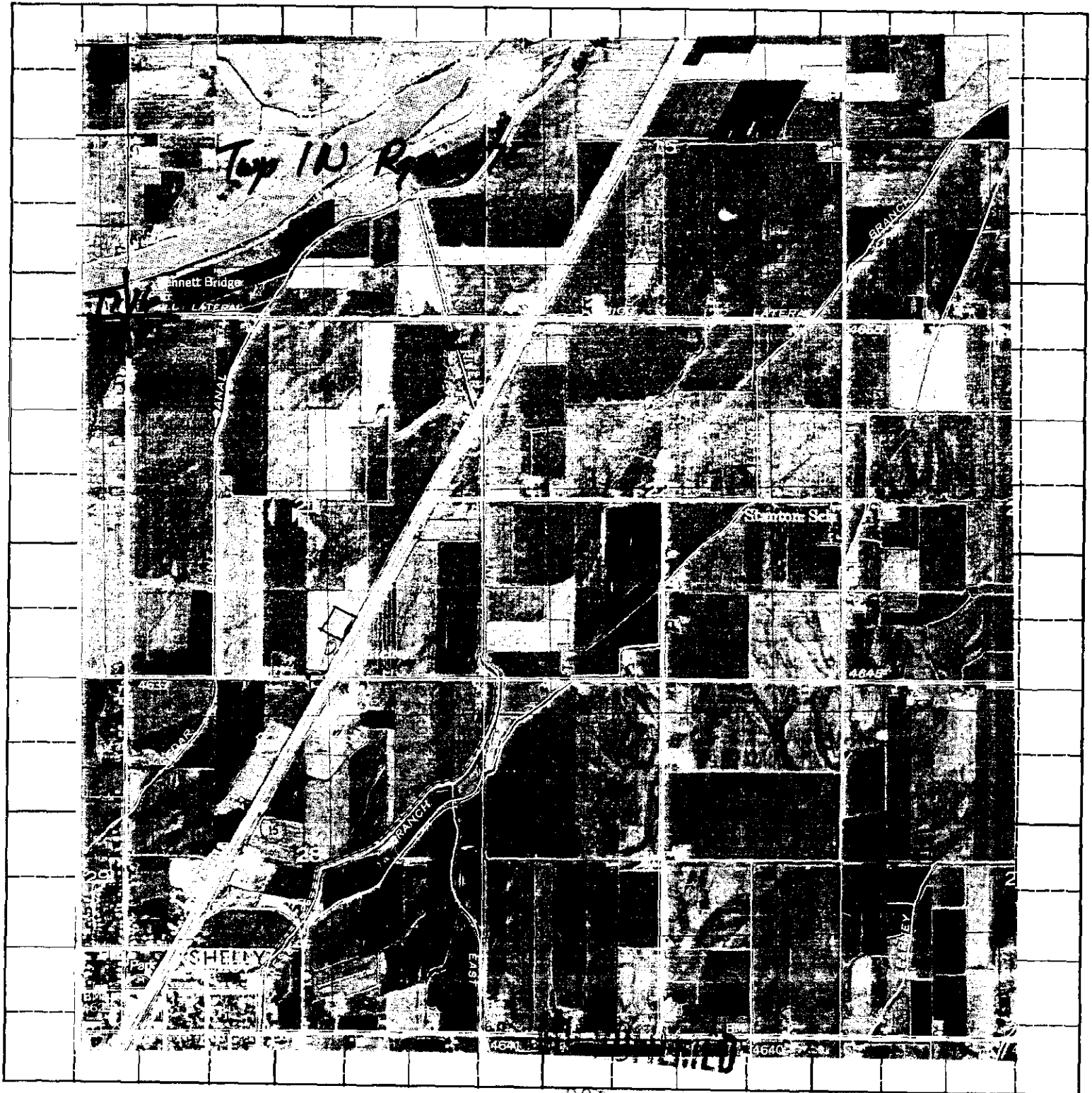
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Heating system recycles water thru rubber tubing embedded in concrete floor. Well was drilled in April 1987.

Officers { Forrest H. Nulph - President.
Max F. Nulph } Vice Presidents,
Todd H. Nulph }
Bonnie Nulph Secretary.

OCT 26 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Max Gulley Vice Pres.
(Applicant)

Received by EMC Date 3 May 89 Time _____ Preliminary check by HWS
Fee \$ 30.00 Received by EMC # 2007117 Date 3 May 89
Publication prepared by RB Date 7-13-89 Published in Morning News 7-20-89
Publication approved QW Date 8-24-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED
MAY 24 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1994

NULPH BROTHERS INC
1418 N HWY 91
SHELLEY ID 83274

RE: WATER RIGHT NO. 27-07466

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
APR 07 1994

WR0749NP
No. L27-07466

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NULPH BROTHERS INC 1418 N HWY 91 SHELLEY ID 83274 (208) 357-5889	05/03/1989	COMMERCIAL	01-01 12-31	0.04 CFS	1.20 AFA
TOTAL DIVERSION:					0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T01N R37E S21 SWSE BINGHAM County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01N	37E	21	:																
			:																

Pou County: BINGHAM

Other Rights: NONE

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.

Remarks: Commercial use is for a repair shop.

Dates:	App. Received:	05/03/1989	Priority Date:	05/03/1989
	Proof Due Date:	11/01/1990	Proof Made Date:	08/10/1990
	Exam Made Date:	07/02/1993	Exam Sent to S.O.:	01/27/1994
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 03/03/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 27-7466 Date 3-3-94 Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒	Advance? ☐ Advanced to: ☐
	☐ ☒	Order to Reinstate Needed? ☐
	<u>NA-</u>	Incorrect Fee for rate recommended?
SOURCE	☐ ☒	Changes? Clarification of Originally Intended source ☐
	☐ ☒	Notice of Intent to Void - Source change.
P/D	☐ ☒	Amendment Needed? ☐
	☐ ☒	Overlap(s) ☐
P/U	☐ ☒	Amendment Needed? ☐
	☐ ☒	Overlap(s) ☐
TOTAL CFS	☐ ☒	Measurement ☐ Theoretical only ☐
		<u>None</u>
		Allowable Amount: <u>.04</u>
		Capacity of System: <u>.04</u>
TOTAL VOLUME		Season of Use: ☐
	☐ ☒	Calculations: <u>1.2 (same as domestic)</u>
		Flow limit: ☐ x ☐ x 1.9835 = ☐
USES	☐ ☒	Change(s) in Nature of Use? ☐
	☐ ☒	Amendment Needed? ☐
REMARKS	☐ ☒	Multiple P/Ds in 1/4 1/4? ☐
	☐ ☒	Special Overlap ☐
CONDITIONS	☐ ☒	Measuring/Locking Devices ☐
	☐ ☒	W/Master Control - District ☐
	☐ ☒	Irrigation Overlap ☐
	☐ ☒	Water Quality ☐
	☒ ☐	Other <u>NON-TRUST</u>
COMMENTS:	☐	

RECOMMENDED <u>Commercial</u>	CFS <u>.04</u>	DIV VOL <u>1.2</u>	LICENSE ☒
☐	☐	☐	1ST AMEND LETTER ☐
☐	☐	☐	2ND AMEND LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

27-7466

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- ☒ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index PRM _____ (initial & date)
- ☒ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- ☒ Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☒ Check of P/U index PRM _____ (initial & date)
- ☒ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☒ Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☒ Scheduling Letter Sent? _____ (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

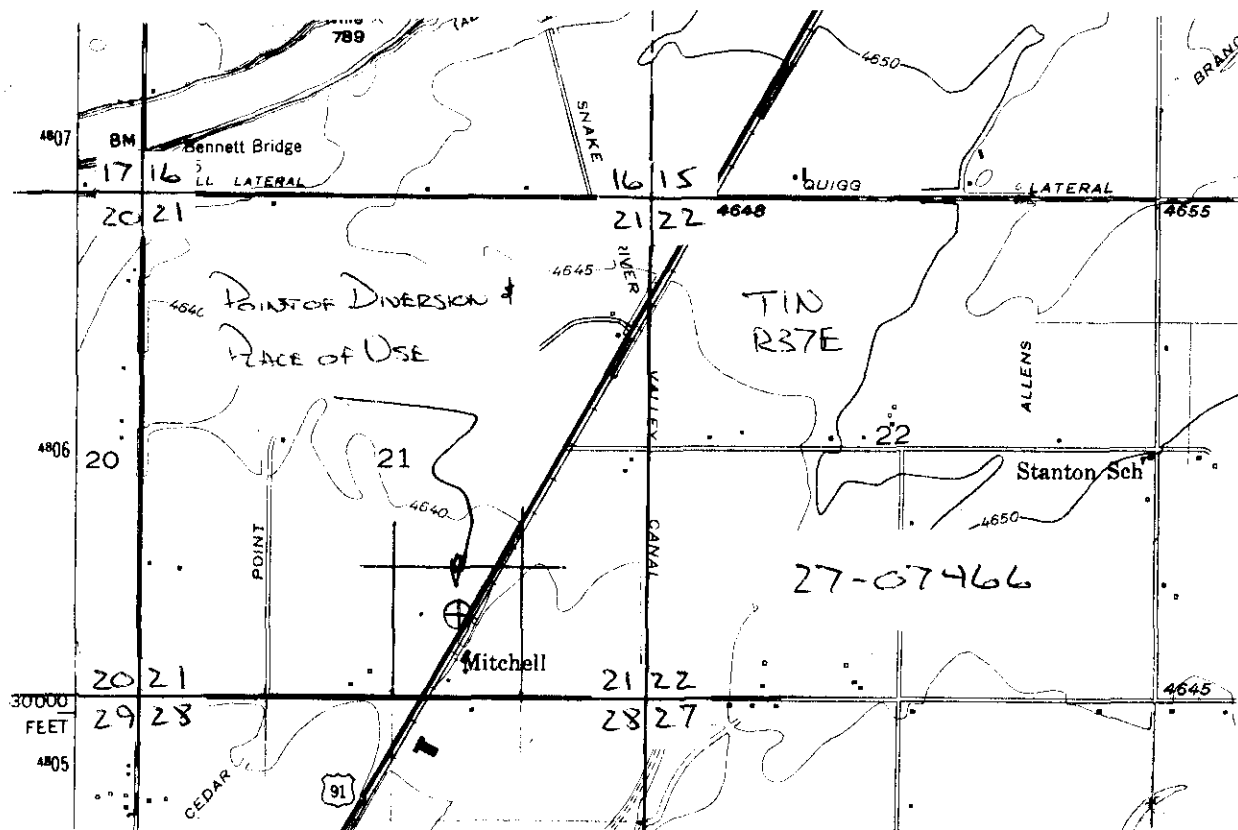
- Exam Completed PRM 12-16-93 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent Kaw 12/1/94 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

Permit No. 27-07466

3. Source: Groundwater tributary to _____

☐ Copies Attached ☐ Copies of Field Exam's Attached

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
- ☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

07 1994

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well I pump to commercial building for general shop & office use. Also 1/2 acre lake irrigation facilities open all year

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
121A					

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

Indicate Method of Determination.

6. Place(s) of Use:

[illegible]

Do not use this space

4661 20 867

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

DE MINIMUM USE PLUS 1/2 AC. LAWN => 0.01 cfs

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

DE MINIMUM USE PLUS 1/2 AC. LAWN => 1.2 AFA

4/27

APR 27 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.04	1.2
Totals:			0.04	1.2

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Robert E. Meyer

Signature [Signature]

Certification Date _____

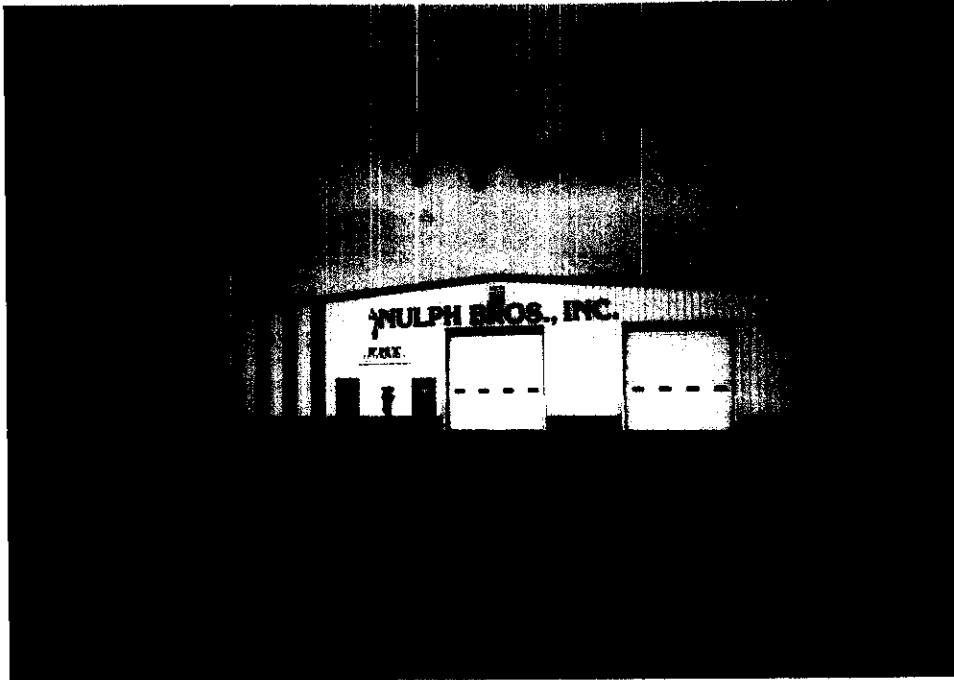
Field Report Preparation Date 12-16-93

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

12-16-93

DEC 17 1994



COMMERCIAL PLACE OF USE



1/2 ACRE LAWN & POINT OF DIVERSION

27-7466

APR 07 1994

27-07466

December 17, 1990

NULPH BROTHERS INC.
1418 N. HWY 91
SHELLEY, ID 83274

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07466

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 conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 03 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 27-7466

Date 12-14-90

GENERAL CONSIDERATIONS

Y Name same as permit?
N Address change? If yes, prepare data entry form.
Y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
N Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

well drilled in apr 87

LICENSE EXAMINATION FEE

N Required?
 Amount submitted?
 Correct amount?

MEASURING DEVICE

N Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Note: assume "domestic" shown on proof is same as "commercial" on permit.

Proof Acceptable

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	- <u> </u>
No. of days late	<u> </u>	= <u> </u>
Priority date	<u> </u>	+ <u> </u>
NEW PRIORITY DATE	<u> </u>	= <u> </u>

[Signature]

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

NULPH BROTHERS INC.
1418 N. HWY 91
SHELLEY, ID 83274

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P27-07466

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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001 26 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

25-07497

PUTNAM, LAWRENCE D
PUTNAM, JANET D
P.O. Box 532
Shelley, ID 83274
Source: GROUNDWATER
Diversion Pt: NWSESW
Sec 21 T 01N R 37E
Use: DOMESTIC, (.040 CFS);
IRRIGATION, (.040 CFS)
Date Filed: 5/25/1989
In: T01N R37E S21 SESW
2.0 ACRES TOTAL

25-07504

C/O LEAH JONES
EASTERN IDAHO GRAZING ASSN.
P.O. Box 308
Blackfoot, ID 83221
Source: SPRING,
Tributary: SINKS
Diversion Pt: NENWSE
Sec 28 T 03S R 42E
Use: STOCKWATER, (.040 CFS)
Date Filed: 5/22/1989
In: T03S R42E S28 NWSE

25-07505

CHURCH OF JESUS CHRIST,
LATTER DAY SAINTS
REAL ESTATE DIVISION
Twelfth Floor
50 East North Temple Street
Salt Lake City, UT 84150
Source: SPRING,
Tributary: SINKS
Diversion Pt: SESWSW
Sec 11 T 02S R 39E
Use: DOMESTIC, (.020 CFS)
Date Filed: 5/16/89
In: T02S R39E S11 SWSW

27-07465

SHIPLEY, PATRICIA K.
SHIPLEY, O. DEVAUGHN
13 S. 600 W
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWNWNW
Sec 6T 03S R 35E
Use: IRRIGATION, (.020 CFS);
STOCKWATER, (.020 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 6/22/1989
In: T03S R35E S08 NWNW
1.0 ACRES TOTAL

27-07466

NULPH BROTHERS, INC.
1418 N. Hwy. 91
Shelley, ID 83274
Source: GROUNDWATER
Diversion Pt: SWSE Sec 21 T01N R 37E
Use: COMMERCIAL, (.040 CFS)
Date Filed: 5/03/1989
In: T01N R37E S21 SWSE

27-07467

STEWART, CORDELL H.
563 W. 200 S.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENW
Sec 18 T 03S R 35E
Use: IRRIGATION, (.090 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/26/1989
In: T03S R35E S18 NENW
3.0 ACRES TOTAL

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss
I, Michael Bell do
solemnly

swear that I am the Publisher 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 1933, approved
March 11, 1933, 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 af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

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.

On this 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Hayden Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee.....\$5.00

OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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001 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl' tion(s) have been filed t appropriate the public waters of the State of Idaho:

RECEIVED

OCT 26 1989

27-07466

NULPH BROTHERS INC.
1418 N. HWY 91
SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: SWSE Sec 21 T 01N R 37E

Use: COMMERCIAL (.040 CFS)

Date Filed: 5/03/1989

In: T01N R37E S21 SWSE

Microfilm

OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

MICROFILMED

OCT 26 1989

18-July-1989

Nulph Brothers, Inc.
1418 N. Hwy 91
Shelley, ID 83274

RE: Application for Permit No. 27-7466

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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OCT 26 1989

Did not run

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appli ion(s) have been filed to appropriate the public waters of the State of Idaho:

RECORDED

OCT 26 1989

27-07466

NULPH BROTHERS INC.
1418 N. HWY 91
SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: SWSE Sec 21 T 01N R 37E

Use: COMMERCIAL (.040 CFS)

Date Filed: 5/03/1989

In: T01N R37E S21 SWSE

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OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42-2 ., Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

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OCT 26 1989