

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Leo R. Bell

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at 0.22 cfs and *	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 0.22 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed * _____ acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Twp. _____ 12S, Rge. 25E _____ in the County of _____ Cassia _____

Description and location of place of use:

[illegible]

Total number of acres irrigated 76

*This right when combined with Right 45-2728 shall not exceed 266.0 acre feet per annum.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use hereinafter described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of January, 19 83.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-7378

RECEIVED
APPROVED
JUN 6 1979

To appropriate the public waters of the State of Idaho

Department of Resources
Southeastern District Office

1. Name of applicant Leo R. Bell Phone 673-5372

Post office address Star Route Box 26, Albion, Idaho 83311

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 12S

Range 25E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.72 cfs for irrigation purposes from Mar 15 to Nov 15 (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:

a. 0.72 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well and pump to gravity & sprinkler irrigation system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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 - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

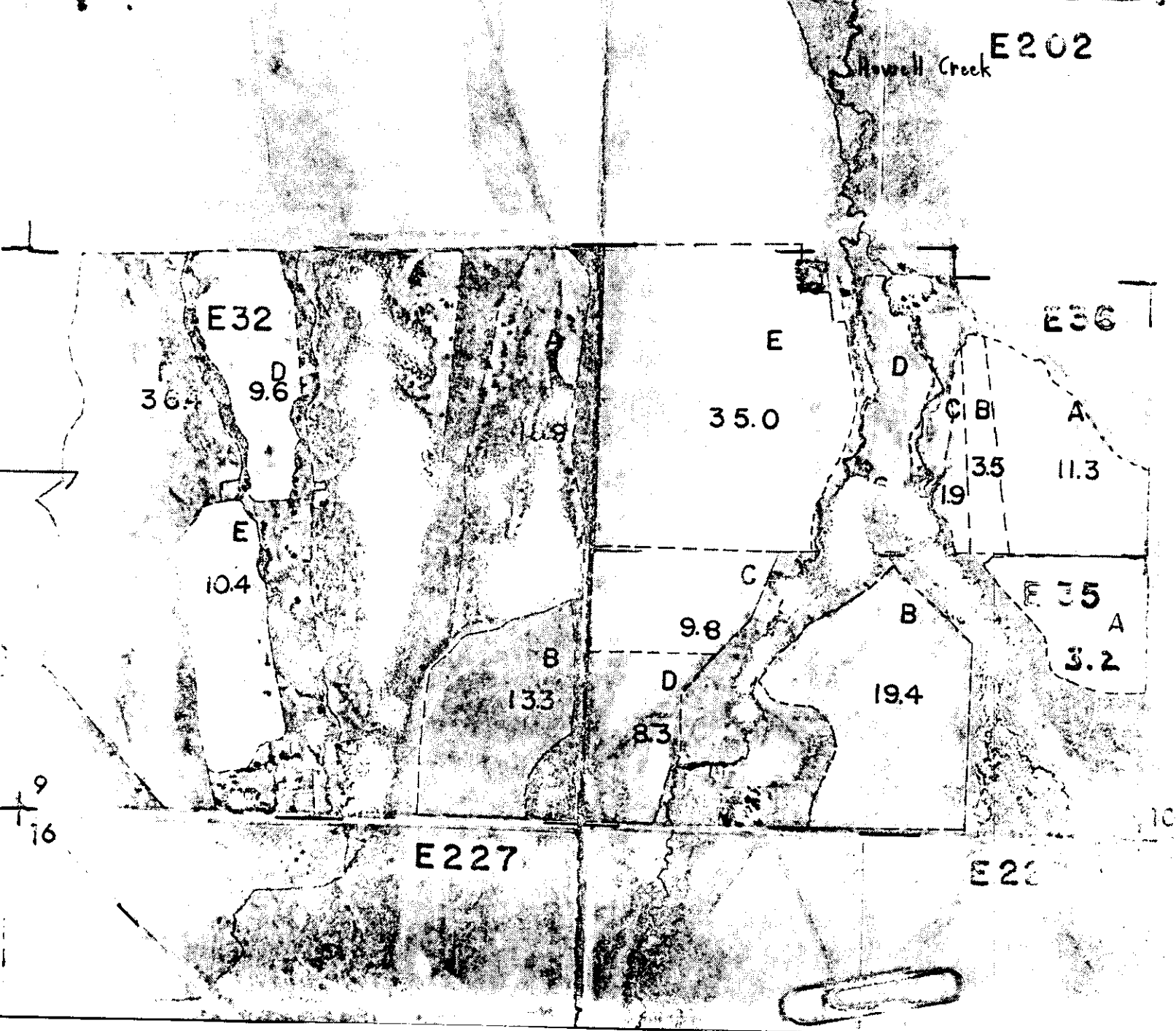
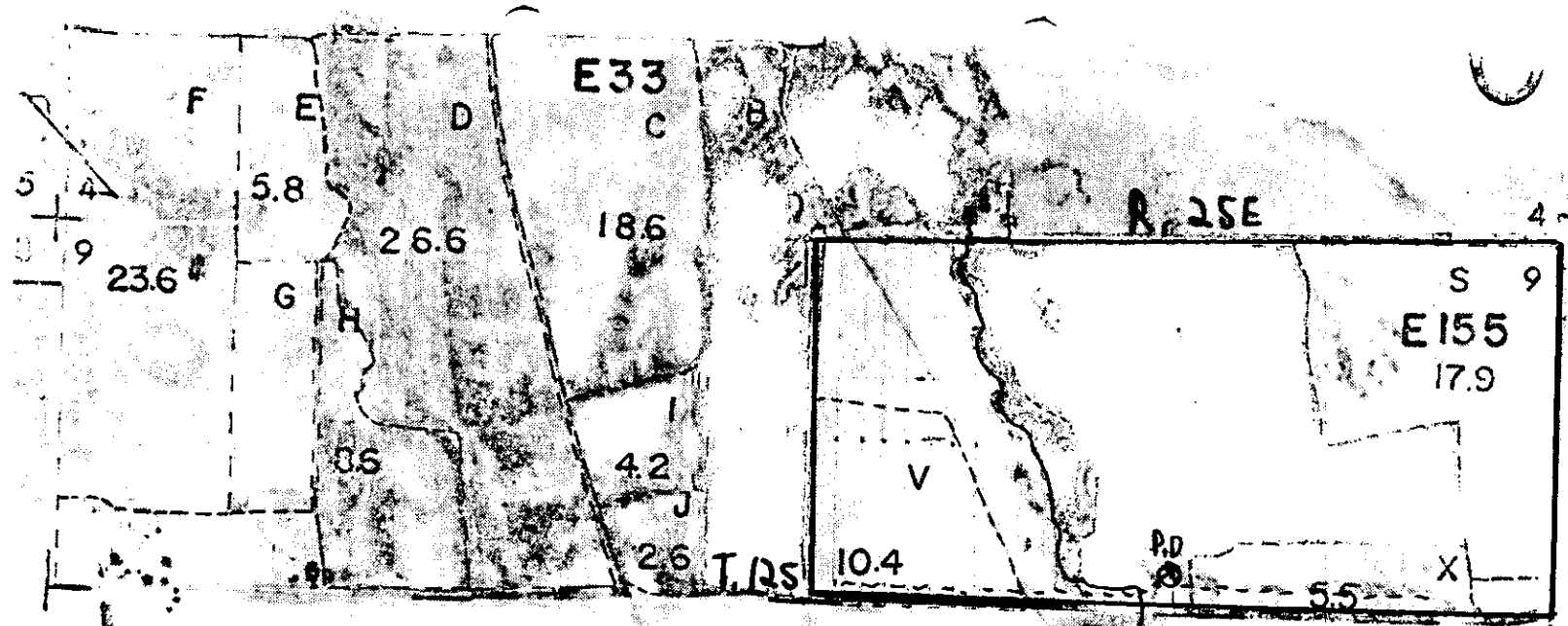
b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	25E	9	39	37															76
Total number of acres to be irrigated																			76

c. Describe any other water rights used for the same purposes as described above. _____
License 45-2728

9. 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 enabling the applicant to make this filing _____

10. Remarks This filing will bring water rights on this land to 1"/acre. Existing well was cleaned & deepened to provide more water.



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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of small squares covering the entire area, with no margins or additional markings.

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.

Leo P Bell
(Applicant)

Proposed Priority 6-6-79

Received by JP Date 6-6-79 Time 1:25 pm

Preliminary check by TB Fee \$ 35.00

Receipted by marry Date 6-6-79 # 13217

Publication prepared by marry Date 6-15-79

Published in South Idaho Press

Publication dates 6/26 + 7/3/79

Publication approved marry Date 7/9/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH J.S.

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. 45-7378, and said application is hereby approved.

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 September 1, 19 80.
- 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. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 6th day of August, 19 79.

L. Glen Saxton
Chief, Operations Bureau

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Janet Parker being first

duly sworn, deposes and says that She is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue dated 6/26 1979, and ending with the issue dated 7/3 1979.

Janet Parker

Subscribed and sworn to before me

this 6 day of July 1979.

Carol Carter Notary Public

Cost of Publication 15.58

Notary Fee

Total Cost 15.58

MICROFILMED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,

ss.

STATE OF IDAHO

THOMAS BURLEY being first

duly sworn, deposes and says that he is the

owner of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *2*

consecutive weeks, commencing with the issue

dated *6/26* 19*79*, and ending

with the issue dated *7/3* 19*79*

THOMAS BURLEY

Subscribed and sworn to before me

this *6* day of *July*

19*79*.

Carol Peterson Notary Public

Cost of Publication *15.53*

Notary Fee *10.53*

Total Cost *26.06*

79-176

NOTICE OF APPLICATION FOR
WATER RIGHT

Notice is hereby given that the following applications(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

*sk
meyer
7-9-79*
45-7378

BELL, LEO R., STAR ROUTE BOX 26, ALBION, ID 83311, Source: GROUNDWATER, Priority Date: 06/06/1979, Amount: 0.72 CFS, Diversion Point: NWNE Sec 09 T 12S R 25E, CASSIA Co., Use: IRRIGATION (0.72 CFS) from 03/15 to 11/15, Place of Use: NENE NWNE Sec 09 T 12S R 25E FOR 76 ACRES, Diversion Means: EXISTING WELL AND PUMP TO GRAVITY AND SPRINKLER IRRIGATION SYSTEM.

45-7379

ALBERT ANDERSON AND SONS, c/o CLIFF SMITH, OAKLEY, ID 83346, Source: GROUNDWATER, Priority Date: 06/07/1979, Amount: 7.63 CFS, Diversion Point: SWSW Sec 25 T 12S R 21E (REDIVERSI SWSW Sec 26 T 12S R 21E, CASSIA Co., Use: IRRIGATION (7.63 CFS) from 03/15 to 11/15, Place of Use: NENW NWNW SWNW SENW NESW NWSW SWSW SESW Sec 25 T 12S R 21E NESE NWSE SESE SWSE Sec 26 T 12S R 21E FOR 480 ACRES, Diversion Means: WELLS AND PUMPS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JULY 13, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on June 26, July 3, 1979.

February 15, 1983

RE: Permit No. 45-7378

Leo R. Bell
Star Route, Box 26
Albion, ID 83311

Dear Mr. Bell:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

CONVERSATION MEMORANDUM

DATE 1-12-83

FILE 45-7378

NAME OF PARTY LEO BELL

EMPLOYEE JIM JOHNSON

RE: The above called to further
discuss the concern he had on the
licensing of this permit. IN our
discussion we resolved all of his concerns
and he felt comfortable with items
proposed on the license.

The license should be issued
as high lighted in the 12-14-82 letter.

MICROFILMED

RECEIVED

Albion, Idaho DEC 27 1982
Dec. 21, 1982 Department of Water Resources

Jim Johnson
Water Distribution Supervisor
State House
Boise, Idaho 83720

Dear Mr. Johnson:

Regarding your letter of Dec. 14, 1982, about Permit
45-7378:

According to your letter I am limited to 266 acre feet per annum. This gives me no additional water above my original water license 45-2728. I can't understand this. I should be entitled to 642 acre feet per irrigation season as I see it on this 76 acres of land.

It is true, I have ditch rights for water on this place. The well is for supplemental purposes only. However, some years the decreed ditch water is very short. In 1981, I don't think it amounted to over 20 acre feet. In 1978, it was practically nil. Also for four years in a row in the late 1950s, the ditch water didn't even reach the place. This is what caused me to invest in the well and pump. I surely don't intend to pay out \$20 or more a day to run this well unless it is very necessary. However, I surely need more than 266 acre feet per season to raise a crop in years when the ditch water is not available.

I applied for 72 CFS of water on my Permit #45-7378. The letter mentioned 22 CFS on this permit. Was this a miss print? For this Permit, I was not given any additional acre feet per annum.

Thank you for your help on these questions.

Leo Bell

Leo Bell
Box 26 Star Rt.
Albion, Idaho
83311

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 14, 1982

RE: Permit No. 45-7378

Leo R. Bell
Star Route, Box 26
Albion, ID 83311

Dear Mr. Bell:

A representative of this Department has made an examination of the works covered by your Permit No. 45-7378, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.22 cfs Source: groundwater

The maximum quantity diverted shall not exceed * acre feet
per year.

Point(s) of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 12S, Rge. 25E, Cassia County

Beneficial use: Irrigation of 76 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 12S,
Rge. 25E

Priority date established: June 6, 1979

Conditions (if any): *This right when combined with Right 45-2728 shall
not exceed 266.0 acre feet per annum.

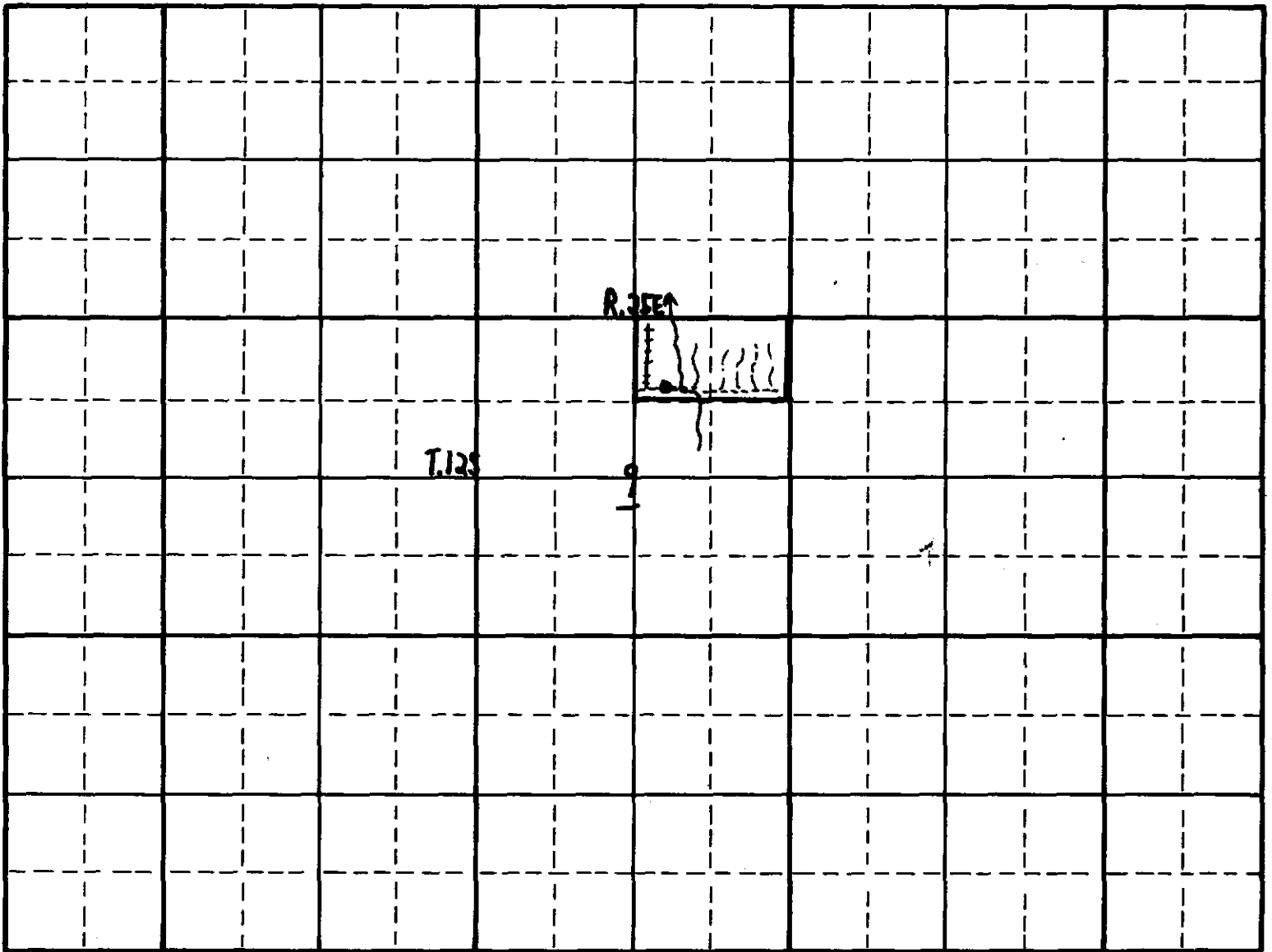
If you do not concur with these findings please contact us within 10 days, otherwise
a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 1/4 NE 1/4 Sec. 9 T. 12S R. 25E

Place(s) of Use

TWP.	RGE.	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	
12S	25E	9	39	37															76

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

7-30-80

8/5/80

12-7-82

Overlap Review for 45-7378

License 45-2728

gw

P/O NWNE Sec 9 ✓
(same well)

$$\frac{76}{.80} = .011 \text{ cfs/acre}$$

P/O see attached
license copy
(same lands)

$$Q = \begin{array}{r} \text{System capacity } 1.02 \checkmark \\ \text{License 45-2728 } \underline{-.80} \\ .22 \checkmark \end{array}$$

V= 76 acre were given all AF in 45-2728

Recommend * in AF & remarks of
both rights combined will not exceed
266.0 AF.

OK.
Juni
12-15-82

11/20/82

WATER LICENSE

Water License No. G-33226/45-2728 Priority September 19, 1966 Amount 0.80 c.f.s.

THIS IS TO CERTIFY, that LEO R. BELL
of Albion, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 19, 1966; that Permit G-33226/45-2728 was issued pursuant
to said application; that the proposed works were completed on or about April 22, 1967,
with a storage/or carrying capacity of 0.80 c.f.s., said works consisting of
well, pump, and motor; and that on December 22, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 266
acre feet per season, with a maximum rate of diversion of 0.80 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in (NW 1/4 NE 1/4) 1/4, Sec. 9, T. 12 S, R. 25 E, B.M., and
other additional points _____, in the County of
Cassia, and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 266 acre feet per year.

Description and location of place of use:

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	
12 S	25 E	9	39	37															76

Total number of acres irrigated 76

the right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of November, 19 69.

Deputy State Reclamation Engineer

33226

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Leo Ball
Star Route Box 26
Albion, Idaho
83311

February 8, 1980

RE: Water Permit 45-7378

Dear Mr. Ball;

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-1378.

Name(s) of Permit Holder: Leo Bell

Post Office Address: Star RT Box 26

Albion, Ida Tel. No. 673-5372

Source of Water: Well + Pump

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 36 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

Jan 17-80
 Date

Leo Bell
 Signature of Permit Holder

RECEIVED

JAN 18 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



January 15, 1980

Leo R. Bell
Star Route 26
Albion, ID 83311

Dear Mr. Bell:

Re: Permit No. 45-7378

Pursuant to your request, enclosed is the statement of beneficial use postcard.

Please note that as a condition of the permit, you are required to have installed an access port for measuring the rate of flow. If you should have some questions concerning this type of measuring device, please contact our regional office in Twin Falls.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

100-100000-100000

12/16

Dept of Water Resources
State House
Boise, Idaho

Albion, Idaho
Jan 7, 1980

Dear Sir

I received in August of 79. a permit
to appropriate Water no. 45-7378

Please send forms for "Proof of
Application to beneficial use."

RECEIVED

JAN 7 1980

Department of Water Resources

Thank you.
Leo Bell
Star Rt Box 26
Albion, Idaho
83311

RECEIVED

RECEIVED

2001/05/17

Leo Bell
Star Rt Box 26
Albion, Idaho
83311

Department of Water Resources
State House
Boise, Idaho
83720





State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 7, 1979

Leo R. Bell
Star Route Box 26
Albion, Idaho 83311

Dear Mr. Bell,

RE: Permit No. 45-7378

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

MICROFILMED

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-2328-

BELL, LEO R.

STAR ROUTE BOX 26, ALBION, ID 83311

Source: GROUNDWATER

Priority Date: 06/06/1979

Amount: 0.72 CFS

Diversion Point: NWNE Sec 09 T 12S R 25E, CASSIA Co.

Use: IRRIGATION (0.72 CFS) from 03/15 to 11/15

Place of Use: NENE NWNE Sec 09 T 12S R 25E FOR 76 ACRES

Diversion Means: EXISTING WELL AND PUMP TO GRAVITY AND SPRINKLER IRRIGATION SYST.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho 83301 and received on or before JULY 13, 1979.

C. STEPHEN ALLRED

Director

Published 6/26 & 7/3/79.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JUNE 15, 1979

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before JULY 13, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED