

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07783

Priority: April 22, 1985

Maximum Diversion Rate: 0.13 CFS

It is hereby certified that L M BULL Or
BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 22, 1985; and have
submitted Proof of Beneficial Use on May 02, 1988. An examination indicates that the works have a
diversion capacity of 0.37 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.06 CFS
STOCKWATER	10/01 to 05/01	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp 07S, Rge 35E, B.M. BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 35E 25	19.0	7.0															26.0

Total Acres: 26

PLACE OF USE: STOCKWATER (Same as Irrigation)

CONDITIONS OF APPROVAL

1. Stockwater use is for 400 range cattle.
2. This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

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APR 26 2001

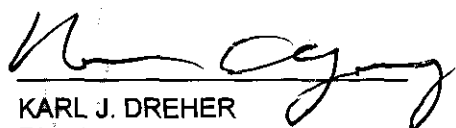
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07783

4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 10.5 af at the field headgate for the 3 acres authorized to be irrigated under this right.
7. Use of water for stockwater purposes under this right is limited to 3.1 af per year.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 19th day of April, 2001.

Acting for 
KARL J. DREHER
Director

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APR 26 2001

RECEIVED

APR 16 2001

Department of Water Resources

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07783

Date of Priority: April 22, 1985

Maximum Diversion Rate: 0.13 CFS

Comes now L M BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

Or

BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07783, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.06 CFS
STOCKWATER	10/01 to 05/01	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp 07S, Rge 35E, B.M. BANNOCK County

PLACE OF USE: IRRIGATION

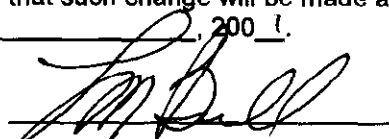
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 35E 25	19.0	7.0															26.0

Total Acres: 26

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 35E 25	X	X															

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 10 day of April, 2001.


(Signature)

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APR 26 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07783

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Received by [Signature] # 1053208 Date 4/14/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 29-07783 with the following:

CONDITIONS OF APPROVAL

1. Stockwater use is for 400 range cattle.
2. This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 10.5 af at the field headgate for the 3 acres authorized to be irrigated under this right.
7. Use of water for stockwater purposes under this right is limited to 3.1 af per year.

Witness my hand this 19TH day of April, 2001.

Acting for

[Signature]
KARL J. DREHER
Director

MICROFILMED
APR 26 2001

RECEIVED

MAY 02 1988

For Office Use Only

Fee Received \$50.00

Date 5-2-88

Receipt # C000486

Receipt by [Signature]

Reviewed by [Signature]

Sent to region [Signature]

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 29-7783

Name(s) of Permit Holder: L.M. OR BURNA DEAN BULL

Post Office Address: 5787 W Portneuf Rd, Pocatello, ID 83204

Telephone No. 775-4582

Source of Water: GROUND

Extent of Use:

Domestic _____ (number of households) Stockwater 250 CATTLE (number and type of stock)
Irrigation 3 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 17 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

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

Fee enclosed \$ 50.00
(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:

L.M. BULL JR 775-4582
(Name) (Telephone Number)

5787 W. PORTNEUF RD POCATELLO, ID 83204
(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.

MICROFILMED

AUG 01 1988

4-28-88
Date

Lm Bull
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant L. M. or BURNA DEAN BULL Phone 775-4582

Post office address Route 3 Portneuf Road, Pocatello, ID 83204

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

3. Location of point of diversion is NW ~~NE~~ $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 7S

Range 35E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.07 for Stock purposes from 10-1 to 5-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic (1) 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)

5. Total quantity to be appropriated:

a. 0.17 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, 7 hp motor with lines to sprinkler, water trough and one home.

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 8 inches; proposed depth of well is 150 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 7S

Range 35E 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 300 head of cattle

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

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

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MAY 07 1981

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	
7S	35E	25	3																3
			D/S	S															

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes as described above. No

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

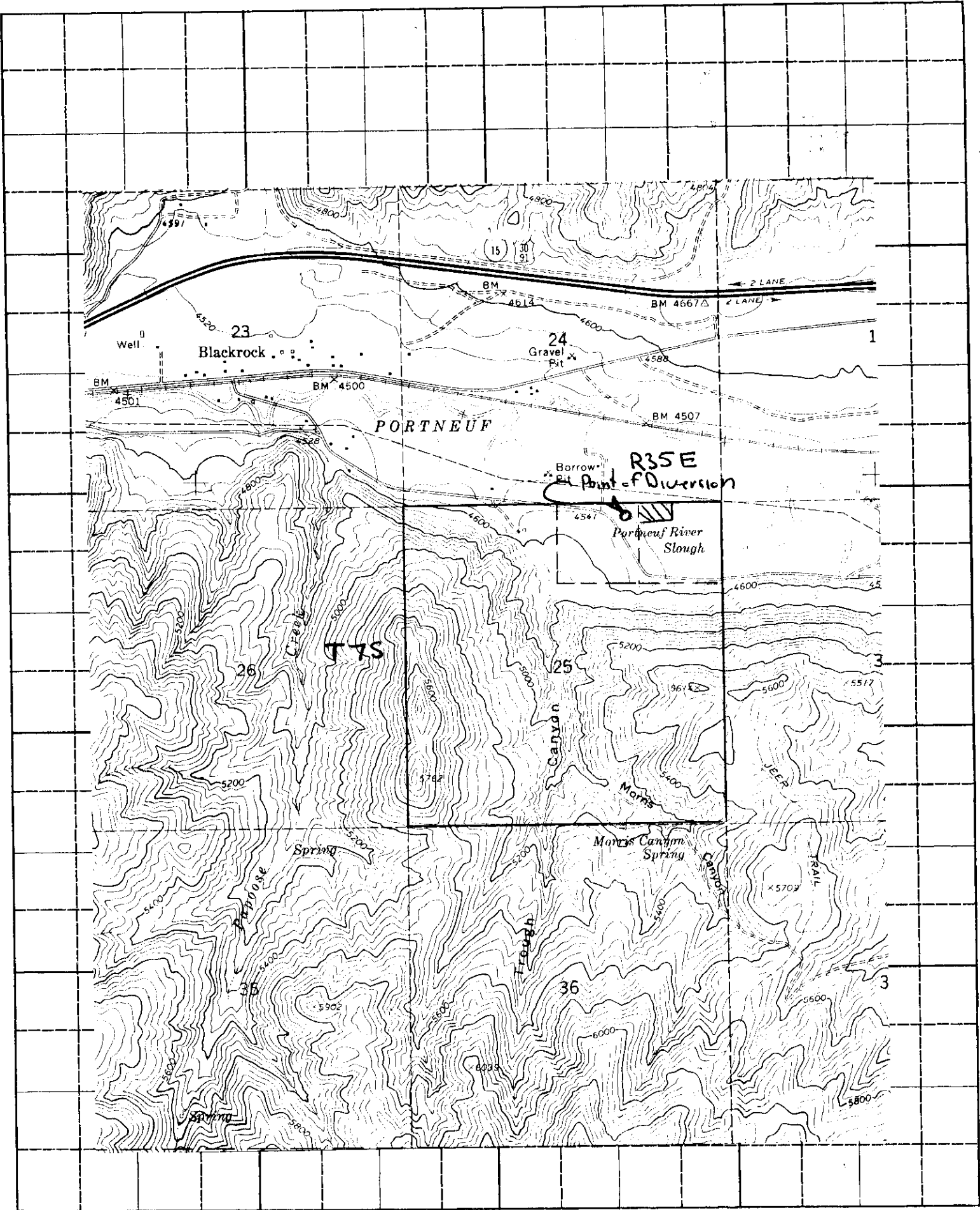
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



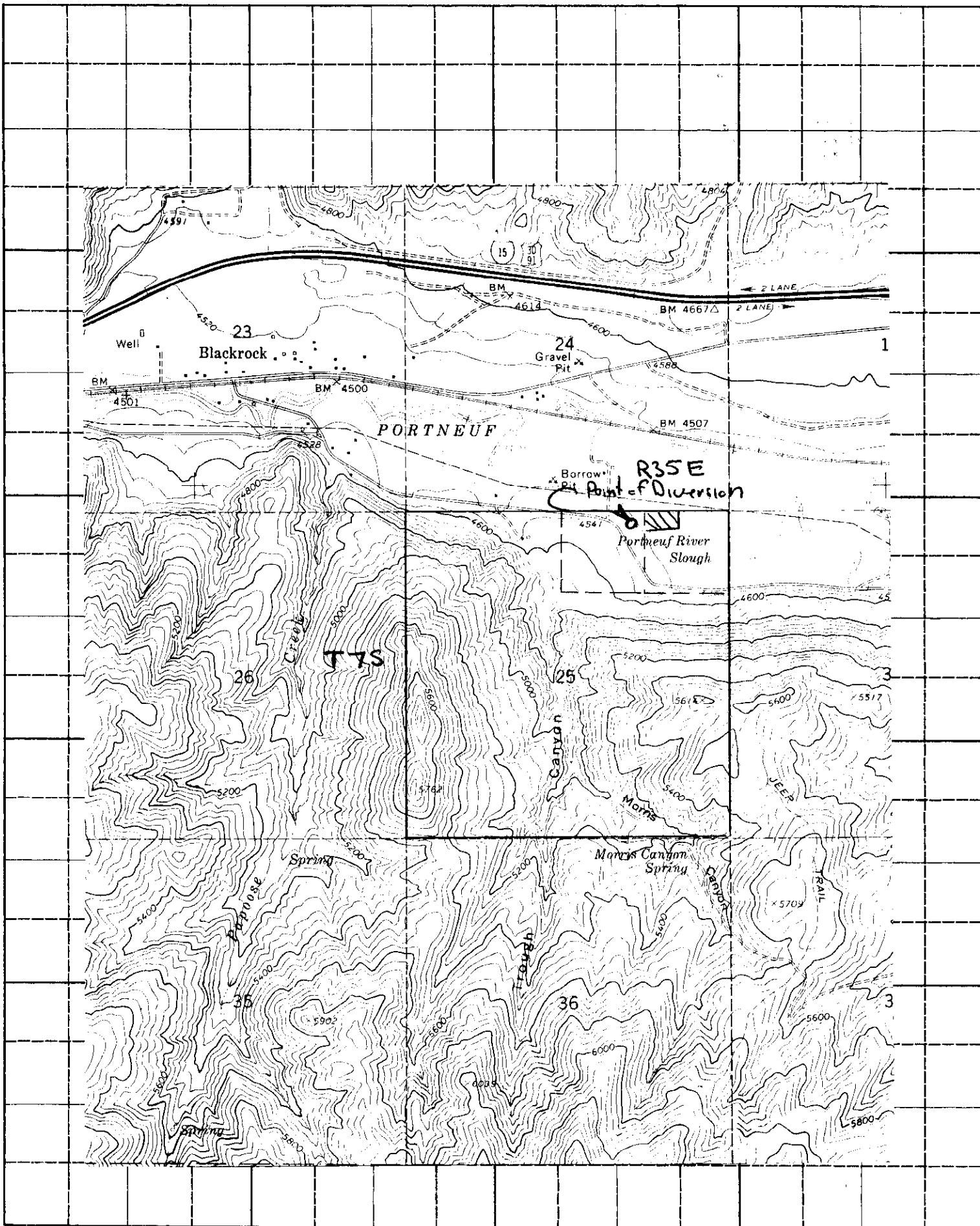
Scale: 2 inches equal 1 mile.

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.

MICROFILMED
MAY 07 1987

x *Em Bull*
(Applicant)

11. 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.

MICROFILMED

MAY 07 1987

x *Em Bull*
(Applicant)

WARRANTY DEED

695583

For Value Received TOWN HALL, a single person

the grantor S, do hereby grant, bargain, sell and convey unto

L.M. BULL and BURNA DEAN BULL, husband and wife

whose current address is RT. 3 PORTNEUF RD.
POCATELLO, IDAHO

the grantee S, the following described premises, in Bannock County Idaho, to wit:

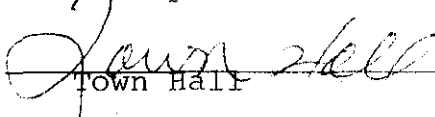
A tract of land in a portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, Township 7 South, Range 35 E.B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the brass cap marking the Northeast corner of Section 25, Township 7 South, Range 35 E.B.M. said brass cap being the true point of beginning; thence South 00°16'01" West, 1237.78 feet along the Easterly line of said Section 25 to a point on the Northerly right of way line of Portneuf Road; thence South 83°19'00" West, 134.80 feet along said Northerly right of way line; thence along a curve to the right a distance of 100.90 feet, said curve having a central angle of 10°33'00", a radius of 547.96 feet, a chord length of 100.75 feet and a chord bearing of South 88°35'30" West; thence North 86°08'00" West, 845.18 feet; thence along a curve to the right a distance of 259.06 feet, said curve having a central angle of 56°46'00" a radius of 261.48 feet, a chord length of 248.60 feet and a chord bearing of North 57°45'00" West; thence North 29°22'00" West, 803.40 feet; thence along a curve to the left a distance of 554.34 feet, said curve having a central angle of 53°07'00" a radius of 597.96 feet, a chord length of 534.70 feet and a chord bearing of North 55°55'30" West; thence North 82°28'00" West, 509.16 feet to a 5/8 inch iron pin marking the North quarter of Section 25; thence South 89°59'54" East, 2635.54 feet along the Northerly line of said Section 25 to the true point of beginning...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said GranteeS, that they are the owners in fee simple of said premises; that they are free from all incumbrances.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 27, 1982


Town Hall

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MAY 07 1987

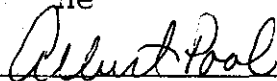
STATE OF IDAHO, COUNTY OF Bannock

On this 27th day of Sept., 1982,
before me, a notary public in and for said State, personally
appeared

Town Hall

NOTARY SEAL

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.



Notary Public

Residing at Pocatello, Idaho
Iif

695583

RECORDED AT REQUEST

American Land Title Co.

SEP 29 10 06 AM '82

RECORDED BY NO 386
BANNOCK COUNTY IDAHO
C. M. ANDERSON, RECORDER
500 DEPT EC

2-2
695583

A tract of land in a portion of the N1/2 NE1/4 of Section 25, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho and more particularly described as follows:

Beginning at the brass cap marking the northeasterly corner of Section 25, T.7S., R.35E., B.M., said brass cap being the TRUE POINT OF BEGINNING:

Thence S00°16'01"W 1262.97 feet along the easterly line of said Section 25 to a point on the centerline of Portneuf Road;

Thence along the centerline of Portneuf Road the following courses and distances:

S83°19'00"W 131.75 feet;

Thence along a curve to the right a distance of 105.50 feet, said curve having a central angle of 10°33'00", a radius of 572.96 feet, a chord length of 105.35 feet and a chord bearing of S88°35'30"W;

N86°08'00"W 845.18 feet;

Thence along a curve to the right a distance of 283.83 feet, said curve having a central angle of 56°46'00", a radius of 286.48 feet, a chord length of 272.37 feet and a chord bearing of N57°45'00"W;

N29°22'00"W 803.40 feet;

Thence along a curve to the left a distance of 531.17 feet, said curve having a central angle of 53°07'00", a radius of 572.96 feet, a chord length of 512.35 feet and a chord bearing of N55°55'30"W;

N82°28'00"W 505.95 feet to a point on the Latitudnal Centerline of said Section 25;

Thence N00°11'49"E 25.21 feet to a 5/8" iron pin marking the N1/4 Corner of Section 25;

Thence S89°59'54"E 2635.54 feet along the northerly line of said Section 25 to the TRUE POINT OF BEGINNING

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MAY 07 1987

Department of Water Resources
Eastern District Office

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

29 7783

BULL, L.M. &/or BURNA DEAN
ROUTE 3 PORTNEUF ROAD, POCA-
TELLO, ID 83204

Source: GROUNDWATER

Date Filed: 04-22-1985

Diversion Pt: NWNE Sec 25 T 07S R 35 E

Use: IRRIGATION (0.06 CFS)

STOCKWATER (0.07 CFS)

DOMESTIC (0.04 CFS)

In: NENE Sec 25 T 07S R 35 E FOR 3
ACRES

The permits 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 April 6, 1987.

S/Ken Dunn

Director

March 19, 26, 1987

No. 174

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

March 19	, 19 87	, 19
March 26	, 19 87	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Sandra K. Herald.

Subscribed and sworn to before me this 31st

day of March, 1987

Ken Dunn

Notary Public, State of Idaho

Residence: Pocatello, Idaho

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MAY 07 1987

APR 2 1987
Department of Water Resources
Eastern Idaho Office



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

May 15, 2001

L M Bull & Burna Dean Bull
5787 W Portneuf Rd
Pocatello, ID 83204

CERTIFIED MAIL

RE: Potential illegal water use

Gentlemen:

Our office has become aware of a potential water development that exceeds the amount of water and acreage allowed under any existing valid water rights. The development in question is a diversion of ground water for irrigation of about 38 acres located in Section 25, Twp. 7S, Rge. 35E, B.M., in Bannock County.

Our records indicate that water right 29-07783 was recently licensed for irrigation and stockwater use from a ground water source. Condition of Approval No. 1 of this license limits this right to irrigation of only 3 acres within a 26-acre place of use description. On May 11, 2001, a representative of the department visited this site and observed irrigation of approximately 38 acres. These 38 acres included about 30 acres of alfalfa crop and about 8 acres of either a grain or pasture crop. A hand line consisting of 30 to 34 nozzles was observed being used on the 38 acres with water from a ground water well and submersible pump located in the NENWNE of Section 25. The full 38 acres appeared to have been actively irrigated this year. Department staff have researched the records of the department and can not find any other valid water rights that authorize irrigation of the additional 35 acres from a ground water source.

Since no water rights appear to authorize the additional irrigation of the 35 acres described above, I request your cooperation in:

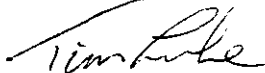
- Identifying what water right covers your development if our records are not correct.
- Do not continue the diversion of ground water from the well for irrigation of the additional 35 acres.
- &/or obtain a valid water right for your development.

Please respond to our office within 10 days of the date of this letter as to the status of your project. Please note that to divert water in Idaho without a valid water right is illegal

pursuant to §42-351, Idaho Code and pursuant to §42-1701B, Idaho Code, civil penalties for illegal irrigation use may be \$300 annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

If you have questions regarding this matter please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Luke", with a stylized, cursive script.

Tim Luke

Manager, Water Distribution Section

CC: Harold Jones, Eastern Regional Office

D:\Data\MS Word 97\Enforce\BullWarningLetter.doc

Memorandum

To: File

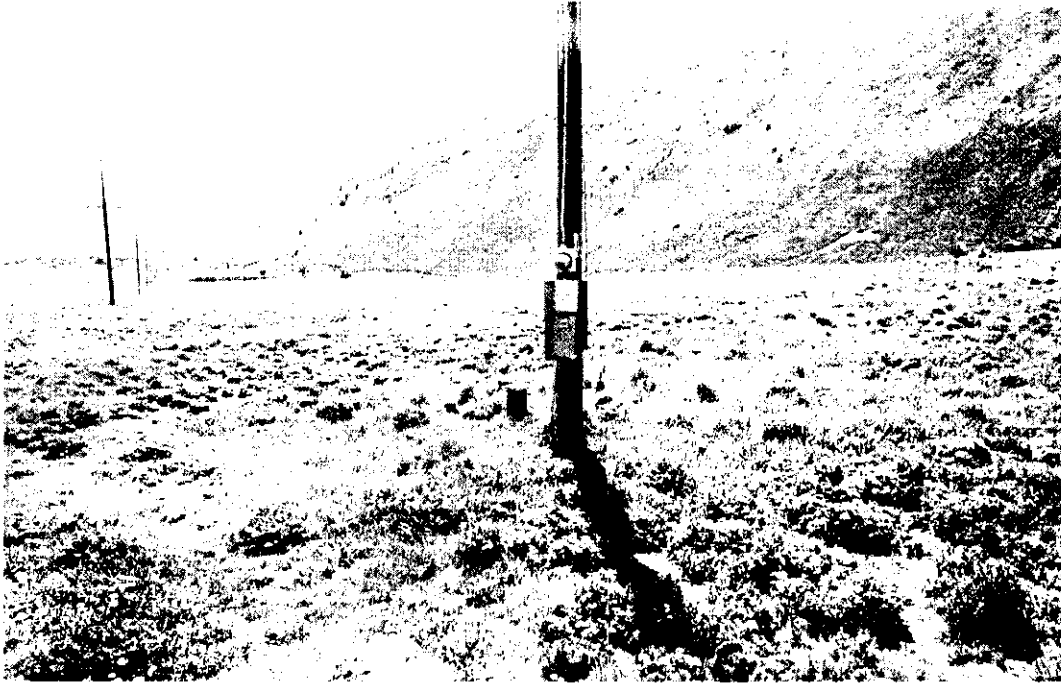
From: Tim Luke

Date: May 21, 2001

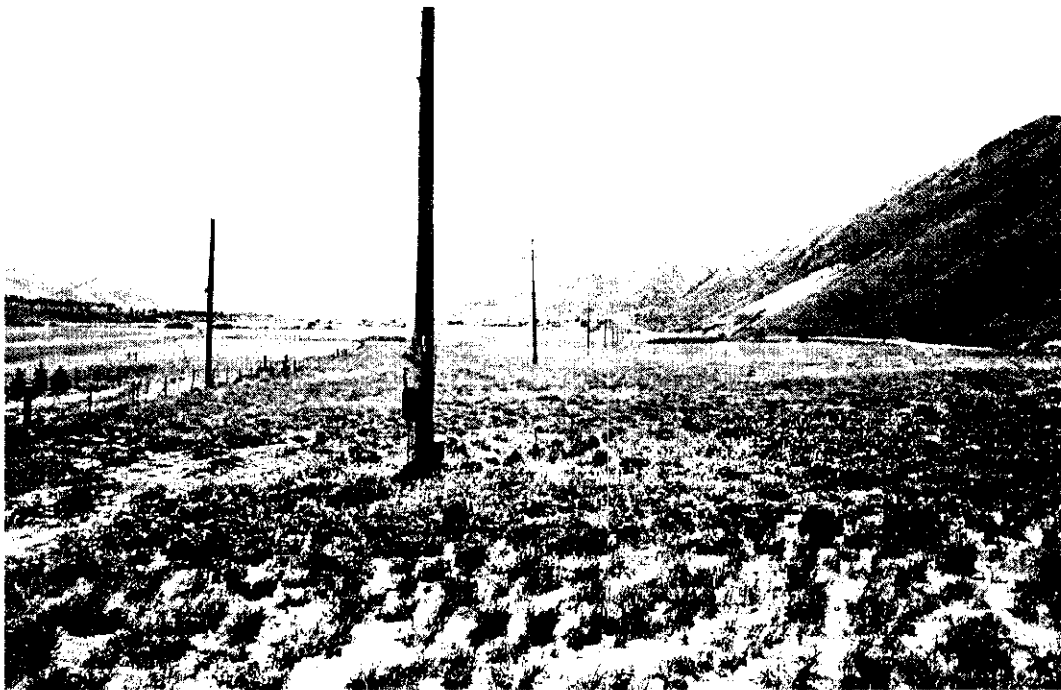
Re: Violation Investigation: L.M. & Burna Dean Bull

On May 11, 2001, I investigated a potential unauthorized diversion of ground water for irrigation purposes. This matter was brought to my attention as a result of a recent license field examination that revealed additional uses than what was permitted or licensed. The investigation was made at the request of Norm Young.

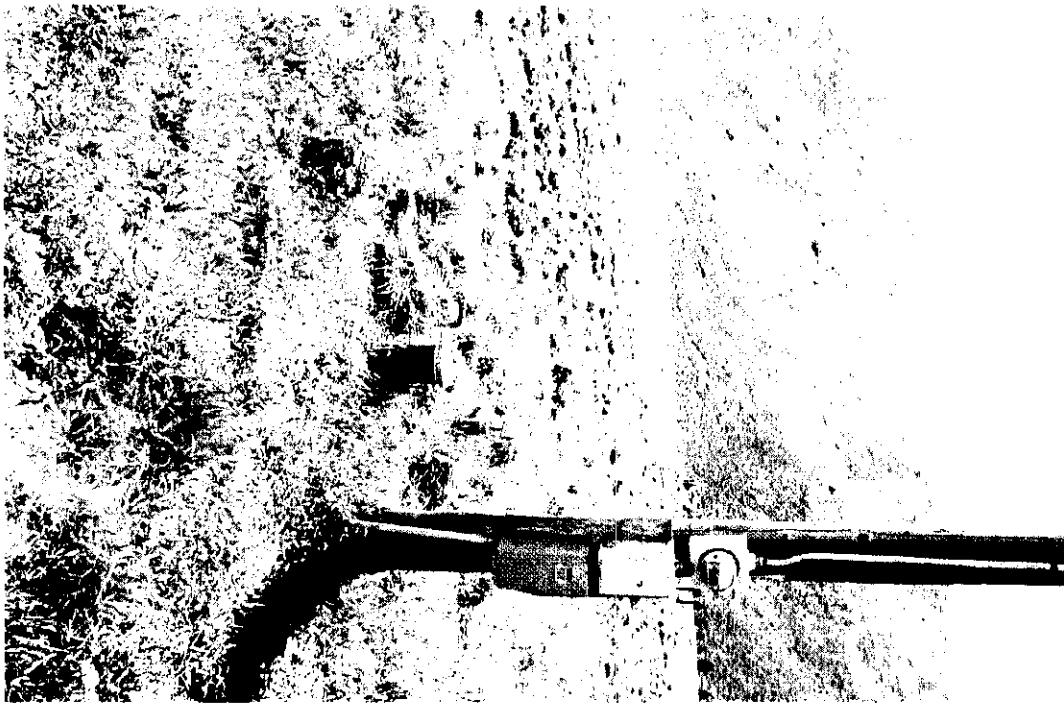
The investigation resulted in confirmation of the additional and non-permitted uses. A letter dated May 15, 2001 was sent to the owners of the land and water right 29-7783. Attached are photos documenting the uses found during the site examination of May 11. Additional action may be pursued depending on the response given to the Department's letter of May 15.



1. Well and submersible pump in foreground. alfalfa crop irrigated with handline in background.



2. Well in foreground, crop and 1/4 mile handline (irrigating) in background

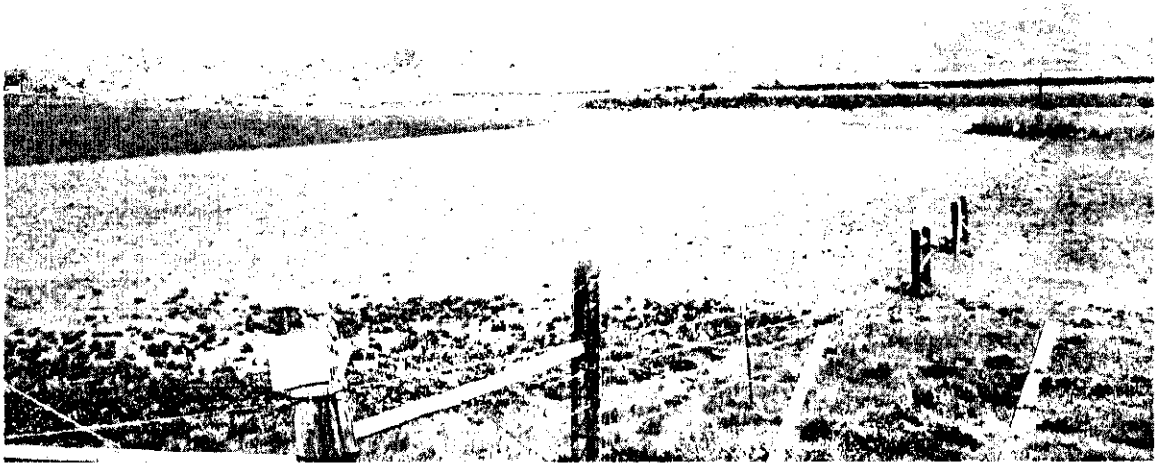


3. and 4. Well with crop and handline in background. Well pump connected to mainline and handline risers.





5. (top) View of 1/4 mile handline irrigating alfalfa crop, connection from mainline off well pump. 6. (below) View of handline-mainline connection, well in background.





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

April 20, 2001

L M BULL & BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: License No. 29-7783 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

Be sure to note that this water right authorizes the irrigation of only 3 acres in any irrigation season. I was not able to identify another water right authorizing you to irrigate more than 3 acres from ground water. Irrigation of more than the authorized number of acres would be a violation of section 42-201(2), Idaho Code.

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,

Shelley W. Keen

Water Rights Supervisor

MICROFILMED

APR 26 2001

SWK:klt
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on April 20, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 29-7783

**L M BULL
BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204**



**Kari Lynn Townsend
Secretary**

MICROFILMED

APR 26 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).

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.

MICROFILMED

APR 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 2001

LM BULL
BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: Permit No. 29-7783:

Dear Permit Holders:

I previously forwarded to you an Application for Amendment so that you can amend Permit No. 29-7783 to correspond with the findings of the Department's field examiner. I have not yet received your response.

If I do not receive the amendment within fourteen (14) days, your Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed.

If you have any questions, please contact me as soon as possible at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

MICROFILMED

APR 26 2001



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

03/15/2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

L M BULL
BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: Water Right Permit No. 29-07783

Dear Permit Holder(s):

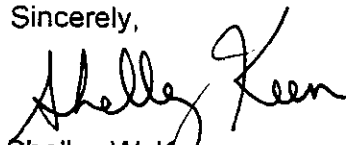
The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The field examiner sent by the Department to verify the beneficial use developed in accordance with your permit reported that your total irrigated place of use is 26 acres. Your permit was limited to 3 acres of irrigation from ground water. I was unable to locate a water right authorizing you to irrigate more than 3 acres from ground water. The proposed amendment to this right authorizes you to choose which 3 acres you irrigate within the larger 26-acre area in any given year. If you do not concur with the approach proposed in the amendment, an alternative would be to notify me which 3-acre parcel you wish to define as the place of use for this water right.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

Cc:

MICROFILMED

APR 26 2001

Comment Report

29-7783

1. SKEEN 3/15/01 License Review

Comment: Licensing review was conducted by Shelley Keen on 3/15/2001. Volume and number of cattle were increased from the examiners recommendation because one home and 1.2 afy were not developed. The digitized place of use was 26 acres, not 38 acres.

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APR 26 2001

RECEIVED

MAR 01 2001

Department of Water Resources

Memorandum

TO: Shelley Keen

February 21, 2001

FROM: Keith C. Wilson

RE: Field Examination

Irrigation:

Field examiner observed irrigation of $\approx$ 38.1 acres from the groundwater source.

Permit is for 3 acres of irrigation

NAPP aerial photo indicates that more acres than the 38.1 acres may have been irrigated.

No other groundwater rights have been filed on this place of use.

The only other "water right" on the place of use is 29-02042 from Tough Canyon (aka Martin Canyon). Transfer T#3253/29-02042 filed to change the source to the Portneuf River. The application was withdrawn. Problems associated with transfer (a.) non-use because of the undependable water supply and, (b.) enlargement of right.

Note:

What was attempted in transfer #3253/29-02042 in 1986, appears to be reflected in the SRBA Claim A29-02042.

Domestic:

No domestic has been developed

A realtor contacted me about subdividing this property. (Owner may be contemplating selling the place of use under this permit.)

Recommendation:

1. A Cease & Desist should be issued instructing the permit holder to irrigate only 3 acres under this permit.
2. Resulting license should be for irrigation of only 3 acres & stockwater for 300 head of range cattle.



Keith C. Wilson
Senior Resource Agent

MICROFILMED
APR 26 2001

29-07783

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 01 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07783

1. Owner: L.M. or Burna Dean Bull Phone No. 775-4582

Current Address: 5787 West Portneuf Road, Pocatello, ID 83204

2. Accompanied by: L.M. Bull EXAM DATE: 7-5-00

Address: _____ Phone No. _____

Relationship to Permit Holder: Same

3. Source: Well - Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Yes

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Aerial

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

2. Place(s) of Use:

Aerial

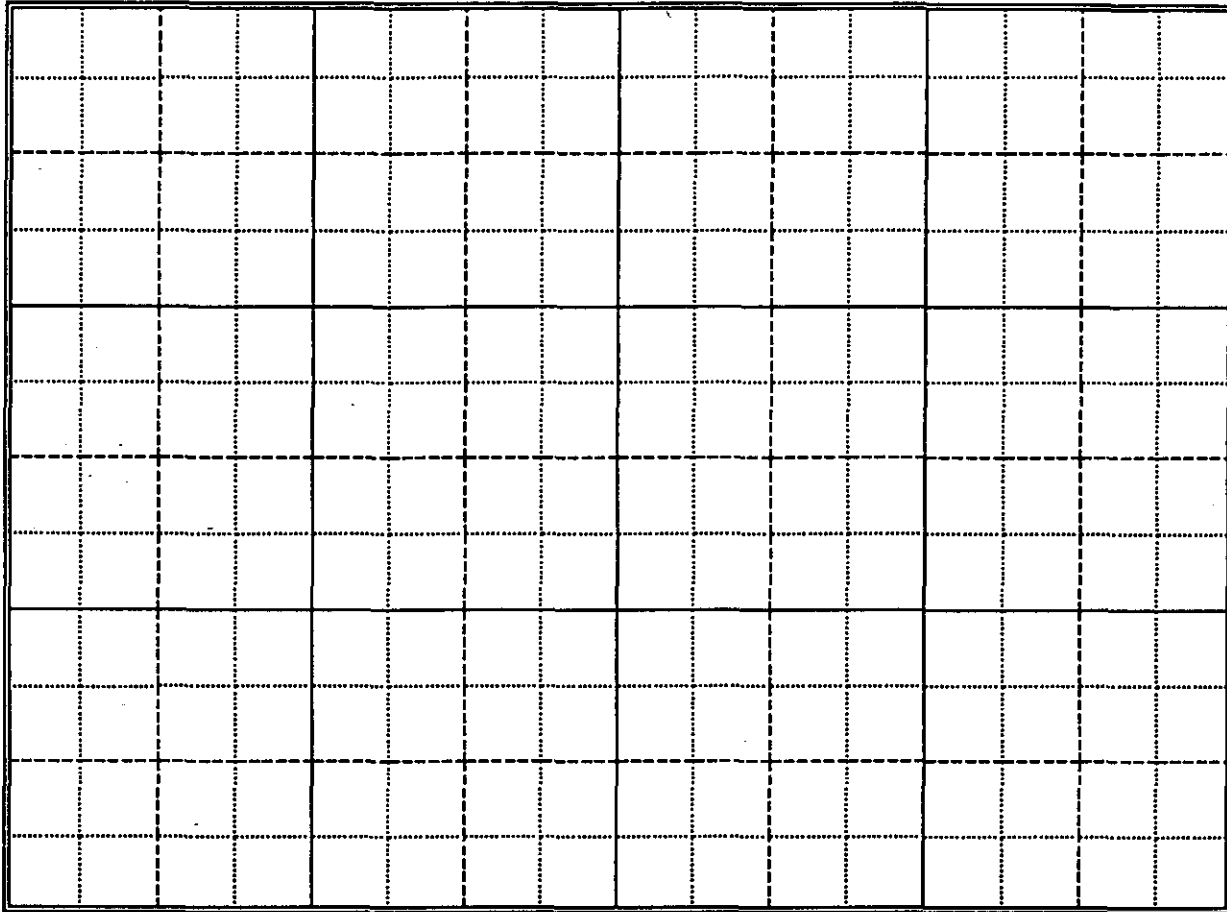
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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APR 26 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Jacuzzi	7 1/2			

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: dia 4 Alum thickness .051
 5 min lapse time 826 gallons 166 gpm observed

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APR 26 2001

E. NARRATIVE/REMARKS, COMMENTS

Well to portable mainline to handline. 30 birds were running at time. Pasture ran downhill from well location helping the flowrate of this system. Polysonic showed 826 gallons in 5 minutes time, or 165.2 gpm. Nozzels were rated at 4 gpm when new according to Mr. Bull.

Mr. Bull runs 200-400 head of cattle 3 months of the year here. The domestic has yet to be built. Plans are still to build a home on this piece, but no domestic development has begun.

The POV is far larger than three acres. Canal rights also exist for this site. Mr. Bull didn't know what three acres the permit was for. We will have to word it to be three out of the existing 38+ acres outlined on the aerial photo.

* IRRIGATION OF MORE THAN PERMITTED 3 ACRES

Have conditions of permit approval been met? ☐ yes ☒ no*

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APR 26 2001

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{8269 \text{ gal}}{5 \text{ min}} = \frac{165.2 \text{ gpm}}{448.87 \text{ min/hr}} = 0.37 \text{ cfs}$$

$$Q_{\text{LIMITED TO}} = 0.02 \text{ cfs/ac} \cdot 3 \text{ ac} \times 0.02 \text{ cfs/ac} = 0.06 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 30 \text{ ac} (4) = 12 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06 \text{ cfs} (214) 1.9835 = 25.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$V_{\text{Stock}} = 300 \times 0.0134 = 4.0 \text{ afa} \left(\frac{213}{365 \text{ days}} \right) = 2.3 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>4/1</u>	<u>10/31</u>	<u>0.06 cfs</u>	<u>12.0 cfa</u>
<u>Stockwater</u>	<u>10/1</u>	<u>5/1</u>	<u>0.07 cfs</u>	<u>2.3 cfa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.13 cfs</u>	<u>14.3 afa</u>

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

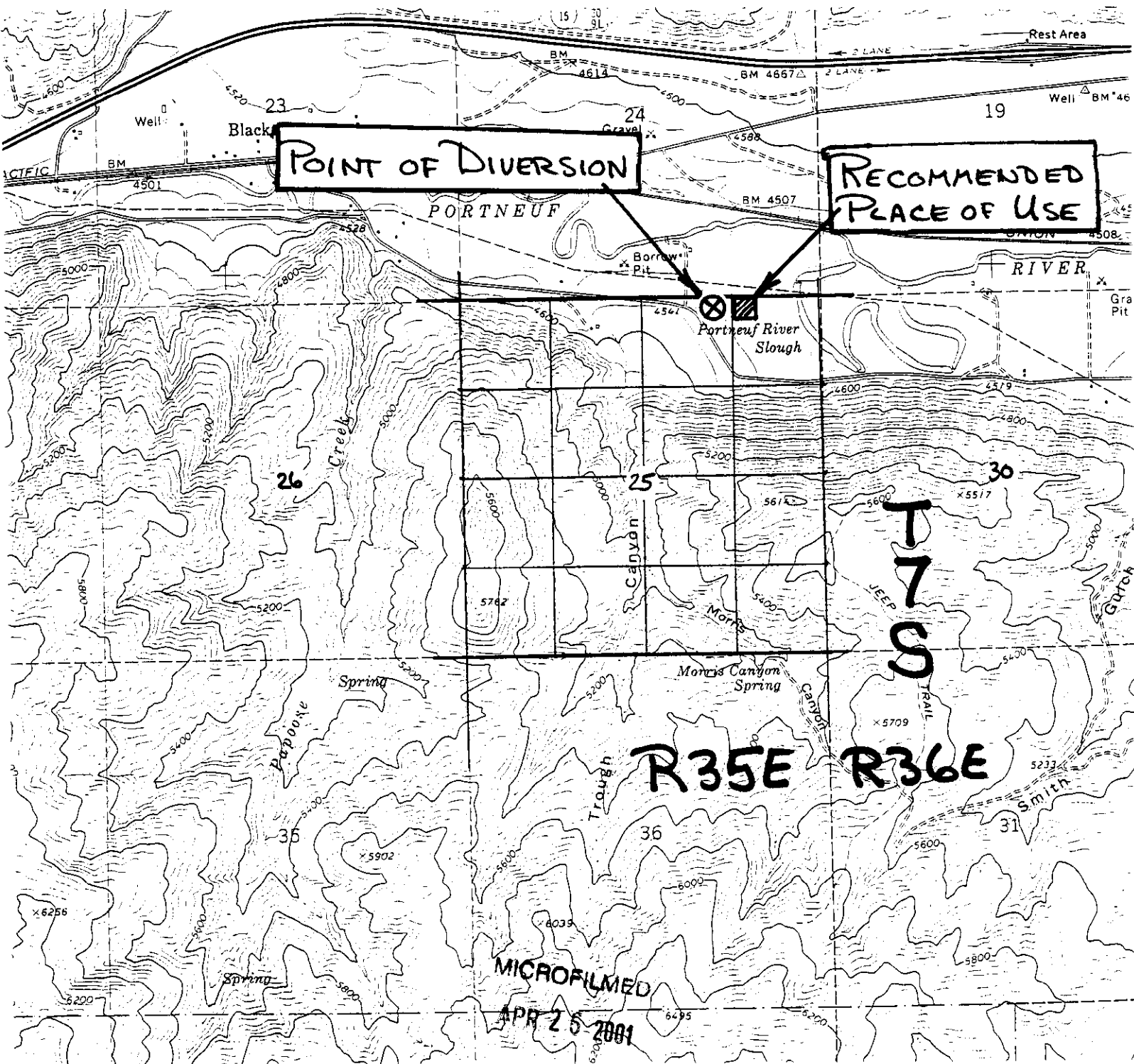
I. AUTHENTICATION

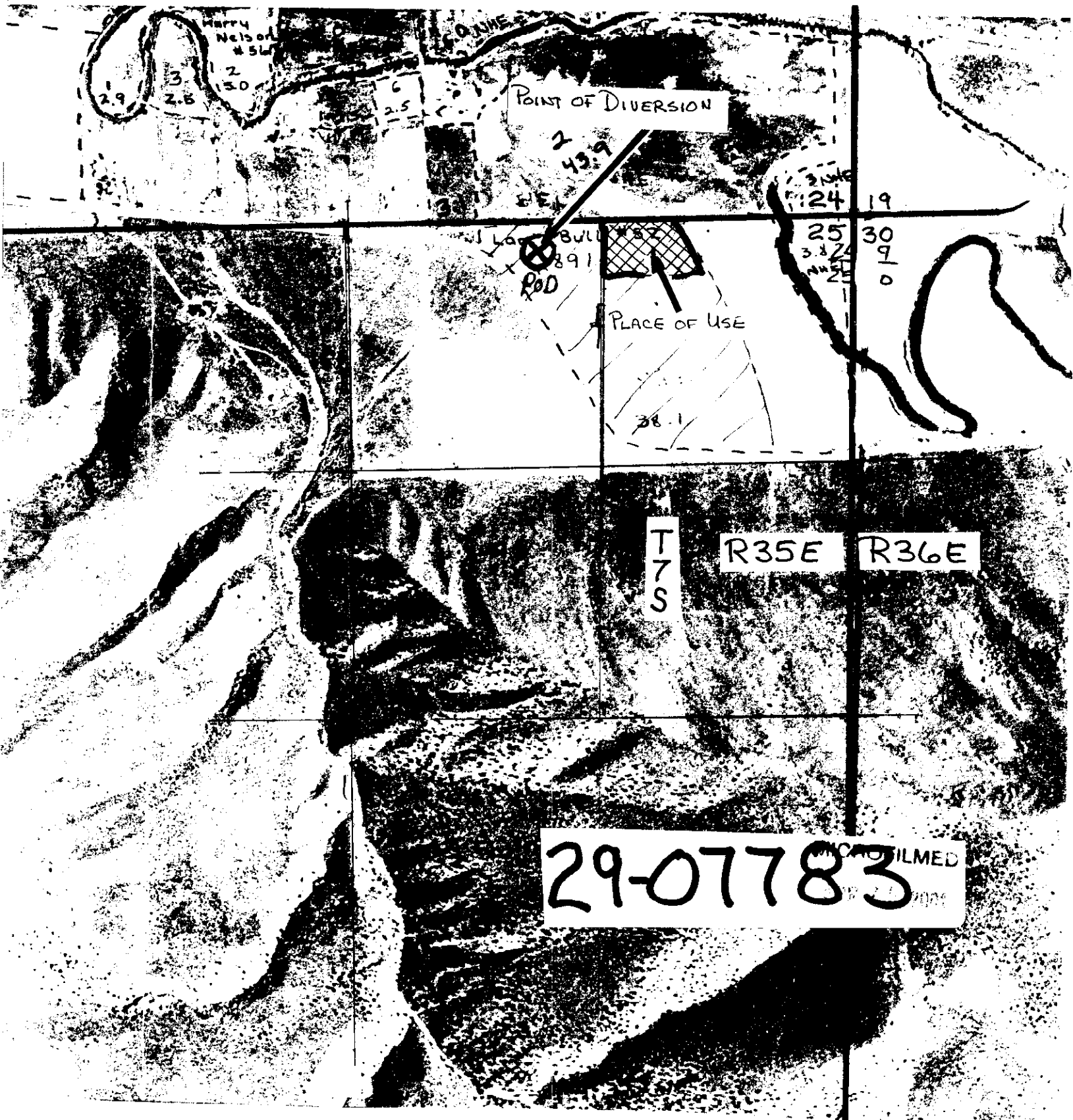
Field Examiner's Name Keith C Wilson Date 4/21/2001

Reviewer _____ Date _____

SEAL

MICROFILMED
APR 26 2001





HARRY NELSON
456

POINT OF DIVERSION

PLACE OF USE

T
7
S

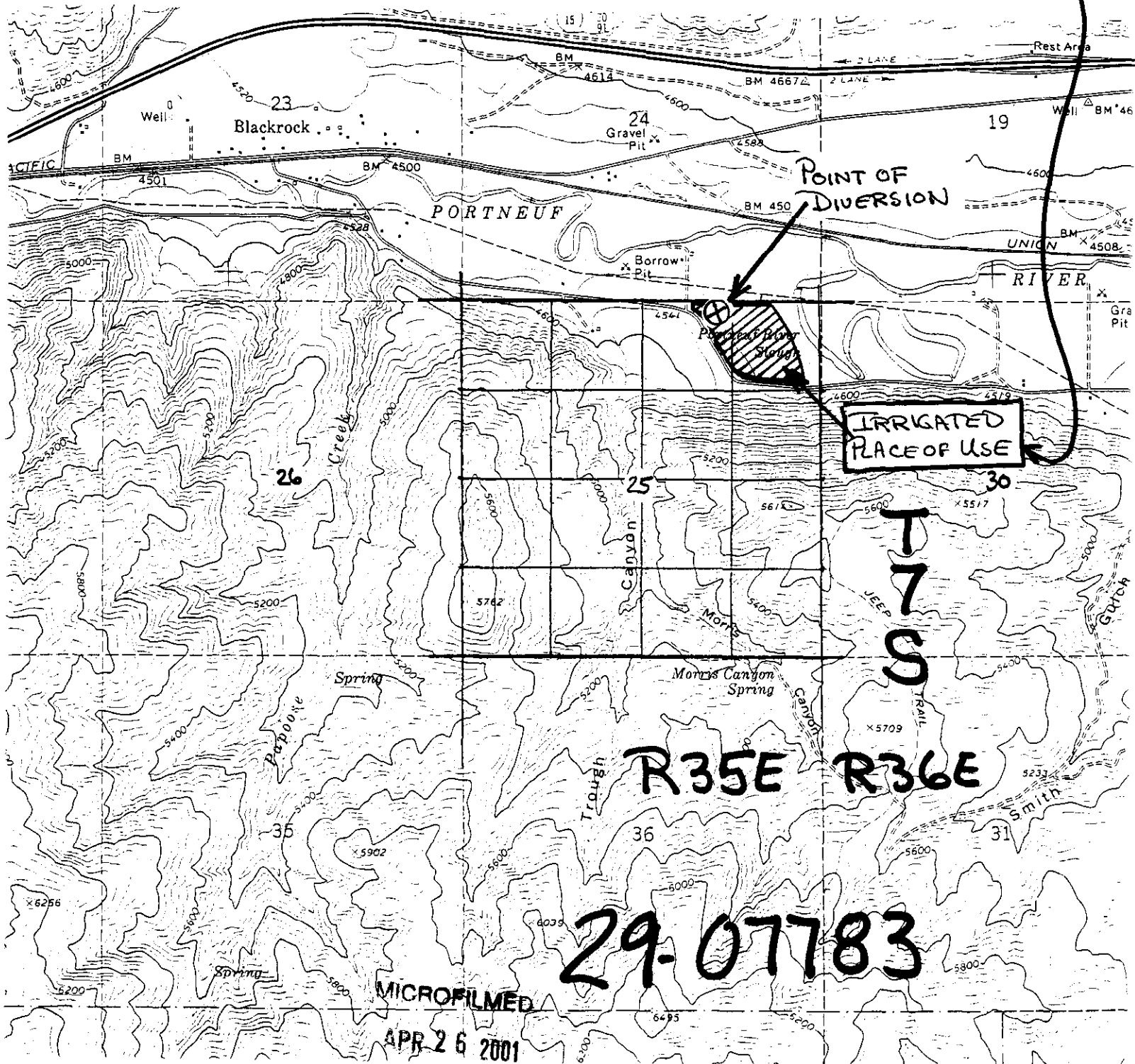
R35E

R36E

29-07783

MICROFILMED

IRRIGATED PLACE OF USE EXCEEDS THE PERMITTED
3 acres.



24

19

25

30

NW $\frac{1}{4}$ NE $\frac{1}{4}$

NE $\frac{1}{4}$ NE $\frac{1}{4}$

T
7
S

R35E R36E

29-07783

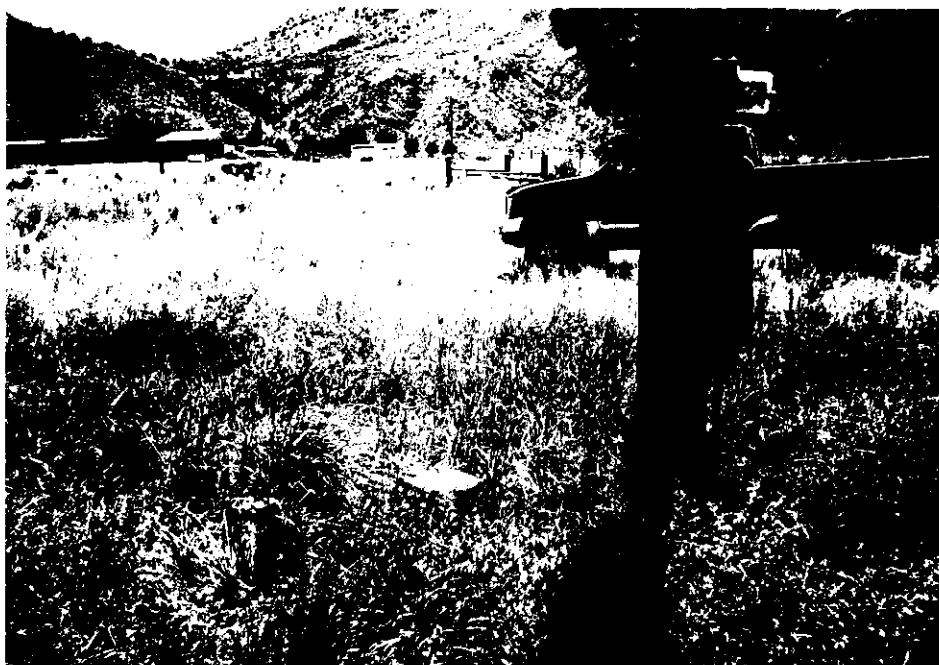


T
7
S

R35E

R36E

29-07783



POD

29-07783

MICROFILMED

1981



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 31, 1988

RE: Permit No. 29-7783

L.M. Bull
5787 W. Portneuf Road
Pocatello, ID 83204

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

ERIC VERNER
Sr. Resource Agent

EV:CW

MICROFILMED
APR 26 2001

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7783

Date: 7-26-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change If yes, prepare a data entry
Y Proof received timely - Monday - May 2
Reinstated

Source of Water:

Y Surface water
Y Groundwater
1. well log in file
N/A 2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	+ _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 208-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

RECEIVED
AUG 27 1985

1. WELL OWNER Name <u>Larry Ball</u> Address <u>Pocatello, Idaho 83204</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>37</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cc ☐ Plug Temperature <u>54</u> OF. Quality _____ Describe artesian or temperature zones below																																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☒ Bailer ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>50</u></td><td><u>37</u></td><td><u>4</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>50</u>	<u>37</u>	<u>4</u>																																									
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yes/No</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td>8"</td><td>0</td><td>12</td><td>black top soil & shale</td><td>X</td></tr><tr><td>8"</td><td>12</td><td>30</td><td>yellow clay & shale</td><td>X</td></tr><tr><td>8"</td><td>30</td><td>50</td><td>yellow sand & trace of clay</td><td>X</td></tr><tr><td>8"</td><td>50</td><td>54</td><td>coarsened gravel</td><td>X</td></tr><tr><td>8"</td><td>54</td><td>87</td><td>sand & pea gravel</td><td>X</td></tr><tr><td>8"</td><td>87</td><td>93</td><td>yellow sand</td><td>X</td></tr><tr><td>8"</td><td>93</td><td>160</td><td>sand & trace of gravel</td><td>X</td></tr><tr><td>8"</td><td>160</td><td>165</td><td>coarsened gravel</td><td>X</td></tr></tbody></table>		Bore Diam.	Depth		Material	Water Yes/No	From	To	8"	0	12	black top soil & shale	X	8"	12	30	yellow clay & shale	X	8"	30	50	yellow sand & trace of clay	X	8"	50	54	coarsened gravel	X	8"	54	87	sand & pea gravel	X	8"	87	93	yellow sand	X	8"	93	160	sand & trace of gravel	X	8"	160	165	coarsened gravel	X
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____		RECEIVED SEP 5 1985 Department of Water Resources																																																
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>250</u> inches</td><td><u>8</u> inches</td><td><u>2</u> feet</td><td><u>159</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between struts Describe across part <u>well cap</u>				Thickness	Diameter	From	To	<u>250</u> inches	<u>8</u> inches	<u>2</u> feet	<u>159</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet															
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6. LOCATION OF WELL Sketch map location <u>map</u> agree with written location. <table border="1"><tr><td>N</td><td></td><td>E</td></tr><tr><td>W</td><td></td><td>E</td></tr><tr><td>S</td><td></td><td>E</td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Blaine</u> <u>BL</u> N <u>BL</u> E Sec. <u>25</u> T. <u>7</u> R. <u>35</u> E.B.		N		E	W		E	S		E	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Don's Pump & Service</u> Firm No. <u>119</u> P.O. Box <u>190</u> Address <u>American Falls, Idaho</u> Date <u>5-8-85</u> Signed by (Firm Official) <u>Don's</u> and (Operator) <u>Don's</u>																																							
N		E																																																
W		E																																																
S		E																																																

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

138319

CERTIFIED MAIL
February 28, 1988

BULL, L. M. & BURNA DEAN
RT. 3 PORTNEUF RD.
POCATELLO, ID 83204

PROOF DUE NOTICE

RE: Permit No. 29-7783

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 May 1, 1988. (See last page of your approved 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAILED

AUG 01 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 16, 1987

BILL D. M. & BURNA DEAN
ROUTE 3 PORTNEUF ROAD
POCATELLO, ID 83204

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-7783

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH 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.

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 THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED

MAY 07 1987

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McGinnis APPLICATION NUMBER: 29-7783

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Under the Silver Falls, "Contract to Supplement", (25 Oct, 1984) the
nature of use specified by this application is categorised "consumptive
water uses for domestic uses" and is therefore eligible for
administrative review under 42-203A. EMC 8 April '87

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 29-2042
☒ Yes ☐ No* In form for advertising. 4-6-87
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-02-87
☒ Application published correctly. If not, record action taken:
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 29-H
4-22-85 Date of priority recommended.
Special conditions of approval or cover letter.

For uses other than irrigation, the consumptive total use of
water under this permit should not exceed 13,000 gallons per day.

DCMI-OK to process

MICROFILMED

By: Ernest Carlson Date: 8 April, 1987 MAY 07 1987

STATE OFFICE REVIEW:

L05, 616

RECEIVED

- ☐ See attached sheet for more information.
By: KW

Date: 4/14/87

APR 13 1987

Department of Water Resources

March 18, 1987

L. M. or Burna Dean Bull
Rte. 3, Portneuf Road
Pocatello, Idaho 83201

RE: Application for permit no. 29-7783

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification no. 29-7783. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Idaho State Journal. The advertisement will be published for two 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.

Enclosed is receipt No. 33262 for 30.00.

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

Sincerely,

Ernest Carlsen
Assistant Regional Manager

EC/md Enclosure

RECORDED

MAY 07 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 11, 1987

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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 billing to this office before APRIL 6, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

MICROFILMED

MAY 07 1987

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

29-2283-

BULL, L. M. &/or BURNA DEAN

ROUTE 3 FORTNEUF ROAD, POCA TELLO, ID 83204

Source: GROUNDWATER

Date Filed: 04/22/1985

Diversion Pt: NWNE Sec 25 T 07S R 35E

Use: IRRIGATION	(0.06 CFS)
STOCKWATER	(0.07 CFS)
DOMESTIC	(0.04 CFS)

In: NENE Sec 25 T 07S R 35E FOR 3 ACRES

The permits 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 April 6, 1987.

Ken Dunn

Director

Published March 19, and March 26, 1987

MICROFILMED

MAY 07 1987

MEMORANDUM
TO: REGIONS
FROM: BOB FLEENOR
RE: APPLICATION PROCESSING

RECEIVED

MAR 9 1987

Department of Water Resources
Eastern District Office

ATTACHED IS A LETTER FROM IDAHO POWER COMPANY STATING THAT THEY HAVE NO OBJECTION TO PROCESS APPLICATIONS FOR THREE ACRES OR LESS.

PLEASE REVIEW THE APPLICATION IN YOUR SWAN FALLS HOLD FILE AND PROCESS THOSE THAT ARE FOR THREE ACRES OR LESS.

MICROFILMED

MAY 07 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

August 13, 1985

RE: Application for Permit No. 29-7783

L. M. Bull
Rt. 3, Portneuf Road
Pocatello, Idaho 83204

Dear Mr. Bull:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

MAY 07 1987

29-2283-

BULL. L. M. &/or BURNA DEAN

ROUTE 3 PORTNEUF ROAD, POCA TELLO, ID 83204

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Date Filed: 04/22/1985

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MICROFILMED
MAY 07 1987

