

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07743

Priority: May 25, 1993

Maximum Diversion Rate:
Maximum Diversion Volume:

0.10 CFS
21.3 AF

This is to certify, that RICHARD A BUNKER
2140 N HILLSIDE LN
POCATELLO ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 26, 1983; and has submitted Proof of Beneficial Use on May 25, 1993. An examination indicates that the works have a diversion capacity of 0.100 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>
IRRIGATION	04/01 to 10/31	0.10 CFS	20.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Totals		0.10 CFS	21.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 21, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	35E	21	SESW	5		5

Total number of acres irrigated: 5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND 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 that 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.

MICROFILMED
FEB 25 1997

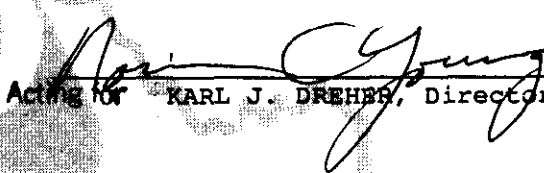
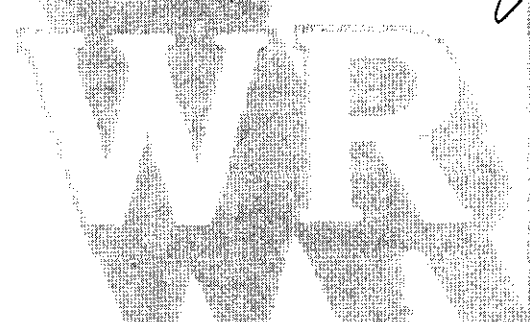
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07743

CONDITIONS OF APPROVAL AND REMARKS

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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Domestic use is for 1 home.

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 10TH
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, DirectorMICROFILMED
FEB 25 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-07743	)	
	)	ORDER OF
IN THE NAME OF RICHARD & CYNTHIA BUNKER	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On October 30, 1989, the Director of the Department of Water Resources issued Permit No. 29-07743 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1992.

2. On September 30, 1992, the Department sent a proof due notice to the permit holder.

3. On December 7, 1992, the Department sent a lapse notice to the permit holder.

4. On May 25, 1993, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes an affidavit from a neighbor attesting to the fact that the well has been in use since 1977. Evidence also includes a well log submitted to the Department in 1978 showing use of the well at that time.

7. The permit holder states, in correspondence to the Department, that wells in the area, including the well associated with this permit, were contaminated. The permit holder did not know if they would be able to continue use of the well or if they would be required to abandon the well due to the contamination. Since the permit holder was uncertain about the status of the well, the permit holder did not proceed with the permit procedure by filing proof of beneficial use.

JUN 29 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

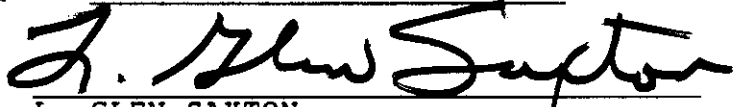
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 29-07743 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to May 25, 1993.

Dated this 9th day of June, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

JUN 29 1993

RECEIVED

MAY 25 1993

Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 5-25-93
Receipt No. C027617
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 29-07743 Telephone No. _____

2. Name(s) of Permit Holder(s): Richard + Cynthia Bunker

3. Mailing Address: 2140 N Hillside Ln

4. Source of Water: Ground

If GROUNDWATER, Well Driller's Name: Bill Duff Date Drilled: Spring 1977

OPTIONAL:

Pump horsepower: 3 Pressure (psi): 60 Dynamic pumping level (ft.): Pump is 160 Feet Down well

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater Poultry sheep goats rabbits (No. and type of stock)
Irrigation 5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.52 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly: 6/7/93 Klg permits

Measuring device: Required? _____ Yes _____ No Installed? _____ Yes X No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes X No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Richard Bunker Telephone No. 233-9290 / 233-9295

Address 2140 N Hillside Ln Pocatello Id 83204

10. 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.

RECEIVED

JUN 29 1993

Date May 21, 1993 Signature (and title, if on behalf of a company or organization) Richard Bunker

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07743

Proposed Priority: July 26, 1983

Maximum Diversion Rate:

0.52 CFS

This is to certify, that **RICHARD A. BUNKER**
2140 N. HILLSIDE LN.
POCATELLO, ID 83201

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.44 CFS
STOCKWATER	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.52 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW Sec. 21, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 35E 21	SESW 22			22

Total number of acres irrigated: 22

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1992**.
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. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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DEC 13 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07743

CONDITIONS/REMARKS:

8. Domestic use is for one home.

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

30th day of October, 1989

J. Glen Saxton
for R. Keith Higginson, Director

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DEC 13 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 Richard A. Bunker Phone 233-9290
Post office address 2140 N. Hillside Ln.
Rt. 3 South Portneuf Rd. Pocatello, ID 83201

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township 7S
Range 35E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.44 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Stockwater 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. 0.52 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump. (1 hp)

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 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 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 5 horses and many other types of
animals.

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.

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

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DEC 13 1989

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	21												22					22

Total number of acres to be irrigated 22

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

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 _____

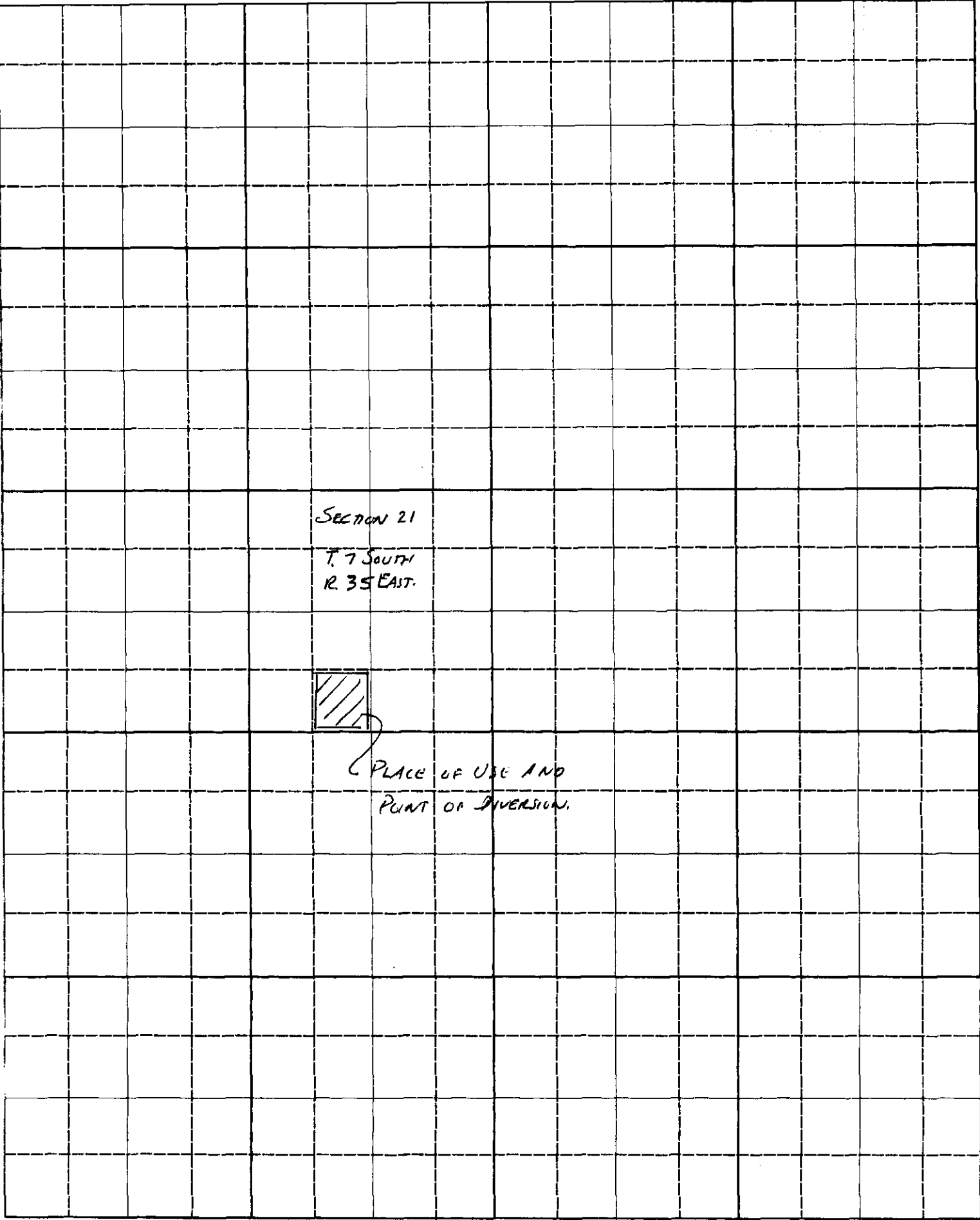
10. Remarks _____

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DEC 13 1989

85 3473

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

Richard Bunker
(Applicant)

DEC 13 1989

Received by Qu Date 7-26-88 Time 3:30P
Preliminary check by SM Fee \$ 45⁰⁰
Receipted by BP Date 8/1/83 #29379
Publication prepared by RB Date _____
Published in Idaho State Journal
Publication dates 9-7-84-89
Publication approved Qu Date 9-22-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWS

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. Other:

REGISTERED

DEC 13 1989

Allen St & McCormick

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard A Bunker Phone 233-9290
Post office address Rt #3 So Portneuf Rd
2. Source of water supply S21 - T75 R35E which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township Pocatello
Range 35E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 84 for irrigation purposes from April 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 cfs for live stock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. .52 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 8" well 200 ft
1 H.P. now 6" well 3 H.P. + sprinkler

- 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 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 yrs 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 100 rabbits, 2 cows,
5 horses, 100 misc poultry, 10 goats, 10 dogs 6 pigs
(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: _____

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DEC 10 1989

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	35R	21												22				~~22~~	22

Total number of acres to be irrigated 22

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

9. a. Who owns the property at the point of diversion Richard Bunker

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing My father in law owns this property

+ I am helping the best I can to take care of and improve the property + also raise livestock; he also

10. Remarks gave us an acre when we were married + nothing has been transferred

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DEC 13 1988

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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.

DEC 13 1989

Richard Bunker
(Applicant)

Received by CW Date 7-6-83 Time 5:00p

Preliminary check by _____ Fee \$ 45.00

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. Other:

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DEC 13 1989

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

29-07742
BULLOCK, EDWIN K.
BULLOCK, MELBA
RT. 3, BOX 208A
Pocatello, ID 83201
Source: GROUNDWATER
Diversion Pt:
SENE Sec 20 T 07S R 35E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.030 CFS)
DOMESTIC (.040 CFS)

Date Filed: 6/22/1983
In: T07S R35E S20
NWNE SENE
4.0 ACRES TOTAL

29-07743
BUNKER, RICHARD A.
2140 N. HILLSIDE LN.
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt.
SESW Sec 21 T 07S R 35E
Use: IRRIGATION (.440 CFS)
STOCKWATER (.040 CFS)
DOMESTIC (.040 CFS)

Date Filed: 7/26/1983
In: T07S R35E S21 SESW
22.0 ACRES TOTAL

29-07751
PRICE, ROBERT R.
PRICE, S. E.
RT. 1 BOX 4165
INKOM, ID 83245
Source: GROUNDWATER
Diversion Pt.
NWNE Sec 25 T 07S R 35E
Use: IRRIGATION (.300 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)

Date Filed: 9/26/1983
In: T07S R35E S25 NWNE
15.0 ACRES TOTAL

29-07753
CARLSON, RODNEY E.
P.O. BOX 1235
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt.
NENE Sec 11 T 06S R 34E
SENE Sec 11 T 06S R 34E
Use: IRRIGATION (.940 CFS)
STOCKWATER (.020 CFS)

Date Filed: 9/16/1983
In: T06S R34E S11 NENE SENE
48.0 ACRES TOTAL

29-07755
MAYR, LAMONT A.
MAYR, BETTY
BOX 211
INKOM, ID 83245
Source: GROUNDWATER
Diversion Pt.
SWNE Sec 27 T 07S R 36E
Use: IRRIGATION (.110 CFS)

Date Filed: 6/15/1983
In: T07S R36E S27 SWNE
10.0 ACRES TOTAL

29-07760
DUTTON, BILLY J.
STAR ROUTE BOX 160
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt:
NENE Sec 18 T 06S R 33E
Use: IRRIGATION (.160 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)

Date Filed: 6/24/1983
In: T06S R33E S18 NENE
8.0 ACRES TOTAL
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 SEPTEMBER 25, 1989.
S/R. Keith Higginson, Director
September 7, 14, 1989
No. 494

OF OF PUBLICATION

RECEIVED

SEP 16 1989

Department of Water Resources
Eastern District Office

Sandra K. Wann

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:

7 September	1989	19
14 September	1989	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. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 14th day of September in the year of 1989, before me,
a Notary Public, personally appeared Sandra K. Wann,
known or identified to me to be the person whose name 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 executed the same.

John L. Hansen
Notary Public for Idaho
Residing at Pocatello
My commission expires July, 1991

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DEC 13 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

February 11, 1997

PHILIP E. BATT
GOVERNOR

RICHARD A. BUNKER
2140 N HILLSIDE LN
POCATELLO ID 83201

KARL J. DREHER
DIRECTOR

RE: WATER RIGHT NO. 29-07743

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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FEB 15 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:pah

c: Eastern Region

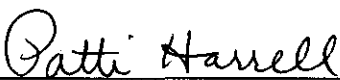
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of **February, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 29-07743

**RICHARD A. BUNKER
2140 N HILLSIDE LN
POCATELLO ID 83201**



Patti Harrell
Secretary

MICROFILMED
FEB 25 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-07743

DATE 1/30/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO *Permit in name of Richard Bunker - use his address*

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U

NO 60VT LOTS

RATE OF DIV

Permitted Rate .52 cfs

Fee limit .20 cfs \$5000

Measured — cfs

Theoretical .10 cfs

Recommended Total Div Rate .10 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use

Use	Volume Calculation
<u>Dom. .10</u>	<u>5 x 4.0 = 20.0</u> af
<u>Stock .02</u>	<u>1</u> af
<u>Dom. .04</u>	<u>1.2 standard</u> af
SUBTOTAL	<u>21.3</u> af

Flow rate .10 cfs X 214 days X 1.9835 = 42.4 af

Total volume recommended 21.3 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1 home.

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

R31 Overlap

Use-specific conditions 048,049

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

Adjustment Memo —

1st Amend Letter N/A

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 23 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-7743

1. Owner: Richard A. Bunker / c/o Cynthia Gardner Phone No. 233-9295

Current Address: P.O. Box 135, Inkon Id 83245

2. Accompanied by: Jody Bunker EXAM DATE: 13 JUN 96

Address: Same Phone No. —

Relationship to Permit Holder: Son

3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SW	21	07S	35E	Bonneville	On site

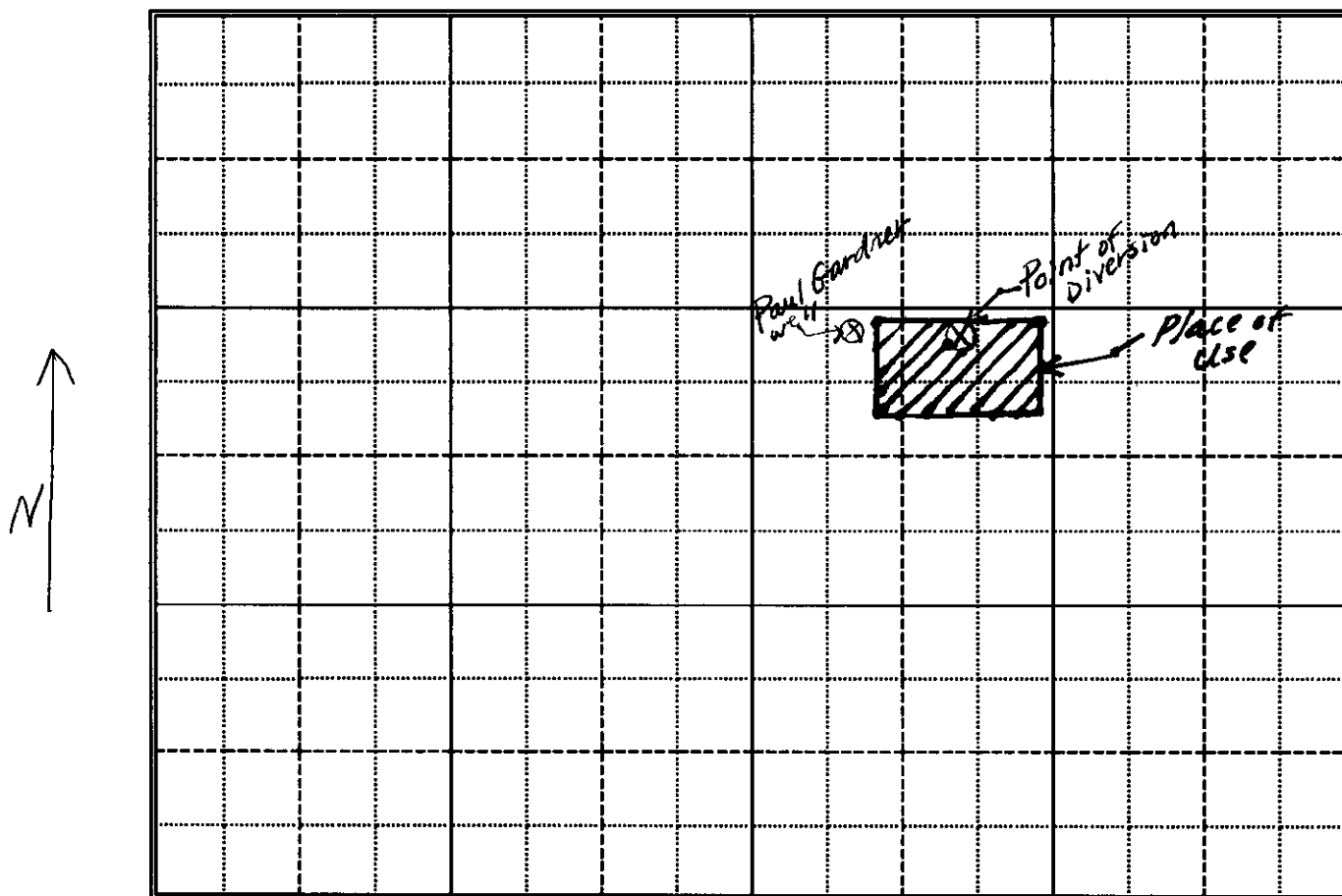
2. Place(s) of Use:

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	
07S	35E	21																	5
7S	35E	21												5					5
														D/S					

MICROFILMED
FEB 25 1997

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	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin Electric	3	282 1022 301	—	—

*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
Pressure gauge PSI 0-60					0-60	
Theoretical						

2. Measurements: Put pressure gauge on hydrant with other hydrant running. Used 0-60 PSI pressure gauge. Low measurement with pump off — 21 PSI; high measurement with pump on — 46 PSI

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FEB 25 1997

E. NARRATIVE/REMARKS/COMMENTS

The original Permit to Appropriate Water asked for 22 acres for irrigation. The Proof of Beneficial Use submitted in 1993 listed 5 acres for Irrigation and Stock, plus single home domestic. The actual place of use is for 5 acres for irrigation of fields and stock watering, plus domestic.

* Pressure reading taken on hydrant with 0-60 PSI pressure gauge. Well, pump to mainline running along drive/road to house. Some laterals in surrounding fields. Also, some hoses.

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

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FEB 25 1997

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: $Q_{THEORETICAL} = 0.10 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \text{ ac} \times 4 = 20 \text{ acf}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.10 \text{ cfs} (214) 1.9835 = 42.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 20 \text{ acf}$$

2. Volume Calculations for Other Uses:

$$V_{Dom} = 1.2 \text{ acf (one house)}$$

$$V_{Stock} = 0.1 \text{ AF (chaut)}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/1	0.10	20.0
Stock	01/1	12/31	0.02	.1
Domestic (1 unit)	1/1	12/31	0.04	1.2
Totals:			.10	21.3

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

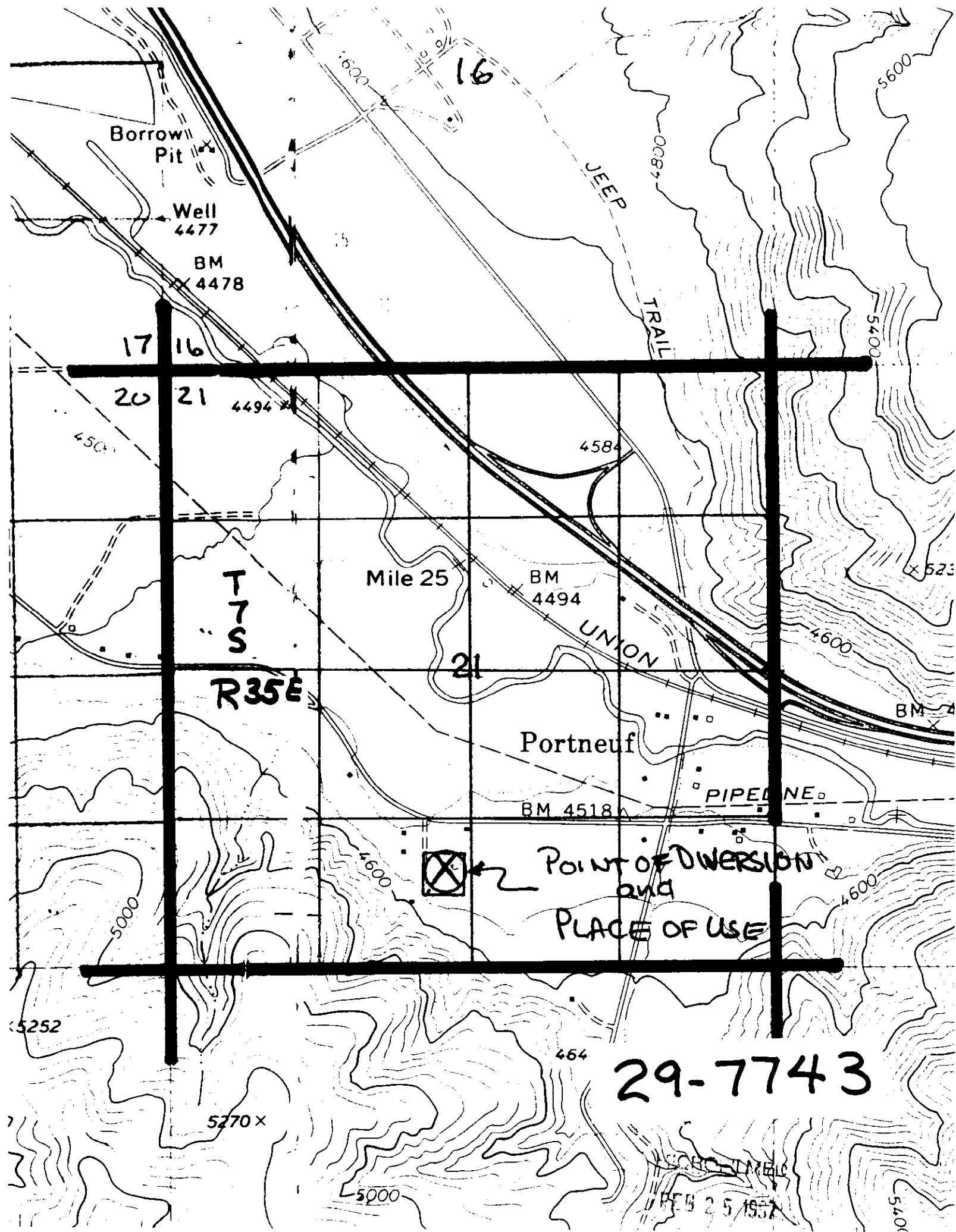
Field Examiner's Name STEVEN GARRISON Date 14 JUN 96

Reviewer Dave Colby Date 12/16/96

SEAL

MICROFILMED

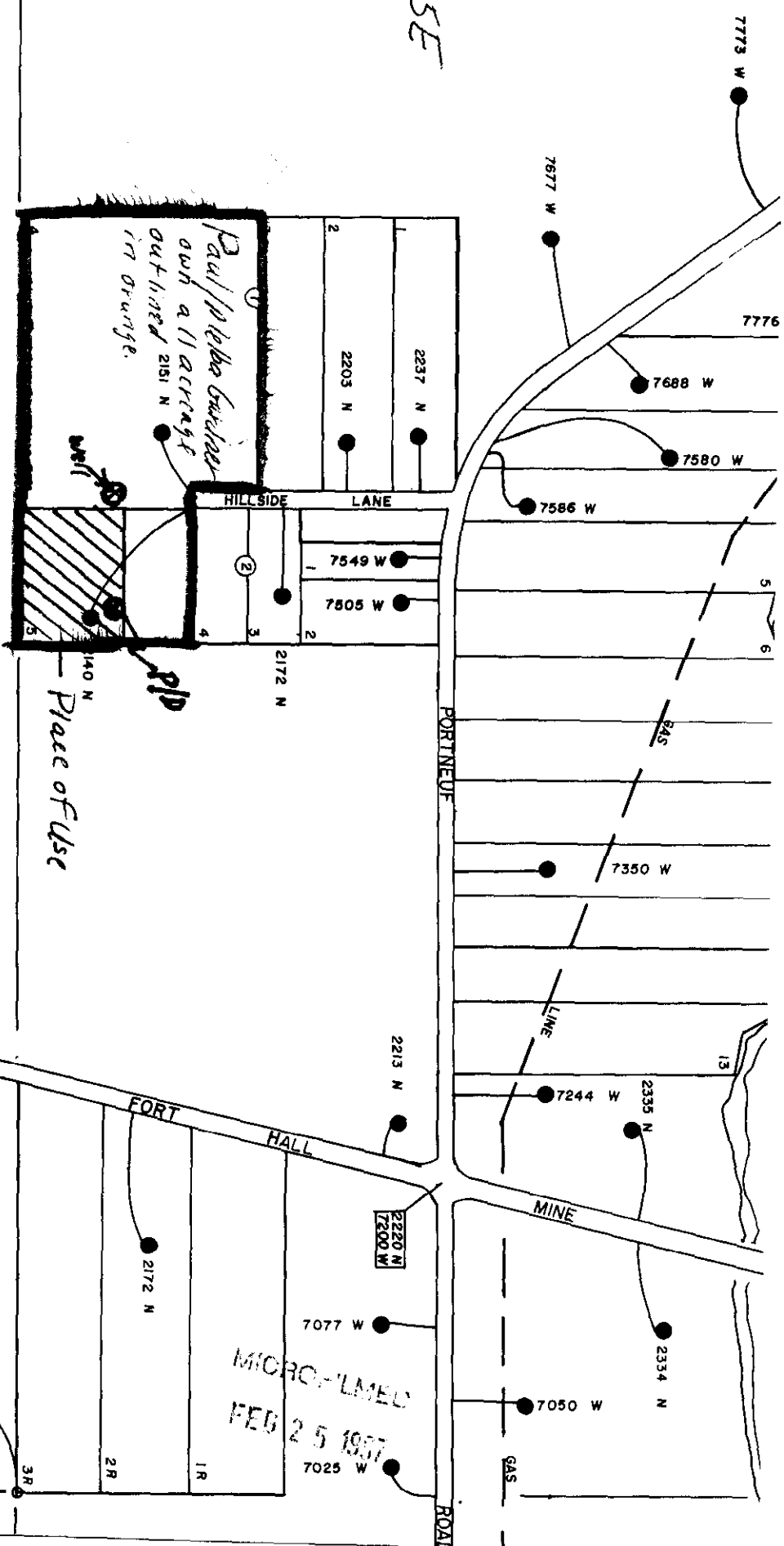
FEB 25 1997



O R35E
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Section
21

N
T
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R35E Sec 21



29-7743

MICROFILMED
FEB 25 1987

T 75
R 35e

1 p/d

1 p/d

21

29-7743

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{3}$$

$$Eff = \text{Efficiency} = \underline{.70} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Drawdown)}$$

$$\text{Static Water Level} = \underline{80} \text{ ft.}$$

$$\text{Assumed Drawdown} = + \underline{50} \text{ ft.}$$

$$\text{Lift} = \underline{130}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{21} \text{ psi}$$

$$Q_{cfs} = \left[\frac{3}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{130}{Lift} + \left(\frac{21}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{18.5094} \right] \div \left[\underline{178.468} \right]$$

$$Q_{cfs} = \underline{.10} \text{ cfs}$$

PERMIT NO. 29-7743

MICROFILMED

FEB 25 1997

June 18, 1993

RICHARD A. BUNKER
2140 N HILLSIDE LN
POCATELLO ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07743

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

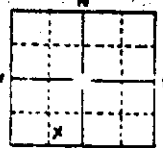
JUN 29 1993

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resource

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.

1. WELL OWNER Name <u>PAUL CARDNER</u> Address <u>RT #3 SOUTH PLATEAU</u> Owner's Permit No. _____		7. WATER LEVEL Date <u>11/13/78</u> Static water level <u>17</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																						
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Sailer ☒ Other <u>Flow</u> Discharge (G.P.M.) <u>30</u> Draw Down _____ Hours Pumped <u>2</u>																																						
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☒ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole 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>16</td><td>0</td><td>40</td><td>CLAY & SILT</td><td>✓</td></tr><tr><td>16</td><td>40</td><td>64</td><td>CLAY & SILT</td><td>✓</td></tr><tr><td>16</td><td>64</td><td>115</td><td>ROCK</td><td>✓</td></tr><tr><td>16</td><td>115</td><td>123</td><td>GRAVEL 12.5M</td><td>✓</td></tr><tr><td>16</td><td>123</td><td>172</td><td>ROCK</td><td>✓</td></tr><tr><td>16</td><td>172</td><td>172</td><td>GRAVEL 12.5M</td><td>✓</td></tr></tbody></table>		Hole Diam.	Depth		Material	Water Yes/No	From	To	16	0	40	CLAY & SILT	✓	16	40	64	CLAY & SILT	✓	16	64	115	ROCK	✓	16	115	123	GRAVEL 12.5M	✓	16	123	172	ROCK	✓	16	172	172	GRAVEL 12.5M	✓
Hole Diam.	Depth		Material		Water Yes/No																																			
	From	To																																						
16	0	40	CLAY & SILT	✓																																				
16	40	64	CLAY & SILT	✓																																				
16	64	115	ROCK	✓																																				
16	115	123	GRAVEL 12.5M	✓																																				
16	123	172	ROCK	✓																																				
16	172	172	GRAVEL 12.5M	✓																																				
4. METHOD DRILLED ☐ Cable ☒ Rotary ☐ Aug ☐ Other																																								
5. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>172</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness _____ inches Diameter _____ inches From _____ feet To _____ feet 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 <u>1/8</u> inches by <u>1</u> inches Number _____ From _____ feet To _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet 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>40</u> Material used in seal ☒ Cement grout ☐ Pudding clay ☒ Well cuttings Sealing procedure used ☐ Shurry pit ☐ Temporary surface casing ☒ Overbore to seal depth																																								
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>BENNETT</u> <u>SE 1/4 Sec. 21, T. 7, N. 35, E. W.</u> USE ADDITIONAL SHEETS IF NECESSARY		10. Work started <u>11/2/78</u> finished <u>11/13/78</u> 11. DRILLER'S CERTIFICATION Firm Name <u>DUBBE DRILLING</u> Firm No. <u>1115</u> Address <u>P.O. Box 4415 BENTLEY</u> Date <u>11/13/78</u> Signed by (Firm Official) <u>M. H. S. L. L.</u> and (Operator) <u>M. H. S. L. L.</u>																																						

JUN 29 1993



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

May 27, 1993

Richard Bunker
2140 N Hillside Lane
Pocatello, ID 83204

Re: Permit No. 29-07743

Dear Mr Bunker:

The Department is in receipt of the proof of beneficial use, \$50 license examination fee, and subsequent correspondence. However, the Department is still unable to reinstate the permit.

First of all, the Department must have two (2) pieces of evidence that the well was in use prior to December 1, 1992. The affidavit from your neighbor will fulfill one of those pieces of evidence. The Department will still need another piece of evidence.

Secondly, the Department has been unable to locate a well log drilled by Dubbe Drilling in the spring of 1977 for you. The attached well log is the only well drilled in the same area you claim your well was drilled. Can you please verify if the attached well log was filed in reference to your well?

I will hold the file for an additional 15 days to allow you time to submit another piece of evidence and to clarify the questions about the well.

In the mean time, if you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

RECORDED
JUN 29 1993

RECEIVED

MAY 25 1993

Idaho dept. of water resources, ~~Idaho Dept. of Water Resources~~ May 24, 93

To those concerned

The reason for late filing is:
A: pump quit August 92 ~~and~~ we got this problem solved now.

B: Shortly after that contaminated wells were detected in this area. Ours was added to the list for testing. When the test came back and ours was also contaminated. We became discouraged and did nothing - waiting to see how extensive the contamination was throughout the area.

We were waiting to see from further testing if it would be advantageous to drill another well on the property.

Richard Bunker

Richard & Cynthia Bunker had well drilled by Bill Dubbe in 1977. Well is used for house water, & to irrigate up to 5 acres of pasture & water live stock.

signed for ~~Paul E. Gardner~~

neighbor 2151 N Hallsdale Ln
Pocatello, Id 83204

RECEIVED

JUN 29 1993



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

May 20, 1993

Richard Bunker
2140 N Hillside Lane
Pocatello, ID 83204

Re: Permit No. 29-07743

Dear Permit Holder:

On March 17, 1993, the Department corresponded with you and explained the need to submit a proof of beneficial use along with other information within 60 days of the date of mailing. As of this date, the Department has received neither the proof or additional information.

Since your permit lapsed on December 1, 1992, it is of no further force nor effect. The Department will allow an additional 15 days for you to submit the information. If the Department has not received the information by that time, your file will be prepared for filing and destruction and you will no longer possess a valid water right permit.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

Karen L. Gustafson
Secretary/Records Manager

JUN 29 1993



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 17, 1993

Richard Bunker
2140 N Hillside Lane
Pocatello, ID 83204

RE: Permit No. 29-07743

Dear Permit Holder:

Per our telephone conversation yesterday, enclosed is a proof of beneficial use statement and instruction sheet. As we discussed, the permit lapsed on December 1, 1992, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your file will remain in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of July 26, 1983 will be advanced to the date the Department receives the above requested information.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

REC'D
JUN 29 1993

December 7, 1992

RICHARD A. BUNKER
2140 N. HILLSIDE LN.
POCATELLO ID 83201

LAPSE NOTICE

RE: PERMIT NO. 29-07743

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

RECEIVED

JUN 29 1993

September 30, 1992

RICHARD A. BUNKER
2140 N. HILLSIDE LN.
POCATELLO ID 83201

PROOF DUE NOTICE

RE: PERMIT NO. 29-07743

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 December 1, 1992. (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 complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

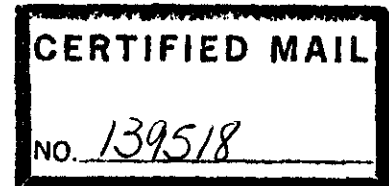
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JUN 29 1993

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 31, 1989

RICHARD A. BUNKER
2140 N. HILLSIDE LN.
POCATELLO, ID 83201

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

RE: PERMIT NO. P29-07743

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

MICROFILMED

DEC 13 1989

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

DEC 1 - 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McIvor

APPLICATION NUMBER: 29 7743

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: _____

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. _____

- ☒ Yes ☐ No* In form for advertising.

Final date for protests: 9-25-89

- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-15-89
☒ 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? 29H-POS
7-26-83 ☒ Date of priority recommended.

Special conditions of approval or cover letter. _____

App. in NON-TRUST area -
allow 3 yrs. for B/U development

By: HWJ

Date: 9-22-89

STATE OFFICE REVIEW:

P05, P23 P17 46 48 49 26

- ☐ See attached sheet for more information.

By: KW

Date: 10/24/89

RECEIVED
SEP 26 1989

30-Aug-1989

Richard A. Bunker
2140 N. Hillside Ln.
Pocatello,, ID 83201

RE: Application for Permit No. 29-7743

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 Idaho State Journal. 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

MICROFILMED

DEC 13 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 29, 1989

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

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 SEPTEMBER 25, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

DEC 13 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

DEC 13 1989



29-07743

BUNKER, RICHARD A.
2140 N. HILLSIDE LN.
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: SESW Sec 21 T 07S R 35E

Use: IRRIGATION	(.440 CFS)
STOCKWATER	(.040 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 7/26/1983

In: T07S R35E S21 SESW

22.0 ACRES TOTAL

MICROFILMED

DEC 13 1984

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42- 3A, 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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director

Published 9/07/1989 & 9/14/1989

MICROFILMED
DEC 13 1989

08/85

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

RECEIVED

AUG 26 1985

Department of Water Resources
Eastern District Office

29-7743-

BUNKER, RICHARD A.
2140 No Hillside Ln
RT. 3, S. FORTNEUF RD., POCATELLO, ID 83201

Source: GROUNDWATER

Date Filed: 07/26/1983

Diversion Pt: SESW Sec 21 T 07S R 35E

Use: IRRIGATION	(0.44 CFS)
STOCKWATER	(0.04 CFS)
DOMESTIC	(0.04 CFS)

In: SESW Sec 21 T 07S R 35E FOR 22 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

A. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 29-7743 was not being diverted and put to beneficial use as represented by the application.

B. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

RECORDED

DEC 13 1989

Richard Bunker
(Signature)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 13, 1985

RE: Application for Permit No. 29-7743

Richard A. Bunker
Rt. 3 South, Portneuf Road
Pocatello, Idaho 83201

Dear Mr. Bunker:

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

DEC 13 1989

29-7743

BUNKER, RICHARD A.

RT. 3, S. PORTNEUF RD., POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 07/26/1983

Diversion Pt: SESW Sec 21 T 07S R 35E

Use: IRRIGATION	(0.44 CFS)
STOCKWATER	(0.04 CFS)
DOMESTIC	(0.04 CFS)

In: SESW Sec 21 T 07S R 35E FOR 22 ACRES

MICROFILMED

DEC 13 1989

July 22, 1983

Richard A. Bunker
Rt. 2, South Portneuf Rd.
Pocatello, ID 83201

Dear Mr. Bunker:

The Department is in receipt of your application and your check #92-23 for \$45.

Enclosed is an typed application for permit which corrects a few minor errors in your original.

Please sign the form on the second page and return it to this office as soon as possible, as processing will not continue until it is received back at this office.

If you have any questions, please feel free to contact this office.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:jk

Enclosures

RECEIVED

DEC 13 1989