

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 Elwin Anderson Phone 233-1669

Post office address Pocatello Creek Road, Pocatello, Idaho 83201

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 6S

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

4. Water will be used for the following purposes:

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

Amount 0.10 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.14 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 with pipelines to
sprinkler and 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 6 inches; proposed depth of well is 120 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: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 6S
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 _____

(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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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	
6S	35E	20	5																5

Total number of acres to be irrigated 5

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

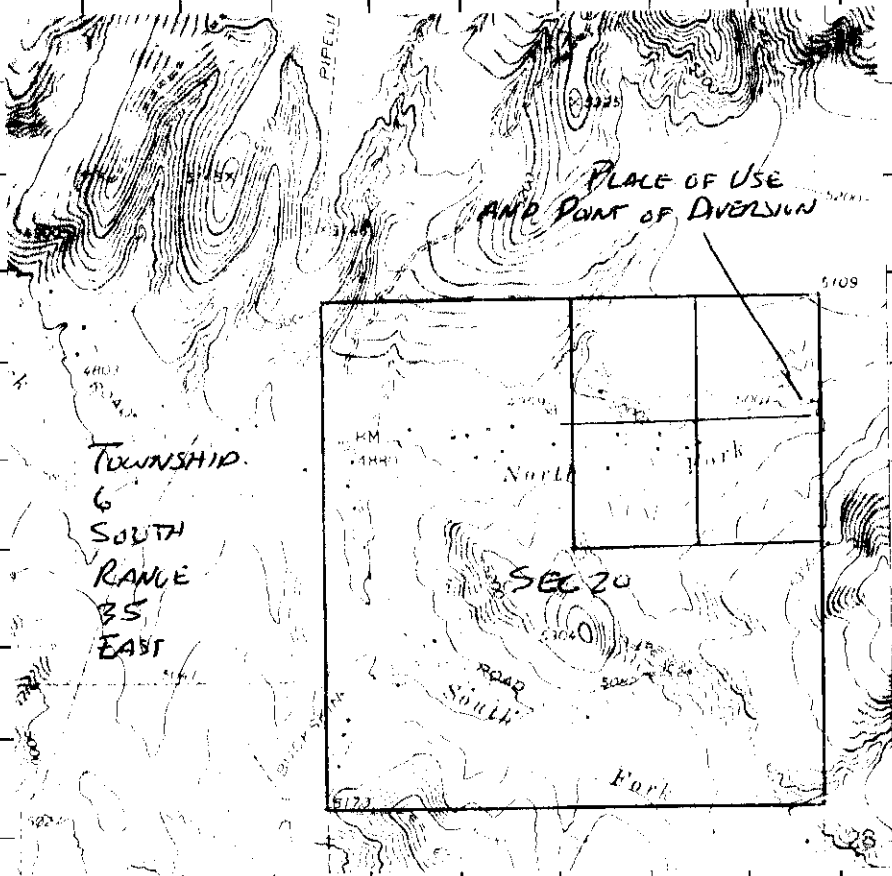
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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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.

RECORDED

AUG 17 1989

Elwin Anderson
(Applicant)

Proposed Priority 2/23/83

Received by SM Date 5-23-89 Time 12:45p

Preliminary check by HWT Fee \$ 30.00

Receipted by CW Date 2-23-83 # 25431

Publication prepared by RB Date 5-10-89

Published in Idaho State Journal

Publication dates 5-18; 25, 89

Publication approved CW Date 5-30-89

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. 29-7691, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 91.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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.

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.

Witness my hand this 5th day of July, 1989.

J. Glen Saxton

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been filed to appropriate the public waters of the State of Idaho:

29-07688

CARLSON, LEONARD H.
CARLSON, SANDRA
2721 SOUTH 2ND AVE
POCATELLO, ID 83204
Source: GROUNDWATER
Diversión Pt:
NW NE Sec 1 T 07S R 34E
Use: IRRIGATION (.070 CFS)
Date Filed: 2-15-1983
In: T07S R34E S01 NWNE NENW
4.0 ACRES TOTAL

29-07690

ANDERSON, DWAIN
POCATELLO CREEK ROAD
POCATELLO, ID 83201
Source: GROUNDWATER
Diversión Pt:
NENE Sec 20 T 06S R 35E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2-23-1983
In: T06S R35E S20 NENE
5.0 ACRES TOTAL

29-07691

ANDERSON, DWAIN
POCATELLO CREEK ROAD
POCATELLO, ID 83201
Source: GROUNDWATER
Diversión Pt:
NENE Sec 20 T 06S R 35E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2-23-1983
In: T06S R35E S20 NENE
5.0 ACRES TOTAL

29-07693

MILLER, DAVID C.
P.O. BOX 4904
POCATELLO, ID 83201
Source: SPRING
Tributary: PORTNEUF RIVER
Diversión Pt:
NENW Sec 25 T 09S R 37E
Use: IRRIGATION (.160 CFS)
Date Filed: 3-02-1983
In: T09S R37E S24 SWSW
S25 NENW
8.0 ACRES TOTAL

29-07798

BULL, L. M.
BULL, BURNA DEAN
5787 WEST PORTNEUF RD.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversión Pt:
SWSW Sec 23 T 07S R 35E
Use: IRRIGATION (.300 CFS)
STOCKWATER (.070 CFS)
Date Filed: 6-25-1985
In: T07S R35E S23 SWSW
15.0 ACRES TOTAL

29-07799

BULL, L. M.
BULL, BURNA DEAN
5787 WEST PORTNEUF RD.
POCATELLO, ID 83204
Source: PORTNEUF RIVER
Tributary: SNAKE RIVER
Diversión Pt:
SWSE Sec 23 T 07S R 35E
Use: IRRIGATION (.700 CFS)
Date Filed: 6-25-1985
In: T07S R35E S23 SESW
35.0 ACRES TOTAL

29-07859

FIRST SECURITY BANK
OF IDAHO
P.O. BOX 50280
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversión Pt:
NESW Sec 8 T 08S R 35E
Use: DOMESTIC (.040 CFS)
Date Filed: 4-27-1989
In: T08S R35E S08 NESW
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 JUNE 5, 1989.
S/R. Keith Higginson, Director
May 18, 25, 1989

DOF OF PUBLICATION

RECEIVED

JUN 17 1989

Dep. 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 America, 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:

<u>May 18</u>	<u>1989</u>	<u>19</u>
<u>May 25</u>	<u>1989</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

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 25th day of May 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.

W. L. Jensen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July, 1991

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AUG 17 1989

October 3, 1990

ELWIN ANDERSON
POCATELLO CREEK RD.
POCATELLO, ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07691

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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OCT 16 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7691

Date: 10-1-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change If yes, prepare a data entry
☒ Proof received timely
 Reinstated

Source of Water:

☒ Surface water
☒ Groundwater 1972
 1. well log in file
NA 2. drilling permit
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

NO Is a measuring device or access port required?
 Has one been installed?
 Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

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

10-4-90
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change!

STATE OF IDAHO
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/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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-07691 Telephone No. 233-1669

Name(s) of Permit Holder(s): ELWIN ANDERSON

Post Office Address: 9222 N. ANDERSON, BEAVERLO, ID 83201

Source of Water: GROUNDWATER

If ground water, well driller's name: DOBBE Date drilled: ~1972

Extent of Use:
Domestic 2 (No. of households) Irrigation 5 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.14 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: ~1972

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

ELWIN ANDERSON 208/233-1669
Name Telephone No.

9222 N. ANDERSON, BEAVERLO, ID 83201
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.

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OCT 16 1990

8-22-1990 Elwin H. Anderson
Date Signature (and title if on behalf of a company or organization)

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) 334-7900
July 6, 1989

ELWIN ANDERSON
POCATELLO CREEK ROAD
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. 29-07691

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.

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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

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AUG 17 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 29 7691

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.
☒ 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.

Field check by: _____

Date: _____

Comments: _____

*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: 6-05-89
☒ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-30-89
☒ 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? 29-705
2-23-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

App. in NON-TRUST area -
allow 2 yrs. for B/L development

By: HWS Date: 6-14-89

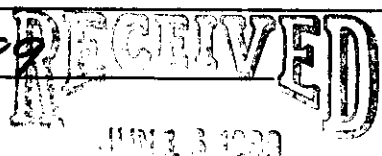
STATE OFFICE REVIEW:

P05, P23 P17 26 48 49 46

- ☐ See attached sheet for more information.

By: KW

Date: 6/28/89



W

May 11, 1989

Elwin Anderson
Pocatello Creek Road
Pocatello, ID 83201

RE: Application for Permit No. 29-7691

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

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AUG 17 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 10, 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 JUNE 5, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
AUG 17 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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AUG 17 1989

29-07691

ANDERSON, ELWIN
POCATELLO CREEK ROAD
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: NENE Sec 20 T 06S R 35E

Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)

Date Filed: 2/23/1983

In: T06S R35E S20 NENE

5.0 ACRES TOTAL

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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 JUNE 5, 1989.

R. Keith Higginson, Director

Published 5/18/1989 & 5/25/1989

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AUG 17 1989



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 12, 1985

RE: Application for Permit No. 29-7691

Elwin Anderson
Pocatello Creek Road
Pocatello, Idaho 83201

Dear Mr. Anderson:

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

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