

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7517 Priority October 19, 1979 Amount 0.04 cfs

THIS IS TO CERTIFY, that Robert L. Hurst
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7517 issued pursuant to Application for Permit dated October 19, 1979,
and has submitted proof to the Department of Water Resources on October 28, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Pocatello Creek, S. Fork,
tributary to Portneuf River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>March 15</u> to <u>November 15</u> at <u>0.04</u> cfs and			<u>10.5</u> acre feet
<u>Stockwater</u> from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and			<u>0.2</u> acre feet
_____ from _____ to _____ at _____ cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
10.7 acre feet per year, said waters to be diverted within the NW1/4, Section 28,
Twp 6S, Rge 35E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	35E	28					3												3

Total number of acres irrigated 3

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CONDITIONS OF APPROVAL

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

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

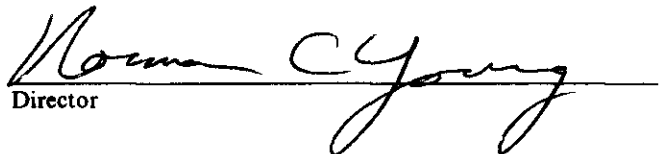
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Use of water under this license is subject to control by the watermaster of State Water District No. 29A, Pocatello Creek.

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of SEPTEMBER, 19 86.

Acting for the Director



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26
-05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert L. Hurst Phone _____

Post office address Buckskin Road, Pocatello, Idaho 83201

2. Source of water supply Pocatello Creek, South Fork which is a tributary of Portneuf River

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 6S

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

4. Water will be used for the following purposes:

Amount 0.08 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 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)

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

5. Total quantity to be appropriated:

a. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, sprinkler system

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five 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 Max. of 25 Head

(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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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	28						4											4

Total number of acres to be irrigated 4

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

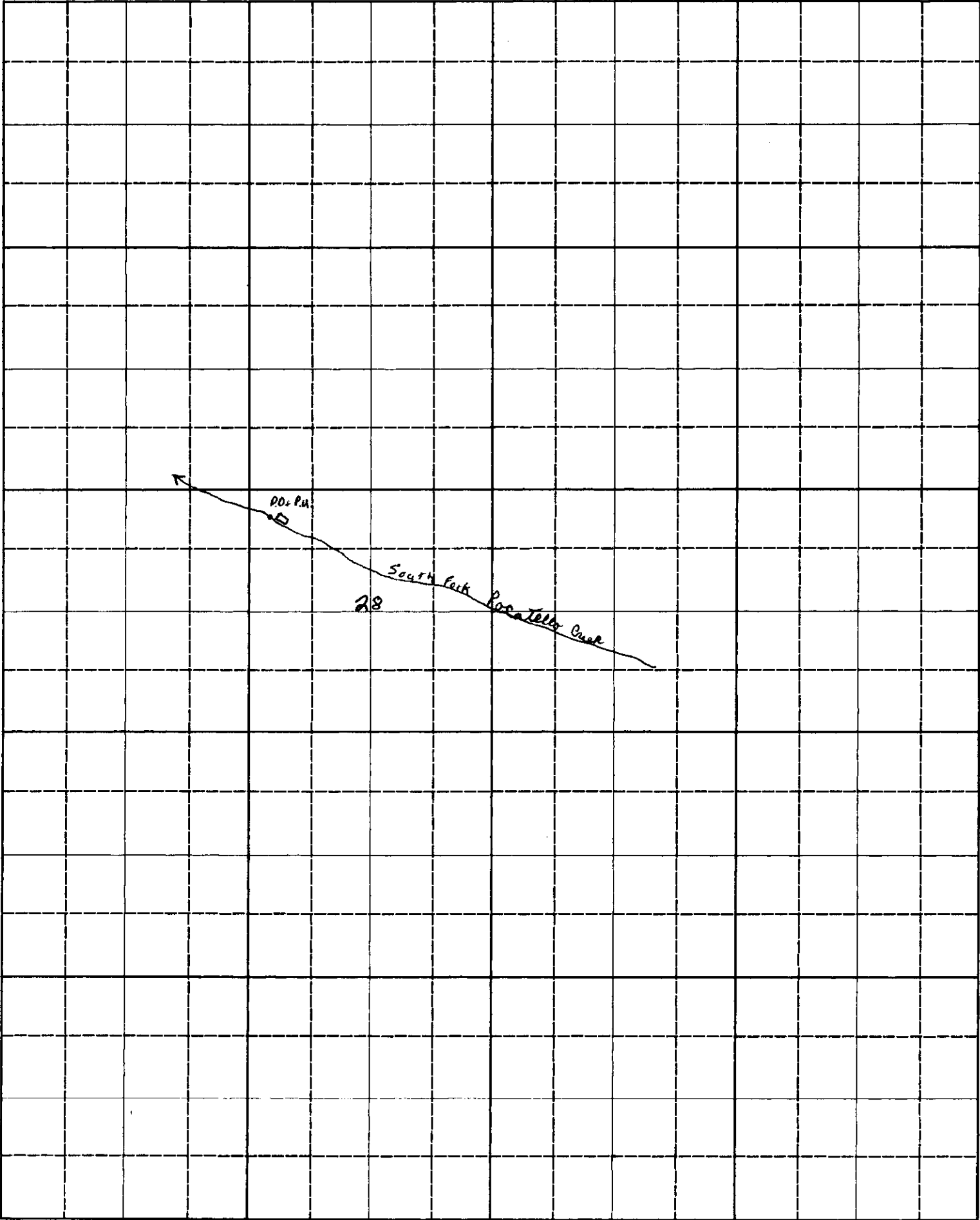
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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

R 35 E

T 6 S



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.

x Robert L. Hunt
(Applicant)

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Proposed Priority 10/19/79

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Received by CW Date 10-19-79 Time 11:15 A.
Preliminary check by jc Fee \$ 20.00
Received by CW Date 10-19-79 # 13754
Publication prepared by CW Date 10-25-79
Published in Idaho State Journal
Publication dates Nov 1 + 8-1979
Publication approved JD Date 12/03/79
Protests filed by: _____

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

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. 29-7517 , 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 December 1 , 19 84 .
 - 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: (1) A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the water-master suitable control of the diversion. (2) Use of water under this permit is subject to control by the watermaster if one is appointed.

Witness my hand this 10th day of December , 19 79 .

A. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-7517

IN THE NAME OF ROBERT L. HURST

ORDER OF REINSTATEMENT

WHEREAS, on December 10, 1979, the Department issued the Permit No. 29-7517 with a condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1984; and,

WHEREAS, on September 30, 1984, the Department sent a proof due notice to the permit holder; and,

WHEREAS, at the request of the permit holder's father, the Department conducted an examination of the permit holder's diversion and use of water on October 10, 1984; and,

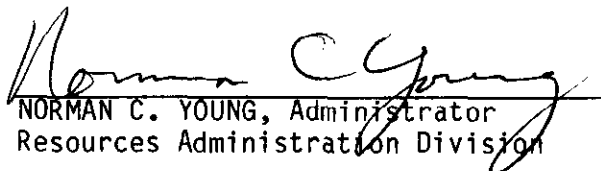
WHEREAS, on December 19, 1984, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit either a request for extension of time or proof of beneficial use; and,

WHEREAS, Section 42-218a, Idaho Code provides that the Director may reinstate a permit upon a showing of reasonable cause and provides that the original date of priority may be reinstated; and,

WHEREAS, permit holder has provided a showing of reasonable cause to the satisfaction of the Director;

NOW, THEREFORE, IT IS HEREBY ORDERED that Permit No. 29-7517 be REINSTATED with no advance in priority.

Dated this 18TH day of NOVEMBER, 1985.


NORMAN C. YOUNG, Administrator
Resources Administration Division

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

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:

November 1, 19*79*, 19.....
November 8, 19....., 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.

Jeri Larsen

Subscribed and sworn to before me this *26th*

day of *November*, 19*79*.

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

NOV 28 1979

Department of Water Resources
Eastern District Office

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80-A

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7517

HURST, ROBERT L.
BUCKSKIN ROAD, POCATELLO,
ID 83201

Source: POCATELLO CREEK,
SOUTH FORK tributary to PORT-
NEUF RIVER

Date Filed: 10/19/1979

Amount: 0.10 CFS

Diversion Point: NWNW Sec 28 T
06S R 35E, BANNOCK Co.

Use: IRRIGATION (0.08 CFS)
from 04/01 to 11/01

STOCKWATER (0.02 CFS) from
01/01 to 12/31

Place of Use: NWNW Sec 28 T 06S
R 35E FOR 4 ACRES

Diversion Means: WELL AND
PUMP

29-7518

BLOXHAM, VERN C.

WILDING, ROBERT L.

DOWNEY, ID 83234

Source: GROUNDWATER

Date Filed: 10/24/1979

Amount: 3.57 CFS

Diversion Point: NWSW Sec 14 T
11S R 37E, BANNOCK Co.

Use: IRRIGATION (3.57 CFS)
from 04/01 to 11/01

Place of Use: NWSW SWSW Sec 14
T 11S R 37E NESE SESE SWSE

Sec 15 T 11S R 37E NENE NWNE

Sec 22 T 11S R 37E NWNW Sec 23 T

11S R 37E FOR 172 ACRES

Diversion Means: GROUNDWA-
TER DISCHARGED INTO RESER-
VOIR THEN INTO SPRINKLER
SYSTEM.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401 on
or before NOVEMBER 19, 1979.

S/C. STEPHEN ALLRED

Director

Nov. 1, 8, 1979

No. 987

Jeri Larsen

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:

November 1, 19*79*, 19.....
November 8, 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

Jeri Larsen

Subscribed and sworn to before me this *26th*

day of *November*, 19*79*.

[Signature] *[Signature]*

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

NOV 28 1979

Department of Water Resources
Eastern District Office

November 19, 1985

Robert L. Hurst
Buckskin Road
Bocatello, ID 83201

Dear Mr. Hurst:

Re: Permit No. 29-7517

Enclosed is a copy of the Order of Reinstatement which reinstates your permit with no advance in priority.

If you have any questions concerning your water right, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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MEMORANDUM

November 12, 1985

TO: File 29-7517

FROM: L. Glen Saxton 

RE: Explanation Justifying Order of Reinstatement

At the request of the permit holder's father, a department examiner conducted a field examination on October 10, 1984. A month or so later (12-19-84) when the lapse notice was sent to the permit holder, he assumed he had already complied with department requirements and did not submit the required proof of beneficial use.

Due to the understandable mix-up, the Department should reinstate the permit with no advance in priority.

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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 completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 29-7517

Name(s) of Permit Holder: Robert L. Hurst

Post Office Address: 7869 W. Buckskin Rd Pocatello, ID.

Telephone No. 233-6707

Source of Water: Pocatello Creek

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 5 _____ (acres)

Other/Remarks _____

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

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

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

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

See above
(Name)

(Address)

(Telephone Number)

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

10/28/85
Date

Robert L Hurst
Signature of Permit Holder (and Title, if appropriate)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
SEP 30 1985

29-7517
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

3/16" N @ 12 psi not on rambo chart

$$\begin{aligned} \text{use } Q &= A \sqrt{2gh} \\ &= 0.000195 \text{ g' } \sqrt{2(32.2 \times 27.69)} \\ &= 0.008 \text{ cfs or } 3.65 \text{ gpm / nozzle} \end{aligned}$$

$$\begin{aligned} A &= \text{Area in sq' of Nozzle} \\ g &= 32.2 \\ h &= \text{psi} \times 2.308 \end{aligned}$$

$$5 \text{ nozzles} \times 3.65 \text{ gpm} = 18.25 \text{ gpm or } \underline{\underline{0.04 \text{ cfs}}} \checkmark \text{ capacity}$$

b) Volume Calculations for Irrigation:

245 day season
irrig.

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ acres} \times 3.5 \text{ af/g} = 10.5 \text{ af} \checkmark \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 245 \times 1.9835 = 19.4 \text{ af} \checkmark \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10.5 \text{ af} \checkmark \end{aligned}$$

c) Volume Calculations for Other Uses:

$$V = 0.04 \times 1.9835 \times 245 = 19.4 \text{ af}$$

2. Overlap Review

a) Other water rights with same place of use: 29-7058

b) Other water rights with same point of diversion: NA.

per VAX: 29-7002, 29-7055, 29-7058, 29-7216, 29-7268
gw gw gw Domestic use only

c) Analysis:

R16 (3.5) ✓ R30

29-7268 - same source - different system per exam 5

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10 day

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|------------|----------|------------|----------------------|-----------------|
| 29-7517 | 10-19-1979 | 0.04 cfs | 10-19-1979 | 10-28-1985 | 0.04 cfs |

4. Permit Holder: Robert L. Hurst

Address: 7869 W. Buckskin Rd., Pocatello, ID 83201

5. Source: Pocatello Creek, South Fork tributary to Portneuf River

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation ✓	3/15 ✓ ~~4/1~~	0.04 cfs ✓	10.5 ✓
Stock ✓	1-1 ✓ 12-31 ✓	0.02 ✓	0.2 ✓

Allowable Maximums: 0.04 d/s ✓ 10.7 at ✓

7. Point(s) of Diversion: ✓

[illegible]

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	35E	28						3											3
Total Acres																			3

9. Recommended Conditions/Remarks: R30 R04 (29-A, Pocatello Creek)

10. 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

11. Examiner's Signature John Jones

Date 9-13-85

Checked in Regional Office by KC Wilson

Date 9-25-85

Approved in State Office by Kan. Uhlir

Date 7-7-86

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SFP 20 1985

Department of Water Resources

Permit No. 29-7517

Phone No. 233-6707

1. Owner: Robert L. Hurst Phone No. 233-6707
Current Address: Buckskin Rd. Pocatello, ID. 83201

2. Accompanied by: Leo Hurst EXAM. DATE: 10-10-84
Address: _____ Phone No. 233-3604

Relationship to Permit Holder: Father

3. Source: Pocatello Creek tributary to Portneuf River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NA.	2	NA	NA	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
From the creek a 2 hp ^{electric} pump lifts water to one sprinkler line (5 birds) and a water trough. This particular pump is an Independent System from that of Leo Hurst's in the same general area. Generally 6 head of cattle kept on property.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PA Hot gauge						

7. Measurements $\times$ $\xrightarrow{5 \text{ birds}}$ $\times$ ☐ Additional data/computation sheets attached
 12 psi $3/16" \text{ No. 22 /rs}$ 12 psi

8. Point(s) of Diversion: Indicate Method of Determination *ASCS & Photo*

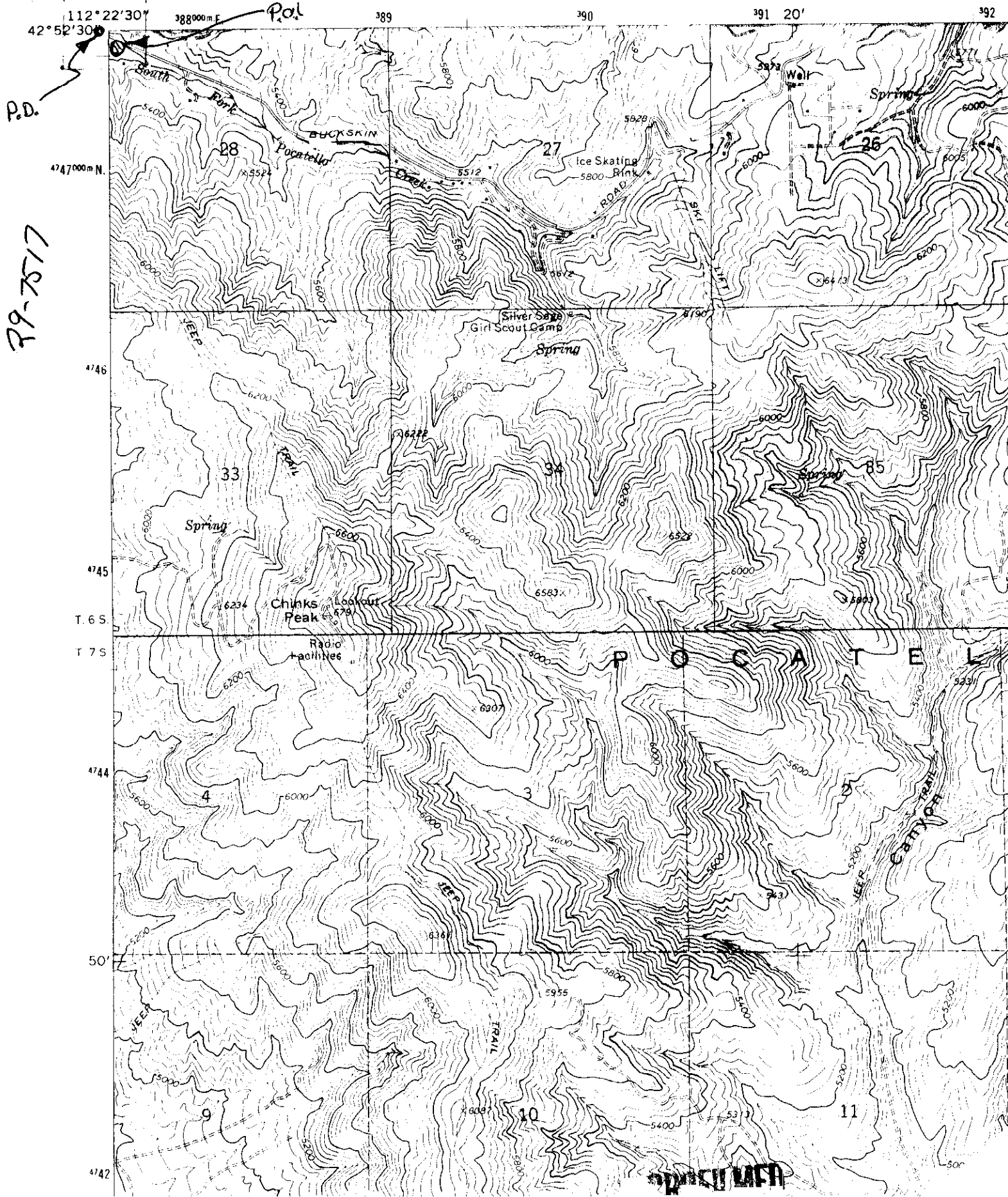
[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination ASCS Aerial Photo

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	3SE	28						3										3	
																	Total Acres	3	



GEOLOGICAL SURVEY





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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

September 30, 1986

RE: Permit No. 29-7517

Robert L. Hurst
7869 W. Buckskin Rd.
Pocatello, ID 83201

Dear Mr. Hurst:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 12, 1986

RE: Permit No. 29-7517

Robert L. Hurst
7869 W. Buckskin Rd.
Pocatello, ID 83201

Dear Permit Holder(s):

Enclosed is a new draft copy of the license proposed to be issued on the above referenced water right. Please note that the license has been modified from the previous draft copy sent at an earlier date. The changes on the new copy have been highlighted for your convenience.

If you do not concur with the information shown on the new draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the new draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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CONDITIONS OF APPROVAL

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

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Use of water under this license is subject to control by the watermaster of State Water District No. 29A, Pocatello Creek.

*Condition #01D added to license
new 10-day letter sent*

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 86.

PROPOSED
Director

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

July 15, 1986

RE: Permit No. 29-7517

Robert L. Hurst
7869 W. Buckskin Rd.
Pocatello, ID 83201

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

I certify that file No. 29-7517 has been reviewed and is ready to be **MICROFILMED** and **DESTROYED**.

File should not be

destroyed before 8-20-85
Date

K. Walker
Signature

8-20-85
Date

9-20-85

Do not destroy without
approval by the Director

Ken

MICROFILMED

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) 334-4440

HURST, ROBERT L.
BUCKSKIN ROAD
POCATELLO, ID 83201

L A P S E N O T I C E

D E C E M B E R 0 7 , 1 9 8 4

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 29-7517 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED SEPTEMBER 30, 1984.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND 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 GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

UGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 12-19-84
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138269

HURST, ROBERT L.
BUCKSKIN ROAD
POCATELLO, ID 83201

PROOF DUE NOTICE

SEPTEMBER 30, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7517 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

December 11, 1979

Robert L. Hurst
Buckskin Road
Pocatello, Idaho 83201

Dear Mr. Hurst,

RE: Permit No. 29-7517

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

Sincerely,

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

DRT:lr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

29 7517

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RP

APPLICATION NUMBER: HURST

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: RP

Map No. AA 90

Other rights on same place of use. NONE

None plotted from same source

In form for advertising. _____

Final date for protests: Nov. 19-1979

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/28/79
☒ 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? _____

10/19/1979 Date of priority recommended.

Special conditions of approval or cover letter. NOTE: Users of Pocatello Creek water

have requested that a water district be formed to ensure proper delivery of water rights. Though this has not been completed, water master conditions have been recommended to be consistent with future actions.
Use of water under this permit will be subject to the ruling of the watermaster on Pocatello Creek & tributaries.

By: Ernest Carlson

Date: 12/04/79

STATE OFFICE REVIEW

modify this condition
OID, OS (subject to water master if one is appointed.)

Short letter w/ conditions

- ☐ See attached sheet for more information.

By: Juni

Date: 12/7/79

Department of Water Resources

MICROFILMED

November 23, 1979

RE: Application No. 29-7517 - Robert L. Hurst
Application No. 29-7518 - Vern C. Bloxham & Robert L. Wilding

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on November 1st and 8th, 1979.

Your cooperation in this matter is greatly appreciated.

Sincerely,

KAY WALKER
Secretary

KW:k

2025 NOV 23 10:42 AM

October 29, 1979

RE: Application for Permit No. 29-7517

Mr. Robert L. Hurst
Buckskin Road
Pocatello, Idaho 83201

Dear Mr. Hurst:

Attached herewith is departmental receipt No. 13754 in the amount of \$20.00 for the above referenced application.

Very truly yours,

COLLEEN WRAY
Sr. Secretary

Attachment

MICROFILMED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

OCTOBER 25, 1979

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 NOVEMBER 19, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-751Z-

HURST, ROBERT L.

BUCKSKIN ROAD, POCA TELLO, ID 83201

Source: POCA TELLO CREEK, SOUTH FORK tributary to PORTNEUF RIVER

Date Filed: 10/19/1979

Amount: 0.10 CFS

Diversion Point: NWNW Sec 28 T 06S R 35E, BANNOCK Co.

Use: IRRIGATION	(0.08 CFS)	from 04/01 to 11/01
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWNW Sec 28 T 06S R 35E FOR 4 ACRES

Diversion Means: WELL AND PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before NOVEMBER 19, 1979.

C. STEPHEN ALLRED

Director

Published 11/01 & 11/08/79.

NOV 22 1979
IDAHO DEPT. OF WATER RESOURCES
IDAHO FALLS, IDAHO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

September 12, 1979

Robert Hurst
Buckskin Road
Pocatello, Idaho 83201

Dear Mr. Hurst:

Thank you for the application for permit on Pocatello Creek. I have taken the liberty to fill out an application with the information given. Please find enclosed said application and your personal check No. 304 in the amount of \$10.00.

I have reduced the amount for irrigation in Item 4 to 0.08 cfs, as 0.02 cfs is the maximum amount per acre which may be filed on. If the application is correct, complete the map in Item 11 and sign where indicated.

As of July 1, 1978, the filing fee for the appropriation of 0.10 cfs has been increased to \$20.00. Please include this amount when returning your application to this office. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

John Carlson

JOHN CARLSON
Water Resource Agent

JC:dh

Enclosures
Attachment: Check 92-159/\$10.00

*Mr. Carlson,
Thank you very
much for your help.
Bob Hurst*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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Buckskin Road
Pocatello, Idaho 83201

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Sincerely,

JOHN CARLSON
Water Resource Agent

JC:dh

Enclosures
Attachment: Check 92-159/\$10.00

RECEIVED

SEP 7 1979

Department of Water Resources
RECEIVED

SEP 11 1979

Department of Water Resources
Eastern District Office

Robert L. Hurst
Buckskin Road
Pocatello, Idaho 83201
September 5, 1979

State of Idaho
Dept. of Water Administration
StateHouse-Annex 2
Boise, Idaho 83707

Gentlemen:

I, Robert L. Hurst would like to apply for a permit to appropriate surface water from the South Fork of Pocatello Creek which is a tributary of Portneuf River. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 28, Twp.6 S, Rge.35E B.M. Bannock County.

Water will be used for the following purposes:

.10 cfs for irrigation purposes from May 1 to Sept.30.

.02 cfs for watering 8 head of horses or cows.

Total quantity to be appropriated .12 cfs, water to be pumped through a sprinkling system, 4 acres to be irrigated.

Description of property: Beginning at the Northwest corner of Section 28, Township 6 South, Range 35 E.B.M.; Thence South 89°39' East along the North line of said Section 28, 1,320.6 feet, more or less, to the West 1/16 corner of said section 28' Thence South 0°15' West along the west 1/16 line of said section 28, 1,083.22 feet, more or less, to the southerly right of way line of Buckskin Road; thence North 67°43' West along said southerly right of way line 621.19 feet to the point of curvature of a curve to the left having a radius of 3,725.76 feet thence northwesterly along said curve on said right of way line 32.65 feet to the true point of beginning; thence continuing along said curve on said right of way line, 140.75 feet to the point of tangency of said curve; thence North 70°23' West along said southerly right of way line 272.32 feet; thence South 0°16' West, 619.88 feet, more or less, to the north 1/16 line of said Section 28' thence south 89°39' East along said north 1/16 line 389.00 feet; thence north 0°16' east, 481.00 feet, more or less, to the true point of beginning.

Enclosed is my check for \$10.00 to cover cost.

Very truly yours,

Robert L. Hurst

Robert L. Hurst

410.00 check 92-157
Robert Hurst
9-11-79 dk

Robert L. Hurst
Buckskin Road
Pocatello, Idaho 83201
September 5, 1979

State of Idaho
Dept. of Water Administration
StateHouse-Annex 2
Boise, Idaho 83707

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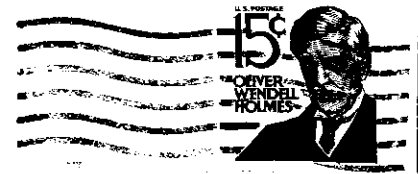
Very truly yours,



Robert L. Hurst

100-100000

Robert L. Hurst
Buckskin Road
Pocatello, Idaho 83201



State of Idaho
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707