

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07428

Priority: December 8, 1977

Maximum Diversion Rate: 0.29 CFS
Maximum Diversion Volume:¹ 33.8 AF

This is to certify, that ROBERT L. BROWN
13434 WALTON RD.
POCATELLO, ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 8, 1977; and has submitted Proof of Beneficial Use on February 26, 1988. An examination indicates that the works have a diversion capacity of .370 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	03/15 to 11/15	0.18 CFS	30.8 AF
DOMESTIC	01/01 to 12/31	0.11 CFS	3.0 AF
	Totals	0.29 CFS	33.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 26, Township 05S, Range 34E
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>
05S	34E	26	NWSE	8.8		8.8

Total number of acres irrigated: 8.8

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/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 which 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.
5. 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.

MICROFILMED

MAY 07 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

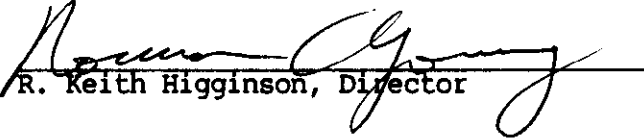
WATER RIGHT NO. 29-07428

CONDITIONS/REMARKS:

6. Domestic use is for 5 homes.

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 22ND
day of APRIL, 1991.

Acting for


R. Keith Higginson, Director

MICROFILMED

MAY 07 1991

For Office Use Only
Fee Received <u>15.00</u>
Date <u>2-24-83</u>
Receipt # <u>25945</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

RECEIVED

To provide additional time in which to submit
proof of beneficial use on a water right permit

FEB 24 1983

Department of Water Resources

Robert L. Brown of Rt. 2 North Box 124, 2 1/2 mile Road
(Name) (Address) Pocatello, Idaho
83201

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No. 29-7428.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
March 1st, 19 83.

That he has heretofore performed the following work described under said permit: _____
(This must be filled out! If no work has been completed put none.)

Domestic water Complete
Irrigation water Complete

Completed work

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
unable to get right of way because other land
owner is facing Bankruptcy Hearing —

MAY apply for additional water flow —

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to August 1st, 19 88
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Robert L. Brown
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the statement of beneficial use is extended to March 1, 1988.

Signed 1st day of March, 19 83

J. Glen Sayton
Chief, Operations Bureau

Identification No. 29 7428

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Robert L. Brown Phone: 237-3729
post office address Rt. #2 North, Box 124, Pocatello, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 5S
Range 34E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Fort Hall Canal at a point in SE $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 26 Township 5S Range 34E B.M. Bannock
4. Water will be used for the following purposes:
Amount 0.45 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.00 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 75 AF for Storage for purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) irrigation
5. Total quantity to be appropriated:
a. 1.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. artesian well, mineral bath
storage reservoir and sprinkler system

b. Height of storage dam 10 feet, active reservoir capacity 75 acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 786 feet.
(existing artesian well)
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 100,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 5S
Range 34E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: water for mineral bath

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

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	
5S	34E	26															35	20	55

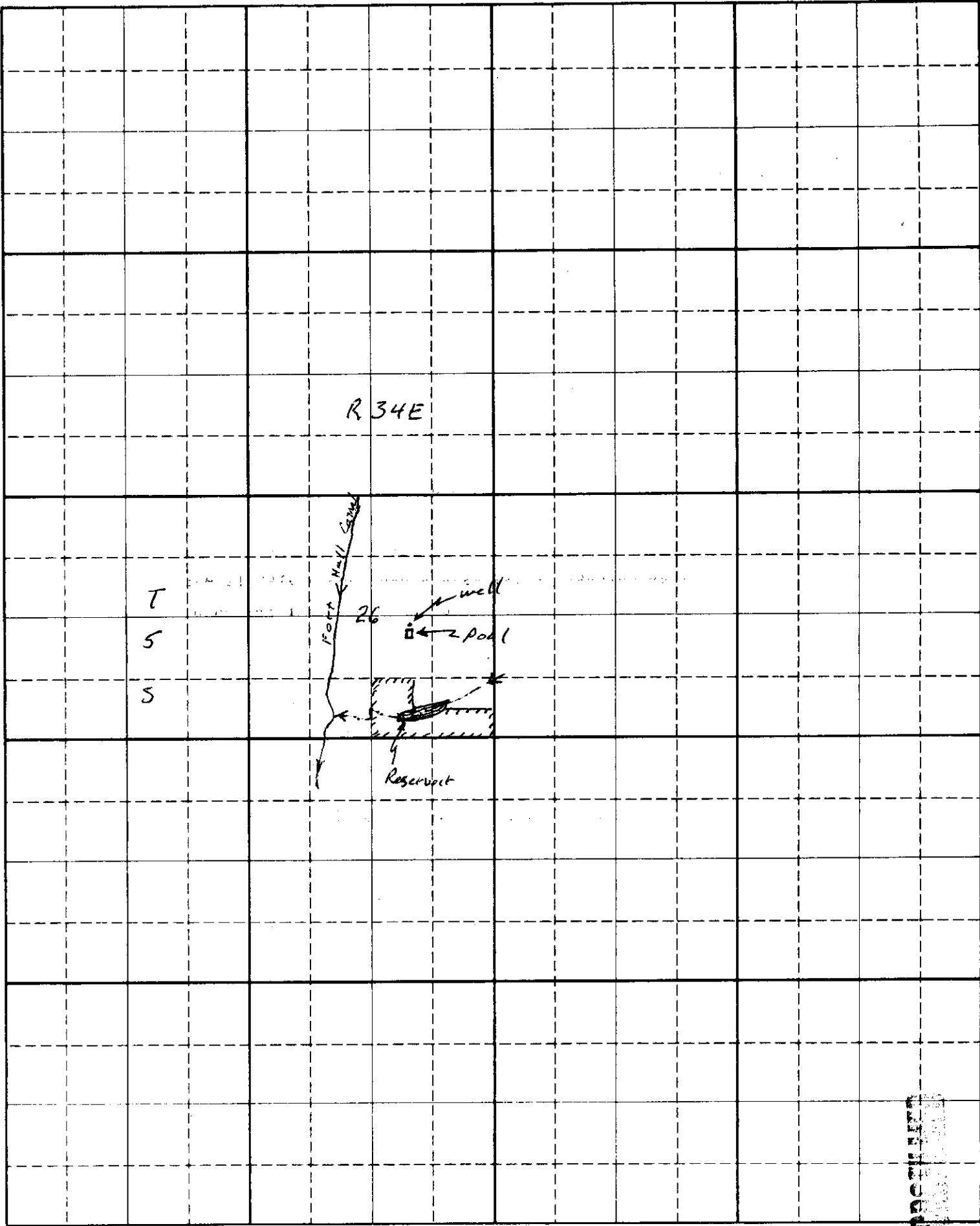
Total number of acres to be irrigated 55

c. Describe any other water rights used for the same purposes as described above.
None; License 29-2521 is for same point of diversion

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 Water flowing from a hot artesian well is to be developed for a
mineral bath and then stored for irrigation use.

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.

Robert Brown
(Applicant)

Proposed Priority 12/08/77

Received by OW Date 12-08-77 Time 12:50p.

Preliminary check by LH Fee \$ 25.00

Received by OW Date 12-08-77 # 9125

Publication prepared by OW Date 12-08-77

Published in Idaho State Journal

Publication dates Dec. 15 + 22 - 1977

Publication approved OW Date 1-05-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W.H.M.

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. 29-7428, 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 March 1, 19 83.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. Denial of said application is for the following reasons: _____

Witness my hand this 8 day of March, 19 78.


Deputy Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 29-7428)

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECEIVED
JUN 11 1981
WATER RESOURCES
DIVISION
BOISE, IDAHO

05-27-68

STATE OF IDAHO
County of Bannock

Department of Water Resources
Eastern District Office

She

December 15, 1977 _____, 19_____
December 22, 1977 _____, 19_____
_____, 19_____
_____, 19_____
_____, 19_____

the meaning of the laws of Idaho.

Salvador Seco

Subscribed and sworn to before me this 28.....

day of December, 1977

Dyane Roberts
Not Public

Notary Public, State of Idaho
Residence: Pocatello, Idaho

1

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Patricia Beck

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert L. Brown, Pocatello, Idaho has on 12-08-77 submitted Application N. 29-7428 for a permit to appropriate 1.00 cubic feet per second of water from a groundwater source by means of well, pump and storage reservoir within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M., Bannock County to be used from January 1 to Dec. 31 for domestic purposes for water for mineral bath within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M., and for 75 acre feet per annum of storage for irrigation; and from Apr. 1 to Nov. 1 for the irrigation of 55 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 2, 1978.

C. STEPHEN ALLRED
Director
December 15, 22, 1977
No. 921

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:

December 15, 1977, 19____
December 22, 1977, 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.

Patricia Beck

Subscribed and sworn to before me this *28*

day of *December*, 19*77*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

April 24, 1991

ROBERT L. BROWN
13434 WALTON RD.
POCATELLO, ID 83201

RE: WATER RIGHT NO. 29-07428

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
MAY 07 1991

April 3, 1991

ROBERT L. BROWN
13434 WALTON RD.
POCATELLO, ID 83201

RE: WATER RIGHT NO. 29-07428

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right. The draft reflects the actual use of water found by a representative of our department at the time of the field examination. Please review the draft and if you do not concur with the information or if you have any questions, let me know within 10 days.

The claim you filed on this right under the ongoing Snake River Basin Adjudication contains the same information that you listed on the original permit. Before the Department will issue a license reflecting the actual development occurring under this right, you should amend your claim to match the information on the proposed license. Enclosed for your signature is the Amended Claim form with the license information already listed.

Once I receive the signed amended claim, the water right license will be issued and your claim to this right will be included in the Director's Report summarizing the water uses in the Snake River Basin. (See the attached table for a summary of the water appropriation process.)

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

*amended claim submitted
4/12/91
SC*

**RECEIVED
FILMED
MAY 07 1991**

LICENSE REVIEW CHECKLIST

Permit No. 29-7428

Name/Address change? ok ☒

Priority date Advance? yes no ☒

Memo to advance N/A

Blue sheet inserted N/A

Order to reinstate needed? yes no ☒

Total cfs Limited by fee

Limited by capacity 8.8 ACX.02/ac = .18 (.176)

Total volume Limited by flow

Chart checked for AF rate/ac ☒ (3.5)

Capacity Actual measurement checked ☒

Theoretical checked

If greater than permit, check for other rts

Source Changed? yes no ☒

If so, is memo needed to clarify? N/A

P/D Verify with map ☒ permit ☒

More than one per 1/4? Remember remark

Check p/d overlap ☒

Uses Check irrigation period of use w/ chart 3/15-11/15

P/U Verify with map ☒ permit ☒

> 5 acres irrigated, run overlap ☒ - NWSE listed on front of permit idm # 8a(1)

Remarks More than one p/d in 1/4

Description of non-irrig uses

Special overlap condition

Conditions Measuring device

W.Master control R30

Overlap

Water quality

Other

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Dates/Misc Water district

App Rec'd date

Proof Rec'd date

MAY 07 1991

Comments/Changes to Examiner's Recommendations:

License 10-day ☒

30-day ☒

Back of field report signed? ☒

Reviewer S. Curtis

Date 10-9-90

Review time 10 minutes

WR5810NP
(OD-138)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORTDATE: 01/16/91
PAGE: 1

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
L2907428																							
2702007	U.S. DEPT. OF INTERIOR	L	BLACKFOOT RIVER	05S	34E	26	:			:				:				:				:	
A2702007	U.S. DEPT. OF INTERIOR	L	BLACKFOOT RIVER	05S	34E	26	:			:				:				:				:	
2702035	U.S. DEPT. OF INTERIOR	L	BLACKFOOT RIVER	05S	34E	26	:			:				:				:				:	
A2702035	U.S. DEPT. OF INTERIOR	L	BLACKFOOT RIVER	05S	34E	26	:			:				:				:				:	
2702087	U.S. DEPT. OF INTERIOR	P	JOHN GRAYS LAKE	05S	34E	26	:			:				:				:				:	
A2702087	U.S. DEPT. OF INTERIOR	P	JOHN GRAYS LAKE	05S	34E	26	:			:				:				:				:	
2902438A	JOHNSON	L	GROUNDWATER	05S	34E	26	:	23	24	14	40	:	9		8	:		:			:	118	
A2902438A	JOHNSON	L	GROUNDWATER	05S	34E	26	:	23	24	14	40	:	9		8	:		:			:	118	
2902438B	WHITE WATER DEVELOPMEN	L	GROUNDWATER	05S	34E	26	:		4	26	:			7	:			:			:	37	
A2902438B	WHITE WATER DEVELOPMEN	L	GROUNDWATER	05S	34E	26	:		4	26	:			7	:			:			:	37	
A2902438C	WHITEWATER DEVELOPEMEN	L	GROUNDWATER	05S	34E	26	:	23	28	40	40	:	9		15	:		:			:	155	
2902521	BROWN	L	GROUNDWATER	05S	34E	26	:			:				:				:			:	2	
A2902521	BROWN	L	GROUNDWATER	05S	34E	26	:			:				:				:			:	1	
2904021	GUCKER	S	GROUNDWATER	05S	34E	26	:			:				:				:			:	40	
A2904021	SPLIT RIGHT		GROUNDWATER	05S	34E	26	:			:				:				:			:	40	
A2904021A	BROWN	S	GROUNDWATER	05S	34E	26	:			:				:				:			:	40	
A2907281	D & M WATER ASSN.	L	GROUNDWATER	05S	34E	26	:			:			5	:				:			:	20	
A2907367	D & M WATER ASSN.	L	GROUNDWATER	05S	34E	26	:			:			3	6	:			:			:		
~~2907428~~	~~BROWN~~	~~P~~	~~GROUNDWATER~~	~~05S~~	~~34E~~	~~26~~	~~:~~			~~:~~				~~:~~				~~:~~			~~:~~	35	
A2907428	BROWN	P	GROUNDWATER	05S	34E	26	:			:				:				:		8	:	20	
L2907428	BROWN	L	GROUNDWATER	05S	34E	26	:			:				:				:		8	:		
2907431	CITY OF POCA TELLO	L	WASTE WATER	05S	34E	26	:	8		40	:			:				:	37		4	:	
A2907431	CITY OF POCA TELLO	L	WASTE WATER	05S	34E	26	:	8		40	:			:				:	37		4	:	
2907437	J.R. SIMPLOT CO.	P	WASTE WATER	05S	34E	26	:			:				:	37	40	40	37	:	40		40	
A2907437	J.R. SIMPLOT CO.	P	WASTE WATER	05S	34E	26	:			:				:	37	40	40	37	:	40		40	
2907854	SMITH ROAD WATER USERS	P	GROUNDWATER	05S	34E	26	:			:				:	8			:		8	:		
2907912	D & M WATER ASSN.	P	GROUNDWATER	05S	34E	26	:			:			3	:				:		8	:		
	1986 MAPPING DATA ---	-	COUNTY 5 QUAD AA 39	05S	34E	26	:	34	35	37	39	:	40	35	37	36	:	36	41	38	35	:	

any overlap w/ this right can be taken care of when
licensing 29-7854.

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MAY 07 1991

WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	P F	WATER SOURCE	WATER USE	RATE cfs	CAPACITY	TWP	RNG	SECT	TRACT	LOT
29-02521	BROWN	L	05/27/1966		GROUNDWATER	IRR	0.03		05S	34E	26	NWSE	
~~29-07428~~	~~BROWN~~	~~P~~	~~12/08/1977~~		~~GROUNDWATER~~	~~IRR~~	~~1.00~~		~~05S~~	~~34E~~	~~26~~	~~NWSE~~	
29-07854	SMITH ROAD WATER USE	P	10/11/1988		GROUNDWATER	DOMEST	0.52		05S	34E	26	NWSE	
L29-07428	BROWN	L	12/08/1977		GROUNDWATER	IRR	0.18	0.37	05S	34E	26	NWSE	

RECORDED

MAY 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

29-7428
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

Blown

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 20 5/18/88 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: 29-2521

Check of P/U index 20 5/18/88 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: 29-402 / 29-7428

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 7-15-89 *Kew* (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent *Kew* 8/15/89 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

2. ☒ Copy of U.S.G.S. 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 or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

- 3. Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

- 4 trailer houses + 1 house with ~~line~~ pipe had gravel running through it —
 - 1 trailer house about 14x70'

55 head of cattle

Tried another measure ment after first one and the flow dropped ~~very~~ ^{very} ~~much~~ ^{much} well may have been clogged.

He just got the ground for the storage reservoir and still plans to install it. There was no mineral bath.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
55	34E	26														7-83		8-83	

Do not use this space

MAY 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

29-7428
PERMIT NO.

MANOMETER READING TO HALLS Vh

	.0	.1	.2	.3	.4	.5	.6	.7	.8	.9
0	0.0	0.8	1.3	1.8	2.2	2.5	2.9	3.3	3.7	4.0
1	4.3	4.5	4.8	5.0	5.2	5.4	5.6	5.8	6.0	6.2
2	6.3	6.5	6.7	6.9	7.0	7.2	7.3	7.5	7.6	7.7
3	7.9	8.0	8.2	8.3	8.5	8.6	8.7	8.8	9.0	9.1
4	9.3	9.4	9.5	9.6	9.7	9.8	10.0	10.1	10.2	10.3
5	10.4	10.5	10.6	10.7	10.9	11.0	11.1	11.2	11.3	11.4
6	11.5	11.6	11.7	11.8	11.9	12.0	12.1	12.2	12.3	12.4
7	12.5	12.6	12.7	12.8	12.9	13.0	13.1	13.2	13.3	13.4
8	13.5	13.5	13.6	13.7	13.8	13.9	14.0	14.0	14.1	14.2
9	14.3	14.4	14.5	14.5	14.6	14.7	14.8	14.9	15.0	15.0
10	15.1	15.2	15.3	15.4	15.5	15.5	15.6	15.7	15.8	15.9
11	15.9	16.0	16.1	16.2	16.3	16.3	16.4	16.5	16.5	16.6
12	16.7	16.7	16.8	16.9	17.0	17.0	17.1	17.2	17.3	17.3
13	17.4	17.5	17.5	17.6	17.7	17.8	17.8	17.9	18.0	18.1
14	18.1	18.2	18.3	18.3	18.4	18.5	18.5	18.6	18.7	18.7
15	18.8	18.9	18.0	19.0	19.1	19.1	19.2	19.3	19.3	19.4
16	19.5	19.5	19.6	19.6	19.7	19.7	19.8	19.9	19.9	20.0
17	20.1	20.1	20.2	20.2	20.3	20.4	20.4	20.5	20.5	20.6
18	20.7	20.7	20.8	20.9	20.9	21.0	21.0	21.1	21.2	21.2
19	21.3	21.3	21.4	21.4	21.5	21.6	21.6	21.7	21.7	21.8
20	21.9	21.9	22.0	22.0	22.1	22.2	22.2	22.3	22.3	22.4
21	22.4	22.5	22.5	22.6	22.6	22.7	22.7	22.8	22.9	22.9
22	23.0	23.0	23.1	23.1	23.2	23.2	23.3	23.4	23.4	23.5
23	23.5	23.6	23.6	23.7	23.7	23.8	23.8	23.9	23.9	24.0
24	24.0	24.1	24.2	24.2	24.3	24.3	24.4	24.4	24.5	24.5
25	24.6	24.6	24.7	24.7	24.8	24.8	24.9	24.9	25.0	25.0
26	25.1	25.1	25.2	25.2	25.3	25.3	25.4	25.4	25.5	25.5
27	25.6	25.6	25.7	25.7	25.8	25.8	25.9	25.9	26.0	26.0
28	26.1	26.1	26.2	26.2	26.3	26.3	26.4	26.4	26.5	26.5
29	26.6	26.6	26.7	26.7	26.8	26.8	26.9	26.9	26.9	27.0
30	27.0	27.1	27.1	27.2	27.2	27.3	27.3	27.4	27.4	27.5
31	27.5	27.5	27.6	27.6	27.7	27.7	27.8	27.8	27.9	27.9
32	28.0	28.0	28.0	28.1	28.1	28.2	28.2	28.3	28.3	28.4
33	28.4	28.5	28.5	28.5	28.6	28.6	28.7	28.7	28.8	28.8
34	28.9	28.9	29.0	29.0	29.0	29.1	29.1	29.1	29.2	29.2
35	29.3	29.3	29.3	29.4	29.4	29.5	29.5	29.5	29.6	29.6
36	29.7	29.7	29.8	29.8	29.9	29.9	30.0	30.0	30.0	30.1
37	30.1	30.2	30.2	30.3	30.3	30.4	30.4	30.5	30.5	30.5
38	30.6	30.6	30.7	30.7	30.8	30.8	30.8	30.9	30.9	31.0
39	31.0	31.0	31.1	31.1	31.2	31.2	31.2	31.3	31.3	31.4
40	31.4	31.5	31.5	31.5	31.6	31.6	31.7	31.7	31.7	31.8
41	31.8	31.9	31.9	31.9	32.0	32.0	32.1	32.1	32.1	32.2
42	32.2	32.3	32.3	32.3	32.4	32.4	32.4	32.5	32.5	32.5
43	32.6	32.6	32.7	32.7	32.7	32.8	32.8	32.9	32.9	33.0
44	33.0	33.0	33.1	33.1	33.2	33.2	33.2	33.3	33.3	33.4
45	33.4	33.5	33.5	33.5	33.6	33.6	33.7	33.7	33.7	33.8
46	33.8	33.9	33.9	33.9	34.0	34.0	34.0	34.1	34.1	34.1
47	34.2	34.2	34.2	34.3	34.3	34.4	34.4	34.4	34.5	34.5
48	34.6	34.6	34.6	34.7	34.7	34.8	34.8	34.8	34.9	34.9

$$Q_{cfs} = \frac{\pi (id)^2}{4} (V_h) / 448.8$$

$$id = 3.25^h \quad V_h = 19.9$$

$$Q = \frac{0.78539 (3.25)^2 (19.9)}{448.8}$$

$$Q = .37 \text{ cfs}$$

Artesian Well - no pump is
- ex calculation

Berage = 11.1 total

$$- \frac{3(11 \times 70') \times 2}{43580}$$

$$- .25$$

$$- .75$$

$$10.5 \text{ ac}$$

10.5 ac - (1.67 ac. from 29-2521)

Total = 8.83 acres

$$\rightarrow 8.83(-.02) = .18 \text{ cfs limit}$$

Page 1 of Page 1

MAY 07 1991

PROFILMED

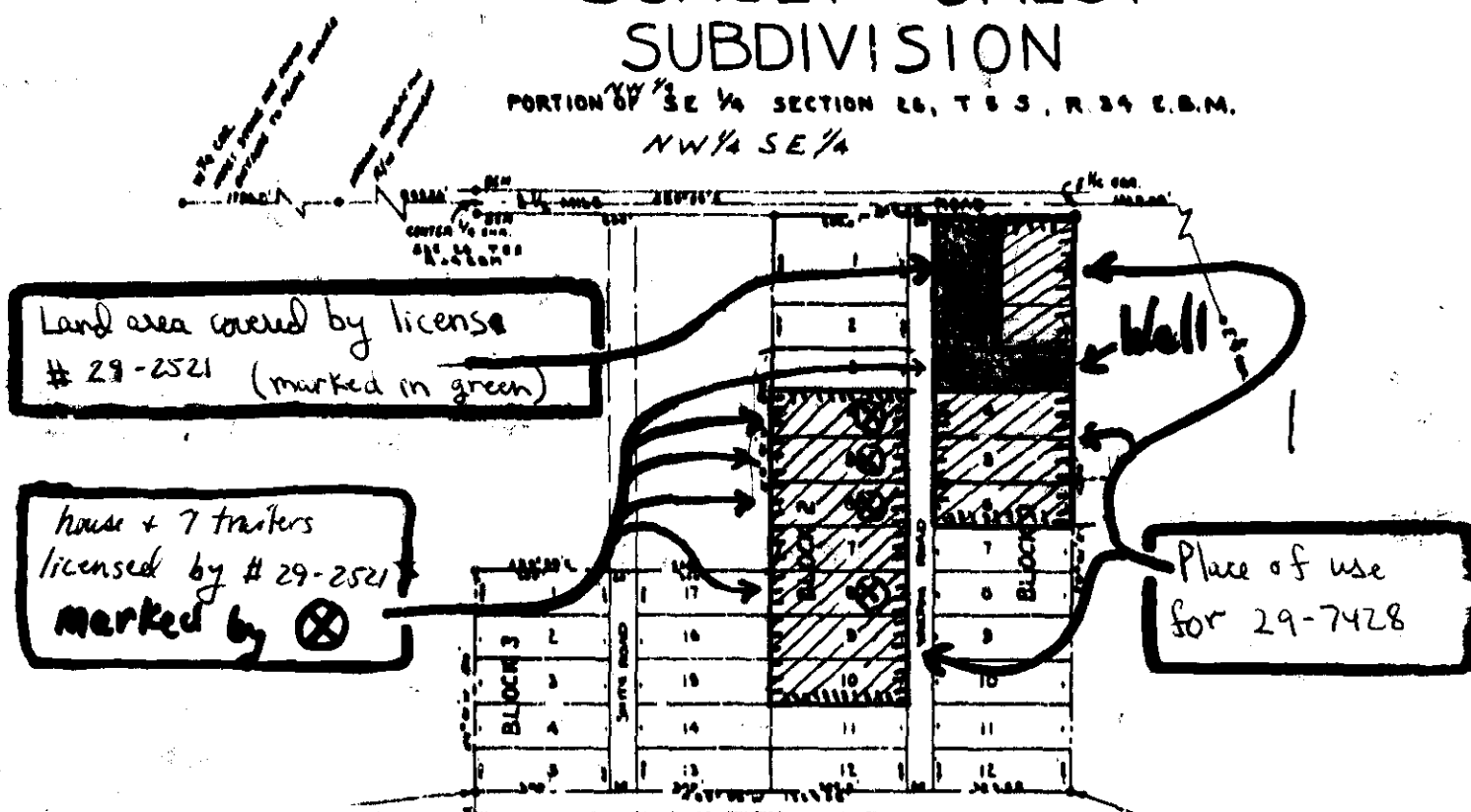
NAME OF APPLICANT..... Robert L. Brown..... Form No. 6

SUNSET CREST									
SUBDIVISION									
Portion of NW 1/4 SE 1/4 Section 26, T. 3 S., R. 34 E.B.M.									

29-7428

SUNSET CREST SUBDIVISION

PORTION OF NW 1/4 SE 1/4 SECTION 26, T. 3 S., R. 34 E.B.M.
NW 1/4 SE 1/4



S. 1/4 Cor. S.E. 1/4 Cor.
Scale 1" = 300'
TRAVERSE LINE
ALL LOT CORNERS MARKED BY 1/4" L.S. STEEL ROD
NOVEMBER, 1951

As Approved **MARCH 1956**
CARL E. TAPPAN
State Registration Engineer

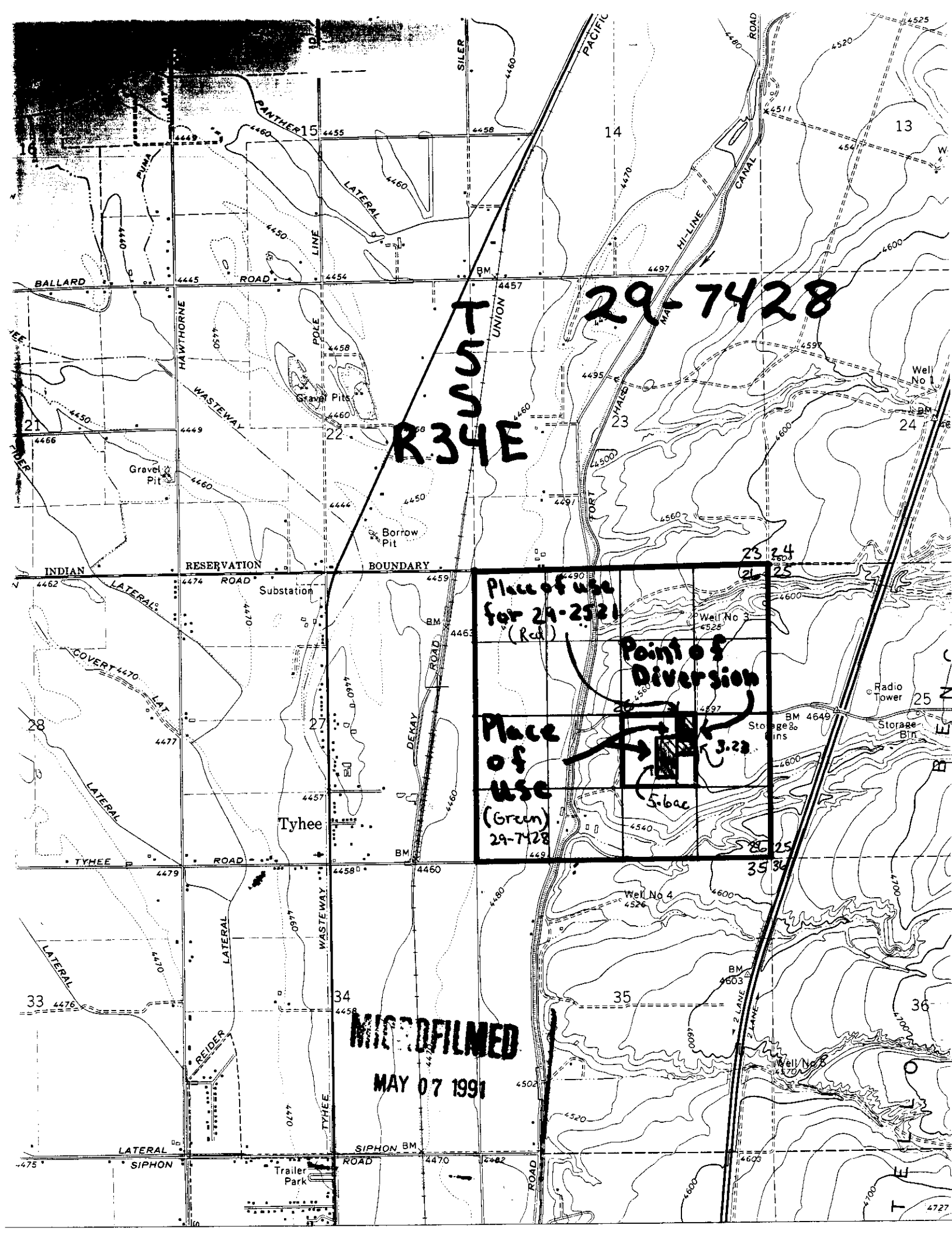
BANNOCK TITLE COMPANY
POCATELLO, IDAHO

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey

MICROFILMED
MAY 07 1991
32793

SCALE: 1 in ch - 300'

See attached Plat



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Halls meter	Pitot	Cox		—	3 1/4"	
Manometer		IDWR			57"	

2. Measurements:

I.D. = 3 1/4"

Pressure = 13.5 psi

Manometer = 22 - 5.2 = 16.8

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

See Calculation Sheet

2. Alternate Method for Checking Purposes:

See Calculation Sheet

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (8.83)(3.0) = 26.5$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.177)(245)(1.9835) = 85.8$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 26.5$

2. Volume Calculations for Other Uses:

4 trailers = 4(.02 cfs) = .08 cfs

Domestic

Vol = .6(4) = 2.4 cfs

1 house (lawn watered by irrigation amount) = .02 cfs
.6 cfs

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MAY 07 1991
(From Examiners Handbook)

H. REMARKS AND OVERLAP REVIEW ANALYSIS

license # 29-2521 covered 1-67 acres in NW SE Sect. 26. This would have been a place of use overlap - but I accounted for it. Claim # 29-4021 covers the west half of Sect. 26 from a different P.D. There is place of use overlap with this "claim". → claim - not license

The 8 homes applied for on this permit (for domestic use) are licensed by 29-2521 and should not be licensed by 29-7428.

↓ ↓ ↓
homes located - Lot 3 Block 1 Lots 4, 5, 6, + 8 Block 2 Sunset Crest Subdivision

R/a irrigation Lots 1, 2, 3, 4, 5, 6, Block 1 } Sunset Crest Subdivision
Lots 7, 8, 9, + 10 Block 2 }

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/1	11/15	.18	26.5
Domestic	1/1	12/1	.1	3.0
Totals:			.28 cfs .18 cfs	29.5 afa 26.5 afa

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 |

J. AUTHENTICATION

Field Examiner's Name Kelly Schild

Signature Kelly Schild

Certification Date 8-2-89

Field Report Preparation Date 8-2-89

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

MAY 07 1991



29-7428

REFILMED

MAY 07 1991



29-7428

REFILMED

APR 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 13, 1988

ROBERT L. BROWN
RT. 2 NORTH, BOX 124
POCATELLO ID 83201

RE: Permit No. 29-7428

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A condition of approval of your original permit required the installation of an access port which, according to the proof card submitted by you, has not been installed. An access port must be installed prior to the time a field examination is made.

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

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

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

MAY 07 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

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Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

JUN 16 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7428

Date: 4-19-1988

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

✓ Is a measuring device or access port required?
4 Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks: *Prng acceptable -
Check for well log.*

N/A Priority Calculation:
Date proof received _____

Date proof due _____ + _____

No. of days late _____ = _____

Priority date _____ + _____

NEW PRIORITY DATE _____ = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
FEB 26 1988

STATE OF IDAHO

Department of Water Resources DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$100.00
Date 3-3-88
Receipt # 000083
Receipt by [Signature]
Reviewed by [Signature]
Sent to region _____

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

Permit No. 29-7428

Name(s) of Permit Holder: Robert L. Brown + Bertha Brown, husband + wife ✓
Post Office Address: Route 2 North, Box 124 Whittier & Souza - P. O. Box 4082
Pocatello, ID 83201 Pocatello, ID 83205-4082

Pocatello Idaho 83201 Robert Brown - 237-3729
Telephone No. Whittier & Souza - 233-6444

Source of Water: Water source is for 20 head of mixed dairy and beef cattle and
irrigation of approximately 50 acres.

Extent of Use: See above.

Domestic 2 (number of households) Stockwater 20 head mixed dairy
& beef (number and type of stock)
cattle
Irrigation fifty (50) (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted up to 1.00 cfs based on fee. cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: Approximate 1983

Measuring Device: Required? Yes X No Fee enclosed \$ 100.00 ✓
Installed? Yes X No (See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination: Brown - 237-3729
Robert L. Brown or R. M. Whittier - Whittier & Souza, P.A. Whittier - 233-6444
(Name) (Telephone Number)

Brown - Route 2 North, Box 124 Whittier - P. O. Box 4082
Pocatello, Idaho 83202 Pocatello, ID 83205-4082
(Address)

The above information is my true statement of the extent to which the above _____ has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUN 16 1988

Feb. 25, 1988

Date Feb 25, 1988

Robert L. Brown ✓
Signature of Permit Holder (and title, if appropriate)
R. M. WHITTIER

WELL LOG AND REPORT OF THE STATE RECLAMATION ENGINEER OF IDAHO

Permit No. _____ Well No. _____ County Latah
 Owner Robert Brown, Herb Shinkmann
 Address North Pocatello
 Driller Melvin Dwyer and Sons
 Address Rt # 2 North Box 190 Pocatello, Idaho
 Well location S 1/4 1/4 Sec. 26 T. 5 S. N. 3. R. 34 E. B/W
 Size of drilled hole 8"
 Total depth of well 230
 Give depth to standing water from the ground 175 Water temp. 79 °Fahr.
 On "Pumping Test" delivery was 30 g.p.m. or c.f.s. Drawdown was 5 feet.
 Size of pump and motor used to make test Bailer
 Length of time of test 4 hours _____ minutes.
 If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____
 If flowing well, described control works _____
 Water will be used for Domestic TYPE AND SIZE OF VALVE, ETC. 19.65
 Thickness of casing 219 Casing material Steel Weight of casing per lineal foot _____
 Diameter, length and location of casing 8" 230' above ground
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER. CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Foot	To Foot	Length	Remarks—seals, grouting, etc.
<u>8"</u>	<u>0</u>	<u>230</u>	<u>230'</u>	

JUN 16 1988

WELL LOG

From Foot	To Foot	Type of Material	Feet in Layer	Feet in Layer
0	10	Clay Brown	no	no
10	20	Clay Br.	"	"
20	30	Clay Br.	"	"
30	40	Clay Br.	"	"
40	50	Clay Br.	"	"
50	60	Clay Br.	"	"
60	70	Clay Br.	"	"
70	80	Clay Br.	"	"
80	90	Clay Br.	"	"
90	100	Clay Br.	"	"
100	110	Clay Br.	"	"
110	120	Clay Limestone	"	"
120	130	Clay Limestone	"	"
130	140	Clay	"	"
140	150	Clay	"	"
150	160	Clay	"	"
160	170	Clay	"	"
170	180	Clay Sand	"	"

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Melvin Durfee and Jones Drilling
By Owen Durfee

Date June 6 1963

License No. 205

RECORDED

JUN 16 1963

Well Owner: Brown & Shickman
Well Driller: Martin Doyle & Sons
Well Location: 52 1/2 1/2 1/2

[illegible]

55 - 34E - 26 SE

Reviewed

JUN 16 1968

REPORT OF WELL DRILLER State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

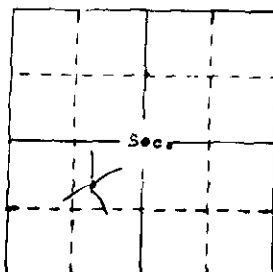
WELL OWNER:
Name Bob Brown
Address 1/2 Ave
Owner's Permit No. 1041
NATURE OF WORK (check): Replacement well ☐
New well ☐ Deepened ☒ Abandoned ☐
Water is to be used for: Domestic
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐
(explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
"Diam. from 8 ft. to 8 ft.
"Diam. from 8 ft. to 8 1/2 ft.
"Diam. from 8 1/2 ft. to 8 1/2 ft.
"Diam. from 8 1/2 ft. to 8 1/2 ft.
Thickness of casing: 1/2 inch Material: Steel
Steel ☐ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of perforator used: None
Size of perforations: " by "
perforations from 0 ft. to 0 ft.
perforations from 0 ft. to 0 ft.
perforations from 0 ft. to 0 ft.
perforations from 0 ft. to 0 ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name None
Type None Model No. None
Diam. None Slot size None Set from None ft. to None ft.
Diam. None Slot size None Set from None ft. to None ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel None Gravel placed from None ft. to None ft. Surface seal provided? Yes ☐ No ☒ To what depth? None ft. Material used in seal: None

Did any strata contain unusable water? Yes ☐
No ☒ Type of water: None
Depth of strata None ft. Method of sealing strata off: None

Surface casing used? Yes ☐ No ☒
Cemented in place? Yes ☐ No ☒

Locate well in section



LOCATION OF WELL: County Shoshone
NW 1/4 Sec. 26 T. 5 N. R. 3 E.

Use other side for additional remarks

Size of drilled hole: 6 1/8" Total depth of well: 582 Standing water level below ground: Temp.
Fahr. 105 Test delivery: None gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: None hrs. None min.
Drawdown: None ft. Artesian pressure: None ft. above land surface Give flow None cfs or None gpm. Shutoff pressure: None
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		
0	125	CLAY	
125	137	CLAY + STONE SANDSTONE	
137	150	CLAY + STONE SANDSTONE	
		CLAY (white)	
150	175	CLAY + STONE (red)	YES
175	177	CLAY + STONE (red)	
177	205	CLAY + STONE (white)	
205	225	CLAY + STONE (white)	YES
225	245	CLAY + STONE (white)	YES
245	275	CLAY + STONE (white)	YES
275	300	CLAY + STONE (white)	YES
300	325	CLAY + STONE (white)	YES
325	350	CLAY + STONE (white)	YES
350	375	CLAY + STONE (white)	YES
375	400	CLAY + STONE (white)	YES
400	425	CLAY + STONE (white)	YES
425	450	CLAY + STONE (white)	YES
450	475	CLAY + STONE (white)	YES
475	500	CLAY + STONE (white)	YES
500	525	CLAY + STONE (white)	YES
525	550	CLAY + STONE (white)	YES
550	575	CLAY + STONE (white)	YES
575	600	CLAY + STONE (white)	YES
600	625	CLAY + STONE (white)	YES
625	650	CLAY + STONE (white)	YES
650	675	CLAY + STONE (white)	YES
675	700	CLAY + STONE (white)	YES
700	725	CLAY + STONE (white)	YES
725	750	CLAY + STONE (white)	YES
750	775	CLAY + STONE (white)	YES
775	800	CLAY + STONE (white)	YES
800	825	CLAY + STONE (white)	YES
825	850	CLAY + STONE (white)	YES
850	875	CLAY + STONE (white)	YES
875	900	CLAY + STONE (white)	YES
900	925	CLAY + STONE (white)	YES
925	950	CLAY + STONE (white)	YES
950	975	CLAY + STONE (white)	YES
975	1000	CLAY + STONE (white)	YES

Work started: None
Work finished: None
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bob Brown
Address: 1/2 Ave
Signed by: Bob Brown
License No. None Date: None

11565410

JUN 16 1986

NW SE

26

55

34E

MICROFILMED

JUN 16 1988

Name & Legal match
on Both logs?

April 27, 1988

Robert L. Brown
Rt. 2 North, Box 124
Pocatello, ID 83202

Dear Mr. Brown:

Re: Permit No. 29-7428

Returned is the request for extension of time submitted to this office on February 26, 1988. The department processed the proof of beneficial use form instead.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Encl.

MICROFILMED

JUN 16 1988

R.M. WHITTIER
JOHN C. SOUZA
MONTE R. WHITTIER

WHITTIER & SOUZA, P.A.
ATTORNEYS AT LAW
653 EAST CENTER
POCATELLO, IDAHO 83205

RECEIVED

FEB 26 1988

P.O. BOX 4082
PHONE 233-6444

Department of Water Resources

February 25, 1988

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

Attn: Rita Fleck - Secretary/Records Manager

Re: Robert L. and Bertha Brown; Permit No. 29-7428

Dear Ms. Fleck:

Following our conversation I was able to reach Mr. Brown on the telephone relative to the Proof of Due Notice on Permit No. 29-7429.

The work has been completed ~~for the~~ domestic use and irrigation around the house of eight or nine acres. As to the balance of the acreage, there was a well drilled and there was irrigation equipment installed to irrigate it while Mr. Brown and Mr. Guker were involved in a joint enterprise of farming.

Mr. Guker filed bankruptcy and the irrigation equipment was removed. The bankruptcy proceedings have been resolved and the title to the property has been restored to Mr. Brown, and he is in the process of re-establishing the irrigation system on the approximate 45 to 50 acres.

Mr. Brown informs me that the irrigation system had been established and was working when Mr. Guker filed bankruptcy, and the irrigation system that was used was taken by the bank because of the bankruptcy. I hope that if additional work is required to meet the requirements of the Department of Water Resources relative to the proof of appropriation that there will be some leeway given Mr. Brown because of the unusual circumstances.

MICROFILMED

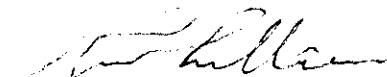
JUN 16 1988

Department of Water Resources
February 25, 1988
Page 2

Our check for \$100.00 is enclosed to cover the examiner's fee. If there is anything that I can do to help Mr. Brown in proving this water right, I would appreciate your suggestions.

Very truly yours,

WHITTIER & SOUZA, P.A.



R. M. WHITTIER

RMW/mah

Enclosures

MICROFILMED
JUN 16 1988

WHITTIER & SOUZA P.A.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVC-3 V-6

DATE	DESCRIPTION	AMOUNT	DISTRIBUTIONS	
			ACCT. NO.	AMOUNT
2/25/88	Examiner fee Robert Brown	100.00		
EMPLOYEE				

PERIOD ENDING	EARNINGS				TOTAL EARNINGS	DEDUCTIONS					TOTAL DEDUCTIONS	NET PAY
	HOURS	RATE	AMOUNT EARNED AT REGULAR RATE	OVERTIME AND OTHER		F.I.C.A.	WITHHOLDING U.S. INC. TAX	STATE INCOME TAX				

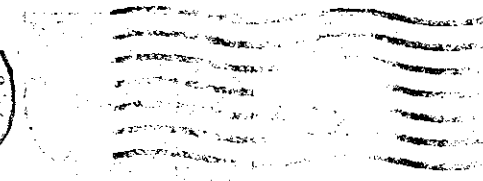
WHITTIER & SOUZA, P.A.
ATTORNEYS AT LAW
653 East Center - P.O. Box 4082
Boise, Idaho 83205-4082

Attn: Reta Fleck

Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

MICROFILMED

JUN 16 1988



138144
CERTIFIED MAIL
December 31, 1987

BROWN, ROBERT L.
RT. 2 N. BOX 124
POCATELLO, ID 83201

PROOF DUE NOTICE

RE: Permit No. 29-7428

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 March 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 16 1988



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

JUN 16 1988

March 2, 1983

Robert L. Brown
Rt. 2 North, Box 124
Pocatello, ID 83201

Dear Mr. Brown:

Re: Permit No. 29-7428

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to March 1, 1988.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time



Ruben S. Brown
R h. #2 No. 34124
Pocatello, Idaho
83201



State of, Idaho

Department of Water Resources

State House

Boise, Idaho 83707



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:
Storehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

February 24, 1983

Bertha Brown
Rt. 2 North, Box 124
Pocatello, ID 83201

PERMIT NO.

29-7428, Robert L. Brown

We are in receipt of the _____ extension fee for Extension(s) of Time to provide additional time ⁸¹⁵ in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No.

25945.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED
FEB 25 1983
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138999

BROWN, ROBERT L.
RT. 2 N. BOX 124
POCATELLO, ID 83201

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7428 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

1



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

November 17, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 14, 1978

Re: Permit No. 29-7428

Robert L. Brown
Route #2, North, Box 124
Pocatello, ID 83201

Dear Mr. Brown:

Enclosed is a copy of your approved Application for Permit No. 29-7428. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:KW

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Bill MacAlister

DATE 1-17-78

TO File # 29-7428

SUBJECT Assume applicant proposes to fill reservoir once per year, thus diversion from irrigation storage would be 75 AF during the irrigation season, Apr. 1 to Nov. 1.

WAM

SIGNATURE

January 3, 1978

RE: Application for Permit No. 29-7427 PIANTANIDA
29-7428 BROWN

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on December 15 and December 22, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

MICROFILMED

December 9, 1977

RE: Application for Permit No. 29-7427 PIANTANIDA
29-7428 BROWN

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 1-05-78 by CW

RDC:CW

Enc: Legal Notice (2)

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert L. Brown,
Pocatello, Idaho

has on 12-08-77 submitted Application No. 29-7428
for a permit to appropriate 1.00 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXXXXXX~~ acre feet per annum
of water from a ground-water source
by means of well, pump and storage reservoir
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M., Bannock County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for water for mineral
~~XXXX~~ bath within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M., and for 75 acre feet
for
per annum of storage for irrigation; and from Apr. 1 to Nov. 1 for the irrigation
of ~~55 acres~~
within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 5S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
January 2, 1978

C. STEPHEN ALLREAD
~~XXXXXXXXXXXXXXXXXXXX~~
R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho
on December 15 and December 22, 1977

RECORDED

Mc-8-14
CW-A

December 9, 1977

RE: Application for Permit No. 29-7428 BROWN

Mr. Art Tackett
Idaho State Planning & Community Affairs Agency
Regional Director
600 East Oak, Suite B
Pocatello, ID 83201

Dear Mr. Tackett:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is January 2, 1978, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Brown.

g.w. Source
✓ Point of Diversion
✓ County
✓ Quantity of Water and Period of Use
✓ Description of Diverting Works
✓ Time required for B/U of water
✓ Place of Use or Acres Irrigated
✓ Map
✓ Signature
2500 Fee

(1) EMC 12/2/77

In form to receipt JEB.

(2) " "

Send Copies to:

✓ Idaho State Health Department
✓ Idaho Fish and Game Department
✓ Bureau of Land Management

(3) " "

X art Jackett
✓ Request Special Use Permit from U.S.F.S.
✓ Request Easement from B.L.M.
✓ Request Information from Applicant
✓ Request Dam Safety Information

(4) " "

In form for advertising YES.

(5) " "

Platted on Map No. _____

(6) " "

Located within Water District No. 29

(7) " "

Critical groundwater area: yes _____ no ✓

(8) " "

Groundwater levels:

_____ Declining, ✓ Stable, _____ Increasing

(comment) _____

(9) " "

Other rights on the same place of use L 29-2521

(10) " "

Comments: Rate of diversion for both during

nonirrigation season should be limited to 10 gals/day/

(11) CW 1-05-78

person, as determined by attendance records

Affidavit of Publication received (date) Jan. 5, 1978

(12) CW 1-05-78

Final date for protests January 2, 1978

Protests received: yes _____ no ✓

(13) LH 1-6-78

All requested information received from agencies or applicant: yes _____ no _____

(14) LH 1-6-78

Action recommended:

✓ Approve

Deny

12-8-77 Proposed Priority

Reason for Reduction _____

✓ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E

By Loren Oshen Date 1-6-78

Copy
Sent