

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT)
NO. 29-07417 IN THE NAME OF)
DEBRA K. LISH)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On September 7, 1977, the Department issued Permit No. 29-07417 to Newell O. Turner authorizing the diversion of 0.24 cubic feet per second of water from a well to be used for domestic purposes and for the irrigation of 10 acres of land in the NW1/4NE1/4 Section 2, T6S, R33E, B.M. A condition of permit approval was that proof of beneficial use of water ("proof") be submitted to the Department on or before September 1, 1982.
2. On June 30, 1982, the Department sent a proof due notice to the permit holder by certified mail requiring the submittal of proof or a request for extension of time in which to submit proof.
3. On September 10, 1982, the Department sent a lapse notice to the permit holder, since neither the proof nor a request for extension of time had been submitted to the Department.
4. On October 13, 1999, Debra Kay Lish submitted proof of beneficial use for the lapsed permit together with an assignment of the permit from the permit holder to herself.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the

MICROFILMED
JAN 27 2000

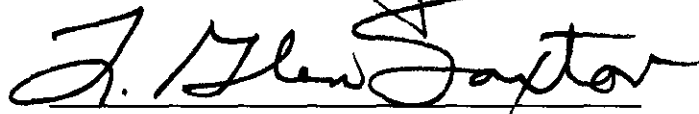
time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

2. The permit holder has provided sufficient information and reasonable cause for the Department to reinstate the permit by submitting proof of beneficial use on October 13, 1999.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 29-07417 is **REINSTATED** with the priority advanced to **October 13, 1999**.

Dated this 25th day of January, 2000.



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 29-07417 Telephone No. (208) 237-1866

2. Name(s) of Permit Holder(s): Debra Kay Lish

3. Mailing Address: 1348 W. Syphon Rd Pocatello Id 83204

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 4 / yr. 1976

a. Well Driller: Tack Cushman Drilling Permit Number: - -

b. **OPTIONAL:**

Pump Horsepower: 5 Pressure (psi): 35 Dynamic pumping level (ft): 50

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock):

Irrigation (No. of acres): 10ac Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.24 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No ✓

Has the measuring device been installed?

Yes or No ✓

Flow Measurement Port: Is a flow measurement port required?

Yes or No ✓

Has the measurement port been installed?

Yes or No ✓

8. Fee Enclosed: \$ 100⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Debra Kay Lish Telephone Number: (208) 237-1866

Address: 1348 W. Syphon Rd Pocatello Id 83204

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Debra Kay Lish Date: 10-13-99

(include your title, if on behalf of company or organization)

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JAN 27 2000

NOTICE

This file has been REPRODUCED
from MICROFICHE ~~because:~~

for review to possibly reinstate.

L. Paula J. Block
Person Recreating File

Nov. 19, 99
Date

Identification No. 29 7117

Application No.

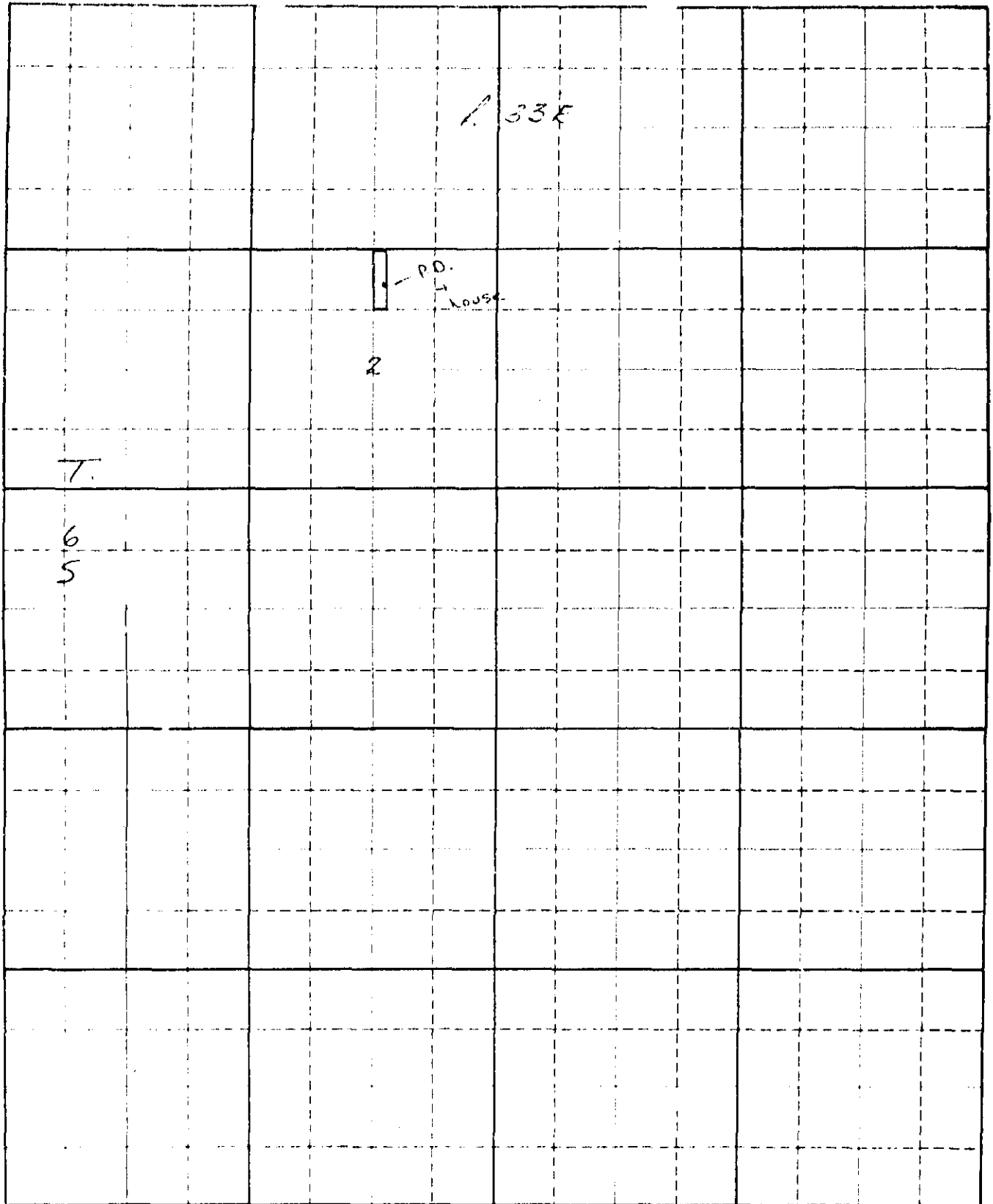
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Newell O. Turner Phone: 232-6775
 post office address 482 Park, Pocatello, ID 83201
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW 1/4 of NE 1/4 of Section 2 Township 6S
Range 33E B.M. Power County, additional points of diversion if any _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____
 of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
cfs or acre-feet per annum
 Amount 0.20 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
cfs or acre-feet per annum
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre-feet per annum
5. Total quantity to be appropriated:
 a. 0.24 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. well, pump and 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 during which storage will occur _____ to _____ (Mo. Day) inclusive
 c. Proposed well diameter is 8 inches; proposed depth of well is 163 feet.
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 \$ 5,000.00
8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: NW 1/4 of NE 1/4 of Section 2 Township 6S
Range 33E 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 one
 (5) If water is to be used for other purposes describe _____

10. 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.

Newell O Turner
(Applicant)

Received by 7/28/77
Received by 7/28/77 Date 7-28-77 Time 1:48 PM
For primary check by 7/28/77 Fee \$ 25.00
Secondary by 7/28/77 Date 7-28-77 11:52 AM
Publication prepared by 7/28/77 Date 7-28-77
Published in Journal (University of Idaho)
Publication dates Aug. 4 & 11, 1977
Publication approved by 7/28/77 Date August 15, 1977
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC/ JC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

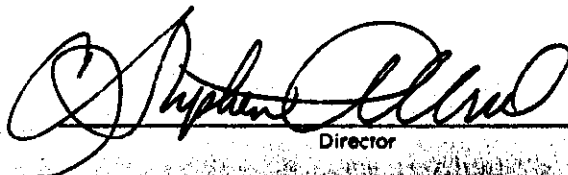
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7417, and said application is hereby APPROVED.

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 September 1, 19 82.
- c. Other: _____

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

Witness my hand this 7th day of September, 19 77.


Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBRA KAY LISH
1348 W SYPHON RD
POCATELLO ID 83204

RE: PERMIT NO. 29-07417 - REINSTATEMENT ORDER

Dear Mr. Evans:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above referenced lapsed permit.

Enclosed is an order reinstating the permit, since proof was submitted after the proof due date. Please note that the priority date has been advanced to **October 13, 1999**, pursuant to Section 42-218a.2, Idaho Code.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

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JAN 27 2000

RECEIVED

OCT 18 1999

Department of Water Resources

MEMORANDUM

TO: Shelley Keen *SK*

October 13, 1999

FROM: Keith C. Wilson - Eastern Region

RE: Reinstatement of Lapsed permit 29-07417

Attached is the assignment of permit, proof of beneficial use forms, and copies of returned envelopes for lapsed permit 29-07417. Also attached is a letter from Debra Kay Lish explaining that Mr. Turner insists everything concerning the well has been taken care of.

It appears from the microfiche that the original permit holder did not receive notification that proof of beneficial use was due and permit 29-07417 was lapsed (See attached copies of letters with returned envelopes).

Debra Kay Lish is in the process of selling 5 acres and the domestic home covered under this lapsed permit. She plans to build a new home on the remaining 5 acres and would also like to irrigate those 5 acres under this permit. Debra Lish is aware that she will need to assign that portion (5 ac & domestic) that she is selling to the new owners.

I believe that there is sufficient evidence in the file to indicate that the system covered under the lapsed permit was developed within the development time period, and the permit should be reinstated.



Keith C. Wilson
Senior Resource Agent

MICROFILMED
JAN 27 2000

Dear Sirs

I have find notice of proof of beneficial use on my well. I felt the system has been in use since 1977, the applicant Newell Turner did not know it had lapsed. I bought this home & would like to reinstate the well use. Newel today still insists everything concerning the well had been taken care of properly. Apparently the letter from Water Resources in '82 was sent to the wrong address & returned. Therefore Mr Turner did not know it had lapsed. I Debra Kay Lish now owner would like to reinstate & license to be legal.

Thank you
Debra Kay Lish

10-12-99

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JAN 27 2000

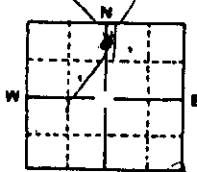
USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 10 days after the completion or abandonment of the well.

RECEIVED

1. WELL OWNER Name <u>NEWELL TURNER</u> Address <u>482 Park Street</u> Owner's Permit No. <u>Applied</u>		7. WATER LEVEL Static water level <u>45'</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>51°</u> F. Quality <u>Good</u> Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Other Discharge G.P.M. <u>90</u> Draw Down <u>10</u> Hours Pumped <u>2 HRS.</u>																																																					
3. PROPOSED USE ☒ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8"</td><td>0</td><td>14'</td><td>BAULDED + TEN GRAVEL</td><td></td><td></td></tr><tr><td></td><td>14'</td><td>51'</td><td>GRAVEL</td><td></td><td></td></tr><tr><td></td><td>51'</td><td>87'</td><td>CLAY</td><td></td><td></td></tr><tr><td></td><td>87'</td><td>101'</td><td>CLAY + GRAVEL</td><td></td><td></td></tr><tr><td></td><td>101'</td><td>122'</td><td>BROWN CLAY</td><td></td><td></td></tr><tr><td></td><td>122'</td><td>153'</td><td>SAND</td><td></td><td></td></tr><tr><td></td><td>153'</td><td>163'</td><td>GRAVEL</td><td></td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	8"	0	14'	BAULDED + TEN GRAVEL				14'	51'	GRAVEL				51'	87'	CLAY				87'	101'	CLAY + GRAVEL				101'	122'	BROWN CLAY				122'	153'	SAND				153'	163'	GRAVEL		
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	122'	153'	SAND																																																				
	153'	163'	GRAVEL																																																				
4. METHOD DRILLED ☐ Cable ☒ Rotary ☐ Dug ☐ Other																																																							
5. WELL CONSTRUCTION Diameter of hole <u>8"</u> inches Total depth <u>163'</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness <u>2.50</u> inches Diameter <u>8"</u> inches From <u>18"</u> feet To <u>163'</u> feet Inches inches feet feet Inches inches feet feet Inches inches feet feet Inches inches feet feet Inches inches feet feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>21'</u> Material used in seal ☐ Cement grout ☐ Pudding clay ☒ Well cuttings Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing ☒ Overbore to seal depth																																																							
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>MICROFILMED</u> Lot No. _____ Block No. _____ County <u>Town</u> N 1/4 x NE 1/4 Sec. <u>2</u> T. <u>6</u> N. S. R. <u>33</u> E. W. 1/4		10. Work started <u>4/12/76</u> finished <u>4/14/76</u>																																																					
		11. DRILLERS CERTIFICATION Firm Name <u>Jack Chickman Drilling</u> Firm No. <u>94</u> Address <u>405 S. 1st</u> Date <u>4/14/76</u> Signed by (Firm Official) <u>Jack Chickman</u> and (Operator) <u>Mike Schumaker</u>																																																					

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

To who it may concern, ¹³⁴⁸
This property on ~~Syphon~~ [✓] Road
has been watered with sprinkled
systems since 1978. —

I have observed it being water
every year since.

Gene Smith
237-0419
Nov 24-1999x

Signed before me this 24th day of November, 1999

Marilyn Halford
Notary Public for Idaho

RECEIVED
NOV 29 1999
Department of Water Resources

MICROFILMED

JAN 27 2000

For Debra Kay Lish

Receipt # E025376
Receipt By: KCW
Date Received 10-13-1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Newell O Turner, hereby assign to DEBRA K W LISH
of 1348 Syphon Rd, Pocatello, Id 83204 (208) 237-1866
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 29-07417 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 29-7417 to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 6th day of May, 1999
Newell O Turner
Applicant

State of Idaho)
County of Bannock) ss

On this 6th day of May, 1999, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Marilyn Halford
Notary Public

My commission expires: 8-27-2004

MICROFILMED
JAN 27 2000

NOTICE

This file has been REPRODUCED
from MICROFICHE ~~because:~~

For review to possibly reinstate.

Dale A. Black
Person Recreating File

Nov. 19, 99
Date

I certify that file No. 29-7417 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

File should not be
destroyed before 4-14-83
Date

Regin Carlson
Signature

4-14-83
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

TURNER, WARELL D.
482 PARK
BOCADELO, ID 83201

SEPTEMBER 02, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-21HA OF THE IDAHO CODE, PERMIT NO. 29-7411 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED JUNE 30, 1982.

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 ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

RECEIVED
SEP 17 1982

SEP 17 1982

Department of Water Resources

McKinnon

FORWARDED

*Find exp
1/1
C20
9/13*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

TURNER, NEWELL O.
482 PARK
BOCATELLO, ID 83201

SEPTEMBER 02, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-21HA OF THE IDAHO CODE, PERMIT NO. 29-7417 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED JUNE 30, 1982.

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L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CITY OF BOISE MAILING
9/10/82
The enclosed was
sent by mail,
to the
Boise, Idaho
Boise, Idaho
Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

TURNER, NEWELL O.
482 PARK
POCATELLO, ID 83201

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7417 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (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,

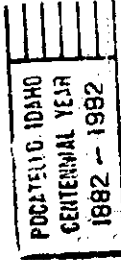
Rita Fleck
RITA FLECK
SR. SECRETARY

ENC: 1

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



FORWARDING ORDER EXPIRED



CLAIM CHECK
NO. 209227

RECEIVED

DATE

1/1

JUL 8 1982

Department of Water Resources

1ST NOTICE

CERTIFIED MAIL

RETURN

POSTAGE WILL BE PAID BY ADDRESSEE
NOV 1982
Oct 1982

138203

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
134208

TURNER, NEWELL O.
402 PARK
POCATELLO, ID 83201

JUNE 30, 1982

DEAR PERMIT HOLDER:

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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,

NITA FLECK
SR. SECRETARY

ENC: 1

September 8, 1977

Re: Permit No. 29-7417

Newell O. Turner
481 Park
Pocatello, ID 83201

Dear Mr. Turner:

Enclosed is a copy of your approved Application for Permit No. 29-7417. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

July 22, 1977

Re: Application for Permit No. 29-9417 TURNER

Turner County Press
274 Idaho Street
Blackfoot, Idaho 83221

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,

HAROLD D. CHILES, Jr.
Supervisor
Eastern Region

Bill submitted 8-15-77 by CD

REC:CD

Enc: Legal notice (1)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Newell O. Turner,
Pocatello, Idaho

has on 7-23-77 submitted Application No. 29-7417
for a permit to appropriate 0.24 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 6S, R. 33E, B.M., Power County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and from
XXX Apr. 1 to Nov. 1 for the irrigation of 10 acres, all uses
for

within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 6S, R. 33E, 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
August 22, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls, Idaho
August 4 on August 11, 1977
and

W. D.
M. D.

Area Initial Date

Application No.

☒ 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
☒ Fee

(1) ARK 7/28/77

In form to receipt of

(2) ARK 7/28/77

Send Copies to:

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

(3) ARK 7/28/77

☒ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant
☒ Request Dam Safety Information

(4) ARK 7/28/77

In form for advertising

(5) ARK 7/28/77

Platted on Map No. 65335

(6) ARK 7/28/77

Located within Water District No. Basin 29

(7) ARK 7/28/77

Critical groundwater area: yes no X

(8) ARK 7/28/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) No Obs well in area

(9) ARK 7/28/77

Other rights on the same place of use conflicting groundwater

(10) ARK 7/28/77

Comments: None

(11) ARK 8/22/77

Affidavit of Publication received (date) Aug. 15-1977

(12) ARK 8/22/77

Final date for protests August 22-1977

Protests received: yes no

(13) KDC 8/22/77

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

Approve Deny

7/26/77 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 KDC

Date 8/22/77

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

S.S.

..... being first duly sworn

on oath, states:

That is the of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for
successive weekly issues thereof, the date of the first publica-
tion being the day of 1977

the date of last publication being the

..... day of 1977

(Signed)

Subscribed and sworn to before me this

..... day of 1977

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of 19

Published in the Power County
Press, American Falls, Idaho on
August 4 and August 11, 1977.

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C. STEPHEN ALLRED
Director