

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 29-7060 Priority Oct. 12, 1970 Amount 0.22 cfs

THIS IS TO CERTIFY, that JOSEPH H. FRANK
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7060 issued pursuant to Application for Permit dated October 12, 1970,
and has submitted proof to the Department of Water Administration on November 8, 1973,
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 0.22 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and			<u>1.2 acre feet</u>
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and			<u>0.2 acre feet</u>
<u>Irrigation</u> from <u>May 1</u> to <u>Oct. 15</u> at <u>0.18</u> cfs and			<u>31.0 acre feet or</u>
(both dates inclusive)			<u>3.5 af per acre</u>

Subject, however, to the condition that no more than 0.22 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
32.4 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) of
Sec. 7, Twp. 7 S, Rge. 35 E, B.M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	35 E	7							X										8.75
									(lot 2)										

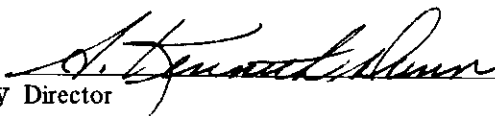
Total number of acres irrigated 8.75

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of
May, 19 74.

Deputy Director



29-7060

Receipt # 14520

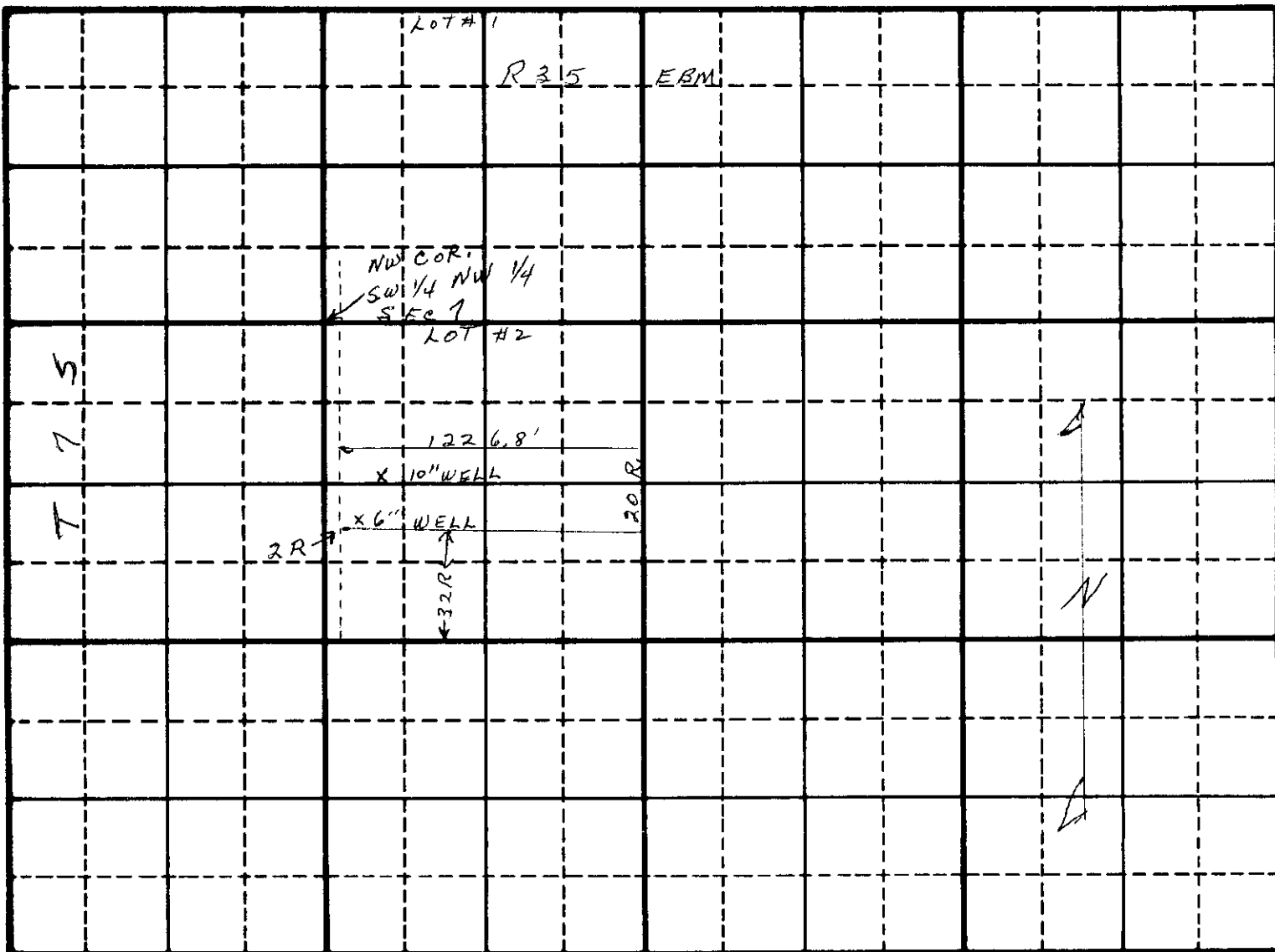
RECEIVED

Department of Water Administration

Permit No. 29-7060

29-7000

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Pocatello, this 25TH day of MAY, 19 74.
Joseph H Frank
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, A. KENNETH DUNN, Deputy Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 29-7060.

Witness my hand this 31st day of May, 19 74.
A. Kenneth Dunn
Deputy Director

Identification No. 29-7060

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

LICENSE ISSUED FOR .22 SEC. FT.
LICENSE PAGE NO. _____

APPLICATION FOR PERMIT

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

1. Name of applicant Joseph H. Frank
post office address Route #3 Box 333 Pocatello, Idaho 83201
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7 Township 7S
Range 35E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.18 for irrigation purpose from May 1st to October 15th (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for domestic purpose from Jan. 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock water purpose from Jan. 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .22 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, submersible pump

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 _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 80 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.
b. Estimated construction cost is \$ 2,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7 Township 7S
Range 35E 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 80 head sheep, 4 head cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1 family.
(5) If water is to be used for other purposes describe: _____

| 29-7060

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	
7S	35E	7							8.75										8.75

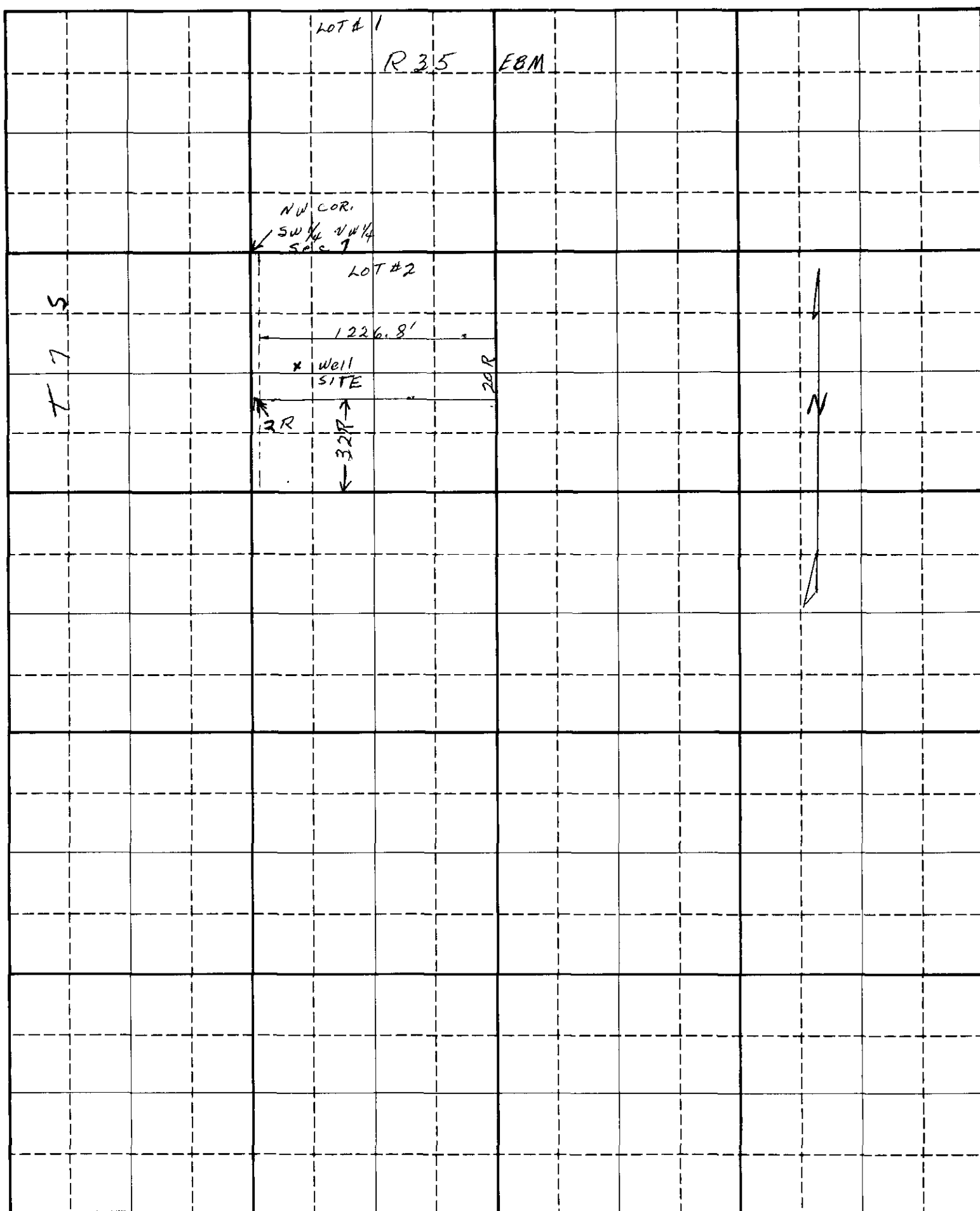
Total number of acres to be irrigated 8.75

c. Describe any other water rights used for the same purposes as described above. Portneuf River -
Gibson Ditch Company will be abandoned. The water right was an Indian water right.

9. a. Who owns the property at the point of diversion Joseph H. Frank
b. Who owns the land to be irrigated or place of use Joseph H. Frank
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 Our existing irrigation system is not practical any longer as the ditch is being filled with mud and debris from run off from the hills. I am doing this to obtain adequate water for culinary purposes and stock watering and to irrigate what I can of my property from the new well. Also, this will provide better fire protection.

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



Scale: $\frac{1}{2}$ 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.

Joseph H. Frank
(Applicant)

29-7060

29-7060

Received by el Date 10-12-70 Time 10:30 AM
Preliminary check by dr Fee \$10.00
Receipted by el Date 10-19-70
Publication prepared by dr Date 10-22-70
Published in Idaho State Journal
Publication dates 10-29 & 11-05, 1970
Publication approved dr Date 11-10-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Re Du BDF

APPROVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7060, 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 January 1, 19 74.
- c. Other: _____

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

Witness my hand this 7th day of December, 19 70.

P. Keith Hiji
Director

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sheila R. Burton, Dep. Sec. of Public Administration

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:

October 29	1970	_____	19_____
November 5	1970	_____	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.

Sheila R. Burton

Subscribed and sworn to before me this 5th
day of November, 1970

Beverly W. Mortensen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

29-7060

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sheila R. Burton

NOTICE
OF APPLICATION
FOR PERMIT
TO APPROPRIATE THE
PUBLIC WATERS OF THE
STATE OF IDAHO

Notice is hereby given that Joseph H. Frank, Route 3, Box 333, Pocatello, Idaho, has on October 12, 1970, submitted Application No. 29-7060 to appropriate the public waters of a ground water source. The proposed uses are irrigation (.18 cfs) of 9 acres from May 1 to Oct. 15, domestic (.02. cfs) and stock water purposes (.02. cfs) from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 0.22 cubic feet per second of water to be diverted by well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 7S, R. 35E, B.M., Bannock County, and is to be used within the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 7, T. 7S, R. 35E, B.M.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, State House, Boise, Idaho, on or before November 16, 1970.

R. KEITH HIGGINSON

Director

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:

October 29	1970	19
November 5	1970	19
	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.

Subscribed and sworn to before me this 5th day of November, 1970

Sheila R. Burton

Notary Public, State of Idaho

Residence: Pocatello, Idaho

29-7060

June 3, 1974

Re: Permit No. 29-7060

Joseph H. Frank
Route 3, Box 333
Pocatello, Idaho 83201

Dear Mr. Frank:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Also enclosed is a copy of the approved amendment along with Receipt #14520 in the amount of \$10.00.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

Enclosures

29-7060

May 23, 1974

Mr. Joseph H. Frank
Route 3 - Box 333
Pocatello, Idaho 83201

Dear Mr. Frank:

A representative of this Department has made an examination of the works covered by your Permit No. 29-7060 and has found the following:

Quantity of water diverted: 0.22 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.22 cfs

The maximum quantity diverted shall not exceed 32.4 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) of Sec. 7, Twp. 7 S, Rge. 35 E, BM

Beneficial use: Domestic & stockwatering purposes and the irrigation of 8.75 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, Twp. 7 S, Rge. 35 E, BM

Priority date established: Oct. 12, 1970

Our field report indicates that there are two wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, whereas your permit only lists one well. Therefore, it will be necessary to amend the permit to cover both wells before the water license is issued. We have enclosed a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 20 days in order that we may issue your water right license as set forth above.

If you do not concur with these findings or have any questions, please contact us within the 20-day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App for amendment

cc: Eastern District Office

29-7060

May 23, 1974

Mr. Joseph H. Frank
Route 3 - Box 333
Pocatello, Idaho 83201

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A representative of this Department has made an examination of the works covered by your Permit No. 29-7060 and has found the following:

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Priority date established: Oct. 12, 1970

Our field report indicates that there are two wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, whereas your permit only lists one well. Therefore, it will be necessary to amend the permit to cover both wells before the water license is issued. We have enclosed a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 20 days in order that we may issue your water right license as set forth above.

If you do not concur with these findings or have any questions, please contact us within the 20-day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App for amendment

bc: Eastern District Office

29-7060

FIELD REPORT

Phone 232-8715
NOV 9 1973

Phone _____
Department of Water Administration
Eastern District Office

- 8.75

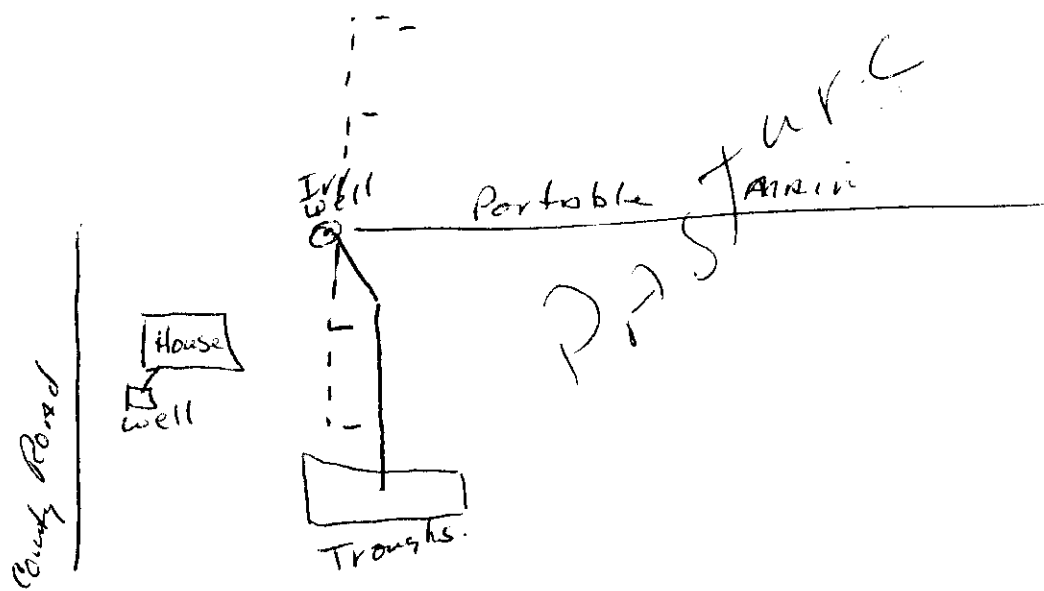
29-7060

T
7
S

8.75 P.D.
7

Diagram of System

Top View



DATE OF EXAM MAY 14, 1974

ACREAGE
Found 8.75
Recommended 8.75

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = .18 c.f.s. V = 30.6 AF/Ann. from MAY 1 to Oct 15
Domestic Q = .02 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = .02 c.f.s. V = .2 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes _____ no ☒

Name source: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of injection: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 _____ County

Point of exchange: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 _____ County

Total Q measured .21 cfs + .02 cfs domestic Method of measurement Pit

Total Q recommended 22 Meter No. A-203 Type _____ Condition EDWA's

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

25 psi = $3.52 \text{ gpm} \times 28 \text{ No}_2 = 98.56 \text{ gpm/system}$
 $= 0.21 \text{ cts}$

Stock use > 0.2 of $V = (8.75) \cdot (3.5) = 30.6$

SYSTEM DESCRIPTION:

28 5 Hp Submersible pump 4" portable minn well,
5/32 N2 @ 25psi 50A Rainbird (For Irr & Stock)

6" Well with Jacuzzi Submersible pump for Domestic Well System. 3/4 HP.

REMARKS:

REMARKS: System & land shown by owner
10 head beef cattle 40 Sheep.

Owner stated that this was the last year of Sheep Production.

Examiner's Signature William Rhoads Date MAY 14, 1974

Checked by John Ferebauer Date May 15, 1979

Approved by _____ Date _____

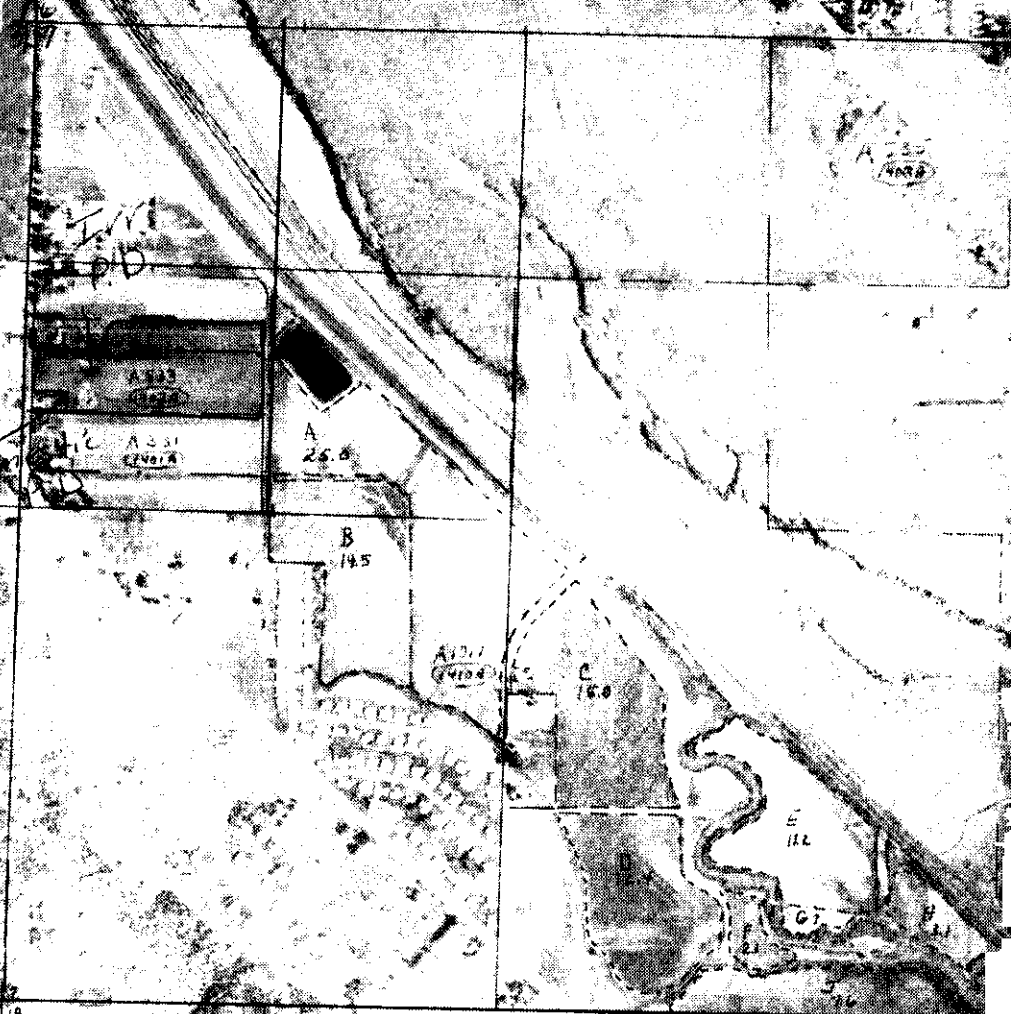
29-7060

29-7060



R. 35 E.

T. 7 S.



29-7060

November 8, 1973

Re: Permit No. 29-7060

Joseph H. Frank
Route #3, Box 333
Pocatello, Idaho 83201

Dear Mr. Frank:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

29-7060

Identification No. 29-7060
Permit No. 29-7070

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

NOV 8 1971 *of jc*

Department of Water Administration

1. a) Name of Permit Holder JOSEPH H. FRANK
b) Post Office Address ROUTE#2 Box 333 POCAATELLO IDAHO
2. Permit Number 29-7060
3. Date of Priority that you are prepared to establish MAY 15TH 1971
4. a) Source from which water was appropriated SUBTERRANEAN
b) Location of the point of diversion: SW 1/4 of NW 1/4, Section 7
Township 7S, Range 35E Boise Meridian, Other points of diversion: NONE
5. a) The amount of water and use to which the water has been applied:
amount 0.18 for IRRIGATION purposes from MAY 1st to OCTOBER 15th incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0.02 for DOMESTIC purposes from JAN 1st to DEC 31st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0.02 for STOCK WATER purposes from JAN 1st to DEC 31st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.22 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 10 INCH Well 83 Feet Deep
3 INCH PUMP 5HP MOTOR - Use 1/4 MILE SPRINKLER PIPE
b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
c) Give well drillers name and address and date the well was completed W^m DUBBE
ROUTE#2 No. POCAATELLO IDAHO COMPLETED MAY 15 1971

Exam typed 11/8/73 by jc

29-7060

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use USED TO WATER LIVE STOCK

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	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	
7S	35E	7									10								10 ACRES

Total number of acres irrigated 10 ACRES

10. Remarks: Well is located so it can be used for fire protection for homestead

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

Nov. 6th 1973
(Date)

Joseph H Frank
(Signature)

State of Idaho
County of Blaine ss.

On this 17th day of December, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Richard S. Pratt
Notary Public residing at Trill, Idaho

My commission expires 12-20-73

Description _____

Location _____

Sheet _____ of _____

July 21, 1971

Water measurement, open discharge.

Container diameter 22" I.D.
depth 34"

Capacity 55.5 gal.

Time to fill 44 sec.

discharge in g.p.m. = $\frac{55.5 \text{ gal (60)}}{44 \text{ sec.}} = 75.7 \text{ g.p.m.}$ Signed -
Lee Groesbeck

Computed by _____ Date _____ Project No. _____

Checked by _____ Date _____ File or Book No. _____

Designed _____ Checked _____

29-7060

Description _____

Location _____

Sheet _____ of _____

July 21, 1971

Water measurement, open discharge.

Container diameter 22" I.D.
depth 34"

Capacity 55.5 gal.

Time to fill = 44 sec.

discharge in g.p.m. = $\frac{55.5 \text{ gal.} (60)}{44 \text{ sec.}} = 75.79 \text{ g.p.m.}$ Signed -
Lee Groesbeck

Computed by _____ Date _____ Project No. _____

Checked by _____ Date _____ File or Book No. _____

Designed _____ Checked _____

29-7060

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

1

2

3

Joseph H. Frank

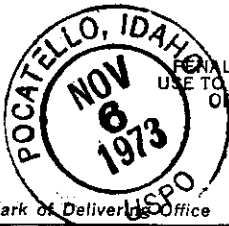
Paul A. Frank

11-6-73

29-7060

PS Form 3811 Sep. 1972 c55-10-81,277-2

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



QUALITY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivery Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

0902-6C

November 1, 1973

CERTIFIED MAIL

#24927

Re: Permit No 29-7060

Joseph H. Frank
Route #3 Box 333
Pocatello, Idaho 83201

Dear Mr. Frank:

One of the conditions of approval of your water Permit No. 29-7060 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1974. Enclosed is an affidavit form which must 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 affidavit 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

29-7060

December 11, 1970

Re: Permit No. 29-7060

Mr. Joseph H. Frank
Route 3, Box 333
Pocatello, Idaho 83201

Dear Mr. Frank:

Enclosed is a copy of your approved Application for Permit No. 29-7060. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures: Copy of permit
Receipt No. 5237 for \$10
1 informational letter

29-7060

NOTICE
OF APPLICATION
FOR PERMIT
TO APPROPRIATE THE
PUBLIC WATERS OF THE
STATE OF IDAHO

Notice is hereby given that Joseph H. Frank, Route 3, Box 333, Pocatello, Idaho, has on October 12, 1970, submitted Application No. 29-7060 to appropriate the public waters of a ground water source. The proposed uses are irrigation (.18 cfs) of 9 acres from May 1 to Oct. 15, domestic (.02. cfs) and stock water purposes (.02. cfs) from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 0.22 cubic feet per second of water to be diverted by well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 7S, R. 35E, B.M., Bannock County, and is to be used within the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 7, T. 7S, R. 35E, B.M.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before November 16, 1970.

R. KEITH HIGGINSON
Director

October 29, November 5, 1970
No. 640

29-7060

October 22, 1970

Re: Application No. 29-7060 - Joseph H. Frank

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 ample 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 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

Bill submitted 11-11-70 By Dr

29-7060

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TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

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within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7,
T. 7S, R. 35E, B.M., Bannock County,

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tration on or before November 16, 1970.

Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the Idaho State Journal, Pocatello, Idaho,
on October 29 and November 5, 1970.

29-7060

October 9, 1970

Mr. Joseph H. Frank
Route # 3
Post Office Box # 333
Pocatello, Idaho 83201

Dear Mr. Frank:

We are herewith returning your personal check in the amount of \$10.00, and application for permit, as we find in reviewing this application, that we will need additional information before we can process it.

Please note that under item 4, you have listed a quantity of 0.50cfs for irrigational purposes. The maximum quantity of water that this department could consider for appropriation is 1 inch, or 0.02cfs, per irrigated acre. In your case, as you have indicated further in your application of 8.75 acres, this quantity would amount to 0.18cfs for irrigational purposes. You should also indicate the total quantity to be appropriated under item 5a.

As soon as you make these necessary corrections, and re-submit the application with the \$10.00 filing fee, we shall begin its processing.

If we may be of any further assistance in this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: personal check - \$10.00
original application

29-7060