

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDALL HERBST	04/05/1905	DOMESTIC	01-01 12-31	0.04 CFS	
C	MARGIE HERBST					
	135 N 400 W					
	BLACKFOOT ID 83221					
	(208) 785-2238					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R35E S28 NWSW BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NWNW SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
02S	35E	28	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0324000
PROPERTY ALSO KNOWN AS 135 N 400 W

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/04/1997 User-ID: DS1-DSHA Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 04/02/92 SMITH 03/30/95 POST-STD 03/04/97 DS1-DSHA 03/18/97 ARUBERRY

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SEP 28 2005

OKAY
gaw

AJ5809NP
No. R35-11638

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 24

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Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R35E S28 NWSW

BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NWNW SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
02S	35E	28	:	:	:	:	:	:	:	:	:	:	:	:	:

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✓OK JH
11-10-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

October 23, 1989

RECEIVED
OCT 27 1989

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Randall and Margie Herbst
135 N 400 W
Blackfoot, ID 83221

Department of Water Resources
Eastern District Office

RE: Notice of Claim A35-11638

Dear Mr. and Mrs. Herbst:

The Idaho Department of Water Resources (IDWR) is returning your Notice(s) of Claim to a Water Right because of insufficient information and/or fees. All items on the forms must be completed and fees submitted before the IDWR can process the notice(s).

A Notice of Claim to a Water Right must be filed in the Snake River Basin Adjudication at this time for all purposes commencing prior to November 20, 1987, except for some domestic and stock uses not exceeding 13,000 gallons per day. Failure to record a Notice of Claim for all other uses will result in forfeiture of the water right. However, the IDWR recommends that notices also be filed for domestic and stock purposes for various reasons.

Please correct the items identified below and return the notice(s) to the IDWR within 30 days of the date of this letter. If the corrected forms are not returned within the 30-day period, the filing fee previously paid for the notice(s) will be refunded and the record will be removed from the IDWR records. If the corrected notice(s) are returned to the IDWR after the refund has been made, each notice will be assessed an additional late fee.

The date of priority must be entered in Item #2. This is the month, day, and year water was first put to beneficial use. If you do not know the precise date, you must estimate the month, day, and year.

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Randall and Margie Herbst
Page - 2 -

A description of the diversion works must be entered in Item #5, for example, well/pump, springbox, or headgate/ditch. Include the dimensions such as depth, casing size, pump horsepower, etc., if known.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208)-525-7161.

Respectfully submitted,



Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

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4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME HERBERT, RA. DALLCLAIM ENT. NO. A35-11638DATE RECEIVED 5/30/89CK # —AMOUNT \$ 50.00

YES NO Required Info?

1. Is the name and address complete with zip code? X — *
2. Is a priority date entered? X — *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. X — *
3. (a) Is a source entered? X — *
- (b) Is a tributary to entered? (if required) N/A X — *
4. Is the legal description of the p.d. sufficient? X — *
5. Is there a description of the diverting works? X — *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. X — *
- Is the period of use included? X — *
- Is a quantity claimed for each use? X — *
7. Is a total quantity claimed entered? X — *
8. If required is a consumptive use entered? N/A X — *
- Is the consumptive use correct? N/A X — *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A X — *
10. Is (are) the place(s) of use and purpose(s) indicated? X — *
11. Is (are) the county(ies) entered? X — *
12. Is the ownership of p.u. checked? X — *
13. Are other water rights listed or "none" indicated? X — *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A X — *
15. Is the basis of the claim indicated? X — *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A X — *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. X — *
18. Has the claim been signed, sealed, and dated by a notary? X — *
19. Was this claim filed on time, or was an extension granted? X — *
20. Is the fee enclosed correct? Exempt X — *
21. If this claim is based on an existing water right, has the identification number been entered? N/A X — *
22. Should this claim be data entered? X — *

Claim checked by: RDDate: 7/5/89

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

X (Yes) X (No)

Receipt Prepared by:

Claim data entered by: SK

Sent to claimant by:

Date:

Date: 11/14/89

Checked by:

Date:

Comments: No + every SCADRE

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WATER RIGHT NUMBER - 435-11992

PROPERTY TRANSLATION: ASSIGNATION CLAIM

OLD CO NUMBER -

+ - - - - - LAST NAME - - - - -

+ - FIRST NAME - - -

+ - - - - - ADDRESS - - - - -

+ - - - - - CURRENT OWNER + - -
HERBST

CARROLL

1 - 135 NW 400 N.

2 -

3 -

CITY- BLACKFOOT

STATE- ID ZIP- 83221

PHONE - 208-755-2236

1 - 135 N. 400 W.

2 -

3 -

CITY- BLACKFOOT

STATE- ID ZIP- 83221

PHONE - 208-755-2236

HERBST

MARBLE

+ - - PRIORITY DATE - - - +
04/03/1905+ - - - - DESIGN - - - - -
15 CANYON

+ - - - - STAGE - - - -

+ - - - - STATUS - - - - +

1 - BENEFICIAL USE

+ - - - - SOURCE - - - - -
GROUNDWATER

+ - - - - - TRIBUTARY - - - - -

+ - - - - - POINT OF DIVERSION - - - - -
TWN RNG SEC TRACT LOT APLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

02S 25E 28 NW 34 K110 BINGHAM

+ - - - - CODE - - - - - DESCRIPTION - - - - - PERIOD FROM PERIOD TO - - - - - DIVERSION RATE - - - - - DIVERSION VOLUME - - - - -

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.020

+ - - TOTAL DIV. RATE - - - + - - - TOTAL DIV. VOLUME - - - + - - - TOTAL DIV. CAPACITY - - - + - - - TOTAL CONSUMPTIVE USE - - - + - - - RW USAGE - - - +
0.060+ - - - - - PLACE OF USE - - - - -
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

02S

25E

28

NW 34

LOT

ACRES

CODE

DESCRIPTION

COUNTY

02S

25E

28

NW 34

04

STOCKWATER

(11) BINGHAM

43

DOMESTIC

(11) BINGHAM

+ - - DIVERSION MEANS - WELL, 100' DEEP, 2" CASING, 1 HP

+ - - NON-IRRIGATION USE - 0/1 HOUSEHOLD, 5/2 HORSES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - NO REMARKS FOUND.

+ - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER = 435-1103

PAPER TRANSLATION ADJUDICATION CLAIM

CONDITIONS OF APPROVAL -
NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF

DEGREE DEFENDANT

DEGREE DATE -
00/00/0000

AUDIT FIELDS = 11/14/89 KEISER

COMMENTS -
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT - FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 03/30/1988
PAPER DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLAG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - 0000187
RCU OWNERSHIP FLAG - Y
NAME CONNECTOR - AND

CIVIL CASE NUMBER - 09576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - 3
PRESUMPTION FLAG -

RP 0324066

135 N 400 W

Deleto stockwater

PROOF
MAY 23 1991

DATA ENTRY

ENTERED 4-2-92 DWJ

CHECKED 8/2/92

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUN - 1991

CERTIFIED
JUN 17 1991
WATER EXAMINER

MICROFILMED
APR 18 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A35-11638
Date Received: 5/30/1989
Receipt No: E008187
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RANDALL HERBST 208-785-2238
Address: 135 N. 400 W.
BLACKFOOT, ID 83221

AND

Name: MARGIE HERBST 208-785-2238
Address: 135 N. 400 W.
BLACKFOOT, ID 83221

2. Date of Priority: APR 05, 1905

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	28	NW	SW			BINGHAM

5. Description of diverting works:
WELL, 100' DEEP, 8" CASING, 1 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/2 HORSES

A35-11638

Page 1

Date: 11/14/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	28	NW	SW		DOMEST	
			NW	SW		STOCK	

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

A35-11638

Page 2

Date: 11/14/89

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16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A35-11638Date Received 5-30-89Receipt Number E008187NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Randall and Margie Herbst Phone (208) 785-2238Mailing Address 135 N. 400W Blackfoot, Idaho Zip 832212. Date of Priority (Only one per claim) April 5, 1905 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township Two S Range 35ESection 28, _____ 1/4 of N.W 1/4 of SW 1/4, Govt. Lot _____, BlCounty of BinghamAdditional points of diversion if any: NONE5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the of each well. well, 100 ft deep, 8" casing 1 h.p.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>domestic</u> purposes from	Month/Day <u>1.1</u>	to	Month/Day <u>12.31</u>	amount	(cfs) <u>0.04</u>
(Both dates are inclusive)					
For <u>stockwater</u> purposes from	Month/Day <u>1.1</u>	to	Month/Day <u>12.31</u>	amount	(cfs) <u>0.02</u>

7. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) one household and two horses

A351638



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10. Place of use is: Township: Two S Range 35 E

Section 28, N.W 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Bingham for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any NONE

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes yes No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None ()

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

By signing I/We acknowledge reading the notice on the back of this claim form.

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

YES _____ NO /

16. Signature (s)

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

60 Randall Herbst
Margie Herbst

Date

May 30, 1989

Date

May 30, 1989

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Donnerville) SS.

Subscribed and sworn (or affirmed) before me this 30th day of May 1989

SEAL

Notary Public Debra A. Way

Residing at Idaho Falls

My Commission Expires 5/29/1991

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant **MICROFILMED**

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