

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 74-16008

RECEIVED
JAN 13 2020
Department of Water Resources
Eastern Region

Priority: June 26, 2015

Maximum Diversion Rate: 3.72 CFS

Maximum Diversion Volume: 651.7 AF

The owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 74-16008

ROBIN R HERBST 26 PINE CREEK RANCH RD SALMON ID 83467

LYNN A HERBST 26 PINE CREEK RANCH RD SALMON ID 83467

requests the permit be changed as follows:

Source: SPRINGS

Tributary: AGENCY CREEK

Beneficial Use

IRRIGATION

Period of Use

03/15 to 11/15

Rate of Diversion

3.72 CFS

Annual Volume

651.7 AF

Location of Point(s) of DiversionSPRINGS NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp 19N, Rge 24E, B.M. LEMHI County (Rediversion)SPRINGS SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp 19N, Rge 24E, B.M. LEMHI CountySPRINGS NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp 19N, Rge 24E, B.M. LEMHI CountySPRINGS SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp 19N, Rge 24E, B.M. LEMHI County (Injection)SPRINGS SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp 19N, Rge 24E, B.M. LEMHI County (Rediversion)Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
19N	24E	17			0.2					17.4	31.4			36.1		3.2	1.6			89.9
19N	24E	20					33.9	15.0	12.1	27.9	6.2	1.2								96.3

Total Acres: 186.2

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 9 day of January, 2020.

Lynn A. Herbst
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100 Received by Cxt # FO45560 Date 01/13/2020

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ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 74-16008 with the following:

Conditions of Approval

1. Rights 74-740, 74-741, 74-742, 74-7147, and 74-16008 when combined shall not exceed a total diversion rate of 5.35 cfs and the irrigation of 186.2 acres. However, when Rights 74-740, 74-741, and/or 74-742 are completely or partially unavailable for use, Right 74-16008 shall provide only two-thirds (0.67%) of the diversion rate unavailable from those rights.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District Nos. 74 and 74M.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s) at the following locations: 1) on the point of redirection from Agency Creek located west of Hwy 28, and 2) on the L-31 Ditch where the ditch crosses Tendoy Lane at a location that can be easily accessed by the watermaster.
4. This right authorizes the diversion of water from springs, injection of diverted water into Agency Creek, and two points of redirection of the injected water from Agency Creek.
5. This right is limited to a maximum diversion rate of 0.02 cfs per acre.
6. The right holder shall limit the diversion of water under this right to those times when Rights 74-740, 74-741, 74-742, and 74-7147 are not available or reasonably sufficient to irrigate the place of use authorized under this right.
7. If water rights 74-740, 74-741, 74-742, or 74-7147 are abandoned, forfeited, sold, transferred, leased, or used on any other place of use, right 74-16008 shall not be used.
8. This right does not grant any right-of-way or easement across the land of another.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 28th day of January, 2020.



JAMES CEFALO
Eastern Regional Manager