

APPLICATION TO
APPROPRIATE WATER

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16008

LYNN A HERBST

PO BOX 21

TENDON, ID 83468

Points of Diversion

SWNENW S29 T19N R24E

NWSESW S20 T19N R24E

SWNESEW S20 T19N R24E

SWNESEW S20 T19N R24E

LEMHI County

Source SPRINGS / WASTEWATER

Tributary AGENCY CREEK

Use: IRRIGATION

03/15 to 11/15 3.17 CFS

Total Diversion: 3.17 CFS

Date Filed: 12/4/2013

Place Of Use: IRRIGATION

T19N R24E S17 SWNE SENW

NESW SWSW SESW SWSE

T19N R24E S20 NENW NWNW

SWNW SENW NESW NWSW

Total Acres: 158.6

This application proposes the diversion and use of water from springs tributary to Agency Creek a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 3.17 cfs and 158.6 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 21, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Affidavit of Publication

JAN 17 2014

RECEIVED

Department of Water Resources
Eastern Region

STATE OF IDAHO

ss.

County of Lemhi

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **APPLICATION TO APPROPRIATE WATER**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **1-2-2014** and ending with the issue dated **1-9-2014**.

STATE OF IDAHO

ss.

County of Lemhi

On this **10th day of January** in this year of 2014 before me, A Notary Public, personally appeared **RICKY G. HODGES**, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shiela Johnson
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-16-2019

Publication Fee \$129.60

