

35-07885 C

T
6
S
R 30E
35-7885

R29E R30E

P.D.

not current picture
rock piles have been
cleared. all ground
farmable.

380 ac

T
6
S

18

160

S-18-2
well

MAR 2 1995

35-7885 C

NOT TO SCALE

H-8 R

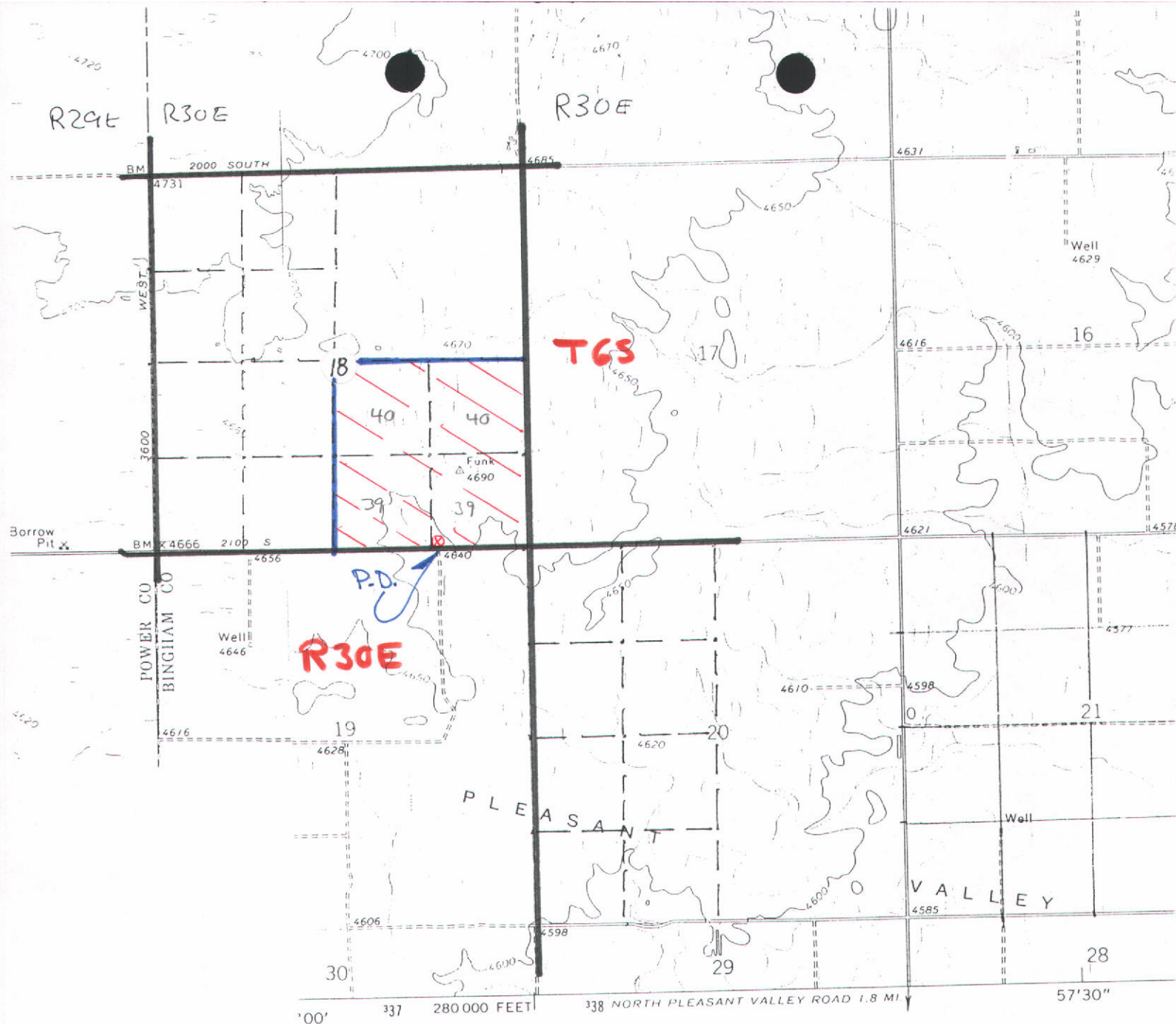
35-7885 C



35-7885 C

18-1

MAR 22 1995



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

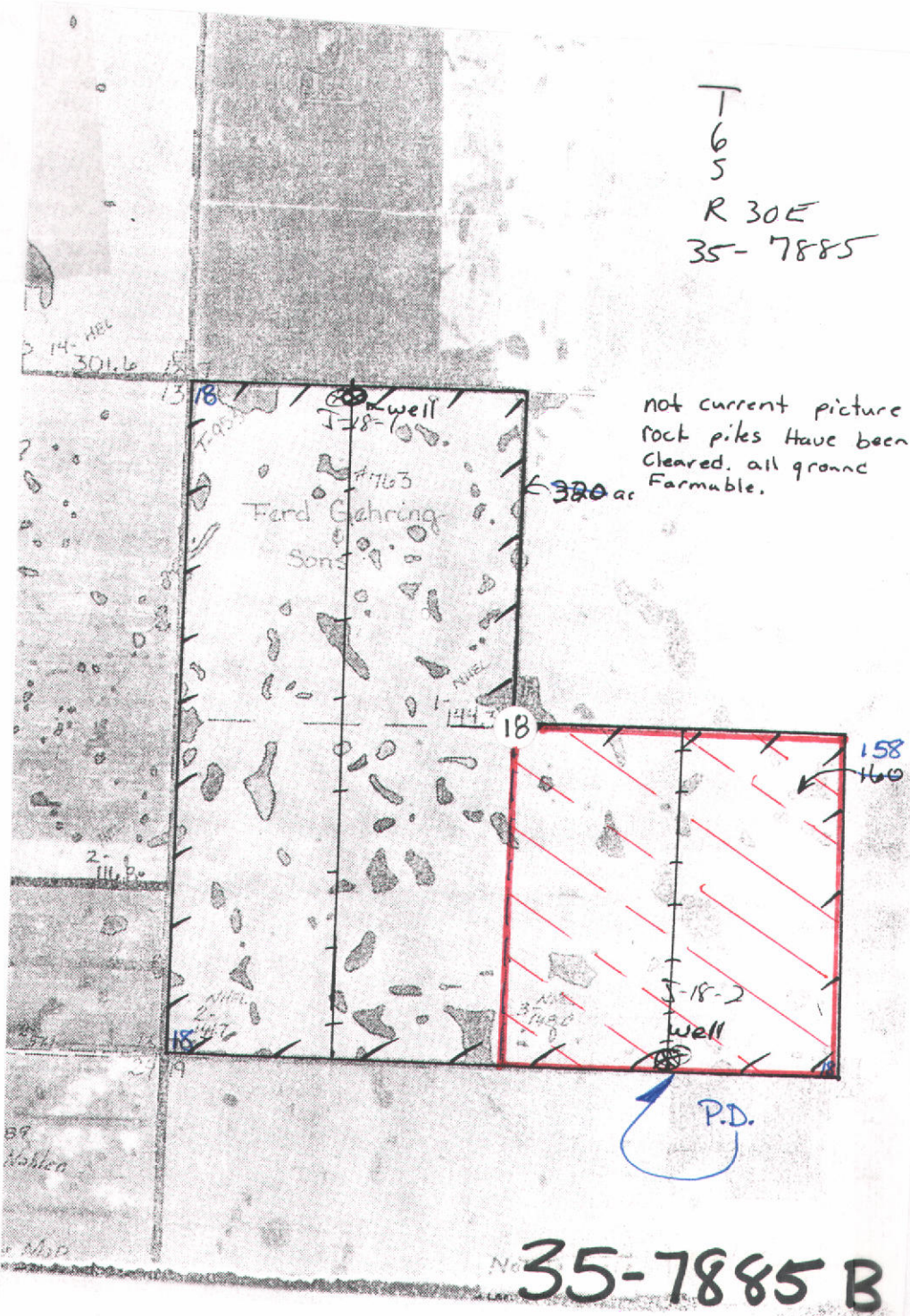
Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (transverse Mercator)
1000 meter Universal Transverse Mercator grid ticks



35-07885B

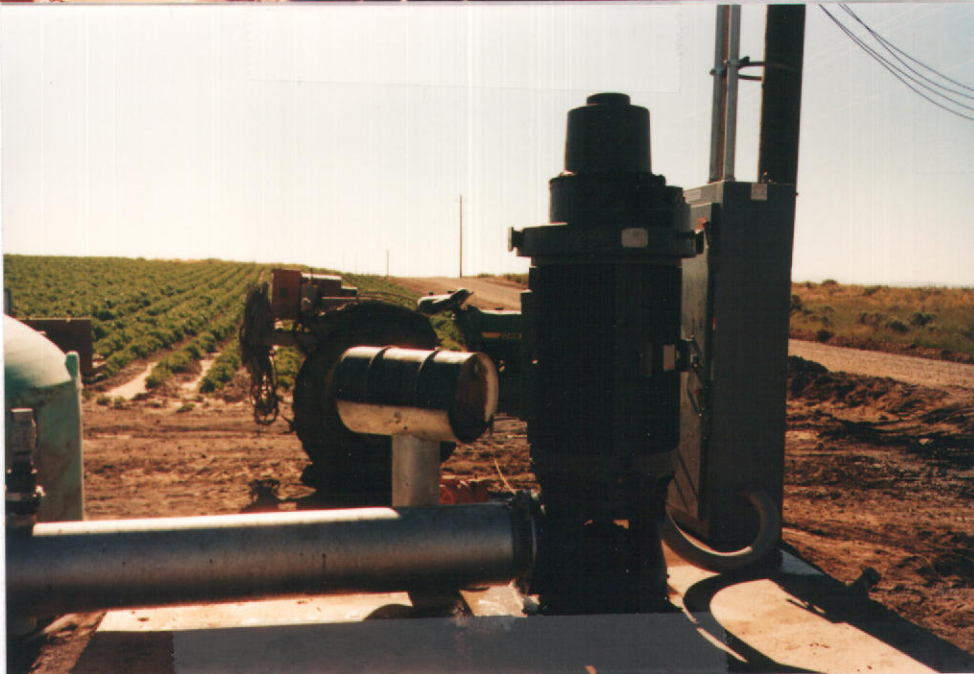
MICROFILMED
MAR 22 1995

T
6
S
R 30E
35-7885



RECEIVED
MAR 22 1995

35-7885^B

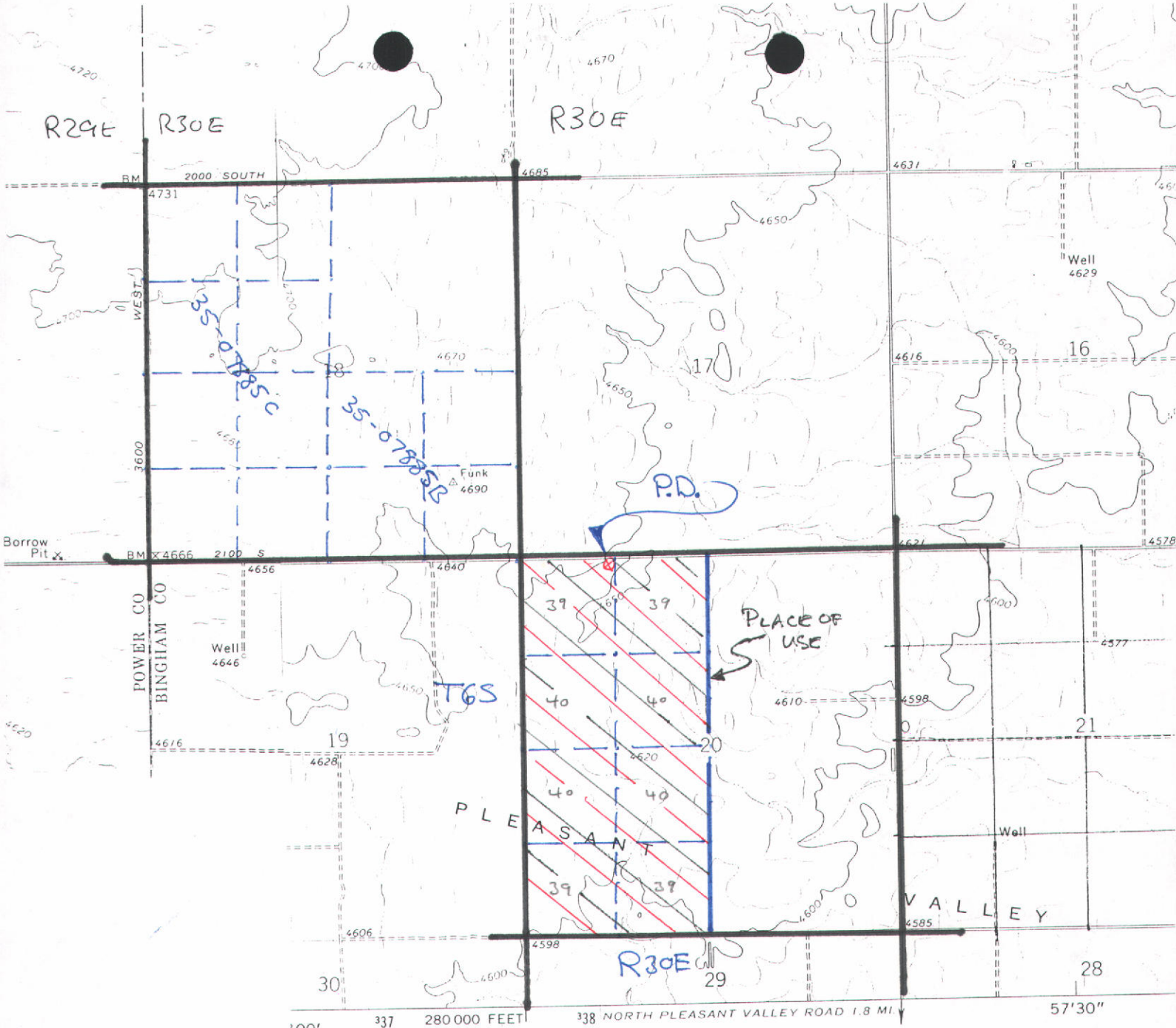


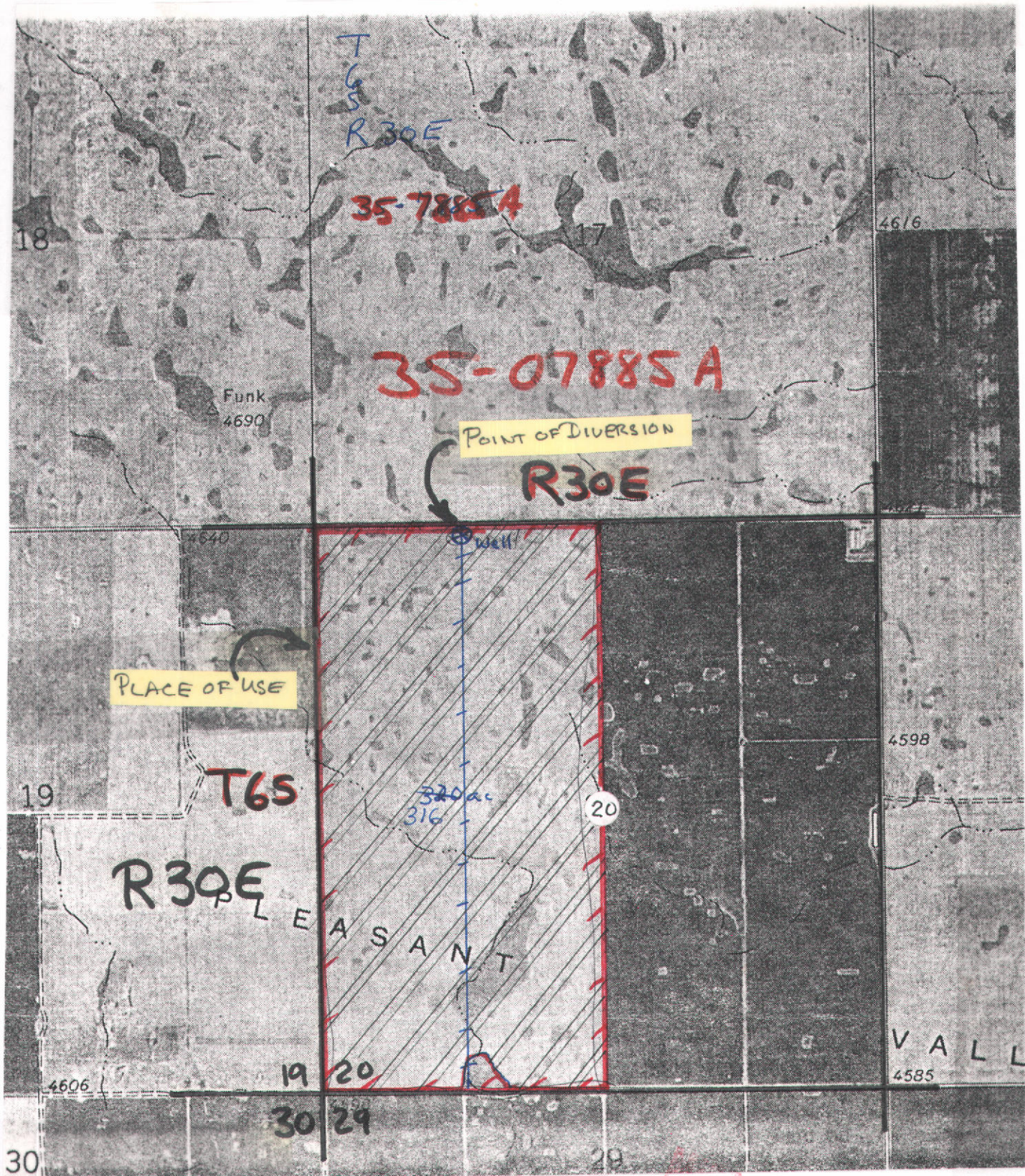
35-7885^B

18-2

MICROFILMED

MAR 22 1995





35-7885A
MAR 2 2 1995

35-7885A



Measurement Port

35-7885



POINT OF DIVERSION

20-3

35-07885A

MAR 22 1995

Exhibit B

GEHRING - Exhibit "B"

BINGHAM AREA, IDAHO NO. 118

Land division corners are approximately positioned on this map.

Photomaps from 1956, 1960 and 1965 aerial photographs. Position of 5 000 feet corners are approximately positioned on this map.

BINGHAM AREA, IDAHO NO. 119

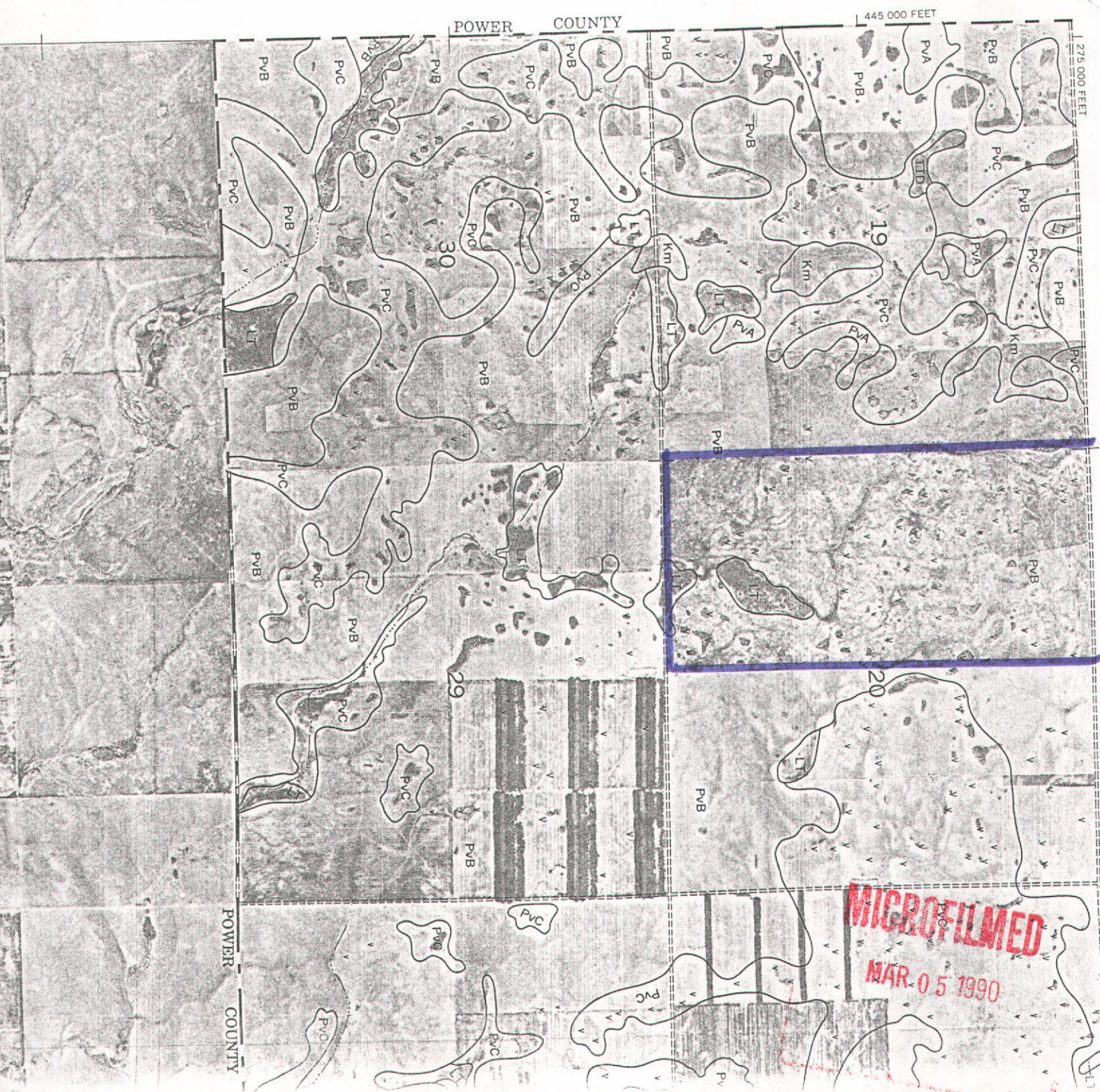


EXHIBIT "C" - GEHRING

BINGHAM AREA, IDAHO

116



1 Mile
5 000 Feet

Scale 1:20 000

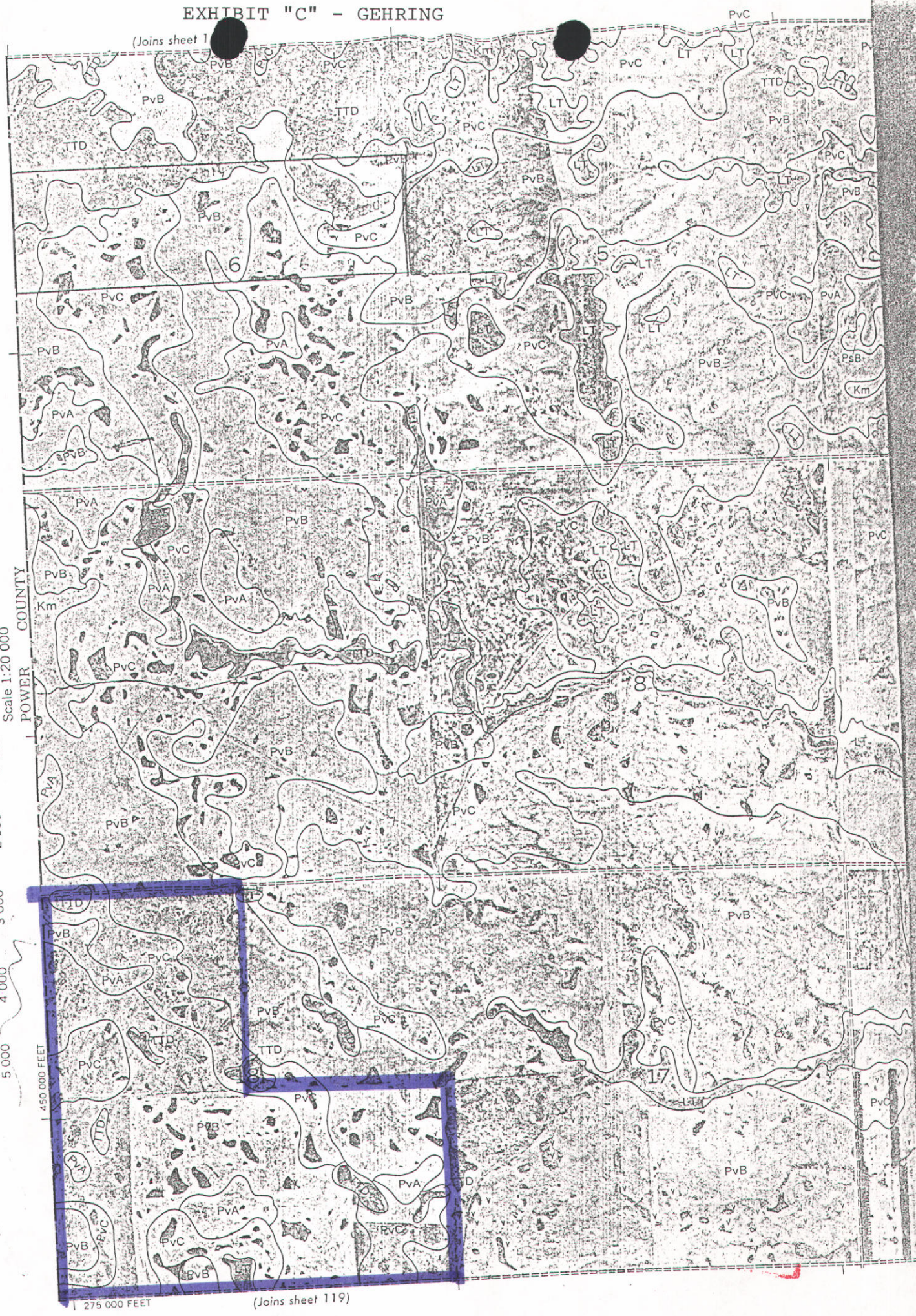
COUNTY POWER

0 0 1 000 2 000 3 000 4 000 5 000
1/4 1/2 3/4

1 450 000 FEET

1 275 000 FEET

(Joins sheet 119)



U.S.

COUNTY

11

U.S.

12

X U.S. Lamar Johns Well

7

U.S.

8

U.S.

9

GEHRING

U.S.

14

U.S.

13

PETER JOUGLARD

PETER JOUGLARD

U.S.

17

X Marlene Funk Well

STATE

16

MICROFILMED

MAR 05 1990

EXHIBIT "A"

PLAT OF ADJACENT WELLS

U.S.

23

U.S.

24

U.S.

19

U.S.

20

PETER JOUGLARD

U.S.

21

PETER JOUGLARD

Existing Permit Well

Proposed Permit Well

Existing Permit Well
Chet Wahlen Well-----X

U.S.

26

U.S.

25

U.S.

30

U.S.

29

U.S.

28

COUNTY

EXHIBIT "A"

U.S.

30

U.S.

29

U.S.

28

37.38

37.39

37.40

37.41

37.42

37.43

37.44

37.45

37.46

37.47

37.48

37.49

37.50

37.51

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37.66

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37.71

37.72

37.73

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37.75

37.76

37.77

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37.79

37.80

37.81

37.82

37.83

37.84

37.85

37.86

37.87

37.88

37.89

37.90

37.91

37.92

37.93

37.94

37.95

37.96

37.97

37.98

37.99

38.00

C

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07885C

Priority: January 2, 1980

Maximum Diversion Rate: 6.26 CFS

Maximum Diversion Volume: 1252.0 AF

This is to certify, that FERDINAND GEHRING
3648 GEHRING RD

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1980; and has submitted Proof of Beneficial Use on August 2, 1991. An examination indicates that the works have a diversion capacity of 6.790 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	6.26 CFS	1252.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 30E 18	NENW 39	NWNW 38	SWNW 39	
	SENW 40	NESW 40	NWSW 39	
	SWSW 39	SESW 39		313

Total number of acres irrigated: 313

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

MAR 22 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

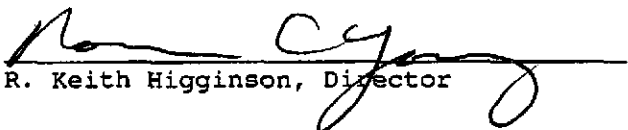
WATER RIGHT NO. 35-07885C

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3rd day of MARCH, 1995.

Acting for


R. Keith Higginson, Director




MAR 22 1995

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
FEB 27 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885C

Date of Priority: January 2, 1980

Maximum Diversion Rate: 6.26 CFS
Maximum Diversion Volume: 1252.0 AF

Comes now
3648 GEHRING RD
AMERICAN FALLS ID 83211

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-07885C, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	6.26 CFS	1252.0 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 18, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	18	NENW 39	NWNW 38	SWNW 39	
			SEnw 40	NESW 40	NWSW 39	
			SWSW 39	SESW 39		313

Total number of acres irrigated: 313

APPROVED

MAR 2 2 1995

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 at 102m., this 4 day of Feb., 1995.

[Signature]
(Signature)

State of Idaho
Department of Water Resources

RECEIVED

FEB 27 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885C

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by RT # C03222K Date 2-27-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

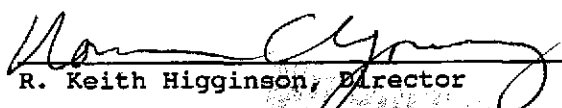
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-07885C with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 3rd day of MARCH, 1995.

Acting for


R. Keith Higginson, Director

MAR 22 1995

B

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07885B

Priority: January 2, 1980

Maximum Diversion Rate:
Maximum Diversion Volume:

3.16 CFS
632.0 AF

This is to certify, that FERDINAND GEHRING
3648 GEHRING RD
AMERICAN FALLS ID 83211

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1980; and has submitted Proof of Beneficial Use on August 2, 1991. An examination indicates that the works have a diversion capacity of 3.420 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.16 CFS	632.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 18, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	18	NESE 40	NWSE 40	SWSE 39	158
			SESE 39			158

Total number of acres irrigated: 158

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

MAR 22 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07885B

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3RD day of MARCH, 1995.

Acting for


R. Keith Higginson, Director



RECORDED
MAR 2 1995

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

FEB 27 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885B

Date of Priority: January 2, 1980

Maximum Diversion Rate:

3.16 CFS

Maximum Diversion Volume:

632.0 AF

Comes now

FERDINAND GEHRING

3648 GEHRING RD

AMERICAN FALLS ID 83211

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-07885B, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.16 CFS	632.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 18, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	18	NESE 40	NWSE 40	SWSE 39	158
			SESE 39			

Total number of acres irrigated: 158

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 at 10 a.m., this 3 day of Feb., 19 95.

RECORDED

[Signature]
(Signature)

MAR 22 1995

State of Idaho
Department of Water Resources

RECEIVED
FEB 27 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885B

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Receipted by RT # C03222 Date 2-27-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-07885B with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 3rd day of MARCH, 1995.

Acting for

R. Keith Higginson, Director

MAR 22 1995

A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07885A

Priority: January 2, 1980

Maximum Diversion Rate: 5.92 CFS
Maximum Diversion Volume: 1264.0 AF

This is to certify, that FERDINAND GEHRING
3648 GEHRING RD

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1980; and has submitted Proof of Beneficial Use on August 2, 1991. An examination indicates that the works have a diversion capacity of 5.920 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.92 CFS	1264.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 20, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	20	NENW 39	NWNW 39	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 39	SESW 39		316

Total number of acres irrigated: 316

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

MAR 22 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

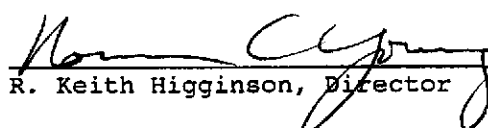
WATER RIGHT NO. 35-07885A

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3RD day of MARCH, 1995.

Acting for


R. Keith Higginson, Director



MAR 22 1995

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

FEB 27 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885A

Date of Priority: January 2, 1980

Maximum Diversion Rate: 5.92 CFS
Maximum Diversion Volume: 1264.0 AF

Comes now
3648 GEHRING RD
AMERICAN FALLS ID 83211

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-07885A, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.92 CFS	1264.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW, Sec. 20, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	20	NENW 39	NWNW 39	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 39	SESW 39		316

Total number of acres irrigated: 316

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 at 09:15 am this 4 day of Feb., 19 95.

(Signature)

MAR 2 1995

State of Idaho
Department of Water Resources

RECEIVED
FEB 27 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07885A

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by RT # C032222 Date 2-27-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

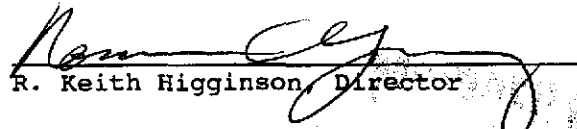
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-07885A with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 2nd day of MARCH, 1995.

Acting for


R. Keith Higginson, Director

MAR 22 1995

ORIGINAL

RECEIPT # E016399

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

AUG 2 1991

Department of Water Resources

Eastern District Office

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-7885 Telephone No. 226-2142
Name(s) of Permit Holder(s): GARY Gehring
Post Office Address: 3648 Gehring Road, Am. Falls, Idaho
Source of Water: groundwater 83211
If ground water, well driller's name: RAY CHANER - WELL #3 Date drilled: APRIL 20, 1985
WELL #1 - GARY VOLLMER - 1985 - WELL #2 - GARY VOLLMER - 1986
Extent of Use:
Domestic _____ (No. of households) Irrigation 800 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 19.2 ¹⁶ cfs 2400 acre/feet

Show date water was first diverted and beneficially used under this permit: MAY 1, 1985

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes X No Installed? Yes X No

OR

Flow Measurement Port: Required? X Yes No Installed? X Yes No

Fee Enclosed: \$ 475.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

GARY W. Gehring 226-2142
Name Telephone No.
3648 Gehring Road AM. FALLS, IDA 83211
Address

The above information 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.

NOV 15 1991

6-1-91
Date

GARY W. Gehring
Signature (and title if on behalf of a company or organization)

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

IN THE MATTER OF EVALUATING)
WHETHER DEVELOPMENT OF 20,000 ACRES)
OF IRRIGATED LAND WOULD) MEMORANDUM DECISION
CAUSE A SIGNIFICANT REDUCTION) & ORDER
IN TRUST WATER AVAILABLE FOR)
POWER PRODUCTION)

This matter having come before the Director of the Idaho Department of Water Resources (IDWR) as a result of the Swan Falls water right settlement, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. "Trust water" is that portion of an unsubordinated water right used for hydropower generation purposes which is in excess of a minimum stream flow established by state action.

2. Section 42-203C(1), Idaho Code, provides as follows:

If an applicant intends to appropriate water which is held in trust by the state of Idaho pursuant to subsection (5) of Section 42-203B, Idaho Code, the director shall consider, prior to approving the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist within twelve (12) months of the proposed use, would significantly reduce the amount of trust water available to the holder of the water right used for power production that is defined by agreement pursuant to subsection (5) of Section 42-203B, Idaho Code, and, if so, whether the proposed reduction is in the public interest. (emphasis added).

3. The IDWR conducted a study to estimate the reduction in hydropower generation which would result from the development of the first 20,000 acres of newly irrigated land (new development) authorized under the Swan Falls settlement. The study included several steps as follows:

- a) Identify the location of the potential new development and the related water sources;
- b) Estimate the net depletion resulting from new i development of these lands;

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MAR 05 1990

c) Route the reduced flows through the aquifer and surface flow systems to the affected power plants;

d) Compute the loss in potential generation at each plant resulting from the reduced flows.

4. Step a) in Finding of Fact No. 3. was accomplished by plotting land location as shown by the water right applications and permits being considered. The 20,000 acres are generally located as follows:

<u>Acreage</u>	<u>General Location</u>	<u>Water Source</u>
9,885	Snake River Plain	Snake Plain Aquifer
5,315	Valleys adjacent to the Plain	GW trib. to Snake Plain Modeled area
4,800	Scattered areas	GW and surface water from areas not trib. to Snake Plain Modeled area

20,000 acres

5. Step b) in Finding of Fact No. 3. was accomplished using simulation models which have previously established the "base" flows conditions.

6. Step c) in Finding of Fact No. 3. involved a groundwater component and a surface water component. Withdrawals from the Snake Plain aquifer and from the tributary valleys affect the water in storage in the aquifer. Storage changes alter the gradients which eventually reduce aquifer discharges. If a new withdrawal is continued long enough, the aquifer outflows will be reduced by an amount approaching the magnitude of the withdrawal and resulting depletion.

7. The IDWR digital model of the Snake Plain aquifer (groundwater model) was used to simulate this process and predict the outflow reductions after 15, 30, 45 and 60 years of annual withdrawals by new irrigation development at the assumed locations. The results of the groundwater model run indicate that aquifer outflows would be reduced by the following percentages of the annual depletion:

<u>Year</u>	<u>Outflow Reduction (Acre Feet)</u>	<u>Percent of Annual depletion (%)</u>
15	4,600	23
30	9,000	45
45	14,700	73
60	15,200	76

8. Significant reduction should be determined by evaluating the depletion when its effect on the river is fully felt. Increased depletion in the percent of annual depletion is very small sixty (60) years after the initial

MAR 05 1990

depletion. The percent of annual depletion in the 60th year adequately represents the long-term effect of aquifer depletions on Snake River flows.

9. The groundwater model predicts that approximately eighty percent (80%) of the reduction in river flow would occur in the Milner to King Hill reach with the remainder (20%) occurring between Blackfoot and Minidoka Dam.

10. The IDWR routed the reduced flows through the aquifer and river system using a digital model of the Snake River system (river model). This model and its computed base conditions are described in "Stream Flows in the Snake River Basin, 1985 Conditions of Use and Management" Open-File Report, September 1986. The groundwater depletion was input to the river model assuming uniform depletions each month.

11. The river model computes flows at numerous points in the Snake Plain Basin including sites at, or near to, the power plants. These computed flows were used to compute power generation and were compared to similarly computed generation for base flow conditions.

12. The annual reduction in hydropower generation 60 years after the development of 20,000 new acres is estimated to be approximately 2.8 million KWH in power facilities upstream from the Murphy gage on the Snake River.

13. In cooperation with staff of the Idaho Public Utilities Commission (IPUC), IDWR determined the rate impact of lost hydropower generation caused by the new development in the trust water area of the Snake River basin assuming that new thermal generation capacity is obtained to replace the lost hydropower generation.

14. The cost impact to the rate base of replacing the lost hydropower generation with thermal generation capacity must be considered in the evaluation of any significant reduction in hydropower generation, but the statutes and Water Appropriation rules do not require consideration of impacts to the rate base resulting from other aspects of the new development such as new pumping loads.

15. Step d) of Finding of Fact No. 3. was determined using an IPUC power supply model (power model) associated with the rate making process. Data from the 1966-1985 period was used to establish a base flow. The depletions were then input to the power model and the difference in ability to meet firm load requirements and to make economic spot market sales and purchases was determined. A comparison of the output of the power model run to base conditions produced increased total IPCO power supply costs due to Snake River depletions.

16. The power model shows that the impact of reduced hydropower generation at IPCO's facilities on the Snake River above the Hell's Canyon complex as a result of the development of 20,000 new acres will result in an average increase in IPCO's power costs of \$159,553 per year which is approximately five one hundredths of one percent (0.05%).

17. During certain periods of each year there generally is unappropriated water in the Snake River. During these periods

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appropriation of water has no effect upon IPCO's water rights or ability to generate hydropower.

CONCLUSIONS OF LAW

1. The development of 20,000 new acres which results in an average increase in power rates of five one hundredths of one percent (0.05%) will not cumulatively cause a significant reduction in IPCO's hydropower generation capability at hydropower generation facilities upstream from the Hells Canyon complex on the Snake River.

2. The hydropower generating facilities of IPCO which are affected by reductions in river flow represent approximately 25% of IPCO's hydropower generating capacity as compared to the Hells Canyon complex facilities which represent approximately 75% of IPCO's hydropower generating capacity. The Hells Canyon facilities are subordinated to later in time consumptive uses and are not properly included as a part of the evaluation of significant reduction. (Water Appropriation Rule 5,3,1,4.).

3. The reduction in IPCO's hydropower generation capability caused by new development is such that the timing of the reduction, either on an annual basis or a long term basis, need not be considered by IDWR. The computer model studies show that it would take approximately 15 years for aquifer outflow to the Snake River to be reduced 23% of net new withdrawal. By the 60th year outflow would be reduced by 76% of the new depletion. Other factors present in a dynamic system as large as the Snake Plain aquifer will have more effect on the discharge of the Snake River than decreases caused by this amount of new development.

4. Staff of the IPUC advises that the effect of reduced hydropower production on "unit cost" is not a proper factor to consider when analyzing the effect of reduced flows to hydropower generating facilities. IPUC generally considers hydropower facilities to have zero unit or production costs. Thermal facilities on the other hand do have associated unit costs such as the cost of fuel.

5. The IDWR is unaware of any contract or regulatory permits including FERC licenses which require IPCO to produce or to maintain capability to produce hydropower at specific levels.

6. Approval of applications for permit or permits which propose the development of the first 20,000 acres of newly irrigated land with water from the Snake Plain aquifer will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

7. The development proposed by Permit No. 35-7885 will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

8. Permit No. 35-7885 should be continued without special provisions related to Section 42-203C(2), Idaho Code.

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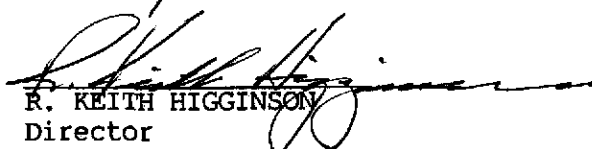
MAR 05 1990

ORDER

It is, therefore, hereby ORDERED that Permit No. 35-7885 is hereby continued subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before October 1, 1992.
2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.
3. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.
4. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.
6. All conditions of approval contained in Permit No. 35-7885 are incorporated into and made part of this order.

Dated this 12th day of February, 1990.


R. KEITH HIGGINSON
Director

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MAR 05 1990

RECEIVED
DEC 24 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received <u>12-28-87</u>
Date <u>12-28-87</u>
Receipt # <u>48223</u>

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use on a water right permit

Department of Water Resources

Ferdinand Gehring, dba Gehring Farms
& Ferd Gehring & Son, Inc.

(Name)

of 740 Calder, American Falls

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the
State of Idaho No. 35-7885

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
February 1, 1988

That he has heretofore performed the following work described under said permit: I have completely
(This must be filled out if no work has been completed put none.)
developed 320 of the 800 acres listed in the permit by drilling a well, extending a power
line, putting in a pump, motor and panel and lateral lines. I was able to do this with
the uncertainty of the Swan Falls litigation. I was unable to obtain enough additional risk
capital to develop the balance of the property. Costing \$ 160,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Due to the lack of approval from the Federal Energy Regulatory Commission which causes
the title to my water right to be in question until just recently, I was unable to locate
sufficient risk capital with which to develop the balance of the property. Now that the
Swan Falls litigation has been resolved, I will be able to go forward and complete the
development within the next two years.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to June 1, 1990
(1 yr. minimum,
5 yrs. maximum)

Ferdinand Gehring
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

MICROFILMED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES MAR 05 1990

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to October 1, 1992.

Signed this 12th day of February, 1990

J. Glen Saxton
Chief, Water Allocation Bureau

Form 204
RECEIVED

OCT 31 1984

NOV 7 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received <u>15.00</u>
Date <u>11-07-84</u>
Receipt # <u>34335</u>

Department of Water Resources
Eastern District Office

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED

NOV 8 1984

Ferdinand Gehring dba Gehring Farms,

Ferd Gehring & Son Inc.

(Name)

of 740 Calder,

(Address)

Department of Water Resources

American Falls

State of Idaho 83211

, deposes and says:

226-2540

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 35-7885

That under the terms and conditions of said permit, work thereunder was required to be completed on or before February 1, 1985.

That he has heretofore performed the following work described under said permit: Picked rock,

(This must be filled out! If no work has been completed put none.)

leveled some high spots & continued dry farming until litigation is resolved

Costing \$ approx 10,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Application holder has held off any expensive development work due to the pendency of Idaho Power vs. State of Idaho and related lawsuits which made development uncertain and risky.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to February 1, 1988, 1988.
(1 yr. minimum, 5 yrs. maximum)

NOTE

AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Ferdinand Gehring dba Gehring Farms
(Signature)

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to February 1, 1988.

IT IS FURTHER ORDERED that the department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest.

Signed this 27th day of November, 19 84.

J. Glen Sayton
Chief, Operations Bureau

REPROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Ferdinand Gehring dba Gehring Farms, Ferd Gehring & Son Inc.
of (address) 795 Bannock, American Falls, Idaho 83211, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 35-7885, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SW ¼, Section 18, Township 6S, Range 30 E, B.M.,
County of Bingham. Other points of diversion: _____
SW¼NW¼, Sec. 18; SW¼SE¼, Sec. 20; T. 6S, R. 30 E.B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 16.0 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	30E	18					40	40	40	40	40	40	40	40	40	40	40	40	480
6S	30E	20					40	40	40	40	40	40	40	40					320

Total number of acres to be irrigated = 800

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant

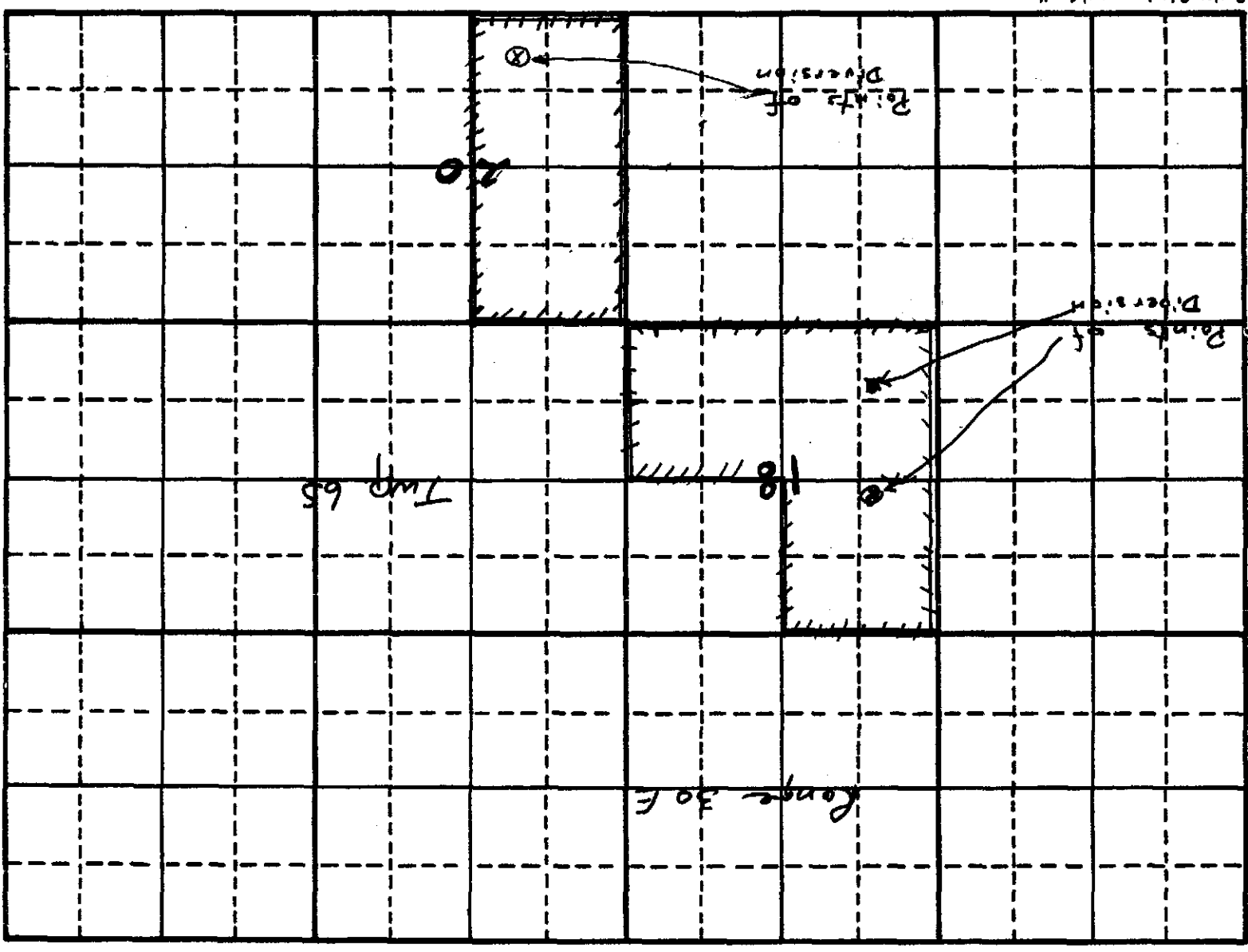
If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

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NOV 7 1980

Department of Water Resources
Eastern District Office

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



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

Signed at American Falls, Idaho, this _____ day of October, 1980.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by EMC Fee = \$20.00 Received by JW Date 9/22/80 #16016

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 35-7885

Witness my hand this _____ day of May, 1981

D. Glen Saxton
 Chief, Operations Bureau

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SEP 16 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR AMENDMENT

APPROVED

Permit No. 35-7885

Comes now FERDINAND GEHRING dba Gehring Farms, of (address) 795 Bannock,
Ferd Gehring & Son Inc.
American Falls, Idaho 83211, and represents to the State Reclamation
Department of Water Administration

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-7885, and requests that the permit and permit map be changed as follows:

1. Point of diversion: in the SW $\frac{1}{4}$ $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$ Sec. 17, T. 6 South,
R. 30 E, B.M. ~~Other points of diversion~~ be moved to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18,
T-6S, R. 30 E.B.M.. That all other points of diversion remain the same.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

		mo. - day	mo. - day	
Amount	16.0 for Irrigation	purpose from	4/1	to 11/1 (both dates inclusive)
	(cfs or acre-feet per annum)			
Amount	for	purpose from		to (both dates inclusive)
	(cfs or acre-feet per annum)			
Amount	for	purpose from		to (both dates inclusive)
	(cfs or acre-feet per annum)			
Amount	for	purpose from		to (both dates inclusive)
	(cfs or acre-feet per annum)			
Amount	for	purpose from		to (both dates inclusive)
	(cfs or acre-feet per annum)			

3. Place of use or land to be irrigated:

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 $\frac{1}{4}$	
6S	30E	18					40	40	40	40	40	40	40	40	40	40	40	40	480
6S	30E	20					40	40	40	40	40	40	40	40					320
																			800

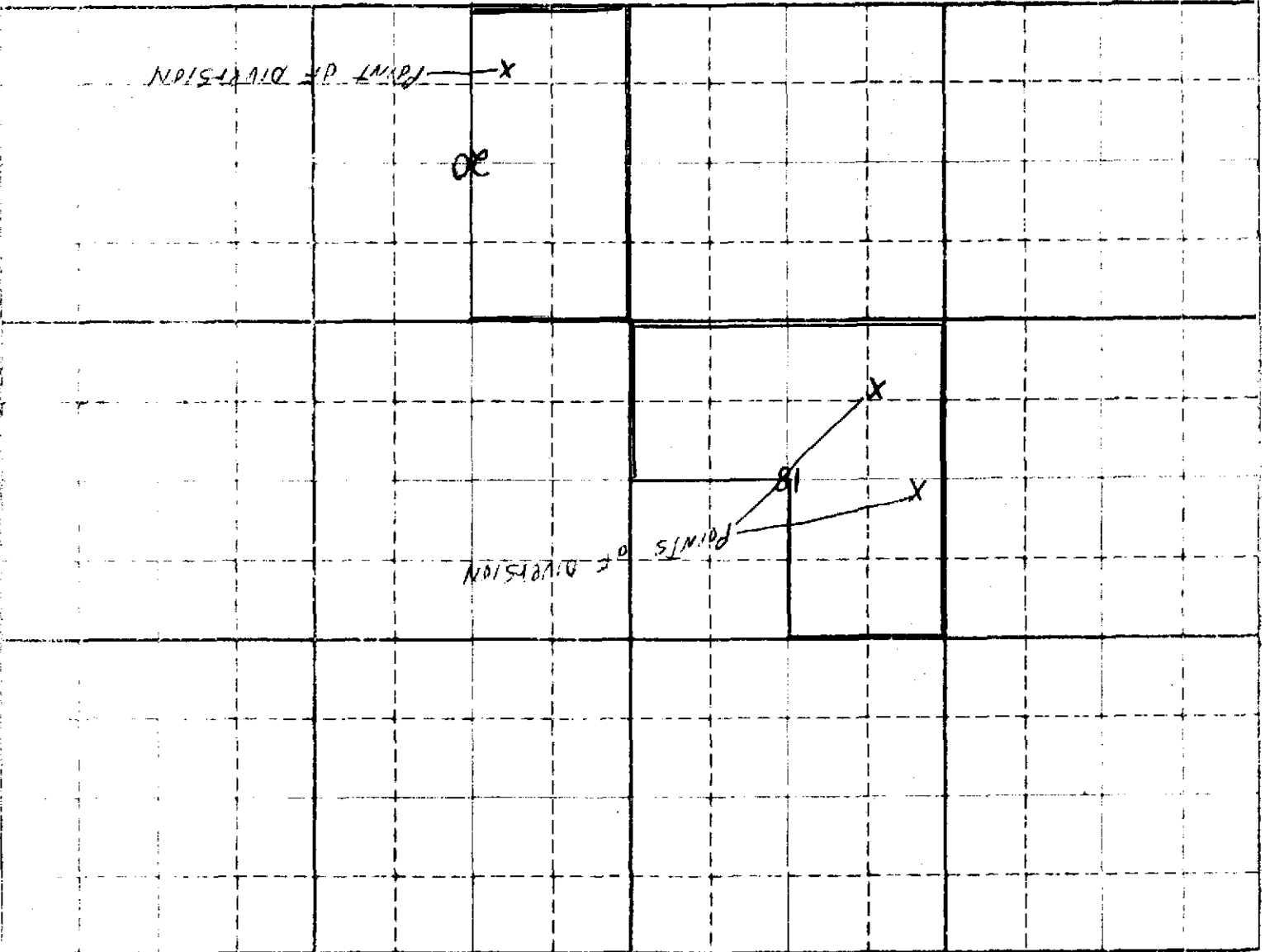
Total number of acres to be irrigated

SUPERCEDED by new Amendment form
approved May 4, 1981 see letter dated 9/22/80

Jan

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Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, 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 holder's own risk.

Signed at American Falls, Idaho

this 5th day of September 19 80
L. Glen Saxton
 (Signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Administration

hereby APPROVE the above referenced Amendment for Permit No. 35-7885.

Witness my hand this 19th day of November 19 80
L. Glen Saxton
 Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant FERDINAND GEHRING Phone 226-2540

Post office address 795 Bannock, American Falls, ID 83211

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 6S

Range 30E B.M. Bingham County, additional points of diversion if any: _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; T. 6S, R. 30E

4. Water will be used for the following purposes:

Amount 19.2 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 19.2 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, buried main lines to
sprinkler system. The 3 wells will be connected with the main lines.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower 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 _____.

(5) If water is to be used for other purposes describe: _____

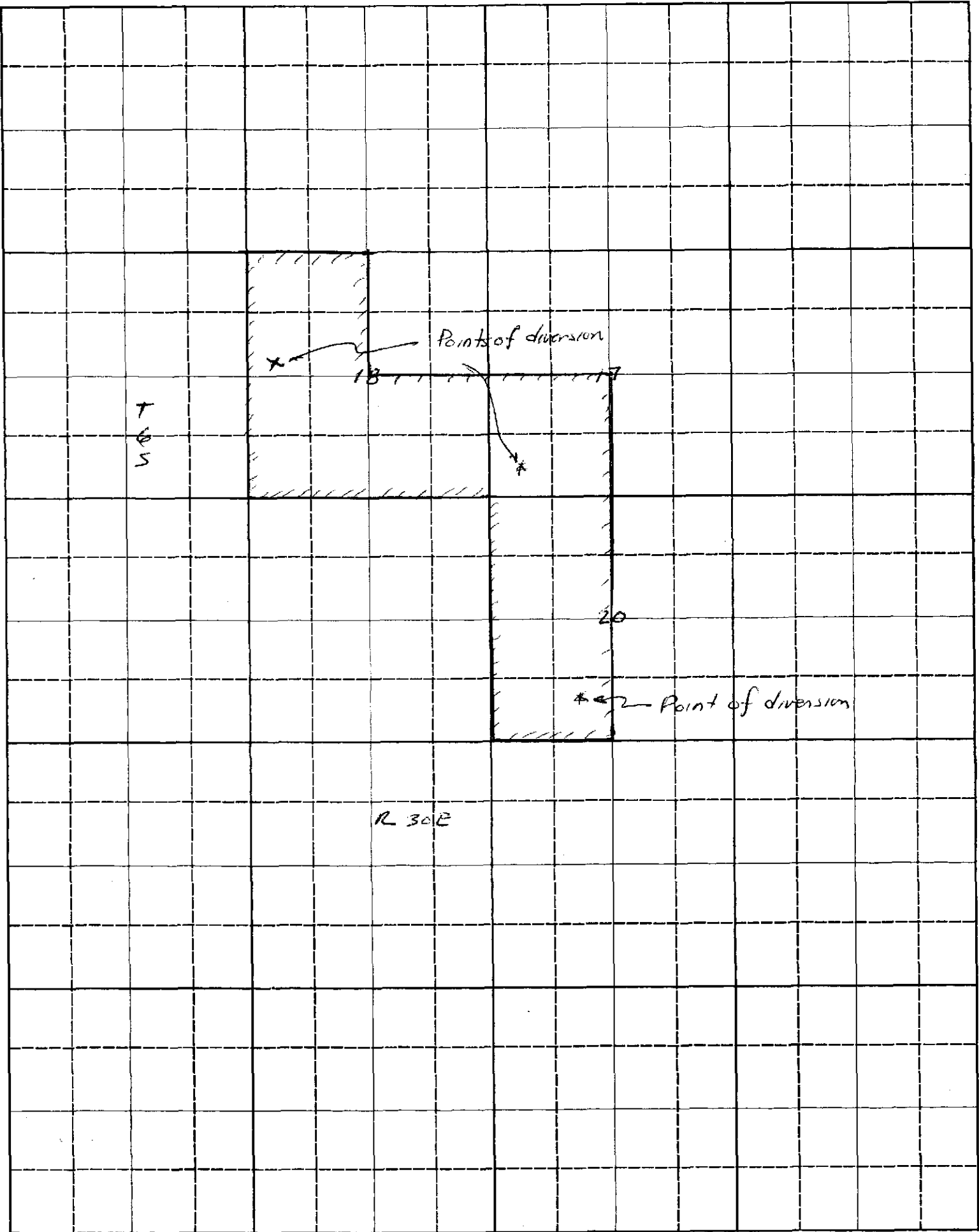
[illegible]

9. a. Who owns the property at the point of diversion Applicant
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

applicant to make this filing.

Remarks

11. 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.

Andreas Lehning
(Applicant)

Proposed Priority

1/2/80

Received by S.M.

1/2/80

J.S.

Date Jan 2, 1980 Time 3:30 PM

Preliminary check by BNC

Fee \$ 225.00

Received by BNC

Date 1/2/80 #15478

Publication prepared by kw

Date 1/03/80

Published in The Blackfoot News

Publication dates 1/10 & 1/17/80

Publication approved

Date 1/22/80

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for approval

denial

by BNC

kw

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. 35-7885, 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 be-

fore February 1, 19 85.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) An access port or other device as specified by the Department shall

be installed by the permit holder to provide for the installation of measuring

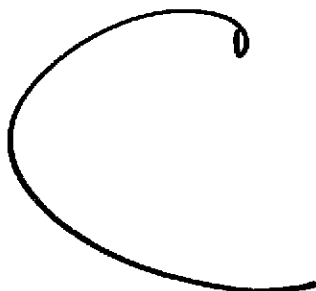
equipment and the determination of the rate of diversion by the Department.

Witness my hand this 15 day of

February

19 80.

J. Allen Boyton





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

FERDINAND GEHRING
3648 GEHRING RD
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-07885C

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

DUPLICATE
MAR 22 1995

Boomer & Laggis

HENRY R. (Hank) BOOMER
PAUL S. LAGGIS

ATTORNEYS-AT-LAW
376 Roosevelt - P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562
Fax (208) 226-2578

February 23, 1995

RECEIVED
FEB 27 1995
Department of Water Resources

Shelley W. Keen
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: WATER RIGHT NOS. 35-07885A/35-07885B/35-07885C

Dear Mr. Keen:

Enclosed please find our office check in the sum of \$50.00 in this matter, as we discussed on the telephone.

If you need anything further, please contact me at your convenience. I appreciate your assistance in this matter.

Sincerely,


Paul S. Laggis
Attorney at Law

PSL:sab

encl.

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MAR 22 1995

M E M O R A N D U M

DATE: February 22, 1995

TO: File 35-07885

FROM: Shelley W. Keen *(suk)*

RE: Licensing Amendment

=====

This morning attorney Paul Laggis (226-2562) called to discuss the licensing amendments for 35-07885A/35-07885B/35-07885C. He said that Gary Gehring, his client, recalls having signed and returned the amendment forms after our first request sent on January 27, 1995. We have no record of having received the signed amendment forms or the fee. After checking our file and the receipting database (AR9) I called Mr. Laggis's office and left a message indicating that we have not received the forms and the fee.

RECEIVED

MAR 22 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 16, 1995

Ferdinand Gehring
3648 Gehring Rd
American Falls ID 83211

RE: WATER RIGHT NOS. 35-07885A/35-07885B/35-07885C

Dear Water Right Holder:

I previously forwarded to you Applications for Amendment so that you could amend your permits to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permits and cancellation proceedings will begin. Enclosed for your convenience are additional amendment forms in the event the first ones have been misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SK:rl

Enclosure

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MAR 22 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 27, 1995

FERDINAND GEHRING
3648 GEHRING RD
AMERICAN FALLS ID 83211

RE: PERMIT NO. 35-07885

Dear Water Right Holder(s):

The above referenced permit is in the process of being reviewed for licensing. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The right will be split into parts A through C, one for each of the three separate wells. The enclosed Applications for Amendment contain information that will be included on each licensed part when it is issued. All three should be amended to reflect the correct points of diversion.

The last page of each Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for each license when it is issued. These conditions/remarks may be modified upon further administrative review.

Please review carefully and if you concur, sign each amendment and return with the \$50.00 filing fee (one fee for all three) within 14 days. If you do not concur with this information, please contact me as soon as possible.

Sincerely,

SHELLEY W. KEEN
Water Rights Supervisor

SWK:bc

Enclosures

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-07885C DATE 1-23-95



NAME Yes No Or Address Change?

PRIORITY DATE Yes No Advance? Yes Advanced to: _____
 Order to reinstate needed? _____
 Incorrect fee for rate recommended? _____

SOURCE Yes No Changes or just clarification of originally intended source? _____
 Notice of Intent to Void necessary? _____

POINT OF DIV Yes No Amendment needed? Change to NENW SEC 13 ONLY
 Overlaps? _____

PLACE OF USE Yes No Amendment needed? _____
 Overlaps? _____

DIV RATE Yes No Permit/fee limits: 16 CFS FORENTIRE PERMIT
 PART A = 5.92 Flow meter Meas Q = 6.79 Theo Q = _____ Recommend: 6.26
 PART B = 3.16
 PART C = 6.26
15.34
 ANNUAL VOLUME _____
 _____ 313 x .02 = 6.26
 Combined rates exceed capacity _____

Volume Limit: _____ Season: 6/4.0 (4-1 to 10-31) NEW
 Calculations: 313 x 4 = 1252 99
 Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable _____

USES Yes No Change in Nature of Use or additional uses? _____
 Amendment necessary? _____

REMARKS Yes No Multiple p/d(s) in 1/4 1/4? _____
 Other _____

CONDITIONS Yes No Measuring/Locking Devices _____
 Watermaster control - District _____
R31 Irrigation Overlap _____
 Water Quality _____
Yes Other R55 R56 R57 Heat/Cool/ Fish verified _____
TRUST

COMMENTS: Reduce acres and rate.
Amend p/d

RECOMMENDED	CFS	VOL	SRBA Claim Filed	NO
<u>Irrigation</u>	<u>6.26</u>	<u>1252</u>	Adjustment Memo Needed	<u>YES</u>
_____	_____	_____	LICENSE	<u>SPECIAL</u>
_____	_____	_____	1ST AMENDMENT LETTER	<u>P39+P38+SOS</u>
_____	_____	_____	FINAL AMENDMENT LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

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A. Prior to Conducting the Exam, the File Contains:

Department of Water Resources

- Blank Field Report Form
- Copy of Permit
- Copies of any Amendments/Orders with Conditions of Approval
- Well Inspection Form (If Needed)
- Aerial Photo Required? ☐ yes ☒ no If yes: ☐ copy attached
- SRBA Attachment A Submitted to Adjudication Section
- SRBA Claim Check Received _____ (initial & date)
- ☐ N/A ☐ Applicable, See Attachment A _____
- Copy of U.S.G.S. Quad
- Check for Government Lots. If so, make a copy of government plat
- Check of P/D index QB 7-24-91 (initial & date)
- Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- Type of Overlap? ☐ Add acres or uses to existing system
- ☐ Increase rate of flow or volume
- ☐ Other: _____
- Check of P/U index QB 7-24-91 (initial & date)
- Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- Type of Overlap? ☐ Increase rate of flow or volume
- ☐ Add P/D's
- ☐ Increase number of acres within tracts
- ☐ Other: _____
- Scheduling Letter Sent? _____ (initial & date)
- Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- _____ Fully Completed and Signed Field Report Form
 _____ Photographs of Point of Diversion and Place of Use
 _____ Copy of SRBA Claim Verification Sheet / _____ Original Returned to
 Adjudication Section

C. Review and Processing:

- Exam Completed GB 7-24-91 (signature of examiner & date)
Exam Reviewed by Senior Water Resource Agent Kaw 10/26/94 (initial & date)
Exam Reviewed by Manager of Regional Office _____ (initial & date)
Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-7885 C

1. Owner: Ferd Gehring & Son, Inc Phone No. 226-2540

Current Address: 7648 Gehring Rd American Falls, ID 83211

2. Accompanied by: Gary Gehring EXAM. DATE: 7-24-91

Address: Same Phone No. 226-5031

Relationship to Permit Holder: Son

3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A.

☐ Copies Attached

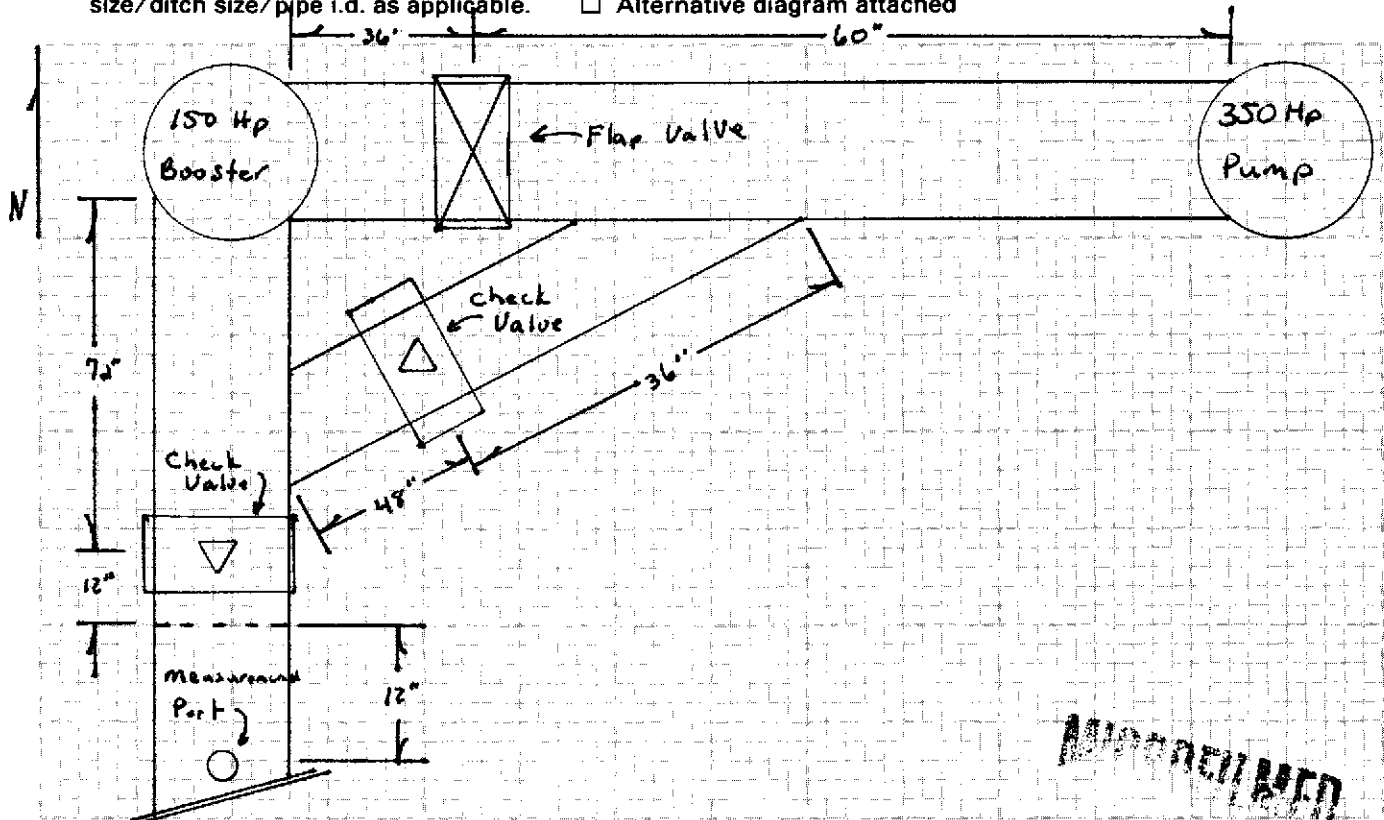
2. Other water rights with same point of diversion: N.A.

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

350 Hp Pump to 12" pipe to 150 Hp Booster Pump to 12" pipe to 14" main line to 16- $\frac{1}{2}$ male wheel lines with 32 bird to 6 gpm Flow control Nozzels.

6 gpm Flow control Nozzles.

☐ See Remarks on page 4 for continuation[illegible]

***Code to correspond with No. on map and aerial photo**

5. Point(s) of Diversion:

[illegible]

Indicate Method of Determination.

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Halls Meter	Pitot	cox	-	120387	12"	-
Flow Indicator	Manometer	IDWR	-	-	60"	-
Pressure Gauge	Fluid	Rainbird	-	-	0-160	-

2. Measurements:

* operating pressure 104 psi

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 6.79 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

* $16 \times 32 \times 69 \text{ gpm} = 3072 \text{ gpm}$

* allow 20% loss on 313 acres x 0.02 = 6.16 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 313 \text{ acres} \times 4 \text{ af} = 1252 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.16 \text{ cfs} \times 24 \text{ d} \times 1.9835 = 2614.7 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1252 \text{ af}$$

2. Volume Calculations for Other Uses:

* See attached adjustment explanation memo. BC

MAR 22 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
<i>Irrigation</i>	4-1 10-31	6.16 cfs	1252 cfs

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name _____
Signature _____
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See attached adjustment explanation memo. DC

MAR 2 2 1995

MEMORANDUM

TO: File 35-07885C / Ferdinand Gehring
FROM: Brenda Chapman
DATE: January 24, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

E. FLOW CALCULATIONS

The rate has been adjusted to the standard inch (.02 cfs) per acre. [313 acres x .02 cfs = 6.26 cfs]

I. RECOMMENDATIONS

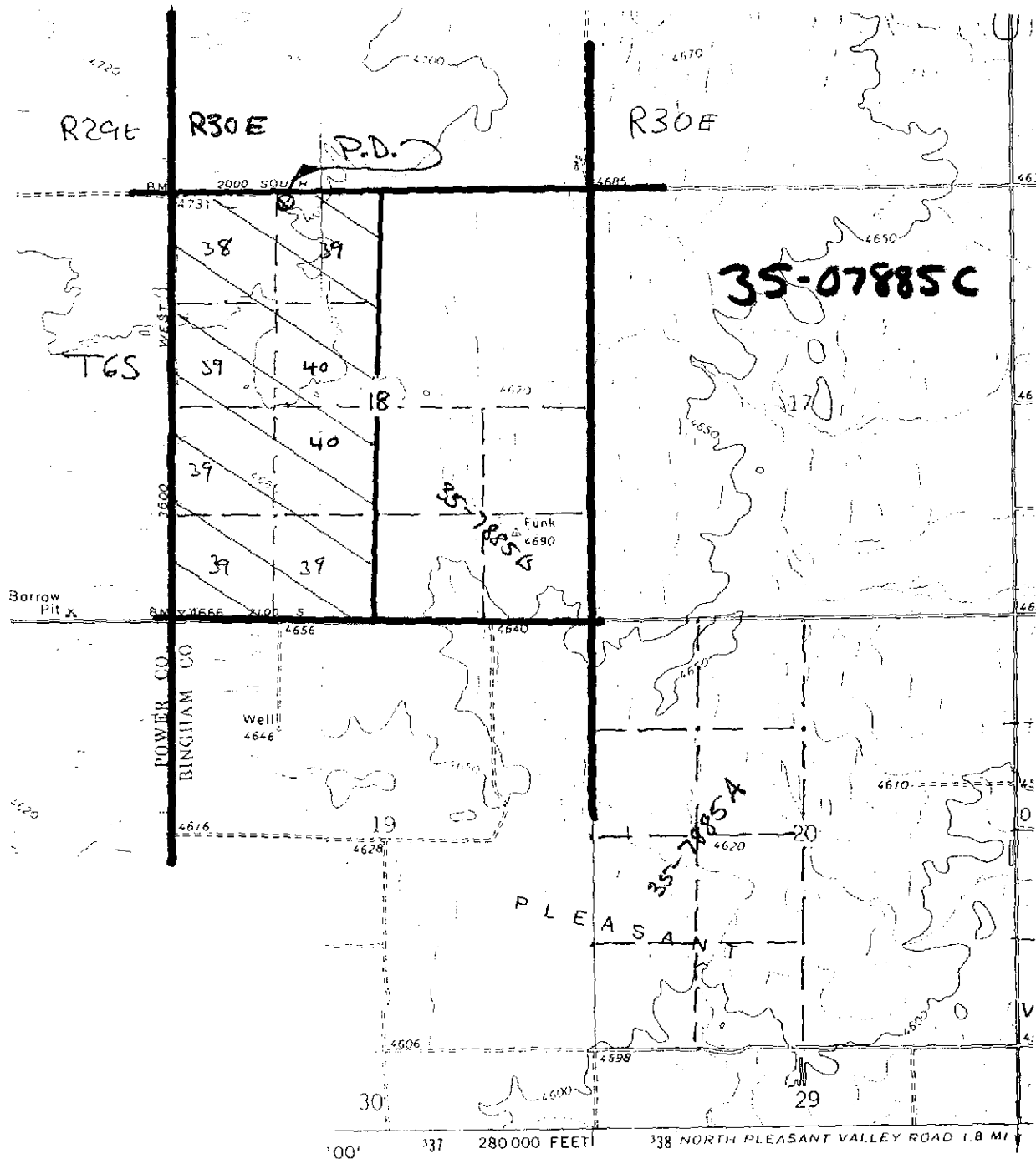
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	6.26	1252.0

See item E.

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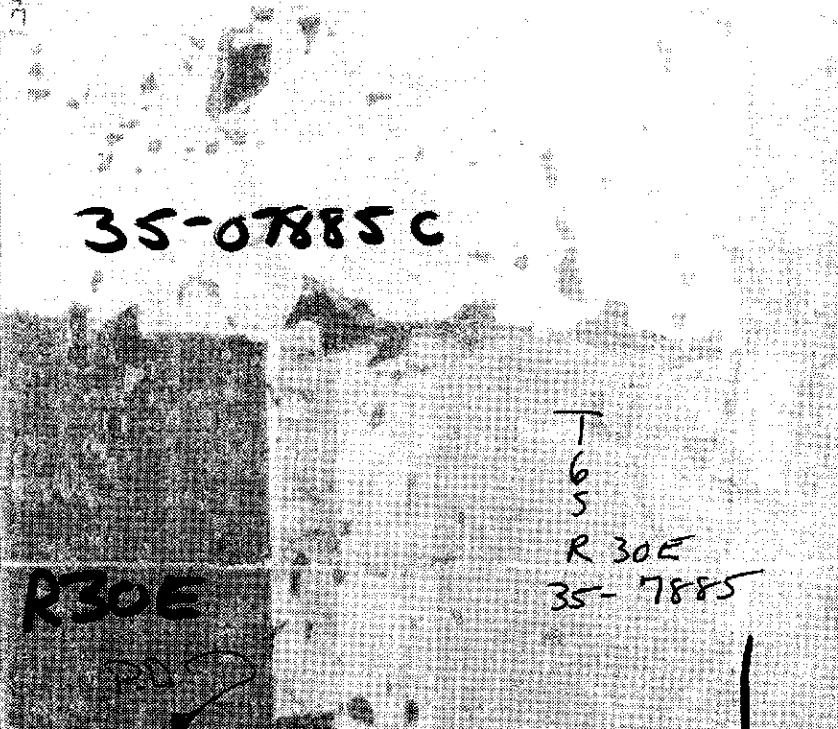
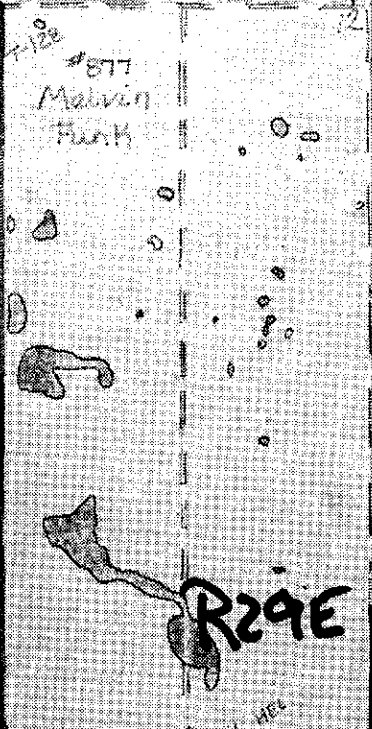
MEASURED BY



Mapped, edited, and published by the Geological Survey

35-7885C

MAR 22 1935

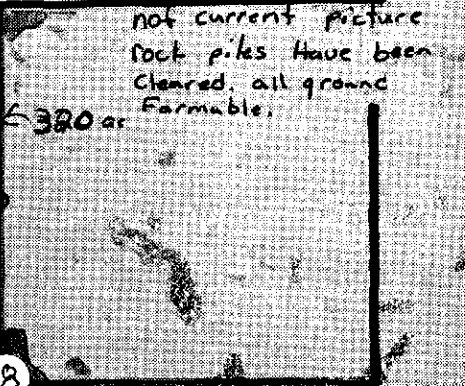
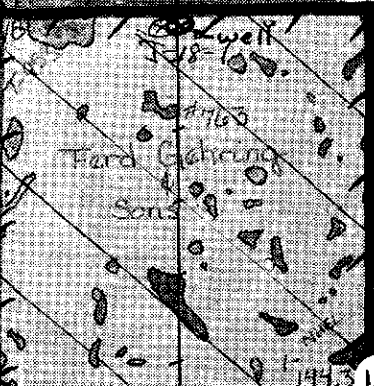
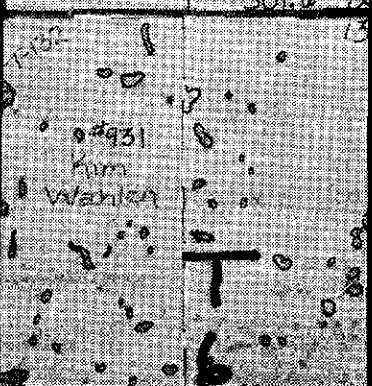


35-07885 C

R29E

R30E

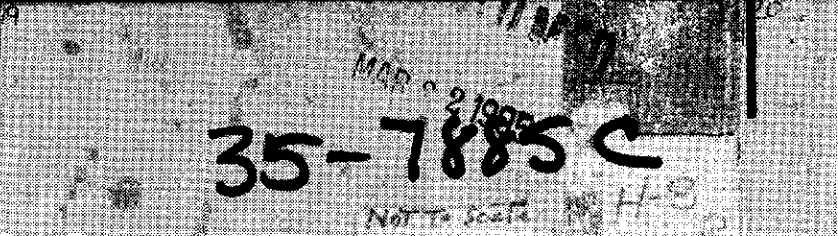
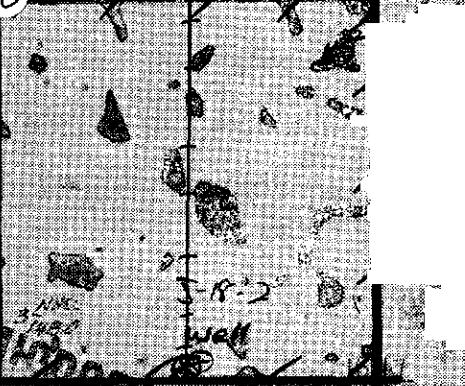
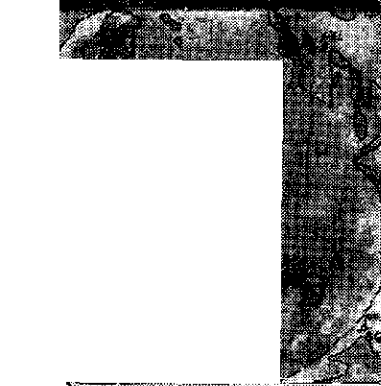
T
6
S
R 30E
35-7885



not current picture
rock piles have been
cleared, all ground
farmable.

T
6
S

18

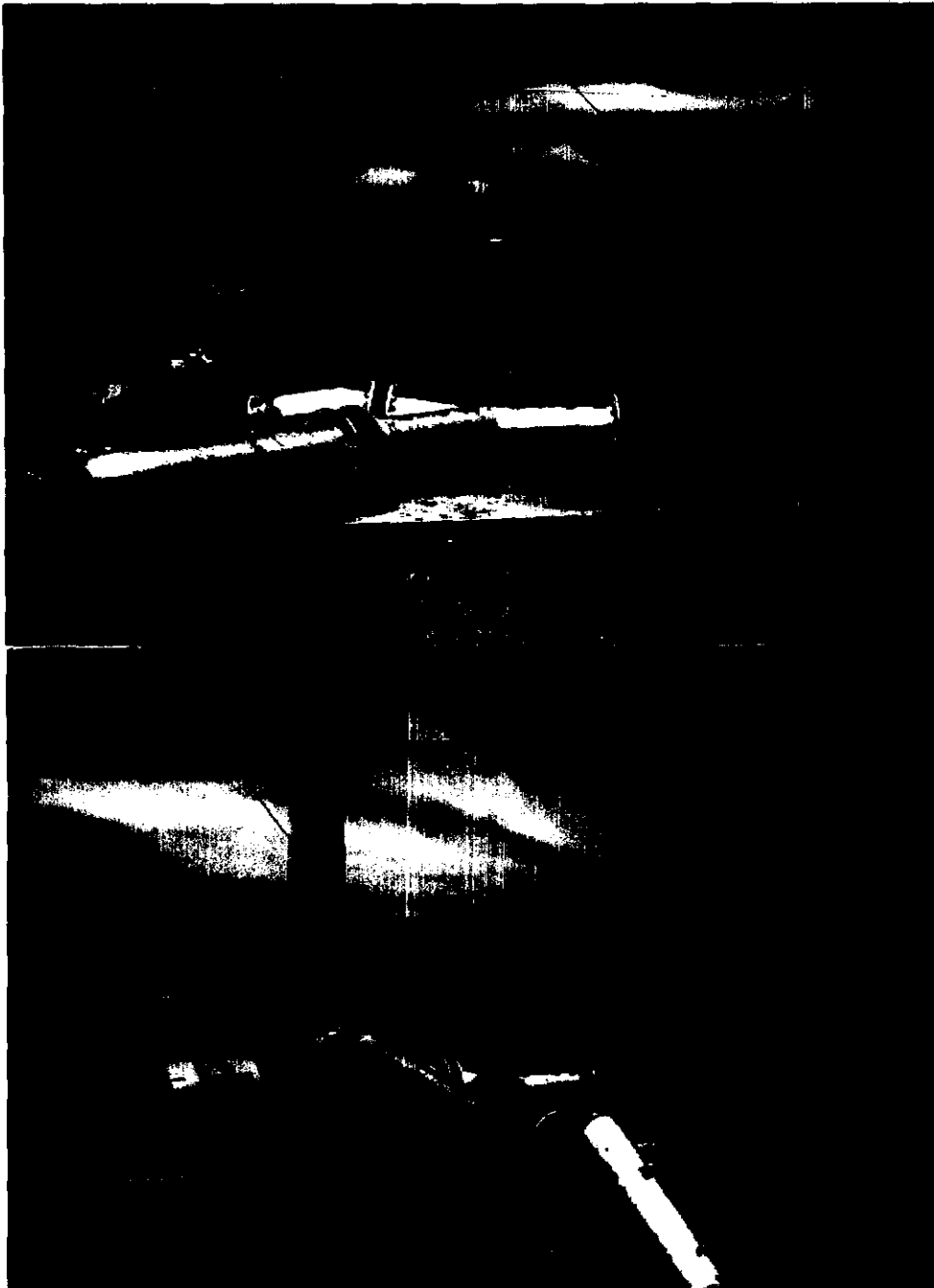


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35-7885 C



remon +
rt

35-7885 C 18-1

MAR 22 1995

B



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

FERDINAND GEHRING
3648 GEHRING RD
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-07885B

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

DUPLICATE
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LICENSE REVIEW CHECKLIST



PERMIT NO. 35-07885B DATE 1-23-95

NAME	☒ Yes	☐ No	Or Address Change?
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	☐	Amendment needed? <u>Change to SESE OF SEC 18 ONLY</u> Overlaps? ☒
PLACE OF USE	☐	☒	Amendment needed? _____ Overlaps? ☒
DIV RATE	☐	☒	Permit/fee limits: <u>16 CFS/ENTIRE PERMIT</u> <u>annular</u> Meas Q = <u>3.42</u> Theo Q = _____ Recommend: <u>3.16 CFS</u> <u>158 X .02 = 3.16 CFS</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☐	☒	Volume Limit: _____ Season: <u>4-1 to 10-31</u> NEW Calculations: <u>158 X 4 = 632</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☐	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	☐	☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	☐	☒	Measuring/Locking Devices _____ Watermaster control - District _____ <u>R31</u> Irrigation Overlap _____ <u>(Trust)</u> Water Quality _____ Other <u>R55, R56, R57</u> Heat/Cool/ Fish verified _____

COMMENTS: Reduce acres & rate.

Amend P/d

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>3.16</u>	<u>632</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE _____	<u>Special</u>
_____	_____	_____	1ST AMENDMENT LETTER <u>P39 + P38 + S05</u>	
_____	_____	_____	FINAL AMENDMENT LETTER <u>P47</u>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED

NOV 01 1994

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with Conditions of Approval
- ☐ Well Inspection Form (If Needed)
- ☐ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☐ SRBA Attachment A Submitted to Adjudication Section
- ☐ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of government plat
- ☐ Check of P/D index GB 7-2-91 (initial & date)
- ☐ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- ☐ Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☐ Check of P/U index GB 7-2-91 (initial & date)
- ☐ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☐ Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to
Adjudication Section

C. Review and Processing:

- ☐ Exam Completed GB 7-2-91 (signature of examiner & date)
- ☐ Exam Reviewed by Senior Water Resource Agent KCW 10/26/94 (initial & date)
- ☐ Exam Reviewed by Manager of Regional Office _____ (initial & date)
- ☐ Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-7885B

1. Owner: Ferdinand Gehring + Son, Inc Phone No. 226-2540
Current Address: 795 ³⁶⁴⁸ Gehring Rd American Falls, Id 83211

2. Accompanied by: Gary Gehring EXAM. DATE: 7-2-91
Address: ~~Same~~ 3648 Gehring Rd American Falls Phone No. ~~Same~~ 226-5031

Relationship to Permit Holder: Son

3. Source: ground water tributary to _____

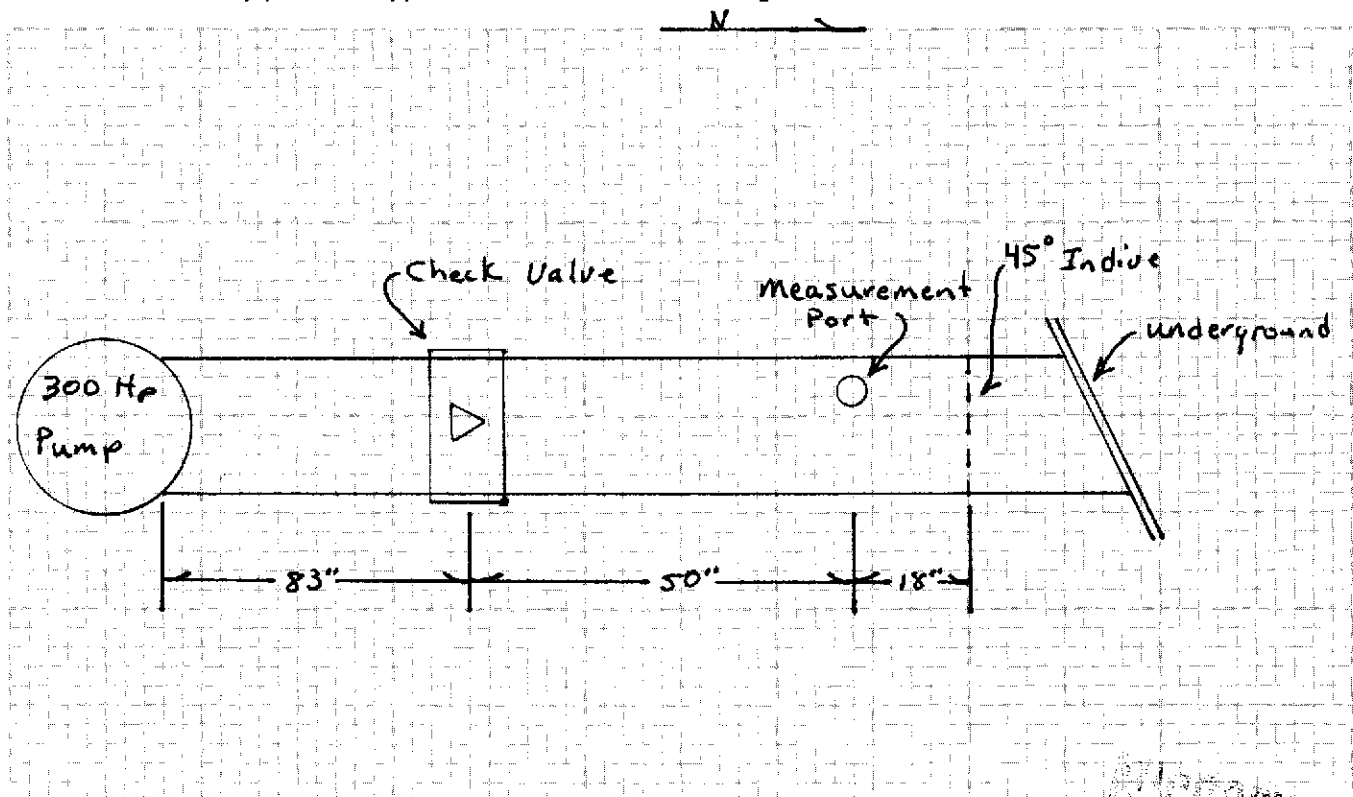
B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A.
_____ ☐ Copies Attached

2. Other water rights with same point of diversion: N.A.
_____ ☐ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MAR 22 1995

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

300 hp pump to 12" pipe to 12" underground main line to 8 - $\frac{1}{4}$ mile wheel lines with 32 bird (qpm flow control nozzles

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	I-18-2	G.E.	300	GY 285049	worthington	10" discharge
Motor Make						
Hp						
Motor Serial No.						
Pump Make						
Pump Serial No. or Discharge Size						

5. Point(s) of Diversion:

[illegible]

Indicate Method of Determination.

[illegible]

Do not use this space

MAR 22 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter station	Annubar	Dieterich	7517-316-SS	191156	12	-
Flow Indicator	Manometer	IDWR	-	-	60"	7
Pressure Gage	Fluid	Rainbird	-	-	0-160	-

2. Measurements:

* operating pressure Gage 104 psi

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 3.42 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$8 \times 32 \times 69 \text{ gpm} = 1536 \text{ gpm}$$

$$* \text{ allow } 0.02 \text{ cfs/acre or } 158 \text{ acres} \times 0.02 = 3.16 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 158 \text{ acres} \times 4 \text{ af} = 632 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.16 \text{ cfs} \times 214 \text{ d.} \times 1.9835 = 1341.36 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 632 \text{ af}$$

2. Volume Calculations for Other Uses:

APPROVED
MAR 22 1995

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Field Examiner's Name

Gay Bus

J. AUTHENTICATION

- ☒ Change P.D. as reflected above

2. Recommended Amendments

Totals:

316 cfs

6325

Beneficial Use

Trisition

From

10

10-01

Rate of Diversion

(s) (c)

3.6.5

Annual Volume

(BIB) A

6229

1. Recommended Amounts

1. RECOMMENDATIONS

[illegible]

35-07885B

Form 219-Supp.
7/87

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Gary Bues Date 7-2-91
Owner: Gary Gehring Permit No. 7835

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 40.0
T = Pipe Thickness in Inches = .135
ID = 2 [(0.1592 X CIR) - T] = ... 12.48

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12
State ID No. 91427

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.99DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 28.4
Low Reading = 22.3
High - Low = H = ... 6.1

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(12.48)^2 \cdot (\sqrt{6.1}) \cdot (3.99)}{448.8} = 3.42_{CFS} \quad 1534.9 gpm$$

SKETCH (If not shown on Field Report)

35-7885B

280' D.P.D.

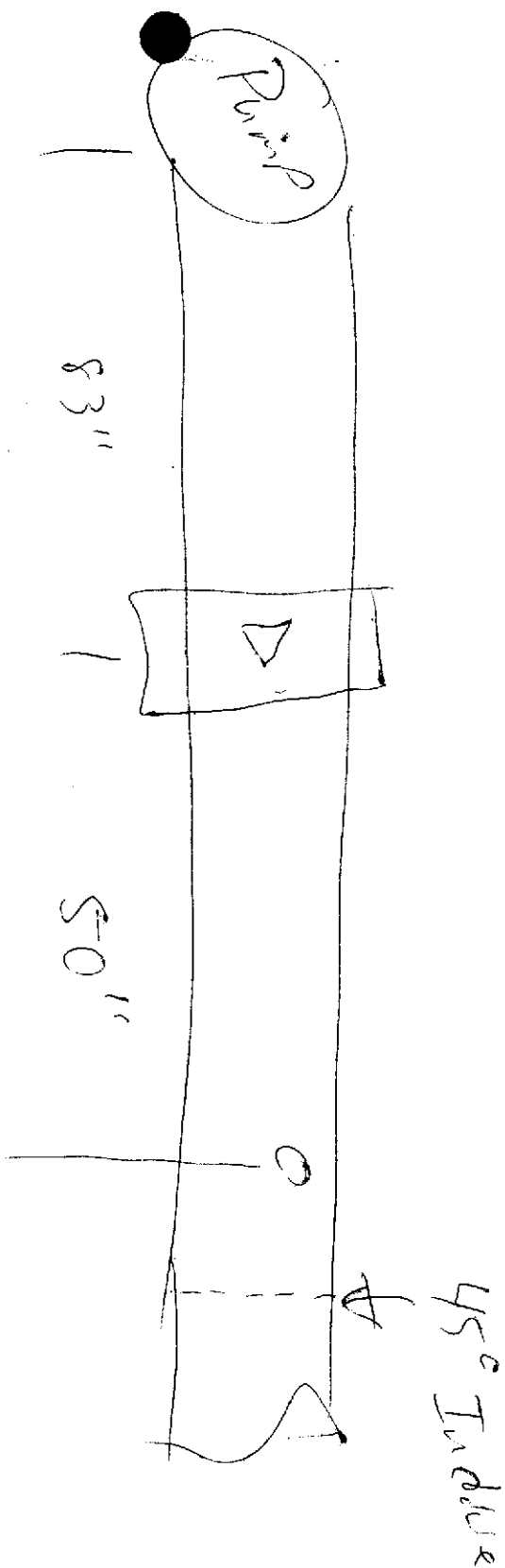
8-1/4 Lines 6 gpm Flow 32 bid
1536
1742

104 psi

MICROCOMPUTER

MAR 22 1995

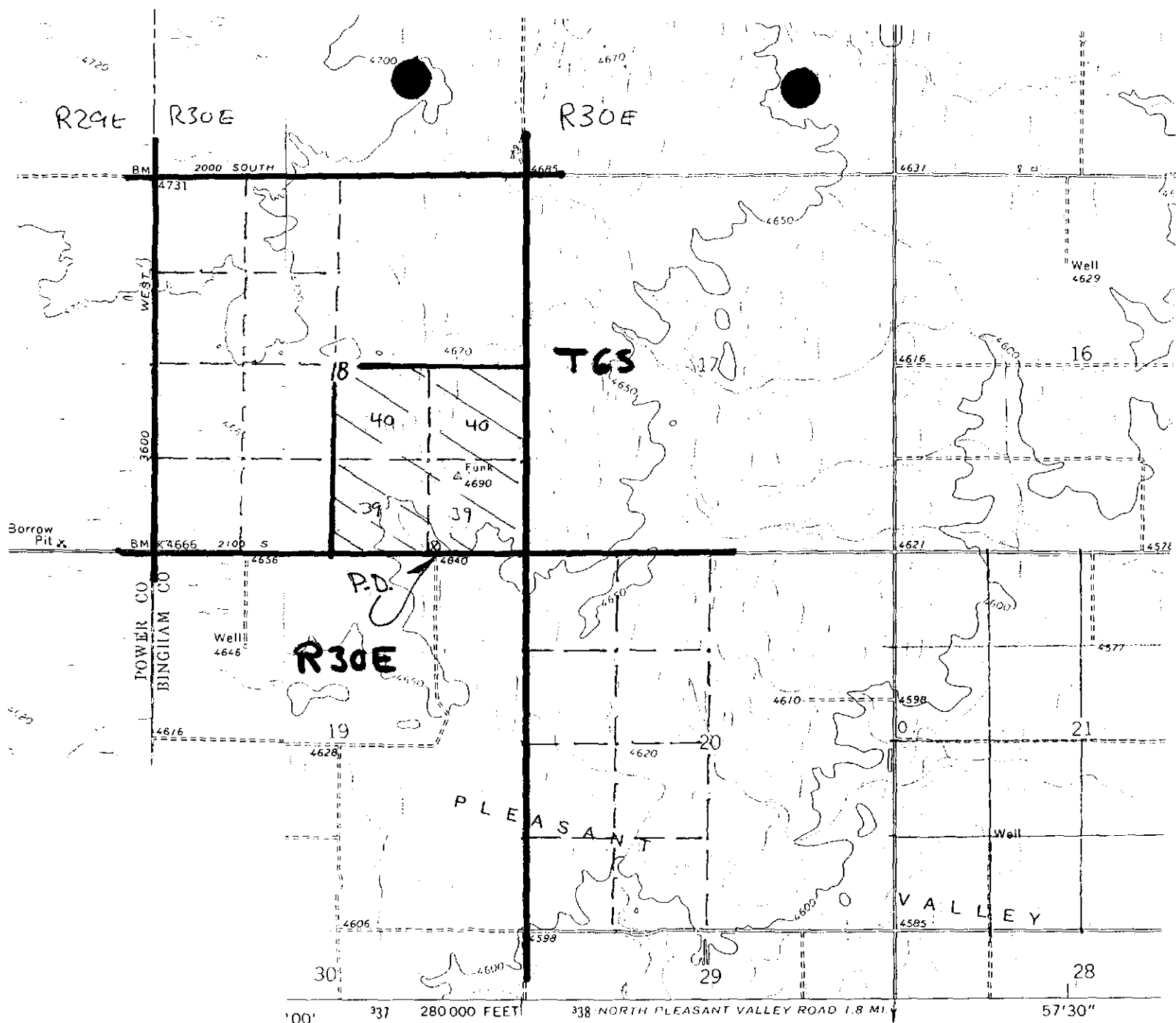
W



200 HP GE # GE 285049 Worthington 18" discharge

MAR 22 1995

92285-22



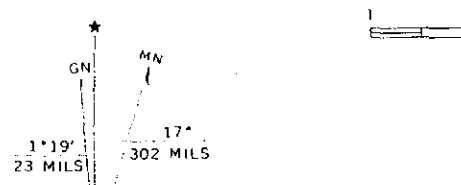
Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (transverse Mercator)

1000 meter Universal Transverse Mercator grid ticks



35-07885B

MANAGED
MAR 2 2 1995

T
6
5
R 30E
35-7885

not current picture
rock piles have been
cleared, all ground
farmable.

14-16
301.6
13-18
1-18-1 well
1763
Ford Gehring
Sons
144
18
158
Hwy
1-18-2
well
P.D.

35-7885 B

330 a

P.D.

MAR 22 1995

35-7885^B



18-2
35-7885^B

UNCLASSIFIED

MAR 22 1995

A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

FERDINAND GEHRING
3648 GEHRING RD
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-07885A/B/C

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAR 22 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 35-07885A DATE 1-23-95

NAME	Yes ☒	No ☐	Or Address Change? <u>CHECK</u>
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	☐	Amendment needed? <u>Change to NW NW OF SEC 20</u> Overlaps? <u>(ONLY 1 P/D)</u>
PLACE OF USE	☐	☒	Amendment needed? _____ Overlaps? _____
DIV RATE	☐	☒	Permit/fee limits: <u>16 CFS FOR ENTIRE PERMIT</u> <u>ANNUAL</u> Meas Q = <u>5.92</u> Theo Q = _____ Recommend: <u>5.92</u> <u>316 acres x .02 = 6.32 CFS</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☐	☒	Volume Limit: _____ Season: <u>C/4 (4-1 to 10-31)</u> <u>NEW</u> Calculations: <u>316 x 4 = 1264 AF</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☐	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	☐	☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	☐	☒	Measuring/Locking Devices _____ Watermaster control - District _____ <u>R31</u> Irrigation Overlap _____ <u>(print)</u> ☒ Water Quality _____ Other <u>R45 R56 R57</u> Heat/Cool/ Fish verified _____

COMMENTS: Reduce acres and rate to capacity.

Amend P/D

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>5.92</u>	<u>1264</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	
_____	_____	_____	1ST AMENDMENT LETTER <u>P39+P38+SO5</u>	
_____	_____	_____	FINAL AMENDMENT LETTER <u>P47</u>	



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NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with Conditions of Approval
- ☐ Well Inspection Form (If Needed)
- ☐ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☐ SRBA Attachment A Submitted to Adjudication Section
- ☐ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of government plat
- ☐ Check of P/D index GB 7-2-91 (initial & date)
- ☐ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- ☐ Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☐ Check of P/U index GB 7-2-91 (initial & date)
- ☐ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☐ Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to
Adjudication Section

C. Review and Processing:

- Exam Completed GB 7-2-91 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent KCW 10/26/94 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

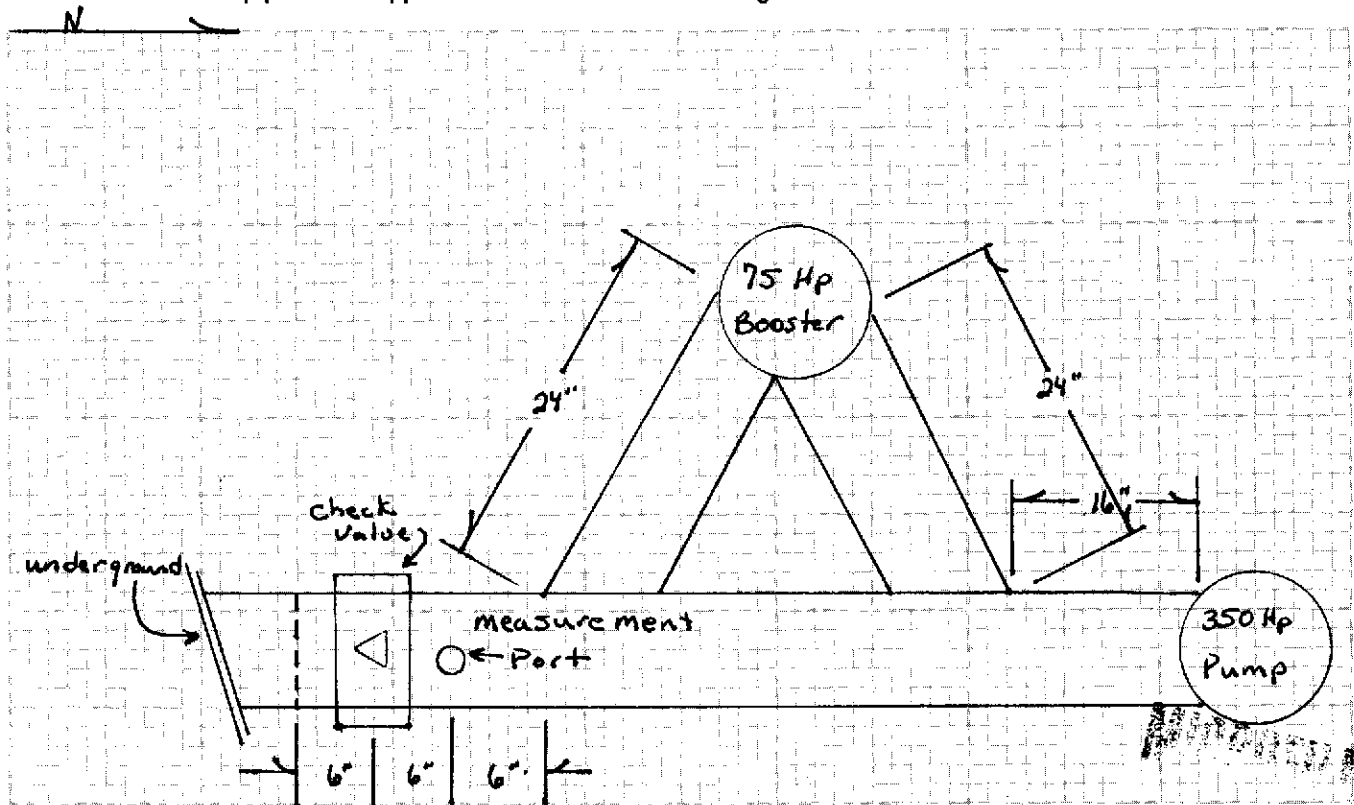
Permit No. 35-7885A
1. Owner: Ferd Gehring & Son Inc Phone No. 226-2540
Current Address: 3648 Gehring Rd American Falls, ID 83211
2. Accompanied by: Gary Gehring EXAM. DATE: 7-2-91
Address: Same Phone No. 226-5031
Relationship to Permit Holder: SON
3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A. ☐ Copies Attached
2. Other water rights with same point of diversion: N.A. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

MAR 22 1995

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

350 Hg pump to 12" pipe to 75 Hg booster pump to 12" pipe to 14" underground mainline to 14 - $\frac{1}{4}$ mile wheel lines with 32 birds + 60 ppm flow control nozzles.

*According to Gary Dynamic Pumping Depth 300'

☐ See Remarks on page 4 for continuation

Well or Division Identification No.*	GE	350	0Y173054	Berkley	10" discharge
Booster	Marathon	75	19-02077-7/05-14	Cornell	#48009 - 11 1/2

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter Station	Annubar	Dieterich	7517-316-55	19456	12	—
Flow Indicator	Manometer	IDWR	—	—	60"	—
Pressure Gage	Fluid	Rainbird	—	—	0-160	—

2. Measurements:

Operating pressure 58 psi

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\overset{\text{units}}{14} \times \overset{\text{units}}{32} \times 69 \text{ gpm} = \boxed{2688 \text{ gpm}}^* \quad \frac{425 \text{ HP} (1.814 \times 7)}{300 + (58 \times 2.305)} = 2710.3 \text{ gpm}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 316 \text{ acres} \times 4 \text{ af} = 1264 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 5.92 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 2512.8 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1264 \text{ af}$$

2. Volume Calculations for Other Uses:

MAR 22 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Permit split into parts A, B, & C

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (ata)
Irrigation	4-1 10-31	5.92	1264 afy

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Gary Buss
Signature _____
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MAR 22 1995

35-07885A

Form 219-Supp.
7/87

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: _____

Date

7-2-91

Owner:

Gary Gehring

Permit No.

7835

T-20-3

Sec 20

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 37.68T = Pipe Thickness in Inches = .135ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 11.73$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test

12

State ID No.

91427

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.99DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)High Reading = 45.6 ~~37.7~~ ~~37.75~~Low Reading = 22.2 ~~19.9~~ ~~19.20.8~~High - Low = H = 23.4

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.73)^2 \cdot (\sqrt{23.4}) \cdot (3.99)}{448.8} = 5.92 \text{ cfs}$$

2635.7 gpm

SKETCH (If not shown on Field Report)

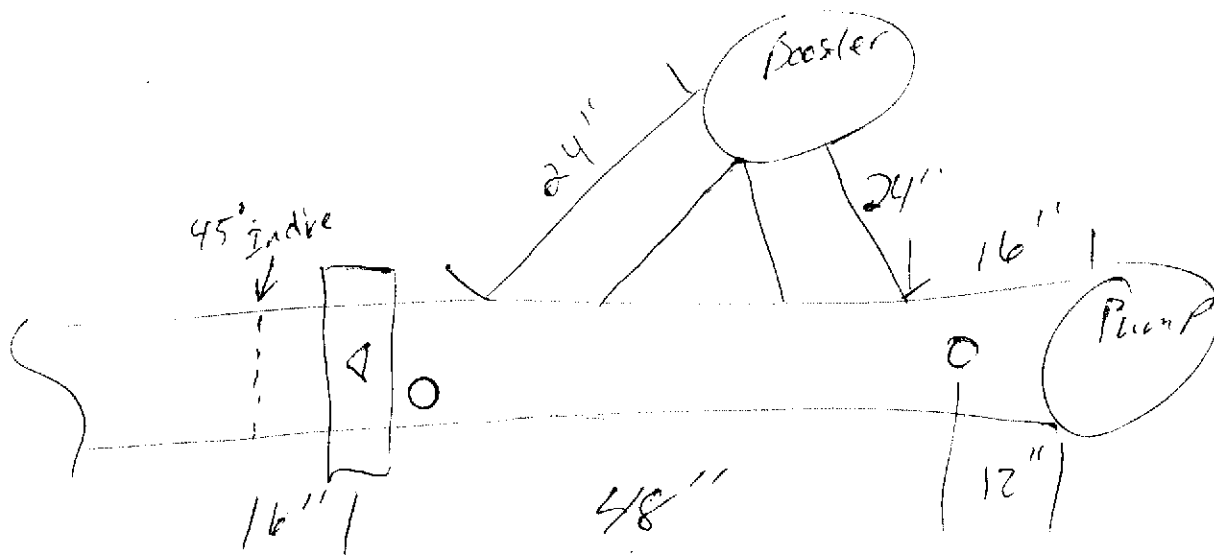
35-7885A

14- 1/4, 32 b/d u/ 69pm Flow

operating pressure 58 psi

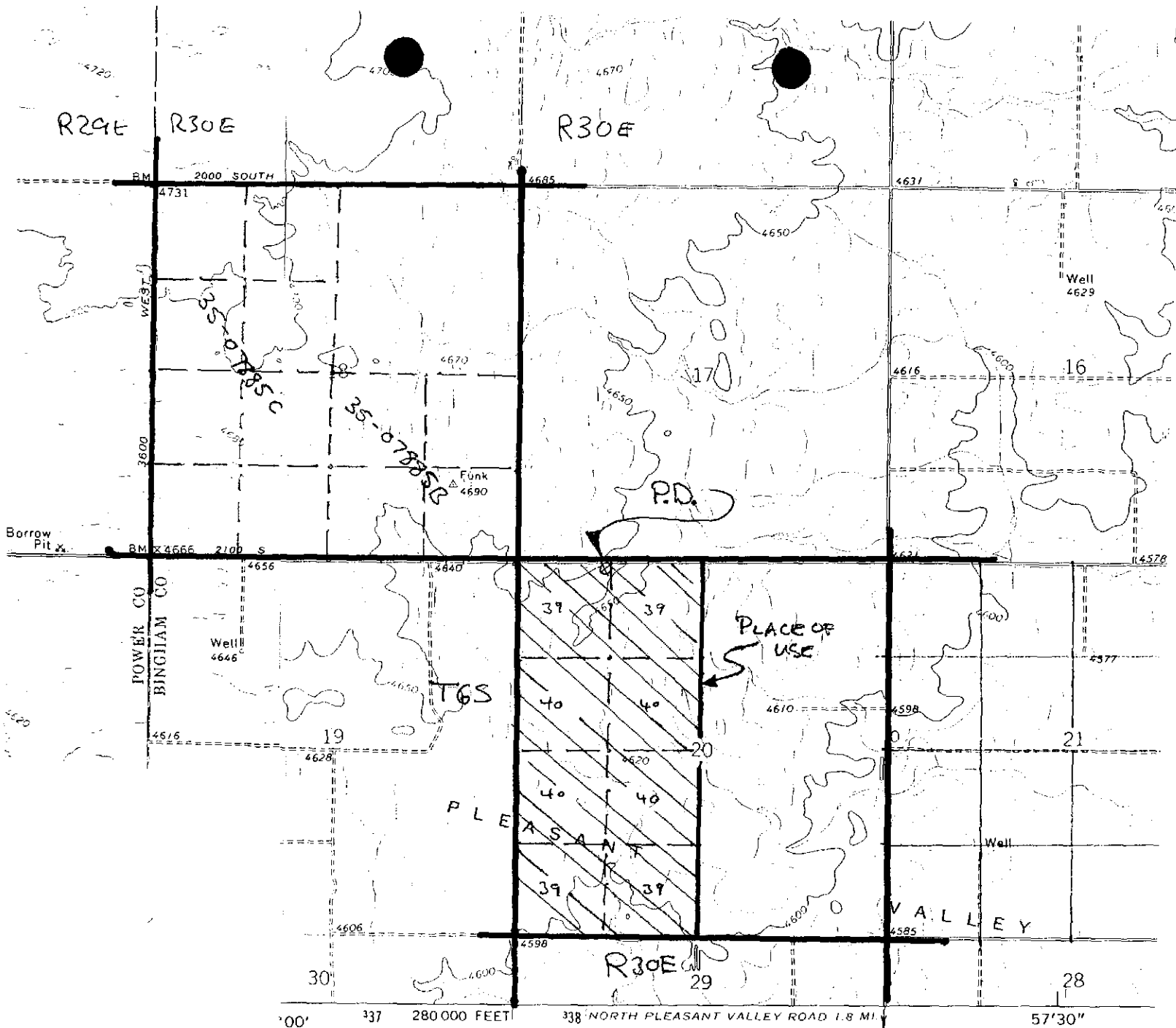
292' Dynamic pumping Depth

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MAR 22 1995



350 HP C.E. # DY173054 Berkley 10" discharge
 75 HP Marathon # 19-02077-7/25-14 Coruelli # 48009 11 3/4

42807-28



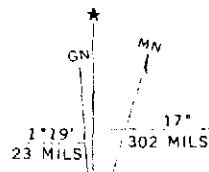
Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

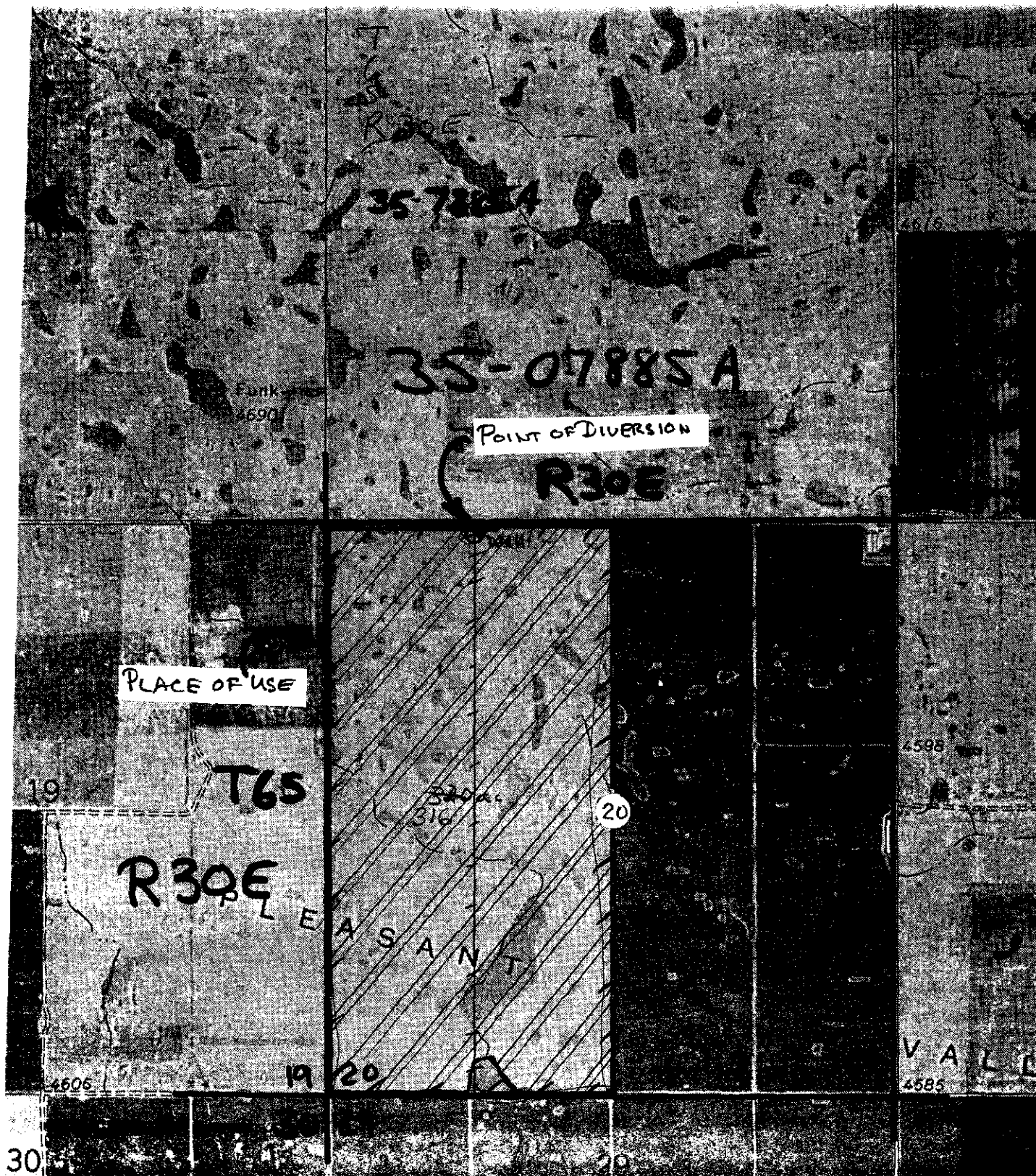
Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (transverse Mercator)

1000 meter Universal Transverse Mercator grid ticks



35-07885A

MAR 22 1995



35-7885A
MAR 2 2 1995

35-7885A



POINT OF DIVERSION

20-3

35-07885A

MAR 22 1995

ORIGINAL

Water Right Number - 35-07885

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GEHRING

FERDINAND

1 - 740 CALDER

2 -

3 -

City- AMERICAN FALLS

State- ID Zip- 83211

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/02/1980 15 EASTERN P - PERMIT+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
06S	30E	18	SW NW		(11)	BINGHAM				
			SW SW		(11)	BINGHAM				
		20	SW SE		(11)	BINGHAM				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	16.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
19.200

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	30E	18	NE NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	NW NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SW NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SE NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	NE SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	NW SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SW SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SE SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	NE SE		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	NW SE		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SW SE		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	18	SE SE		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	NE NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	NW NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	SW NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	SE NW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	NE SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	NW SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	SW SW		40.0	01	IRRIGATION	(11) BINGHAM
06S	30E	20	SE SW		40.0	01	IRRIGATION	(11) BINGHAM

Water right number - 35-07885

Prefix Translation: WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
-----	-----	-----	-------	-----	-------	----------------------	-------------	--------

Total Acres: 800.0

+ - - Diversion Means - WELLS(3), PUMP, MAINLINES AND SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 09/22/87 05/21/88 04/24/91 10/11/91 06/01/92
10/28/94

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 10/01/1992	Field Exam Made - 07/24/1991	Field Exam Fee - R
Approved/Denied - 02/15/1980	Protested Date - 00/00/0000	Swan Falls - 7
Proof Made Date - 08/02/1991	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 10/31/1994	Verified Date - 04/23/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended - A
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		

October 4, 1991

FERDINAND GEHRING
740 CALDER
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-07885

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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 this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Nina Shields
Secretary/Records Manager

c: IDWR - Region
CAVANESS & BOOMER

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NOV 15 1991

Cavaness & Boomer

BEN CAVANESS
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW
P.O. Box 70 — 376 Roosevelt
American Falls, Idaho 83211

July 19, 1991

Telephone
(208) 226-2562
Fax (208) 226-2578

Harold Jones
Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

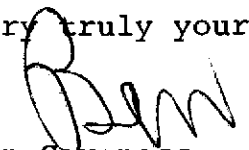
JUL 22 1991

Re: Gary Gehring - #A35-07885

Dear Skip:

In accordance with our earlier conversation, I am enclosing the Proof of Beneficial Use that is filed by Gary Gehring on the last 160 acres under the above referenced permit. Pursuant to the number that you gave me during your phone call, as well as the estimated maximum withdrawal out of the new field, we are applying for 12.0 cfs of water for the total permit. It is my understanding that certain fees have already been paid by Gary, but we are enclosing our office check in the amount of \$375, which we are advised is the fee due. I would appreciate it if you would have your engineer send out his calculations as to the consumptive withdrawal out of each well that has already been tested, since it is my understanding the other two wells are 320 acres each and the measurement of less than 4 cfs for that well seems unreasonably low.

Very truly yours,


Ben Cavaness

BC:mh

cc: Gary Gehring

Receipt # E016399 Cavaness & Boomer \$ 375⁰⁰
E016400 Gehring Farms \$ 100⁰⁰
Proof fee permit 35-7885 = \$ 475⁰⁰

RECEIVED

NOV 15 1991





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 23, 1990

RE: Permit No. 35-7885

Ferdinand Gehring
dba Gehring Farms
740 Calder
American Falls, ID 83211

Dear Permit Holder(s):

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 35-7885. Please note in condition #1., page five of the order that you must develop your system and beneficially use the water prior to October 1, 1992. Failure to beneficially use the water before October 1, 1992 could result in a loss of your water right permit. *De/LZ*

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

MICROFILMED

MAR 05 1990

DEPARTMENT OF WATER RESOURCES

State Office

1301 North Orchard St.

Boise, Idaho 83720

35-07877

O HAIRE, Margaret

8756 Clovis Drive

Boise, Id. 83709

Source: GROUNDWATER

Diversion Pt: SESW, Sec. 18, T. 05S, R. 30E.

Use: IRRIGATION (3.200 CFS); Total Diversion: (3.200 CFS).

Priority: 9/21/1979.

In: T05S, R30E, S18, NESW, NWSW, SWSW, SESW.

160.0 ACRES TOTAL.

35-07885

GEHRING, Ferdinand

740 Calder

American Falls, Id. 83211

Source: GROUNDWATER

Diversion Pt: SWNW, Sec. 18, T. 06S, R. 30E; SWSW, Sec. 18, T. 06S, R. 30E; SWSE, Sec. 20, T. 06S, R. 30E.

Use: IRRIGATION (16.000 CFS); Total Diversion: (19.200 CFS).

Priority: 1/02/1980.

In: T06S, R30E, S18, NENW, NWNW, SWNW, SENW, NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE, S20, NENW, NWNW, SWNW, SENW, NESW, NWSW, SWSW, SESW.

800.0 ACRES TOTAL.

35-07931

WILLIAM P. PHILLIPS & SONS

904 N. 1200 W.

Blackfoot, Idaho 83221

Source: GROUNDWATER

Diversion Pt: NESE, Sec. 19, T. 01S, R. 34E, NWSE, Sec. 19, T. 01S, R. 34E; SWSE, Sec. 19, T. 01S, R. 34E; SESE, Sec. 19, T. 01S, R. 34E.

Use: IRRIGATION (4.870 CFS).

STOCKWATER (.130 CFS)

Total Diversion: (5.000 CFS).

Priority: 1/20/1981.

In: T01S, R34E, S19, NENE, NWNE, SWNE, SENE, NESE, NWSE, SWSE, SESE.

320.0 ACRES TOTAL.

35-07932

WILLIAM P. PHILLIPS & SONS

904 N. 1200 W.

Blackfoot, Id. 83221

Source: GROUNDWATER

Diversion Pt: SWSW, Sec. 18, T. 01S, R. 34E.

Use: IRRIGATION (4.800 CFS).

STOCKWATER (.130 CFS).

Total Diversion: (4.930 CFS).

Priority: 1/20/1981.

In: T01S, R34E, S18, NESW, NWSW, SWSW, SESW, SWSE, S19, NWNW.

240.0 ACRES TOTAL.

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho, 83720, on or before JANUARY 22, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON
Director

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MAR 05 1990

(628)

Pub.: 1/4, 11

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss

I, Ted Townsend do

solemnly

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

4th day of January, 19 90,

and the last publication having been made on the

11th day of January, 19 90,

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

On this 16th day of January, in the year 1990 before me a Notary Public of said State, personally appeared

Ted Townsend

known or identified to me to be the person whose name is 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.

Royce A. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

DECEMBER 26, 1989

The Morning News
Box 70
Blackfoot, ID 83221

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 22, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

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MAR 05 1990

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

35-07885 ✓

GEHRING, FERDINAND ✓
740 CALDER ✓
AMERICAN FALLS, ID 83211 ✓

Source: GROUNDWATER ✓

Diversion Pt: SWNW ✓ Sec 18 T 06S R 30E ✓
 SWSW ✓ Sec 18 T 06S R 30E ✓
 SWSE ✓ Sec 20 T 06S R 30E ✓

Use: IRRIGATION ✓ (16.000 CFS) ✓
 Total Diversion: (19.200 CFS) ✓

Priority: 1/02/1980 ✓

In: T06S R30E S18	NENW ✓	NWNW ✓	SWNW ✓	SENW ✓
	NESW ✓	NWSW ✓	SWSW ✓	SESW ✓
	NESE ✓	NWSE ✓	SWSE ✓	SESE ✓
S20 ✓	NENW ✓	NWNW ✓	SWNW ✓	SENW ✓
	NESW ✓	NWSW ✓	SWSW ✓	SESW ✓

800.0 ACRES TOTAL ✓

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filled with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 22, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published 1/04/1990 & 1/11/1990

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MAR 05 1990

FROM

Tim Lake

DATE

7-21-89

TO

File

SUBJECT

Swan Falls Processing

All 800 acres under this permit should be counted
as trust water acres since none of the land was irrigated
prior to July, 1985. Portions of the permit have been
irrigated between 1986 & present.

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SIGNATURE

July 10, 1989

RECEIVED
JUL 17 1989

Department of Water Resources

Mr. Tim Luke
Idaho Dept. of Water Resources
1301 North Orchard
Statehouse
Boise, ID 83720

Re: Gehring Water Rights Application,
Permit No. 35-7885

Dear Tim:

Pursuant to our numerous telephone calls and your letter of April 15, 1989, which time period was extended by you until July 15, 1989 in order to provide the detailed technical information that is being submitted herewith, I am providing the additional information that you had requested pursuant to Rule 4,5,3,6 as follows.

Since we have a proposed priority date of January 2, 1980, we would like to finish the development of this project at the earliest date possible. You have already received the advertisement fee and we are now simply submitting the public interest criteria information that is required under your water application rules.

In order to expedite and facilitate the submitting of this information, we will respond by following the request for information in the requested rules in the order in which they appeared.

RESPONSE TO RULE 4, 5, 3, 1, 2.

A plat of the proposed and existing wells, together with adjacent wells within one-half mile radius of the project wells is enclosed and is marked as Exhibit "A".

In response to sub-section 3 of said Rule, two of the wells have been in operation for an appreciable length of time with no adverse impact upon the adjacent wells.

Additionally, this area is over the Snake River/Thousand Springs aquifer and there have no problems experienced with

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Mr. Tim Luke
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any of the water users in this area impacting upon any others.

RESPONSE TO RULE 4, 5, 3, 2.

Applicant has previously completed the installation of two wells upon 640 acres of the 800 acres encompassed within the amended application and has been withdrawing approximately 2800 gallons per well since the date of development. The first field was developed in 1985 and the second field was developed in 1987. No difficulty has been experienced with any water shortage or pumping since the date the division first began. The required division during the peak use season is 2800 gallons per minute per 320 acres, for a total of 7,000 gallons per minute and while the suggested irrigation period for the withdrawal of water is from April 1 through November 1 of each year, applicant does not run the peak consumptive use for the entire period. Applicant waters approximately 70 to 80 days per year on grain crops and 95 to 105 days per year on potato crops.

There is no need for any supplemental source of water since the ground water source is proven to adequate. Applicant proposes to develop in the Fall of 1989 or in the Spring of 1990 the remaining 160 acre tract encompassed within the description of the original permit.

RESPONSE TO RULE 4, 5, 3, 2.

The applicant in this matter was originally Ferdinand Gehring, who is the President of Ferd Gehring and Son, Inc., an Idaho corporation, which is a family corporation, wholly owned by the applicant and his family. Applicant also does business as Gehring Farms and the operator of the corporate farm ground is the applicant's son, Gary Gehring, who, along with applicant, owns nearly all of the stock in the corporation. The applicant, Ferdinand Gehring, and his son, Gary Gehring, are purchasing 320 acres each from the corporation on the 640 acres that has been previously developed. Mr. Gary Gehring is purchasing the 160 acres that is to be developed, which was completed in that fashion for estate planning purposes between the parties. The property has been owned by the corporation or by the applicant for an appreciable period of time prior to the commencement of the development, and applicant owns land adjacent to said properties which was previously developed. The deeds showing the dates of purchase will be provided if requested.

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RESPONSE TO RULE 4,5,3,4.

There are no other needed application or permits required by the development of this property and to the best of applicant's knowledge all permits have been properly applied for and there has been no denial of any permits for any of the three persons and entities involved in this application. The real property upon which the sprinkler systems are being placed are free of mortgage, and applicant has been able to develop the 640 acres of the permitted property by simply providing lending agencies with a lien on the sprinkler system and there is no question that applicant has the financial resources necessary to develop the remaining 160 acres of the permit. However, in the event that the Department deems it necessary, financial information in the form of a financial statement as submitted to the bank, will be submitted upon request.

Applicant, either through the Corporation or through the independent real property holdings of applicant or his son, including the land covered by this permit, own and operate approximately 3400 acres of irrigated land and 500 acres of dry land, all in the immediate area of the subject permit.

RESPONSE TO RULE 4, 5, 3, 5.

Since applicant is in strictly an agricultural area approximately 25 miles from any incorporated municipality and in an area where there are no conflicting uses, and is not adjacent to any public lands, but is only adjacent to other similarly cropped farm land, either in irrigation crops or dry land crops, applicant did not feel that it was necessary to seek any letter of approval from the County Commissioners of Power County, Idaho. Additionally, applicant is not located inside a reservation nor any public land, nor inside an irrigation.

However, if the letter from Power County Commissioners is required, it will be secured and provided to you.

RESPONSE TO RULE 4, 5, 3, 6.

In regard to the project cost and estimated costs, the project consists of three separate irrigation units, two of which have been previously developed and are in operation. For purposes of convenience, the Section 20 property will be referred to as Development Project #1, the property in the West one-half of Section 18 will be referred to as

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Development Project #2, and the Southeast Quarter of Section 18 will be referred to as Development Project #3.

*As per Ben Cawness
Did not irrigate until 1986.*

Ferdinand Gehring and his wife developed Development Project #1 in the year 1984 with the first irrigation from the project in 1985. While monies had been extended prior to the July 1985 cutoff date, no crops had been grown and no water had been applied so the parties elected to proceed with this filing. Development Project #2 was developed in 1987 with the first irrigation in 1988, and Project #3 will be developed in in the Fall of 1989, with the first crop to be grown in 1990. This Project is designed for irrigation by wheel line due to the the soil classification being Portneuf silt loam, and too undulating to allow irrigation by pivot irrigation. The rotation use by the applicant is one year in potatoes and two years in grain rotation between the potatoes, which is rotation used on the other properties owned by the applicant.

That the Project will not be appropriating more than 25 cfs and is not required to be prepared by a licensed engineer. When the project is fully developed, 240 to 280 acres each year will be in potatoes and 520 to 560 acres per year will be in cereal grain crops.

Prior to the development of this land, applicant employed nine people on a twelve month full time equivalent basis. Applicant estimates that upon completion of the development of the last Project, he will be employing thirteen people on a full time equivalent basis for a net increase of four people. Applicant currently employs eight people on a full time basis and an additional thirteen people for six month during the summer to assist with the irrigation. He also employs five additional personnel for planting and grain harvest and employs an additional thirty people during potato harvest for an approximate two month period. The Project design is such that a total of two and one-half miles of mainline will be laid, thirty-five wheel lines will be purchased, one electrical drop will be made to each well site, three well will be drilled, and the two existing wells are approximately 300 to 350 feet in depth and the pumping level 300 to 250 feet depending upon the location of the subject field. The pump size will be 300 to 350 hpr with 75 to 150 hpr boosters to provide a more efficient use of the available water due to two varieties of crops being grown under the same system.

Applicant is using 6 gallon per minute flow control spray nozzles on all of the sprinkler lines in order to

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only
MAR 03 1990

apply the flow of the water and eliminate the disproportionate pressure in the lines due to elevational changes. The two existing Projects utilize 15H 277 model Worthington four or five stage deep well pumps at an 84% efficiency. Applicant uses a V8 GP-BM Berkley booster pump at Project #1, and a 6HH Cornell booster pump at Project #2, with either a 75 hpr or 150 hpr Marathon electric motors for increased pressure and water at peak consumption. The electric motors are 92% to 93% efficient and the booster pump is from 80.5% to 91.7% efficient depending upon the load.

Estimated cost for Development Project #1 was \$200,000.

Estimated cost for Development Project #2 was \$200,000.

Estimated cost for Development Project #3 is \$100,000.

During construction, approximately 1800 man hours will be required for the development of the Projects, which would be broken down between well drilling of three wells, the installation of three power lines and transformer drops to the subject well sites, pouring of three concrete pads and six thrust blocks, digging and backfillings of two and one-half miles of mainline, the erection and placement of 35 wheel lines, the setting of the pumps, and hooking up electric motors to the electrical drops, and wiring in the panels, testing all of the sprinkler equipment prior to commencement of the operation.

Using an average of 260 acres per year in potatoes, and 540 acres in cereal grain, it is estimated that during an average year, approximately \$1200 per acre would be spent in producing the potato crop on the subject premises and \$200 per acre would be spent on the cereal gain crops. This would be a total of \$312,000 additional income to the State of Idaho for the potato crop in actual out of pocket costs and \$108,000 for the cereal grain crops.

The average production that applicant has for cereal grain is 94 bushel per acre, that at an estimated price of \$4.00 per bushel (since the grain grown by applicant for the past five years on his irrigated land has been Spring wheat), would mean a total gross income of \$203,000 and \$95,000 profit to applicant on the grain crop. Applicant's average production for potatoes over the past five years has been 335 cwt per acre and applicant contracts most of his potatoes into his own storages and his average price received per 100 lbs of potatoes over the past four years

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has been \$4.50 per hundred weight. The recently negotiated increase in the contract of 13% would most likely bring the applicants net return per hundred weight of potatoes to \$5.05 per hundred weight and at 335 cwt per acre would make a profit on the potato crop at \$130,905.50 per year.

If the gross value of the crop grown of \$642,855 per year is multiplied through the local and state economy, the estimated six times job creation, and economic impact is six times that which was previously estimated as being the actual impact of the applicant's operation.

Since this application is for less than 25 cfs, the additional requirements of Rule 4,5,3,6,4. are not applicable.

The source of energy for this project will be Idaho Power. Hookups have already been made for the first two Projects and only the 160 acres on Project #3 has not actually already been hooked up by Idaho Power. Applicant has been advised by Idaho Power that there will be no difficulty with the service line in the area hooking upto the additional 160 acres and handling the extra load caused by applicant's projects. However, it is not known exactly the horsepower will be required for the last 160 acres of the Project, since it is based on estimated pumping depth and pressures required.

The total amount of energy that would be likely to be used annually on these projects during the irrigation season would be 975,000 kilowatt hours. The mainline pipe will be designed with energy efficiency in mind and will be of 10, 8 and 6 inch high pressure plastic in order to reduce friction loss in the system. The complete sprinkler system is designed to apply water on the basis of .38 inches of water per day, which is the peak consumption use of a potato crop for the Power County/Bingham County area.

There will be no return flow since the property is sprinkler irrigated.

Applicant, as stated earlier either individually or through his son, who is actually farming the property, farms approximately 2600 acres of other irrigated land other than the subject property all in Power and Bingham Counties exact legal descriptions of which will be provided if requested.

There are no area water rights for the subject property although applicant has had other prior water rights on some of his other irrigated properties, but all of which are

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ground water rather than surface rights. A copy of the soil survey report made by the SCS is attached showing the location of the subject property and the soil types as well as a narrative of the capability of the soil types. The map showing the soil types is attached as Exhibits "B" and "C" respectively and the narrative of the soil capability is attached as Exhibit "D". Since the check for the cost of advertisement has been forwarded to you, I do not believe there are any other fees required at this time.

If any additional information is required please advise Ben Cavaness of Cavaness & Boomer, P.O. Box 70, American Falls, ID 83211, and he will expedite the information for you.

Sincerely,

FERD GEHRING & SON, INC.

By Ferdinand Gehring
President

Attest:

Hannah Gehring
Secretary

Ferdinand Gehring
Ferdinand Gehring, Individually

Hannah Gehring
Hannah Gehring, Individually

Gary W. Gehring
Gary Gehring, Individually

Donna Gehring
Donna Gehring, Individually

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Exhibit B

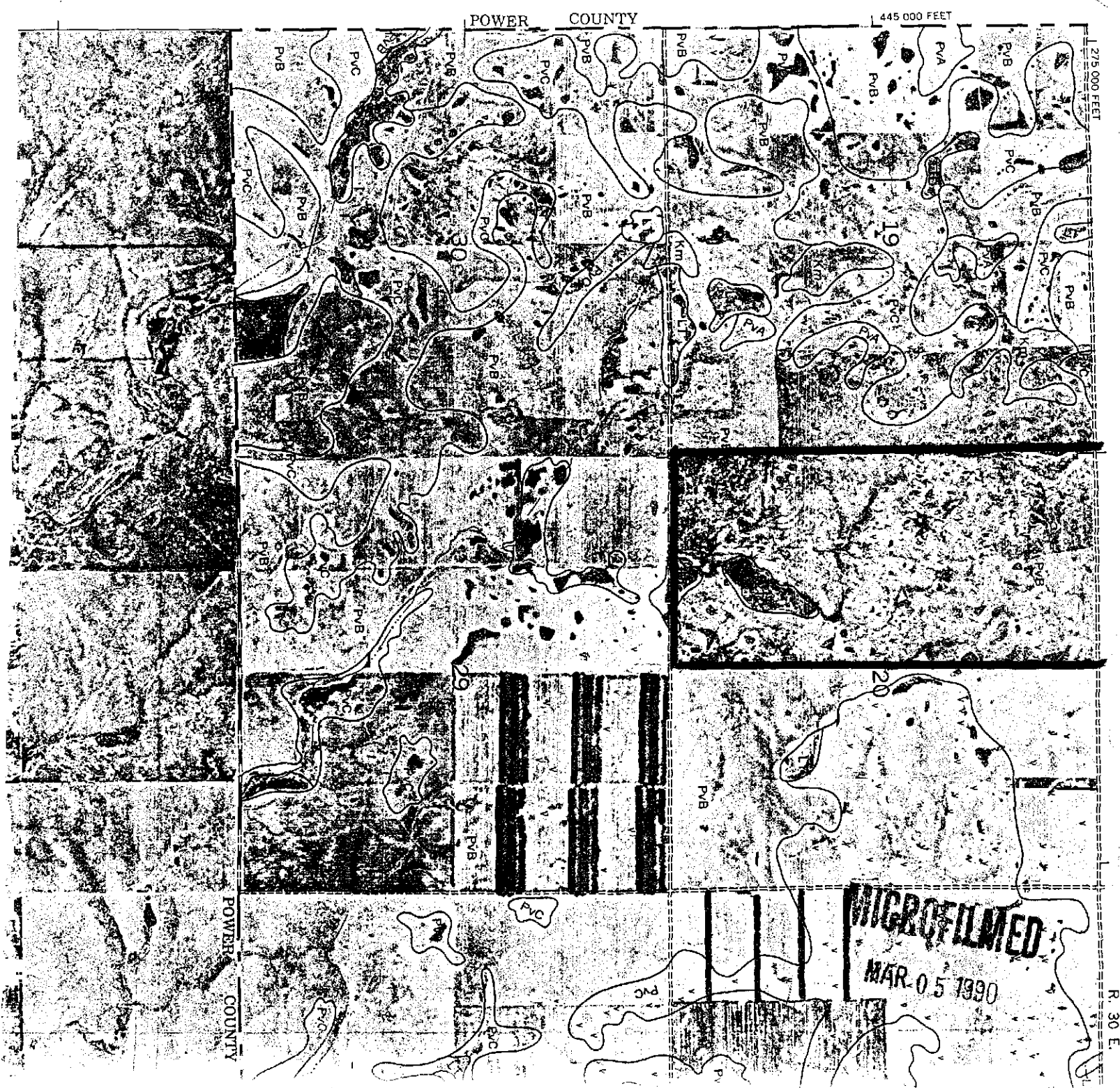
GEHRING - Exhibit "B"

BINGHAM AREA, IDAHO NO. 118

Land division corners are approximately positioned on this map.

Photomaps from 1955, 1950 and 1965 aerial photography are shown on this map. Land division corners are approximately positioned on this map.

BINGHAM AREA, IDAHO NO. 119



Enclst C

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MAR 05 1940

EXHIBIT "C" - GEHRING

116

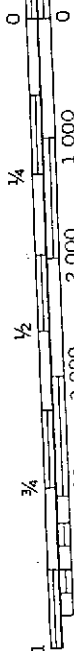
(Joins sheet 115)



1 Mile
5 000 Feet

Scale 1:20 000

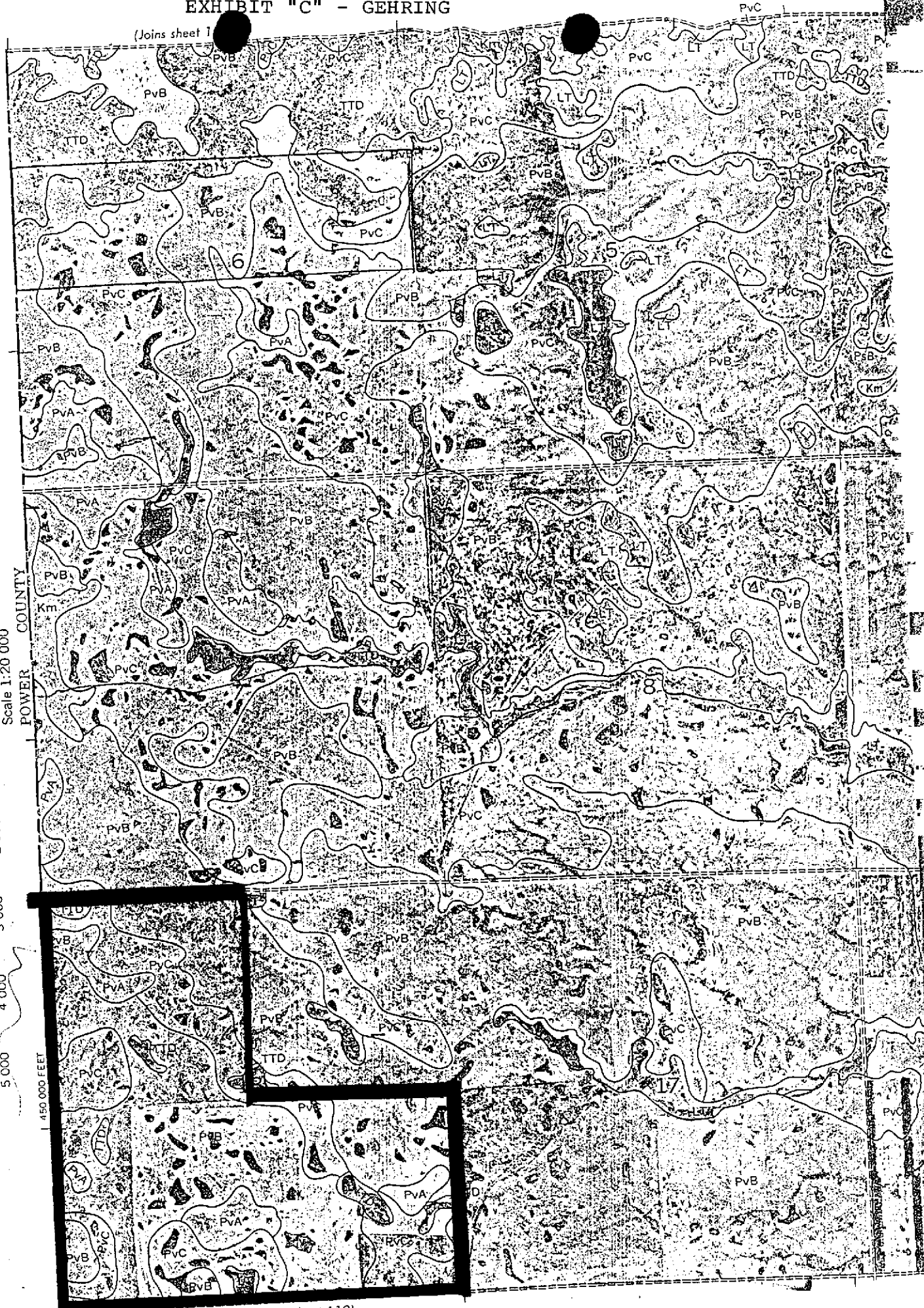
POWER COUNTY



1 450 000 FEET

275 000 FEET

(Joins sheet 119)



Portneuf Series

The Portneuf series consists of well-drained, nearly level to moderately sloping soils more than 40 inches deep to basalt. These soils formed in calcareous loess. They are on rolling uplands. The natural vegetation is mainly big sagebrush and grass. Portneuf soils are associated with soils of the Portino, Thornock, and Kimama series.

Elevations range from 4,200 to 4,600 feet. The annual precipitation is 8 to 11 inches. The mean annual air temperature is 45° to 47° F., and the frost-free period is 110 to 130 days.

In a representative profile the surface layer is pale-brown silt loam 4 inches thick. The subsoil is pale brown and very pale brown silt loam, and it extends to a depth of 14 inches. The substratum is light-gray, very pale brown, and pale brown limy silt loam. It extends to a depth of 58 inches.

Portneuf soils are used mainly for irrigated hay, pasture, small grain (fig. 18), sugar beets, and potatoes. Non-irrigated areas are used for range.

Portneuf silt loam, 2 to 4 percent slopes (PvB).—This soil is in rolling areas that range from 10 to 300 acres in size.

Representative profile: 150 feet north and 60 feet west of the southeast corner of sec. 34, T. 5 S., R. 30 E., in a field of crested wheatgrass:

Ap—0 to 4 inches, pale-brown (10YR 6/3) silt loam, dark grayish brown (10YR 4/2) when moist; weak, thin, platy structure parting to moderate, thin, platy; slightly hard, very friable, slightly sticky and slightly plastic; common fine and medium roots; many, very fine and fine, interstitial pores; mildly alkaline; gradual, smooth boundary.

B2—4 to 10 inches, pale-brown (10YR 6/3) silt loam, brown (10YR 4/3) when moist; weak, medium, prismatic structure parting to weak, medium, subangular blocky; slightly hard, friable, slightly sticky and slightly plastic; common fine and medium roots; many, very fine and fine, tubular pores; mildly alkaline; gradual, wavy boundary.

B3—10 to 14 inches, very pale brown (10YR 7/3) silt loam, brown (10YR 4/3) when moist; weak, very fine and fine, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; common fine and medium roots; many, very fine and fine, tubular pores;

moderately calcareous; moderately alkaline; gradual, wavy boundary.

C1ca—14 to 29 inches, light-gray (10YR 7/2) silt loam, grayish brown (10YR 5/2) when moist; moderate, medium, subangular blocky structure; hard, firm, slightly sticky and slightly plastic; few fine and medium roots; common, very fine and fine, tubular pores; many firm cicada krotovinas; strongly calcareous; moderately alkaline; gradual, wavy boundary.

C2ca—29 to 42 inches, light-gray (10YR 7/2) silt loam, grayish brown (10YR 5/2) when moist; weak, medium, subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; few, very fine and fine, tubular pores; strongly calcareous; moderately alkaline; clear, smooth boundary.

A1b—42 to 44 inches, very pale brown (10YR 7/3) silt loam, brown (10YR 5/3) when moist; massive; hard, firm, slightly sticky and slightly plastic; common, very fine and fine, tubular pores; slightly calcareous; moderately alkaline; abrupt, smooth boundary.

B21b—44 to 49 inches, pale-brown (10YR 6/3) silt loam, dark brown (10YR 4/3) when moist; weak, medium, subangular blocky structure; slightly hard, firm, slightly sticky and slightly plastic; many, very fine and fine, tubular pores; slightly calcareous; moderately alkaline; clear, smooth boundary.

B22b—49 to 58 inches, pale-brown (10YR 6/3) silt loam, dark brown (10YR 4/3) when moist; massive; slightly hard, friable, slightly sticky and slightly plastic; many, very fine and fine, tubular pores; slightly calcareous; moderately alkaline; abrupt, wavy boundary.

IIR—58 inches, black (10YR 2/1) basalt bedrock.

The A1 or Ap horizon ranges from 1 inch to 6 inches in thickness. It has a color value of 5 or 6 when dry and a chroma of 2 or 3. The B horizon is dominantly silt loam, but it is loam in places. It has a color value of 5 or 6 when dry and a chroma of 2 or 3. The hue of all horizons generally is 10YR. A calcic horizon, which contains 22 to 28 percent lime, begins at a depth of 7 to 15 inches. In some places C horizons or buried A or B horizons are below the Cca horizon. Basalt bedrock begins at a depth below 40 inches and commonly at a depth below 60 inches.

Included are small areas where the slope is less than 2 percent or more than 4 percent. Also included are areas of Portino silt loam; Thornock extremely stony loam, undulating; and Kimama silt loam.

Permeability is moderate, and the available water capacity is about 11 inches. Surface runoff is medium, and the hazard of water erosion is slight to moderate. Roots can penetrate to a depth of more than 40 inches or to bedrock.

This soil is used for irrigated hay, pasture, small grain, sugar beets, and potatoes. Nonirrigated areas are used for range. (Capability unit IIE-1, irrigated; VIE-1, dryland; Loamy range site, 8 to 12 inches precipitation; windbreak suitability group 1)

Portneuf silt loam, 0 to 2 percent slopes (PvA).—This soil is similar to Portneuf silt loam, 2 to 4 percent slopes, except for the slope. It is on uplands in areas 10 to 300 acres in size. Surface runoff is slow, and the hazard of water erosion is slight.

Included are small areas where the slope is more than 2 percent. Also included are areas of Portino silt loam; Thornock extremely stony loam, undulating; and Kimama silt loam.

This soil is used for irrigated hay, pasture, small grain, sugar beets, and potatoes. Nonirrigated areas, for range. (Capability unit IIE-1, irrigated; VIE-1, dryland; Loamy range site, 8 to 12 inches precipitation; windbreak suitability group 1)

Portneuf silt loam, 4 to 6 percent slopes (PvC).—This soil is similar to Portneuf silt loam, 2 to 4 percent slopes,



Figure 18.—A stand of wheat on Portneuf soils. The topography is uneven, and there are a few rock outcrops.

except for the slope. It is on uplands in areas 10 to 200 acres in size. Surface runoff is medium, and the hazard of water erosion is moderate.

Included are small areas where the slope is less than 4 percent or more than 8 percent. Also included are areas of Portino silt loam and Thornock extremely stony loam, undulating.

This soil is used for irrigated hay, pasture, small grain, sugar beets, and potatoes. In nonirrigated areas it is used for range. (Capability unit IIIc-1, irrigated; VIc-1, dryland; Loamy range site, 8 to 12 inches precipitation; windbreak suitability group 2)

Portneuf silt loam, 8 to 12 percent slopes (PvD).—This soil is similar to Portneuf silt loam, 2 to 4 percent slopes, except for the slope. It is on rolling uplands in areas 10 to 100 acres in size. Surface runoff is medium to rapid, and the hazard of water erosion is severe.

Included are small areas where the slope is less than 8 percent or more than 12 percent. Also included are areas of Portino silt loam and Thornock extremely stony loam, undulating.

This soil is used for irrigated hay, pasture, small grain, and, in nonirrigated areas, for range. (Capability unit IVc-1, irrigated; VIc-1, dryland; Loamy range site, 8 to 12 inches precipitation; windbreak suitability group 2)

Presto Series

The Presto series consists of somewhat excessively drained, nearly level soils that have a loamy sand surface layer and silt loam underlying layers. These soils formed under big sagebrush and grass in mixed sandy and silty deposits. They are on river terraces. Presto soils are associated with soils of the Wolverine, Weeding, and Wapello series.

Elevations range from 4,200 to 5,400 feet. The annual precipitation is 8 to 12 inches. The mean annual air temperature is 40° to 45° F., and the frost-free period is 100 to 126 days.

In a representative profile the surface layer is grayish-brown loamy sand about 8 inches thick. The underlying material is brown and light brownish-gray loamy sand to a depth of 28 inches. This is underlain by nonconformable light brownish-gray and light-gray silt loam that extends to a depth of 60 inches or more.

Presto soils are used for irrigated hay, pasture, and small grain. Nonirrigated areas are used for range.

Presto loamy sand (0 to 2 percent slopes) (Pw).—This soil is on smooth river terraces in areas that range from 10 to 100 acres in size.

Representative profile: 600 feet west and 100 feet south of the northeast corner of sec. 14, T. 2 S., R. 36 E., in an area of range.

A11—0 to 3 inches, grayish-brown (10YR 5/2) loamy sand, very dark grayish brown (10YR 3/2) when moist; weak, thin, platy structure parting to weak, very fine, granular; soft, very friable, nonsticky and nonplastic; many very fine and fine roots; slightly calcareous; mildly alkaline; abrupt, smooth boundary.

A12—3 to 8 inches, grayish-brown (10YR 5/2) and brown (10YR 5/3; crushed) loamy sand, very dark grayish brown (10YR 3/2) and dark grayish brown (10YR 4/2, crushed) when moist; weak, very fine, granular structure; soft, very friable, nonsticky and nonplastic; many very fine and fine roots; many, very fine and fine, tubular

pores; slightly calcareous; moderately alkaline; clear, wavy boundary.

C1—8 to 17 inches, brown (10YR 5/3) loamy sand, dark grayish brown (10YR 4/2) when moist; massive; soft, very friable, nonsticky and nonplastic; common very fine and fine roots; common, very fine and fine, tubular pores; moderately calcareous; moderately alkaline; gradual, wavy boundary.

C2—17 to 28 inches, light brownish-gray (10YR 6/2) loamy sand, dark grayish brown (10YR 4/2) when moist; massive; soft, very friable, nonsticky and nonplastic; common very fine roots; many, very fine and fine, tubular pores; moderately calcareous; moderately alkaline; abrupt, smooth boundary.

IIC3ca—28 to 34 inches, light brownish-gray (10YR 6/2) silt loam, dark grayish brown (10YR 4/2) when moist; weak, thick, platy structure breaking to weak, medium, subangular blocky; hard, friable, slightly sticky and slightly plastic; common very fine and fine roots; many, very fine and fine, tubular pores; strongly calcareous; many fine veins and few fine spots and splotches of lime; moderately alkaline; gradual, wavy boundary.

IIC4ca—34 to 50 inches, light-gray (10YR 7/2) silt loam, grayish brown (10YR 5/2) when moist; weak, thick, platy structure breaking to weak, medium and fine, subangular blocky; hard, friable, slightly sticky and slightly plastic; few very fine and fine roots; many, very fine and fine, tubular pores; strongly calcareous; many veins, spots, and splotches of lime; moderately alkaline; gradual, wavy boundary.

IIC5ca—50 to 60 inches, light brownish-gray (10YR 6/2) silt loam, grayish brown (10YR 5/2) when moist; massive; slightly hard, friable, slightly sticky and slightly plastic; no roots; many, very fine and fine, tubular pores; strongly calcareous; common fine veins and few fine spots and thin coatings of lime; moderately alkaline.

The solum ranges from 6 to 12 inches in thickness. The A1 or Ap horizon ranges in color value from 5 to 5.5 when dry. The dark color is related, in part, to the presence of dark basaltic sand. The chroma is 2 or 3. The Cca horizon contains 15 to 25 percent lime, except in the upper part, which is only moderately calcareous in places. The lower strata are generally nonconforming lake sediments and are moderately calcareous in places.

Included are small areas where the slope is more than 2 percent. Also included are areas of a Wapello fine sandy loam; Wolverine sand, rolling; and Weeding loamy sand.

Permeability is rapid to a depth of 28 inches and moderate below 28 inches. The available water capacity is about 4 to 6 inches. Surface runoff is slow. The hazard of water erosion is only slight, but the hazard of soil blowing is severe. Roots can penetrate to a depth of 60 inches or more.

This soil is used for hay, pasture, and small grain. Nonirrigated areas are used for range. (Capability unit IVc-5, irrigated; VIIc-1, dryland; Sandy range site, 8 to 12 inches precipitation; windbreak suitability group 5)

Rexburg Series

The Rexburg series consists of well-drained, gently sloping to steep soils. These soils formed in deep loess overlying basalt bedrock. They are on uplands, benches, and ridges. Where the soils are not cultivated, the vegetation is mostly bunchgrass and big sagebrush. Rexburg soils are associated with Lanark, Tetonia, Robin, and Wahtigup soils.

Elevations range from 4,700 to 6,200 feet. The mean annual precipitation ranges from 10 to 15 inches. The mean annual air temperature ranges from 40° to 45° F., and the frost-free season is 80 to 110 days.

MAR 05 1990

U.S.

COUNTY

12

U.S.

Existing Permit Well

Chet Wahlen Well-----X

14

U.S.

GEHRING

Proposed Permit Well

Existing Permit Well

23

U.S.

EXHIBIT "A"

PLAT OF ADJACENT WELLS

U.S.

26

COUNTY

25

U.S.

24

U.S.

13

U.S.

7

EXHIBIT "A"

X U.S. - Lamar Johns Well

8

U.S.

PETER JOUGLARD

17

U.S.

X - Marlene Funk Well

19

U.S.

PETER JOUGLARD

20

U.S.

PETER JOUGLARD

21

U.S.

30

U.S.

29

U.S.

28

U.S.

MICROFILMED

MAR 05 1990

16

STATE

U.S.

9

37.38

37.39

37.39

37.40

37.41

37.47

37.51

37.56

37.61

37.67

37.73

37.79

37.83

37.86

37.88

37.91

37.98

June 1, 1989

RECEIVED
JUN 05 1989

Mr. Tim Lake
Senior Water Resource Agent
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

Department of Water Resources

Re: Permit #35-7885

Dear Mr. Lake:

A request is hereby made for a thirty day extension of the time given to provide the Rule 4,5, information as set out in your letter of May 8, 1989.

My attorney has been busy with Bingham County Adjudication filings and was unable to complete this work for me prior to the deadline you imposed.

It is my understanding that my attorney has contacted you by telephone and you have no objection to extending the date to July 8, 1989.

Sincerely,

Ferdinand Gehring
Ferdinand Gehring

MICROFILMED

MAR 05 1990

BEN CAVANESS
HENRY R. (Hank) BOOMER

Cavaness & Boomer

ATTORNEYS-AT-LAW
P.O. Box 70 — 376 Roosevelt
American Falls, Idaho 83211

Telephone
(208) 226-2562

April 24, 1989

RECEIVED
APR 25 1989

Mr. Tim Luke
Sr. Water Resource Agent
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

Department of Water Resources

Re: Permit No. 35-7885 - Ferdinand Gehring

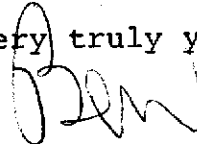
Dear Mr. Luke:

Pursuant to our recent conversation, I am enclosing the original of the Trust Water Information Questionnaire providing the information that you requested, along with our office check in the amount of \$20.00 for the readvertisement fee.

Please provide me with the draft acceptable Rule 4.5 information plan and I will model our information plan after the same.

Thank you for your assistance.

Very truly yours,



Ben Cavaness

BC:mh
Encl.

MICROFILMED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

APR 25 1989

Department of Water Resources

PERMIT NO. 35-7885

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes X No

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 640

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 160

NOTE: You must submit the (\$20.00) readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

NONE

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder

Andrew J. Lebrun

Date

4-21-89

MAR 03 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 8, 1989

RE: Permit No. 35-7885

Ferdinand Gehring
dba Gehring Farms & Ferd Gehring & Son, Inc.
740 Calder
American Falls, ID 83211

NOTICE OF INFORMATION REQUIRED BY WATER APPROPRIATION RULE 4,5.

Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaire and appropriate re-advertising fee for the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation in providing the requested fee and information.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5. if the undeveloped portion of the permit exceeds 200 acres.

The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your permit. The project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5.

I wish to call your attention to the specific requirements under Rule 4,5. (copy enclosed). In particular, you must submit the information outlined in Rules 4,5,3,6,1. through 4,5,3,6,7. Note that Rule 4,5,3,6,4. is not applicable to your permit.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed will be cause for the Department to advance the priority of the permit by the number of days that the information submittal is late. The

MICROFILMED

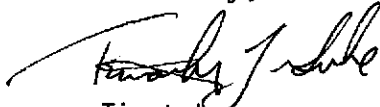
MAR 05 1990

Page 2

Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

Tim Luke
Sr. Water Resource Agent

MICROFILMED
MAR 05 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 35-7885

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed)

MICROFILMED

MAR 05 1990

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 35 788.5
Name(s) of Permit Holder(s): Gehring Farms, Inc.
Post Office Address: 740 Caldwell
American Falls, Idaho No. 226-2540

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____

I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

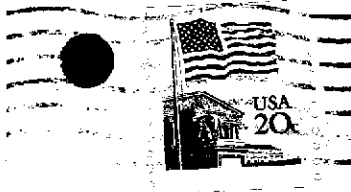
due to Idaho Power
Moratorium

*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

Yuhua Fan
742 Calder
Ann Arbor, Ida. 83411



MICROFILMED

MAR 05 1990



RECEIVED
MAY 13 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 21, 1988

Farm Credit Services
c/o Rob Steinke
P. O. Box 10
Blackfoot, ID 83221

Dear Mr. Steinke:

Re: Permit No. 35-7885 - Ferdinand Gehring

Pursuant to your request, enclosed are some documents from Mr. Gehring's water right file.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

Notes

- priority 1-2-80
- G.W
- named & not dismissed
- 320 of 800ac developed
- 320 may be grandfathered if developed prior to 7-1-85 (won't devel. in Nov 84)
- Permit valid but part must be re-processed for Trust Water.

REGISTERED
MAR 05 1988

MS
1-21-88

January 4, 1987

Ferdinand Gehring
dba Gehring Farms & Ferd Gehring & Son, Inc.
740 Calder
American Falls, ID 83211

Dear Mr. Gehring:

Re: Permit No. 35-7885

The department has reviewed the request for extension of time submitted in connection with the above referenced permit. The department will hold the request without action until the permit is reprocessed in compliance with the provisions of Sec. 42-203D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

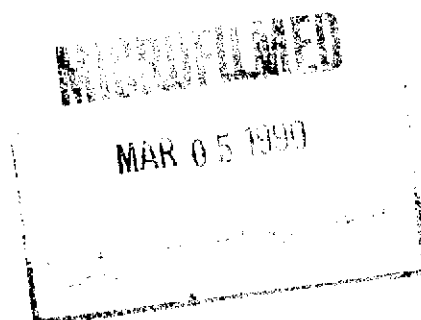
Please feel free to contact this office if you have any questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: region



RECEIVED
DEC 24 1987

740 Calder
American Falls, ID
December 21, 1987

Department of Water Resources

Ms. Rita Fleck
Secretary/Records Manager
Idaho Department of Water Resources
450 West State Street
Boise, ID 83720

Dear Ms. Fleck:

Enclosed is a request for extension of time regarding permit 35-7885, which has been prepared in order to provide me with the additional time that will be required in order to allow my permit to be reprocessed under the Swan Falls legislation. I do hope that you will consider this time extension since the sixty days has nearly expired.

If there is a problem with regards to this request, please let me know.

Very truly yours,

Ferdinand Gehring
740 Calder
American Falls, ID 83211

MICROFILMED

MAR 05 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

EXTENSION OF TIME

December 30, 1987

Ferdinand Gehring
740 Calder
American Falls, ID 83211

PERMIT NO. 35-7885

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 48223.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

MAR 05 1990

138098
CERTIFIED MAIL
November 30, 1987

GEHRING, FERDINAND
740 CALDER
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

RE: Permit No. 35-7885

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 05 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

MAR 05 1990

December 27, 1984

Ben Cavaness
CAVANESS AND BEEBE
P. O. Box 70
American Falls, ID 83211

Dear Mr. Cavaness:

Re: Permit Nos. 35-7884 and 35-7885 Ferdinand Gehring

Your letter of December 21, 1984 correctly describes some errors in my letter dated November 28, 1984 in regard to the above-referenced permits.

The requests for extension of time were timely received and the priority of each permit has not been advanced as the transmittal letter states.

The proof of beneficial use submittal date for Permit No. 35-7884 has been extended to February 1, 1989 and for Permit No. 35-7885 to February 1, 1988.

I hope this misinformation has not caused you inconvenience.

Please contact me if I can provide additional information.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Mr. Ferdinand Gehring

MICROFILMED

MAR 05 1990

BEN CAVANESS
MARK BEEBE

Cavaness and Beebe

ATTORNEYS-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562

December 21, 1984

RECEIVED
DEC 21 1984
DEC 20 1984

Mr. L. Glen Saxton
Idaho Dept. of Water Resources
Statehouse
450 W. State Street
Boise, Idaho 83720

Department of Water Resources
Department of Water Resources

Re: Permits Nos. 35-7884 and 35-7885
Ferdinand Gehring

Dear Mr. Saxton:

Mr. Gehring has asked that I respond to your letter of November 28, 1984, a copy of which is enclosed. Your letter states that Permit Nos. 35-7884 and 35-7885 are extended to September 1, 1985, when, I believe, that the extension actually extends the permit beneficial use state until February 1, 1988. Additionally, you indicated that the permits had lost their original priority date since the extension had been submitted after the proof due date.

It is not my understanding that this is correct. According to the information provided to me, we had until February 1, *1985*, 1985 within which to request the extension and that our requests were properly filed with you on November 8, 1984, well in advance of February 1, 1985's original completion date. It is also my understanding that the original priority dates would continue so long as proof of beneficial use was filed prior to the extended deadline.

Please review the enclosed and advise if I am in error.

Very truly yours,

Ben Cavaness
Ben Cavaness

BC:mh

cc: Mr. Ferdinand Gehring

MICROFILMED

MAR 05 1990

November 28, 1984

Ferdinand Gehring
740 Calder
American Falls, ID 83211

Dear Mr. Gehring:

Re: Permit Nos. 35-7884 and 35-7885

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit proof of beneficial use for Permit No. 35-7884 is extended to February 1, 1989 and the time within which to submit proof of beneficial use for Permit No. 35-7885 is extended to September 1, 1985. Please note that the permits have been reinstated with an advance in priority since the extension of time requests were submitted after the proof due date.

In connection with the development of a water right under these permits, the department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

MICROFILMED

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED

BEN CAVANESS
MARK BEEBE

Cavaness & Beebe

ATTORNEYS-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

November 6, 1984

RECEIVED

NOV 7 1984

Department of Water Resources
Eastern District Office

Telephone
(208) 226-2562

Mr. Ernest Carlsen
Assistant Regional Supervisor
Department of Water Resources
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

RECEIVED

NOV 8 1984

Re: Request for Extension of Time on Permit No. 35-7884 Department of Water Resources
35-7885

Dear Mr. Carlsen:

Enclosed is the check in the amount of \$30 to cover the fee for filing the Request for an Extension of Time on the above referenced permits, in accordance with your letter dated November 2, 1984.

Very truly yours,


Ben Cavaness

BC:mh

Encl.

MICROFILMED

November 2, 1984

Ben Cavaness
Attorney at Law
P.O. Box 70
American Falls, ID 83211

RE: Request for Extension of Time on Permit No. 35-7884
35-7885

Dear Mr. Cavaness:

Since July of 1980 there has been a \$15 charge on a Request for an Extension of Time. The requests your office recently submitted on behalf of the Gehring Farms are being returned because this fee was not included.

To insure the priority dates of these permits will not be jeopardized, these requests and \$30 should be received by the Department no later than February 1, 1985.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:jk

Enclosures

POOR QUALITY ORIGINAL

ENCLOSURE

Cavaness and Beebe

BEN CAVANESS
MARK BEEBE

ATTORNEYS-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562

October 30, 1984

RECEIVED

OCT 31 1984

Idaho Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Re: Extensions of Permits

Dear Sirs:

Enclosed is a Request for Extension of Time on Permits Nos. 35-7884 and 35-7885 for three and four years respectively since the applicants have been unable to proceed due to the Idaho Power Water Rights controversy. Please take official action on these extensions and notify us as to your decision at the earliest possible date.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

MICROFILMED

May 5, 1981

Ferdinand Gehring
dba Gehring Farms
795 Bannock
American Falls, Idaho 83211

Dear Sirs,

RE: Permit No. 35-7885

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure

MICROFILMED

BEN CAVANESS
MARK BEEBE
JAMES GLARBORG

Cavaness, Beebe and Glarborg

ATTORNEYS-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562

October 29, 1980

Ernest Carlsen
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Application for Amendment of Permit No. 35
~~37~~-7885

Dear Mr. Carlsen:

Enclosed is the executed Application from Mr. Gehring.

If you have any questions, please let me know.

Very truly yours,


Ben Cavaness

BC;mh

Encl.

MICROFILMED

RECEIVED

NOV 7 1980

Department of Water Resources
Eastern District Office

November 19, 1980

Ferdinand Gehring
Ferd Gehring & Son Inc.
795 Bannock
American Falls, Idaho 83211

Dear Sirs,

RE: Permit No. 35-7885

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

September 22, 1980

RE: Application for Amendment of Permit No. 35-7885

CAVANESE, BEEBE & GLARBORG
ATTN;; Ben Cavaness
P. O. Box 70
American Falls, ID 83211

Dear Mr. Cavaness:

Although the Department has initiated the necessary processing of the Application for Amendment of Permit No. 35-7885, your firm recently submitted on behalf of Ferdinand Gehring, the amendment was submitted on an outdated form. For your convenience, we have duplicated the amendment application on a current form which is enclosed and requires the signature of Mr. Gehring. To prevent any unnecessary delays in the processing of the amendment it is hoped the form will be signed and returned to this office as soon as possible.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

MICROFILMED

the form will be signed
To prevent any misunderstanding
on a current form which
is submitted on behalf of
localities of the Application

Department of Water Resources
Eastern District Office

SEP 80 1980

RECEIVED

RECEIVED

2 copies and return to PAT

NOTICE OF
PROPOSED AMENDING
OF WATER PERMIT

Notice is hereby given that permit
No. 35-7885 in the name of Ferd-
inand Gehring was issued for the
diversion of 19.2 cfs of water from a
groundwater source with the point of
diversion within the SW¼NW¼,
Sec. 18, SW¼SW¼, Sec. 17;
SE¼SW¼, Sec. 20; T. 6S, R. 30E,
B.M., Bingham County, to be used
for the irrigation of 960 acres from
April 1 to November 1 within the
W¼, SE¼, Sec. 18; SW¼, Sec. 17;
W¼, Sec. 20; T. 6S, R. 30E, B.M.

The permit holder now proposes to
amend Permit No. 35-7885, changing

the point of diversion to within the
SW¼SW¼, Sec. 18; SW¼NW¼,
Sec. 18; SE¼SW¼, Sec. 20; T. 6S,
R. 30E, B.M., Bingham County;
changing the amount of water to 16.0
cfs and the place of use to within the
W¼, SE¼, Sec. 18; W¼, Sec. 20;
T. 6S, R. 30E for the irrigation of 800
acres.

Any protest to the proposed amen-
ding of the permit must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401, on or before Oc-
tober 20, 1980

C. STEPHEN ALLRED
Director

(6679)
Pub. 10-02 & 10-09-80

22: Application

September 22, 1980

CAVART, LARRY &
ATTN: Ben Cavanaugh
P.O. Box 30
Vernon Hills, IL

Ben Cavanaugh

for the purpose of

and returned to

Dispositive

LEGAL-3,ads

Enclosure

OK

**NOTICE OF
PROPOSED AMENDING
OF WATER PERMIT**

Notice is hereby given that permit No. 35-7885 in the name of Ferdinand Gehring was issued for the diversion of 19.2 cfs of water from a groundwater source with the point of diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; T. 6S, R. 30E, B.M., Bingham County; to be used for the irrigation of 960 acres from April 1 to November 1 within the W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$, Sec. 17; W $\frac{1}{2}$, Sec. 20; T. 6S, R. 30E, B.M.

The permit holder now proposes to amend Permit No. 35-7885, changing the point of diversion to within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; T. 6S, R. 30E, B.M., Bingham County; changing the amount of water to 16.0 cfs and the place of use to within the W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 18; W $\frac{1}{2}$, Sec. 20; T. 6S, R. 30E for the irrigation of 800 acres.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before October 20, 1980

C. STEPHEN ALLRED
Director

(6679)

Pub.: 10-02 & 10-09-80.

39

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
2nd day of Oct, 19 80

and the last publication having been made on the

9th day of October, 19 80;
that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

Subscribed and sworn to before me this 9th
day of October, 19 80

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

MICROFILMED

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 35-7885 in the name of Ferdinand Gehring was issued for the diversion of 19.2 cfs of water from a groundwater source with the point of diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; T. 6S, R. 30E, B.M., Bingham County; to be used for the irrigation of 960 acres from April 1 to November 1 within the W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$, Sec. 17; W $\frac{1}{2}$, Sec. 20; T. 6S, R. 30E, B.M.

The permit holder now proposes to amend Permit No. 35-7885, changing the point of diversion to within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; T. 6S, R. 30E, B.M., Bingham County; changing the amount of water to 16.0 cfs and the place of use to within the W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 18; W $\frac{1}{2}$, Sec. 20; T. 6S, R. 30E for the irrigation of 800 acres.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before October 20, 1980.

C. STEPHEN ALLRED

Director

Published in the Blackfoot News 10/02 and 10/09/80.

REPRODUCTION

Cavaness, Beebe and Glarborg

BEN CAVANESS
MARK BEEBE
JAMES GLARBORG

ATTORNEYS-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562

September 15, 1980

RECEIVED

SEP 16 1980

Department of Water Resources
Eastern District Office

Appropriations Examiner
Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Ferdinand Gehring dba Gehring Farms,
Ferd Gehring & Son Inc. - Permit No. 35-7885

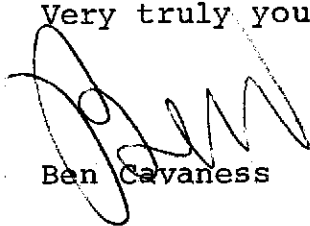
Dear Sir:

Enclosed is the original of the Application for Amendment which has been executed by Ferd Gehring, who was the original applicant in his individual and representative capacity for Gehring Farms, which he owns.

This application seeks to amend his previous filing to reduce the amount of land within the filing by 160 acres and transfer the point of diversion since Mr. Gehring has traded the property that is being deleted from the application. Also enclosed is our fee for \$20.00 to cover the cost of the amendment.

Please advise if any additional fees or documentation is required.

Very truly yours,


Ben Cavaness

BC:mh

Encl.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 15, 1980

Ferdinand Gehring
795 Bannock
American Falls, Idaho 83211

Dear Mr. Gehring,

RE: Permit No. 35-7885

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section.

DRT:mr
Enclosure

RECEIVED
FEB 16 1980
IDAHO DEPT. OF WATER RESOURCES

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

01-7043

SHRADER, LARK G. &/or MAXINE R.
ROUTE 2, BOX 305, BLACKFOOT, ID
83221

Source: SNAKE RIVER, MAIN STEM
tributary to COLUMBIA

Date Filed: 12/28/1979

Amount: 2.00 CFS

Diversion Point: LOT 06 LOT 07 LOT
10 LOT 11 Sec 20 T. 03S R 34E,
BINGHAM Co.

Use: IRRIGATION (2.00 CFS) from
04/01 to 11/01

Place of Use: LOT 07 (NENE) LOT 06
(NWNE) LOT 10 (NWSE) LOT 11
(SWSE) Sec 20 T 03S R 34E FOR 102
ACRES

Diversion Means: PORTABLE PUMP,
PIPELINE AND SPRINKLER
IRRIGATION.

35-7882

CAMPBELL, ROBERT P.
ROUTE 1, BOX 190, ABERDEEN, ID
83210

Source: GROUNDWATER

Date Filed: 12/26/1979

Amount: 1.15 CFS

Diversion Point: SWSW Sec 31 T 04S
R 31E, BINGHAM Co.

Use: IRRIGATION (1.15 CFS) from
04/01 to 11/01

Place of Use: NESW NWSW SWSW,
SESW NWSE SWSE Sec 31 T 04S R
31E FOR 240 ACRES

Diversion Means: WELL, PUMP AND
SPRINKLER SYSTEM

35-7883

JACOB, JOSEPH O.
P.O. BOX 238, TANGENT, OR 97389

Source: GROUNDWATER

Date Filed: 12/28/1979

Amount: 13.00 CFS

Diversion Point: SWNW SENE NWSE
Sec 32 T 04S R 30E, BINGHAM Co.

Use: IRRIGATION (13.00 CFS) from
04/01 to 10/15

Place of Use: NENE NWNE SWNE
SENE NENW NWNW SWNW SENW
NESW NWSW SWSW SESW NESE
NWSE SWSE SESE Sec 32 T 04S R
30E NENE NWNE SWNE SENE NENW
SWNW SENW NWNW NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE Sec 33 T 04S R 30E NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW Sec 05 T 05S R 30E
FOR 1316 ACRES.

Diversion Means: WELL, PUMP,
MAINLINE AND LATERALS.

35-7885

GEHRING, FERDINAND
795 BANNOCK, AMERICAN FALLS,
ID 83211

Source: GROUNDWATER

Date Filed: 01/02/1980

Amount: 19.20 CFS

Diversion Point: SWNW Sec 18 T 06S
R 30E SWSW Sec 17 T 06S R 30E
SESW Sec 20 T 06S R 30E,
BINGHAM Co.

Use: IRRIGATION (19.20 CFS) from
04/01 to 11/01

Place of Use: NENW NWNW SWNW
SESW NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec 18 T
06S R 30E NESW NWSW SWSW
SESW Sec 17 T 06S R 30E NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW Sec 20 T 06S R 30E
FOR 960 ACRES

Diversion Means: WELLS (3), PUMP,
MAINLINES AND SPRINKLER
SYSTEM.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
JANUARY 28, 1980.

C. STEPHEN ALLRED
Director

(6365)

Pub: 1/10, 17

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Session Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
10th day of January, 19 80

and the last publication having been made on the
18th day of January, 19 80;
that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 21st

day of January, 19 80

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires
10/10, 1980

RECEIVED

JAN 22 1980

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JANUARY 28, 1980.

C. STEPHEN ALLRED

Director

Published 01/10 & 01/17/80.

RECEIVED
JAN 28 1980

35-7885

GEHRING, FERDINAND
795 BANNOCK, AMERICAN FALLS,
ID 83211

Source: GROUNDWATER

Date Filed: 01/02/1980

Amount: 19.20 CFS

Diversion Point: SWNW Sec 18 T 06S
R 30E SWSW Sec 17 T 06S R 30E
SESW Sec 20 T 06S R 30E,
BINGHAM Co.

Use: IRRIGATION (19.20 CFS) from
04/01 to 11/01

Place of Use: NENW NWNW SWNW
SESW NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec 18 T
06S R 30E NESW NWSW SWSW
SESW Sec 17 T 06S R 30E NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW Sec 20 T 06S R 30E
FOR 960 ACRES

Diversion Means: WELLS (3), PUMP,
MAINLINES AND SPRINKLER
SYSTEM.

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
JANUARY 28, 1980.

C. STEPHEN ALLRED
Director

(8365)

Pub: 1/10, 17

GEHRING, FERDINAND

795 BANNOCK, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 01/02/1980

Amount: 19.20 CFS

Diversion Point: SWNW Sec 18 T 06S R 30E SWSW Sec 17 T 06S R 30E SESW
Sec 20 T 06S R 30E, BINGHAM Co.

Use: IRRIGATION (19.20 CFS) from 04/01 to 11/01

Place of Use: NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
Sec 18 T 06S R 30E NESW NWSW SWSW SESW Sec 17 T 06S R 30E NENW
NWNW SWNW SENW NESW NWSW SWSW SESW Sec 20 T 06S R 30E
FOR 960 ACRES

Diversion Means: WELLS(3), PUMP, MAINLINES AND SPRINKLER SYSTEM.

MICROFILMED