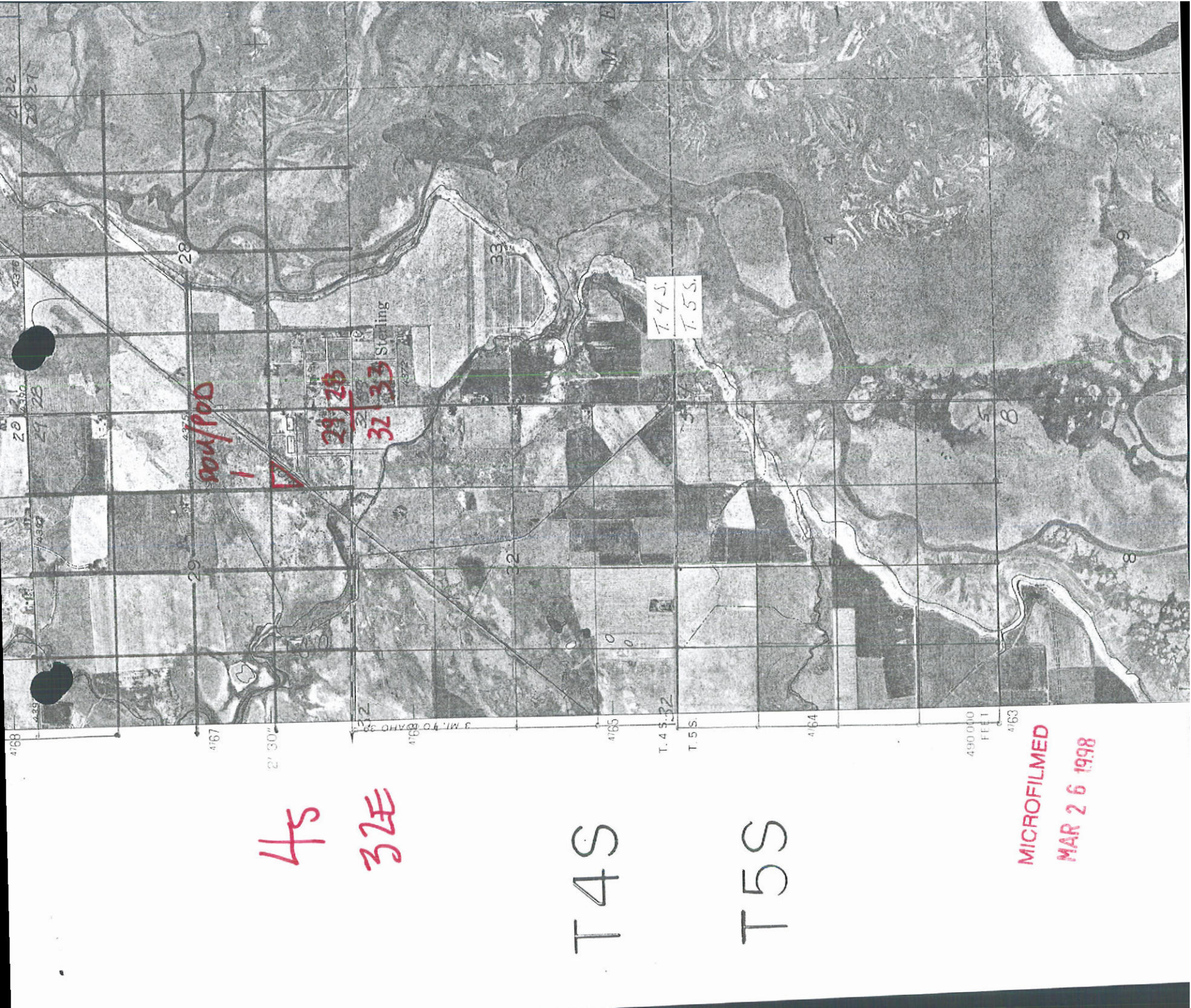


4s
32E

T4S

T5S

MICROFILMED
MAR 26 1998



LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 1

Permit No. 6/26/00 35-09070

BU Fee Pd \$ 50⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes Moratorium ~~GWMA~~ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE NA
IRR ≤ 5 ac - 18A-R02-01P-18B-NA
> 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
- R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS) NA
MINING - 081
FISH PROP - 029(70'S only)-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate 02 cfs Fee Limit cfs
Measured .1 cfs Theoretical cfs

Use	Rate	Volume
Stock	cfs	af
	cfs	af
	cfs	af
TOTALS	cfs	af

OTHER CONDITIONS/REMARKS/COMMENTS 55/50 range cattle

SRBA Claim Filed Yes ☒ No

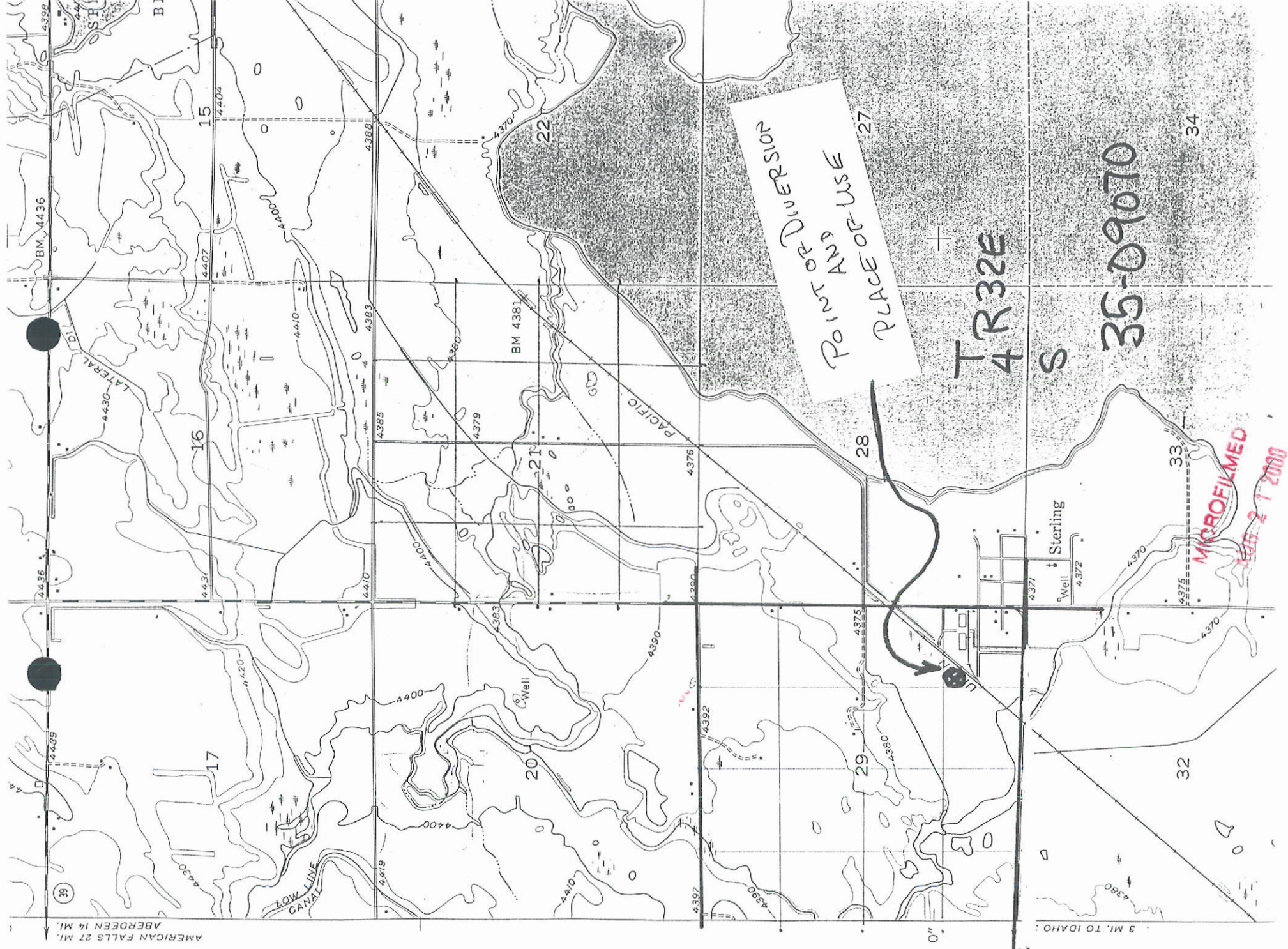
If no, is a claim required: Yes ☒ No

AMENDMENTS REQUIRED ☒ Yes No

Adjustment Memo Needed ☒ Yes No

If yes, paragraph codes: P46, P38

Reminders P47



POINT OF DIVERSION
PLACE OR USE

TR32E
S

35-09070

MICROFILMED
JUN 21 2000



POND



pond

MICROFILMED
JUN 21 2000

35-D9070

AFFIDAVIT OF PUBLICATION

County of Bingham)

State of Idaho)

I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper 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 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices 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 at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive weeks
the first publication having been made on
the 5th day of February
1998 and the last publication having
been made on the 25th day of
Feb. 1998; 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 pub-
lished in the newspaper and not in a sup-
plement.

On this 27th day of Feb., in
the year 1998, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

[Signature]
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

October 16, 2002

Affidavit Processing Fee..... \$5.00

DEPT. OF WATER RESOURCES
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

35-09070

HENSEN, Carl K.
P.O. Box 125
Aberdeen, Idaho 83210
Source: POND
Diversion Pt.: SESE, Sec. 29, T. 04S,
R32E, in Bingham County.
Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS).
Date Filed: 1/14/1998
In: BINGHAM COUNTY
T04S, R32E, S29, SESE.

The permit(s) will be subject to all prior

water rights. Protests must be filed with the
applicant and the Director, Dept. of Water
Resources, along with a \$25.00 filing fee,
Eastern Region, 900 N. Skyline, Idaho
Falls, Idaho, 83402, on or before March 9,
1998.

KARL J. DREHER
Director

(3595)
Pub.: 2/5, 25

March 9, 1998

2/5, 25

MICROFILMED

MAR 26 1998

RECEIVED

MAR 02 1998

Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-09070

Priority: January 14, 1998

Maximum Storage Volume:

0.1 AF

This is to certify, that CARL K HENSEN

PO BOX 125

ABERDEEN ID 83210-0125

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 14, 1998; and has submitted Proof of Beneficial Use on March 16, 1998. An examination indicates that the works have a storage capacity of 0.100 af of water from:

POND

tributary to SINKS

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>
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 29, Township 04S, Range 32E
BINGHAM County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

04S 32E 29

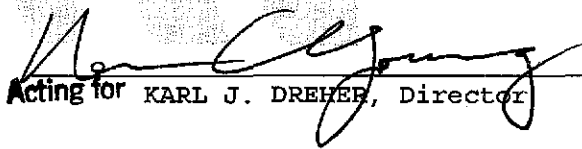
SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Stockwater storage is for 50 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 19TH day of

JULY, 2000.


Acting for KARL J. DREHER, Director

MICROFILMED

AUG 21 2000

State of Idaho
Department of Water Resources

RECEIVED

JUL 12 2000

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 35-09070

Department of Water Resources

Date of Priority: January 14, 1998

Maximum Storage Volume:

0.1 AF

Comes now

CARL K HENSEN

PO BOX 125

ABERDEEN ID 83210-0125

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. 35-09070, and requests that the permit be changed as follows:

Source: POND

tributary to SINKS

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

STOCKWATER STORAGE

01/01 to 12/31

0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 29, Township 04S, Range 32E
BINGHAM County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

04S 32E 29

SESE

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 Sterling, Idaho, this 10th day of July, 2000.

MICROFILMED

AUG 21 2000

Carl K. Hensen

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-09070

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee =\$50.00 Received by AK # C049776 Date 7.12.00

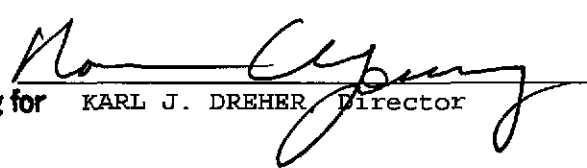
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-09070 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Stockwater storage is for 50 range cattle.

Witness my hand this 19TH day of July, 2000.


Acting for KARL J. DREHER Director

MICROFILMED
AUG 21 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 16 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-09070 Telephone No. 328-2461

2. Name(s) of Permit Holder(s): CARL K HENSEN

3. Mailing Address: PO BOX 125 ABERDEEN, ID. 83210-0125

4. Source of Water: POOD If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - - -

b. **OPTIONAL:**

Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock): 50 cattle

Irrigation (No. of acres): Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No
Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No
Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: CARL K HENSEN Telephone Number: 328-2461

Address: PO BOX 125 ABERDEEN

10. The information given on this form 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.

MICROFILMED

MAR 26 1998

Signature of permit holder: Carl K. Hensen Date: 1/14/98
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-09070

Proposed Priority: January 14, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **CARL K HENSEN**
PO BOX 125

ABERDEEN ID 83210-0125

has applied for a permit to appropriate water from: **POND**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 29, Township 04S, Range 32E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 32E 29

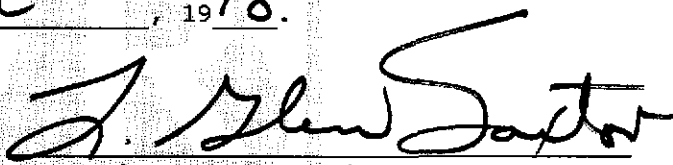
SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1999**.
2. Subject to all prior water rights.
3. Stockwater is for 50 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

19th day of March, 1998.


for
Karl J. Dreher, Director

MICROFILMED
MAR 26 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CARL K HENSEN 208-328-2461
Address: PO BOX 125
ABERDEEN ID 83210
 2. Source: POND Trib. to:
 3. Location of Point of Diversion: SESE Sec. 29, Township 04S, Range 32E
BINGHAM County
 4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
 5. Total quantity to be appropriated is:
0.020 CFS (and/or) AF
 6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
POND 14' WIDE BY 8' DEEP
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
 7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
 8. Place of Use: STOCKWATER
- TWN RGE SEC
04S 32E 29 SESE

MICROFILMED

MAR 26 1998

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.

10. Remarks:

POND 14' WIDE 8' DEEP/ DUG BY BACKHOLE 1989
STOCKWATER 50 HEAD CATTLE

11. Map of proposed point of diversion and place of use attached? [Y]

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.

Carl K. Henson
Applicant

Received by DC Date 1/14/98 Time _____ Preliminary check by _____

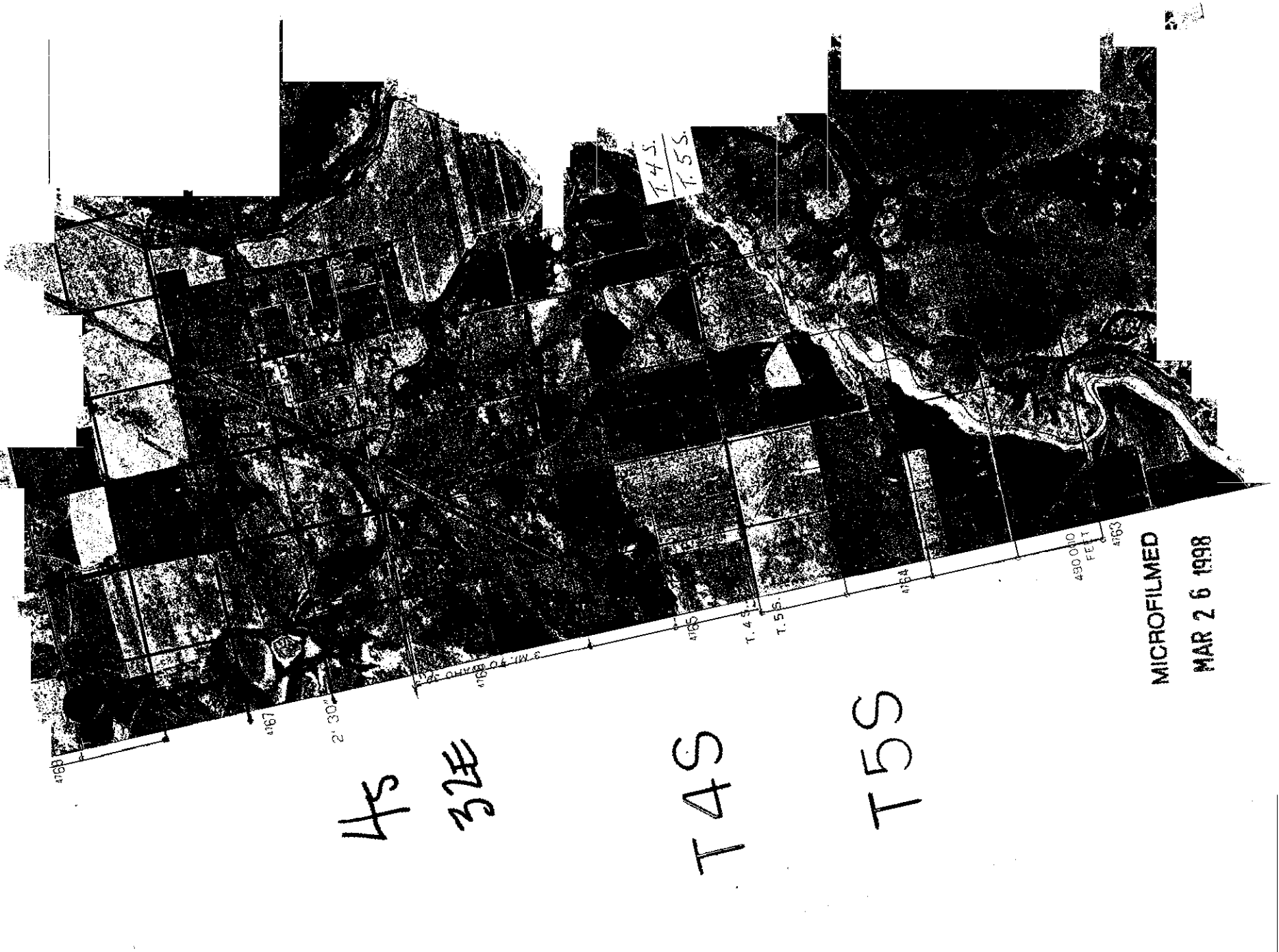
Fee \$ 50^{XX}₀₀ Receipted by DC # E023842 Date 1/14/98

Publication prepared by RB Date _____ Published in Morning News
2/5 + 2/25-1998

Publication approved _____ Date _____

MICROFILMED

MAR 26 1998



4s

32E

T4S

T5S

MICROFILMED

MAR 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210-0125

RE: WATER RIGHT NO. 35-09070

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 21 2000

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of July, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-09070

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210-0125


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 21 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210-0125

RE: WATER RIGHT NO. 35-09070

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the nature of water use developed differs from what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

AUG 21 2000

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 1

Permit No. 6/26/00 35-09070

BU Fee Pd \$ 50⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes Moratorium ~~GWMA~~ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
Non-Trust - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)

PD Add - P45/P42

PU Change - P41/P47 - feds(P43)

PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02-01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

~~STORAGE~~ - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
~~STOCKWATER~~ - R37 (BLM/USFS) NA
MINING - 081
FISH PROP - 029(70's only)-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

~~Use Change/Add~~ - P46

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

ADVANCE PRIORITY? Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate 02 cfs Fee Limit cfs
Measured .1 cfs Theoretical cfs

Use	Rate	Volume
Stock	cfs	af
	cfs	af
	cfs	af
TOTALS	cfs	af

OTHER CONDITIONS/REMARKS/COMMENTS SS/50 range cattle

SRBA Claim Filed Yes ☒ No

If no, is a claim required: Yes ☒ No

AMENDMENTS REQUIRED ☒ Yes No

Adjustment Memo Needed ☒ Yes No

If yes, paragraph codes: P46, P38

Reminders P47

MEMORANDUM

To: File 35-09070

FROM: Sharla Curtis

DATE: June 27, 2000

RE: License Recommendations

The use found by the examiner is stockwater storage in a dug pond and should be described as **stockwater storage** for 0.1 af.

MICROFILMED
AUG 21 2000

RECEIVED

FEB 18 2000

FEB 18 2000

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-09070

1. Owner: Carl K. Hensen Phone No. _____

Current Address: P.O. Box 125, Aberdeen, Id 83210

2. Accompanied by: Carl Hense EXAM DATE: 14 May 98

Address: Sang Phone No. _____

Relationship to Permit Holder: —

3. Source: Pond tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

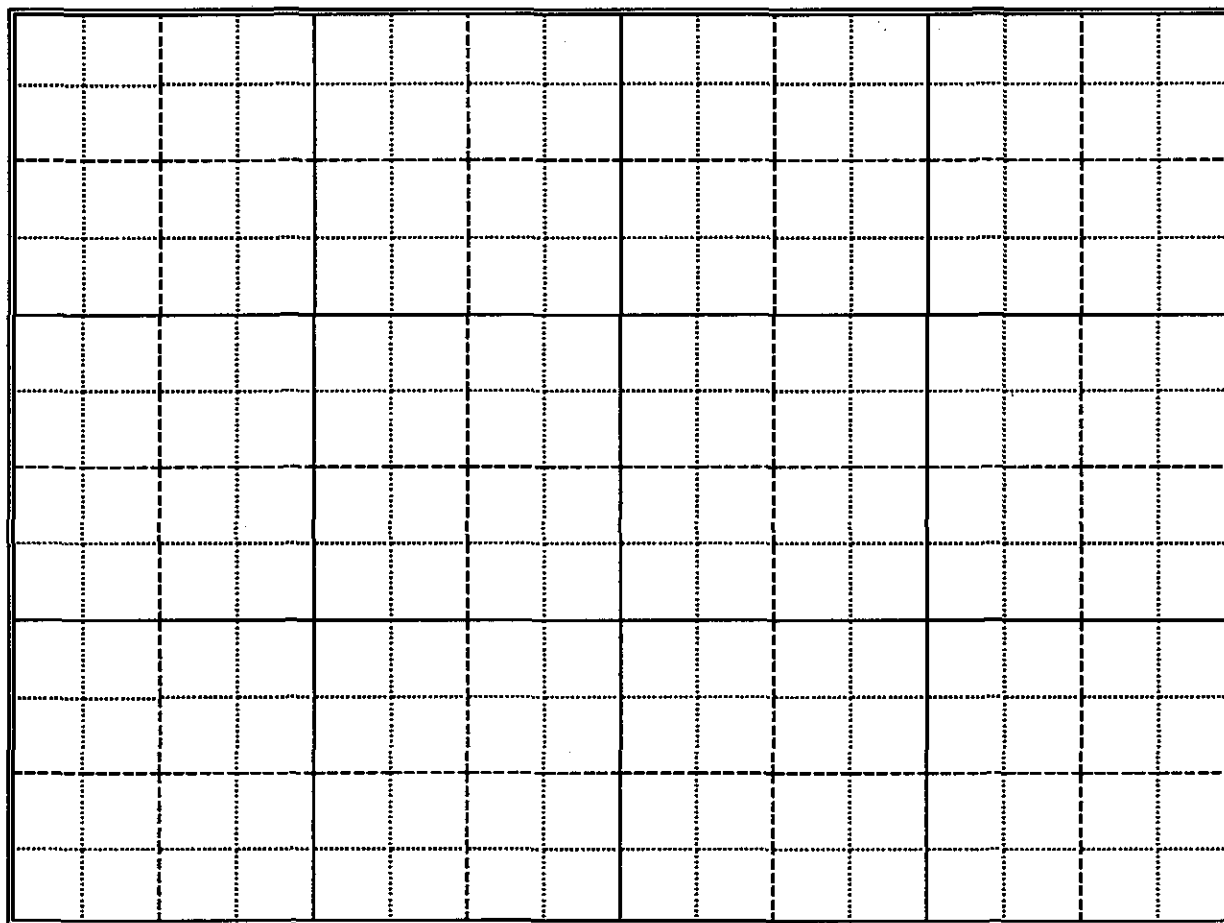
2. Place(s) of Use:

Indicate Method of Determination

[illegible]

AUG 21 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS 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)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

NONE

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

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 AUG 21 2000

E. NARRATIVE/REMARKS/COMMENTS

Pond $\approx$ 20' wide 8' deep for stock water 50 head range cattle

Pond is a circle $\approx$ 20' in diameter

The pond was excavated w/ sloping sides with no obvious diversion into pond.

STOCKWATER 50 head range cattle

Have conditions of permit approval been met? ☒ yes ☐ no

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AUG 21 2000

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$\text{Area} = \frac{\pi d^2}{4} = \text{Area} = \frac{3.1416 (20)^2}{4} = 314.159 \text{ ft}^2$$

$$Vol = \frac{\text{Area} \times \text{depth} \times 0.4}{43560} = \frac{\pi d^2}{4} \times 8' \times 0.4 = \frac{314.159 \text{ ft}^2 \times 8 \times 0.4}{43560} = 0.02 \text{ afa}$$

$Vol = 0.02 \text{ afa}$ Recommend 0.1 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1/1	12/31		0.1
Totals:				0.1

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

I. AUTHENTICATION

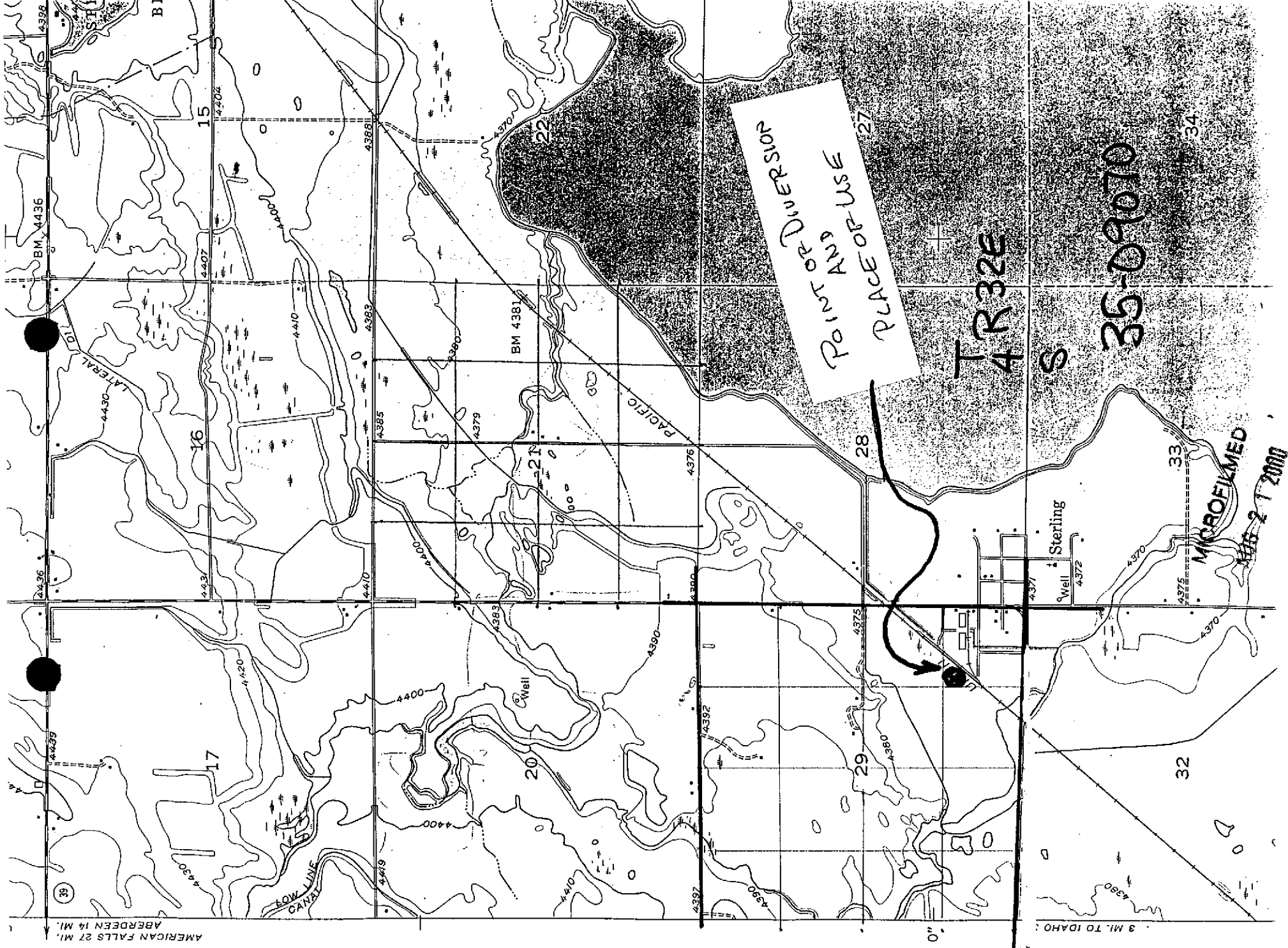
Field Examiner's Name Keith C. Wilson Date 5-14-98

Reviewer _____ Date _____

SEAL

MICROFILMED

AUG 21 2000



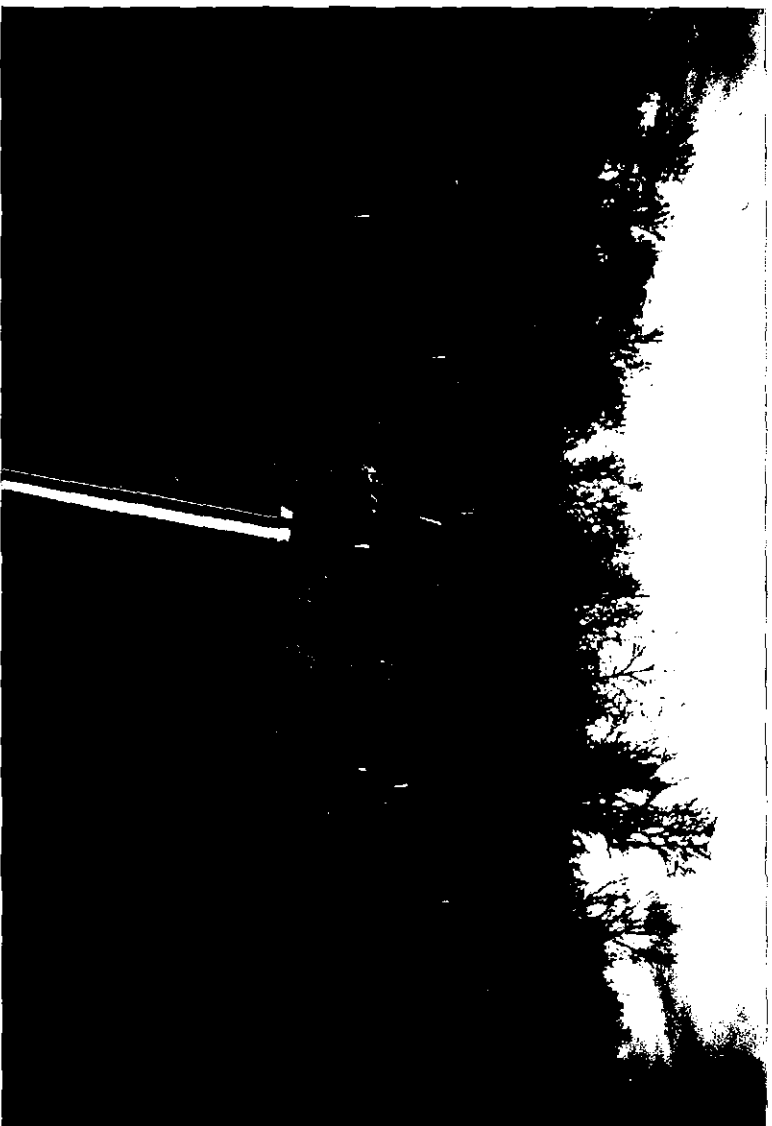
POINT OF ORIGIN
PLACE OF USE

TR32E

35-09070



POND



10ND

MICROFILMED
JUN 21 2000

35-09070

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-09070 Reviewed by [Signature] Date 3-20-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
NO Required?
1 Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 3-16-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

March 20, 1998

KARL J. DREHER
DIRECTOR

Carl K Hensen
PO Box 125
Aberdeen ID 83210-0125

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-09070

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **EASTERN** Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAR 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210-0125

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09070

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
MAR 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 35-09070

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210-0125


Kari Lynn Townsend
Secretary

MICROFILMED

MAR 26 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
MAR 26 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

WR0749NP
No. 35-09070

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/18/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL K HENSEN PO BOX 125 ABERDEEN ID 83210-0125 (208) 328-2461	01/14/1998	STOCKWATER	01/01/12/31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: POND

Tributary to:

Stage: PERMIT

Point(s) of Diversion: 04S 32E 29 SESE BINGHAM County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
04S 32E 29																															

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
35-09070

Other Water Rights Listing Overlapping Place(s) of use:
35-02010B

Remarks: GEN Stockwater is for 50 range cattle.

Dates: App. Received: 01/14/1998 Priority Date: 01/14/1998
Proof Due Date: 04/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 03/18/1998 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION
Existing 14' wide x 8' deep pond dug by backhoe in 1989.

Audit: 03/18/98 CZIMMERM

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*
 No.: 35-9070 Name: Henson Date: 3/18/98 Ad OK? ✓ / Gvmt Lts: ✓
AREA OF CONCERN:

- No/Yes: ESRP Mor / _____ GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

PROTESTED:**SYSTEM COMPLETED:**

- > 1 year
- ≤ 1 year/no proof

 - 26A-P17
Kat Pro of rec'd 3.16.98
GROUNDWATER: (✓ FLO-CH)**WMD** (✓ MAP)

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)
- No MD
- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- 01M (report when notified)
- No MD

WMD Supplemental use

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

DRILLING PERMIT:

All wells (✓ WDQ3)

Included w/permit

irr. in WD

- 046-P23
- Permit No. _____ - _____ - _____ - _____ P99
- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

Pond ≤ 0.24 cfs/5 acres

- *WB9 01
- R04 (WD # 01)
- 01J-P08 (MD & LD)
- 01H-P01 (LD) or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)
- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)
- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
- 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)

OWNERSHIP:**OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

- _____

- DW02/SORE- 4/1/ 1999

RECEIVED

MAR 16 1998

DEPARTMENT OF WATER RESOURCES

Dist. for staffing

Submitted for advertising

1-15-98
1-16-98

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWS DATE 1-16-98 APPLICATION NO. 35-09070

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING

☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken _____
☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 01/14/1998
By: DWS Date: 3-10-98

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

DEPT. OF WATER RESOURCES
900 N. Skyline Drive
Idaho Falls, Idaho 83402
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

35-09070

HENSEN, Carl K.
P.O. Box 125
Aberdeen, Idaho 83210
Source: POND
Diversion Pt.: SESE, Sec. 29, T. 04S,
R32E, in Bingham County.
Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS).
Date Filed: 1/14/1998
In: BINGHAM COUNTY
T04S, R32E, S29, SESE.

The permit(s) will be subject to all water

water rights. Protests must be filed with the
applicant and the Director, Dept. of Water
Resources, along with a \$25.00 filing fee,
Eastern Region, 900 N. Skyline, Idaho
Falls, Idaho, 83402, on or before March 9,
1998.

KARL J. DREHER
Director

(3595)
Pub.: 2/5, 25

March 9, 1998

2/5, 25

MICROFILMED

MAR 26 1998

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

State of Idaho)

I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper 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 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices 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 at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive weeks
the first publication having been made on
the 5th day of February
1998 and the last publication having
been made on the 25th day of
Feb. 1998; 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 pub-
lished in the newspaper and not in a sup-
plement.

On this 27th day of Feb., in
the year 1998, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument and being by me first duly
sworn, declared that the statements
therein are true and acknowledged to
me that he executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

October 16, 2002

Affidavit Processing Fee: \$5.00

RECEIVED

MAR 02 1998

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1998

CARL K HENSEN
PO BOX 125
ABERDEEN ID 83210

RE: Notice of Application for Permit No. 35-09070

Dear Applicant:

This office is currently in the process of advertising the application in the MORNING NEWS on FEB. 05 & 12, 1998. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests. *2/25/98*

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

*march 9th
protest date*

MICROFILMED

MAR 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JANUARY 23, 1998

Legal Notices Department
THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice 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 FEBRUARY 23, 1998.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 26 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

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35-09070

HENSEN, CARL K
PO BOX 125
ABERDEEN, ID 83210

Source: POND

Diversion Pt: SESE Sec 29 T 04S R 32E in BINGHAM County.

Use: STOCKWATER	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 1/14/1998

In: BINGHAM County	
T04S R32E S29	SESE

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The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 23, 1998.

Published: 2/ 5/1998 & 2/12/1998

KARL J. DREHER, Director

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