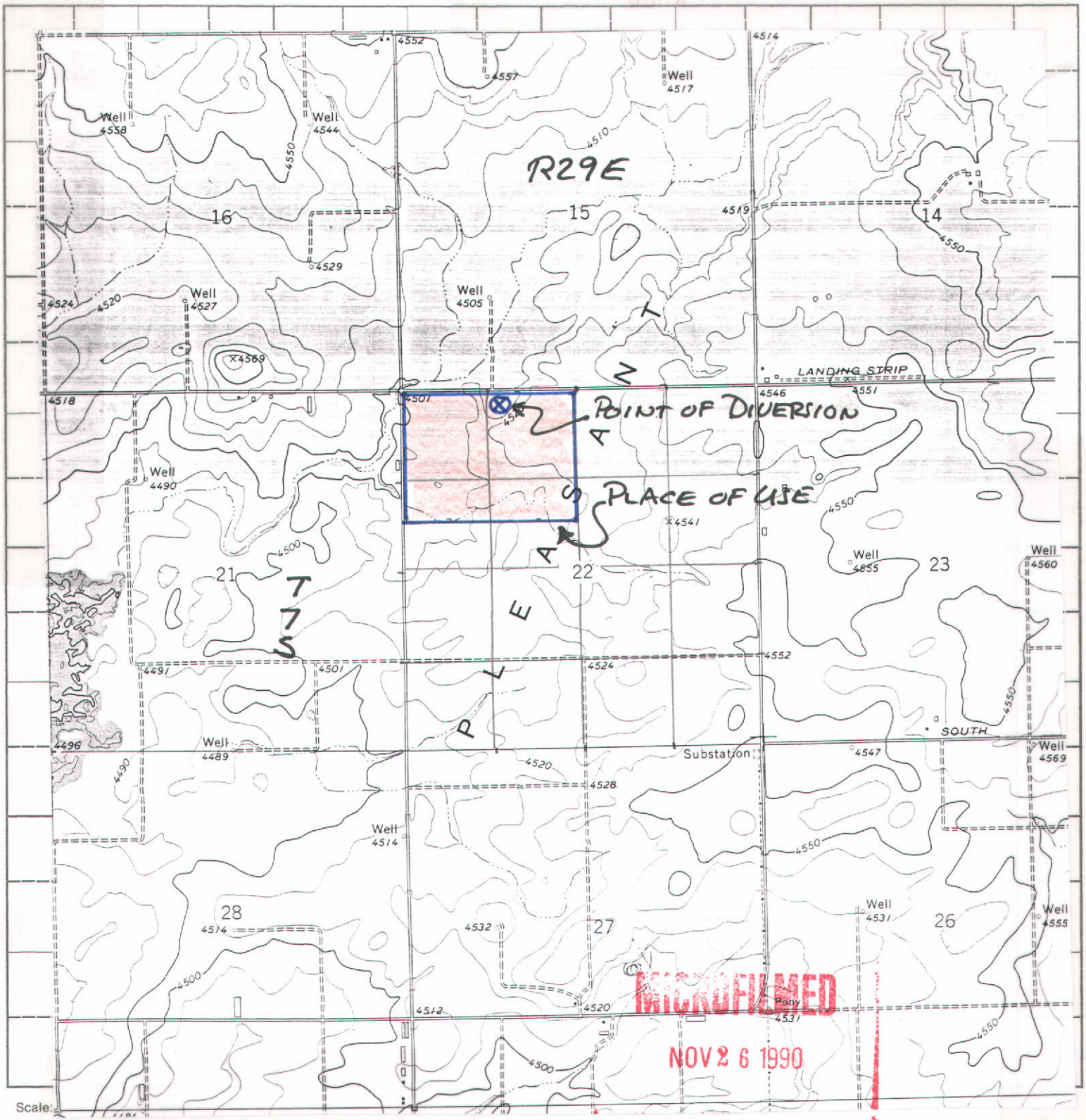
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale:

RECEIVED
NOV 26 1990

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.

x L. M. Allsberry
(Applicant)

Affidavit of Publication

RECEIVED
SEP 28 1990
Department of Water Resources
Eastern District Office

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 19th day of Sept. 1990 and the date of last publication being the 26th day of September 1990

(Signed) Erma Crompton

State of Idaho

County of Power

On this 26th day of September in the year of 1990, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

Application for water right

Published in The Power County Press, Sept. 19, 26, 1990.

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08904
ALLSBERRY, L.M.
1537 HOMER DR.
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: NENW Sec 22 T 07S R 29E

Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)

Date Filed: 9/6/1990

In: T07S R29E S22 NENW NWNW SWNW SENW
120.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203 C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite, 15, Idaho Falls, Idaho 83402 on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

MICROFILMED
NOV 26 1990

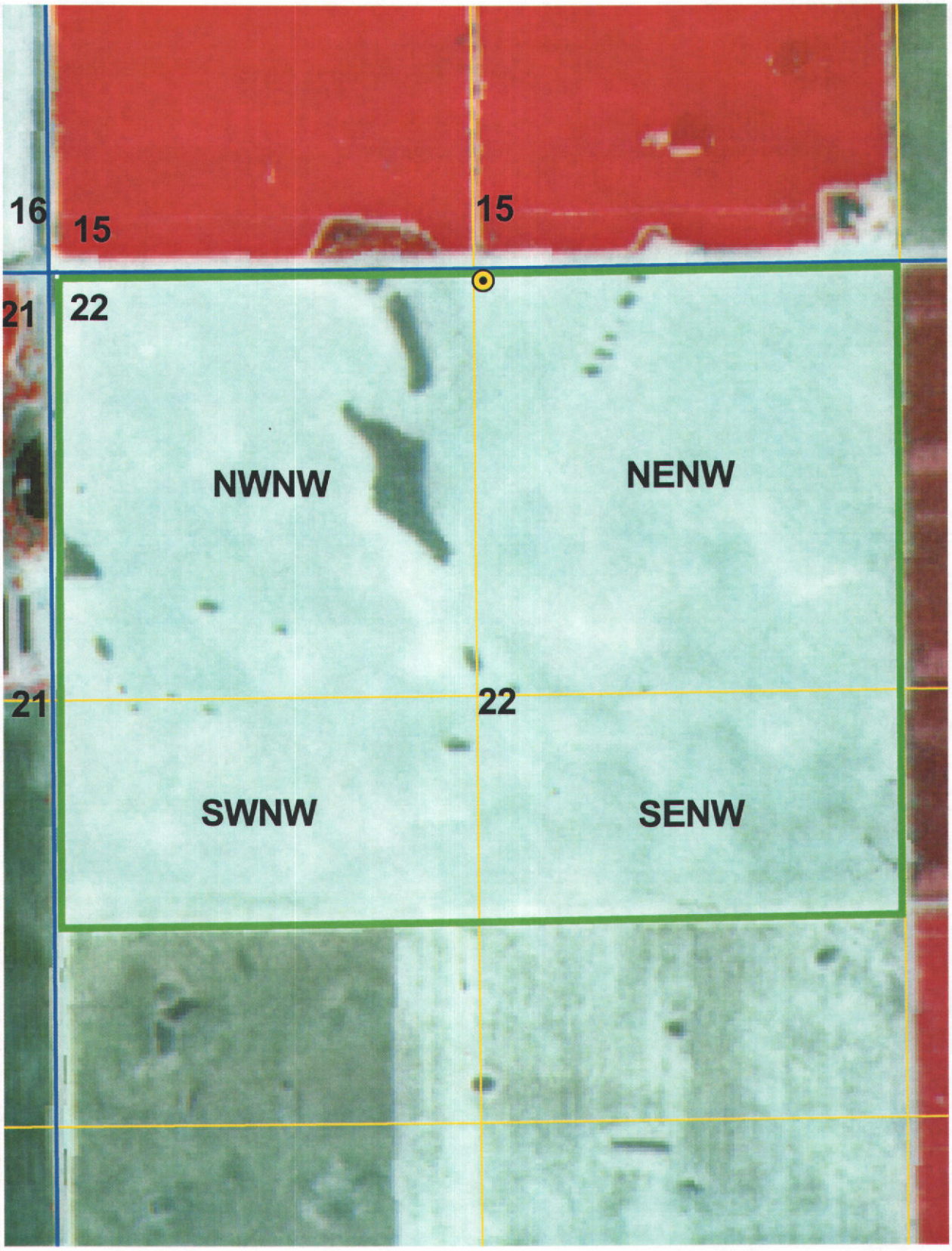
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	35 8904	L M ALLSBERRY,	GROUND WATER	07S29E22					40	40	20	20									120
Rec	35 7071	RICHARD H GIESBRECHT,	GROUND WATER	07S29E22											39	39					78
Rec	35 7313	BURGEMEISTER BROTHERS PARTNERSHIP,	GROUND WATER	07S29E22			20	20									39	40			119
Rec	35 7315	LAWRENCE M ALLSBERRY, BERTHA M ALLSBERRY,	GROUND WATER	07S29E22	38	39	20	20													117
Rec	35 7793	RICHARD H GIESBRECHT,	GROUND WATER	07S29E22															39	38	77
Right	35 7071	ALVIN KRANZLER,	GROUND WATER	07S29E22											39	39					78
Right	35 7313	ESTHER NEU,	GROUND WATER	07S29E22			20	20									39	40			119
Right	35 7315	LAWRENCE M ALLSBERRY,	GROUND WATER	07S29E22	38	39	20	20													117
Right	35 7793	ADOLPH MAUCH,	GROUND WATER	07S29E22															39	38	77
Right	35 8053B	BURGEMEISTER BROTHERS FARMS,	GROUND WATER	07S29E22							19.5	20	39	38							116.5
Right	35 8147	RICHARD H GIESBRECHT,	GROUND WATER	07S29E22											39	39					78

NO P/U OL

35-08904

07S, 29E, SEC 22



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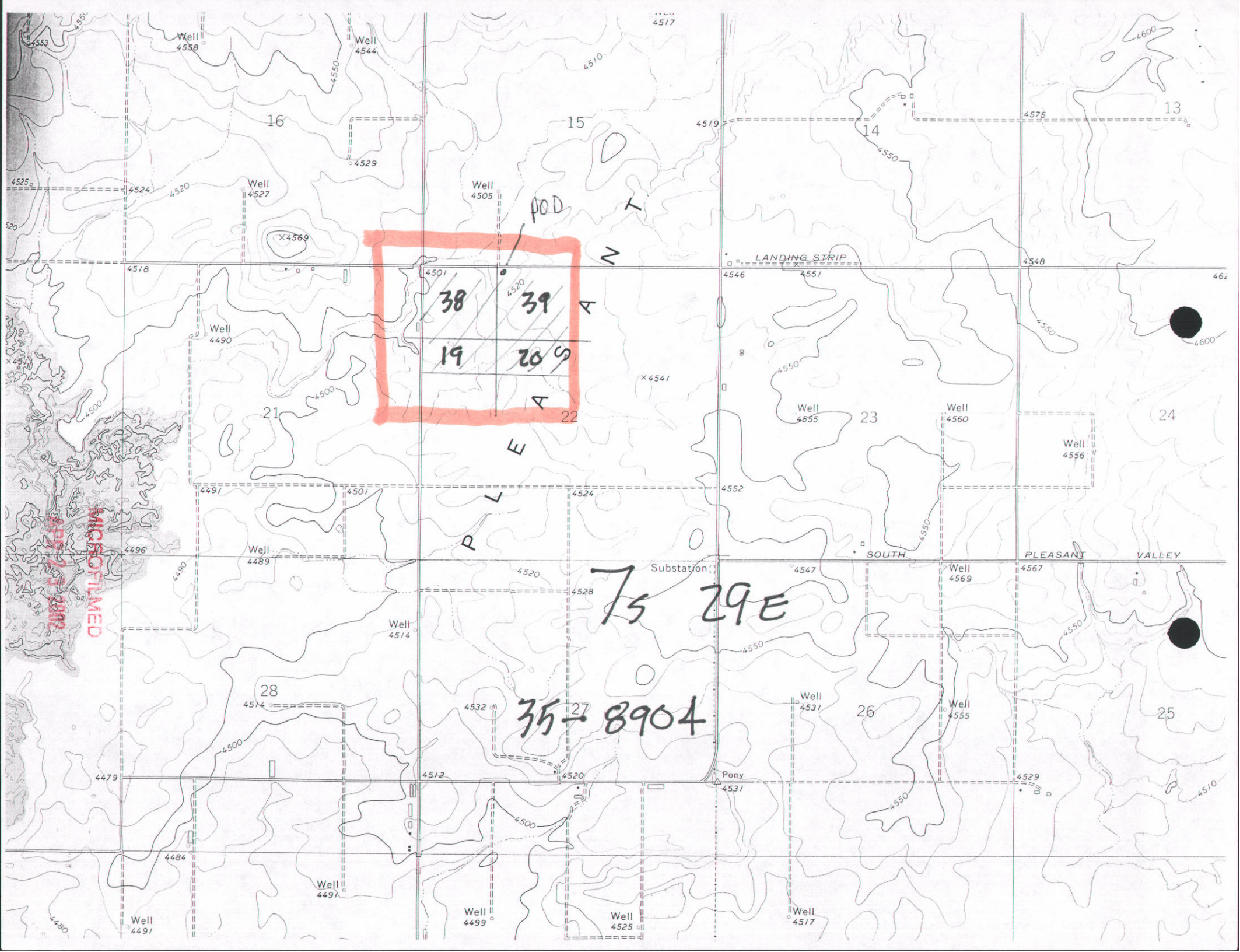
PERMIT NUMBER


POD
38
39
19
20
PLEASANT
LANDING STRIP
SOUTH PLEASANT VALLEY
Substation
Pony
Well 4558
Well 4544
Well 4527
Well 4505
Well 4490
Well 4555
Well 4560
Well 4556
Well 4489
Well 4514
Well 4569
Well 4531
Well 4555
Well 4491
Well 4499
Well 4525
Well 4517
16
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25
7s 29E
35-8904
MISCFILMED
APR 22 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 35-08904

Priority: September 06,1990

Maximum Diversion Rate: 2.32 CFS
Maximum Diversion Volume: 464.0 AF

It is hereby certified that L M ALLSBERRY
1537 HOMER DR
POCATELLO ID 83201 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 06, 1990; and has submitted Proof of Beneficial Use on October 09, 1992. An examination indicates that the works have a diversion capacity of 2.35 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	04/01 to 10/31	2.32 CFS	464.0 AF

LOCATION OF POINT OF DIVERSION:
GROUND WATER NW¼NE¼NW¼ Sec. 22, Twp 07S, Rge 29E, B.M., POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	29E	22					39.0	38.0	19.0	20.0									116.0

Total Acres: 116

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 8TH day of April, 2002.

MICROFILMED
APR 23 2002

Acting for KARL J. DREHER
Director

Form 217
11/91

OFFICE USE ONLY
Amt. of Fee $ 150.00
Date 9 Oct 92
Receipt No. E017970
Receipt by KCW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08904 Telephone No. 232-5319
2. Name(s) of Permit Holder(s): Allsberry, L. M.
3. Mailing Address: 1537 Homer Dr. Pocatello 83201
4. Source of Water: Groundwater

   If **GROUNDWATER**, Well Driller's Name: Ken Vollmer Date Drilled: 5/10/91

   OPTIONAL:
   Pump horsepower: 150 Pressure (psi): ? Dynamic pumping level (ft.): 205'
5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 120 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 2.4 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

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

   OR

   Flow Measurement Port: Required? ___ Yes ___ No Installed? ___ Yes ___ No
8. Fee Enclosed: $ 150.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   L. M. Allsberry Applicant
   Name Telephone No.

   Address
10. 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.

90ct92
Date

L. M. Allsberry
Signature (and title, if on behalf of a company or organization)

RECEIVED
OCT 23 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08904

Proposed Priority: September 6, 1990 Maximum Diversion Rate: 2.40 CFS
This is to certify, that **L. M. ALLSBERRY**
1537 HOMER DR.
POCATELLO, ID 83201
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/01	2.40 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 22, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
07S	29E	22	NENW	40	NWNW	40	SWNW	20	
			SENW	20					120

Total number of acres irrigated: 120

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1992.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED
NOV 26 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08904

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14th day of November, 1990.

for R. Keith Higginson, Director

MICROFILMED
NOV 26 1990

85 20

35 8904

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant L. M. Allsberry Phone 232-5319

   Post office address 1537 Homer Dr., Pocatello, Idaho 83201

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

3. Location of point of diversion is _____ ¼ of NE ¼ of NW ¼, Govt. Lot _____

   Sec. 22 Township 7S Range 29E B.M. Power County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 2.40 (cfs ~~or acre-feet per annum~~) for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 2.40 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 mainline to laterals with sprinklers.

   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 16 inches; proposed depth of well is 320 feet.

   d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (*minimum 1 year*).

RECEIVED

NOV 26 1990

8. Description of proposed uses (*if irrigation only, go to item 9*):

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	29E	22					40	40	20	20									120

Total number of acres to be irrigated 120

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicants

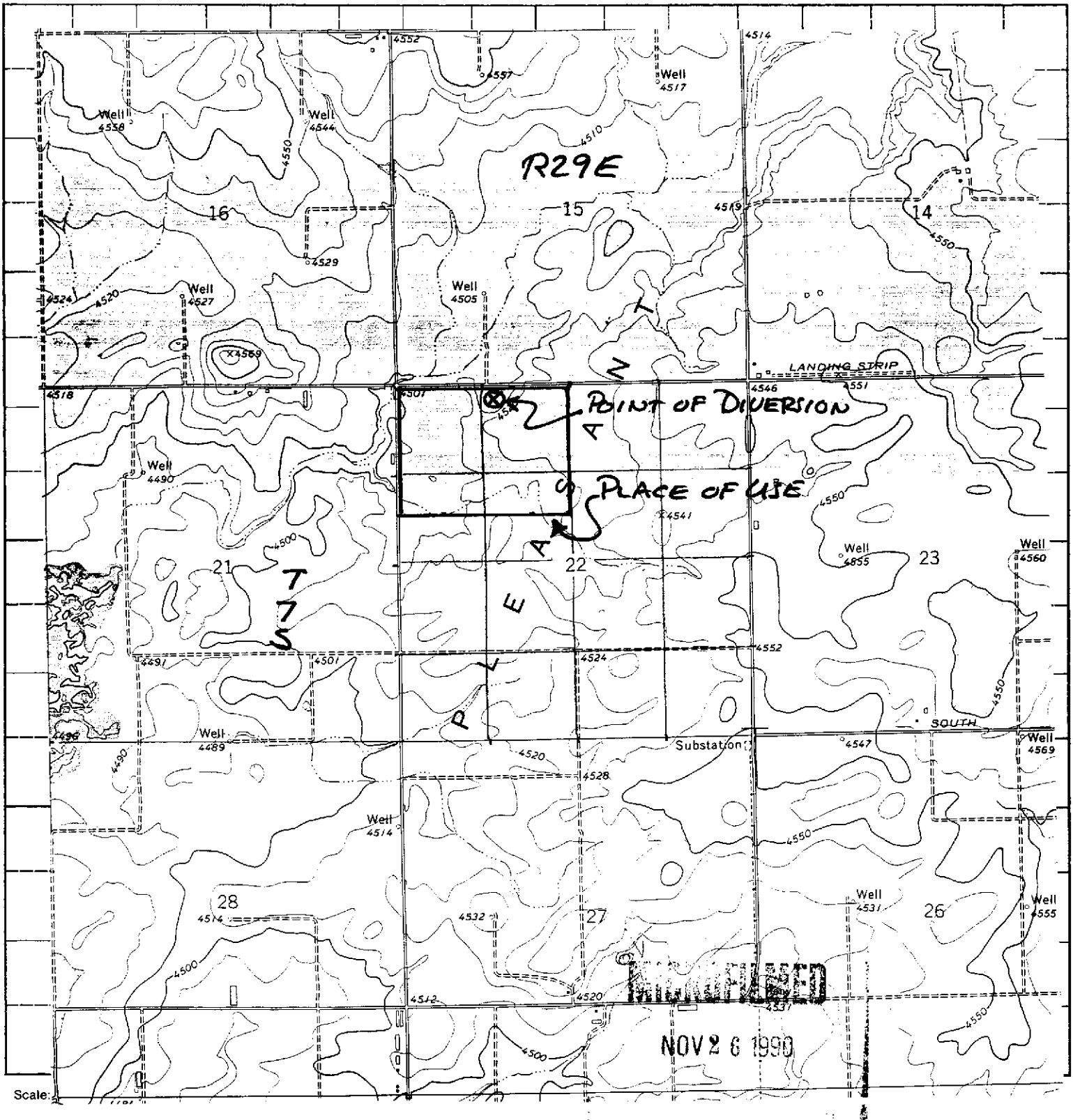
    b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: _____

MICROFILMED
NOV 2 6 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale:

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.

x L. M. Allsberry
(Applicant)

Assisted by KCW
Received by KCW Date 6 Sept 1990 Time 0900 hrs Preliminary check by _____

Fee $ 85.00 Receipted by KCW # E015202 Date 6 Sept 1990

Publication prepared by RB Date 9-20; 22-90 Published in Power County Press

Publication approved (KCW) Date 10/24/90

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. _____, and said application is hereby _____.

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 before _____, 19____.

   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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

NOV 26 1990

Affidavit of Publication

RECEIVED
SEP 2 8 1990
Department of Water Resources
Eastern District Office

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 19th day of Sept. 1990 and the date of last publication being the 26th day of September 1990

(Signed) Erma Crompton

State of Idaho

County of Power

On this 26th day of September in the year of 1990, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

Application for water right

Published in The Power County Press, Sept. 19, 26, 1990.

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08904
ALLSBERRY, L.M.
1537 HOMER DR.
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt: NENW Sec 22 T 07S R 29E

Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)

Date Filed: 9/6/1990

In: T07S R29E S22 NENW NWNW SWNW SENW
120.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203 C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite, 15, Idaho Falls, Idaho 83402 on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

RECEIVED
NOV 2 6 1990
DEPARTMENT OF WATER RESOURCES

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 9, 2002

L M ALLSBERRY
1537 HOMER DR
POCATELLO ID 83201

RE: License No. 35-8904 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
APR 2 3 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8904

L M ALLSBERRY
1537 HOMER DR
POCATELLO ID 83201

Kari Lynn Townsend
Secretary

MICROFILMED
APR 2 3 2002

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).

MICROFILMED
APR 2 3 2002

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.

MICROFILMED
SEP 2 3 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-8904 Date: 4-1-2002 Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion: ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): none - p/d aplu
File reviewed____ Profile reports printed_____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 2.40 cfs
Fee Limit 3.0 cfs
Measured 2.35 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 2.32

Water Uses ok Change (P46)

Season of Use per new Standards 4-1 10-31

Irrigation	2.32 cfs	464. af
Stockwater	____ cfs	____ af
Domestic	____ cfs	____ af
_____	____ cfs	____ af
_____	____ cfs	____ af
Total	2.32 cfs	464. af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
~~Supp. Gw~~ (WB7/065/104)
overlap spec combined rts (W35)
~~<1 acre~~ (W31)
~~Domestic~~ (W01/wb5/070/071/075)
~~Power~~ (W42 or W43/025/027/R22 or R23
~~Fish~~ (042)
~~Fire~~ (077)
~~Water~~ Quality (106/R07)
~~Payette~~ – (W22/047/27A)
~~Stockwater~~ for US (R37)

Volume Determination
2.32 cfs x 1.9835 x 214 days = 984.8 af (vs) ~~116~~ acres x $\frac{4.0}{3.0}$ (FHR) = 464.0 af

Remarks: 048, R04

Additional Conditions 120 Watermaster Control
____GW Measurement/Measuring Device
____ Other
Trust R55 – remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA?_____
Government Lots?_____

Advance Priority? ____yes ✓ ____no If yes, explain why below.

SRBA Claim? NO –

Adjust memo ____

Amend Letters _____**P87, S06** **Second Amendment Notice** _____ **S06**

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
																					120
															39	39					78
							20	20													119
					38	39	20	20													117
																					77
Right	35 7071	ALVIN KRANZLER,	GROUND WATER	07S29E22											39	39					78
Right	35 7313	ESTHER NEU,	GROUND WATER	07S29E22			20	20									39	40			119
Right	35 7315	LAWRENCE M ALLSBERRY,	GROUND WATER	07S29E22	38	39	20	20													117
Right	35 7793	ADOLPH MAUCH,	GROUND WATER	07S29E22															39	38	77
Right	35 80538	BURGEMEISTER BROTHERS FARMS,	GROUND WATER	07S29E22							19.5	20	39	38							116.5
Right	35 8147	RICHARD H GIESBRECHT,	GROUND WATER	07S29E22											39	39					78

NO P/U OL

Form 219
6/92

RECEIVED
2002 KW
MAR 2 8 2002
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-08904

1. Owner: L. M. ALLS BERRY Phone No. (208) 226-2064

Current Address: 1537 HOMER DR., POCATELLO, IDAHO 83201

2. Accompanied by: TONY BULLEMEISTER EXAM DATE: 9/9/96

Address: 2602 QUIGLEY RD, AMERICAN FALLS IDAHO, 83211 Phone No. (208) 221-2064

Relationship to Permit Holder: PARTNER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

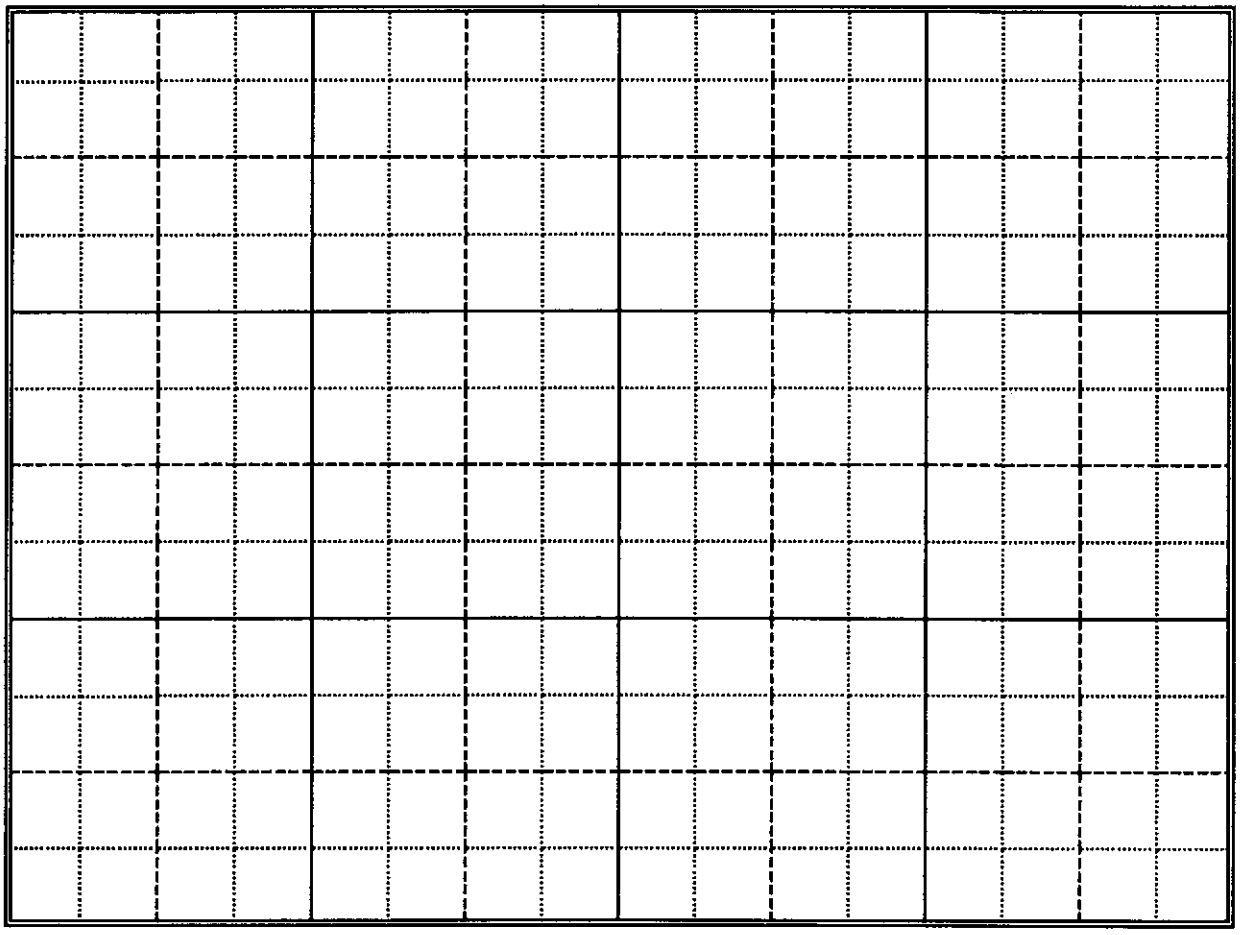
1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	22	7S	29E	Power	field review / ASCS map

2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	29E	22					39	38	19	20									116 AC
															MICROFILMED				
															APR 2 3 2002				

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 Quadrange 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
	GE	150	VE6334033		

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** 6 wheel lines x 32 birds/line 11/64 NOZZLE 40 psi

6 x 32 x 5.[illegible] gpm = 1056 gpm / 448.83 = 2.3[illegible] CFS

MICROFILMED

E. NARRATIVE/REMARKS/COMMENTS

well running 6 wheellines 32 birds/per line

nozzle 11/64 at 40psi = 5.5 gpm

Have conditions of permit approval been met? X yes ___ no

MICROFILMED

APR 2 3 2002

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

6 wheel lines x 32 birds/Line x 5.5 gpm = 1056 gpm (2.35 cfs)

0.02 x 116 = 2.32 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 116 x 4 = 464 AF/A

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 2.32(2.14)(1.9835) 985

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 464 AF/A

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	4/01	10/31	2.32	464 AF/A
		Totals:	2.32	464 AF/A

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 Dan Simpkins Date 9/96

Reviewer DAVE CARLSON Date 3/22/2002

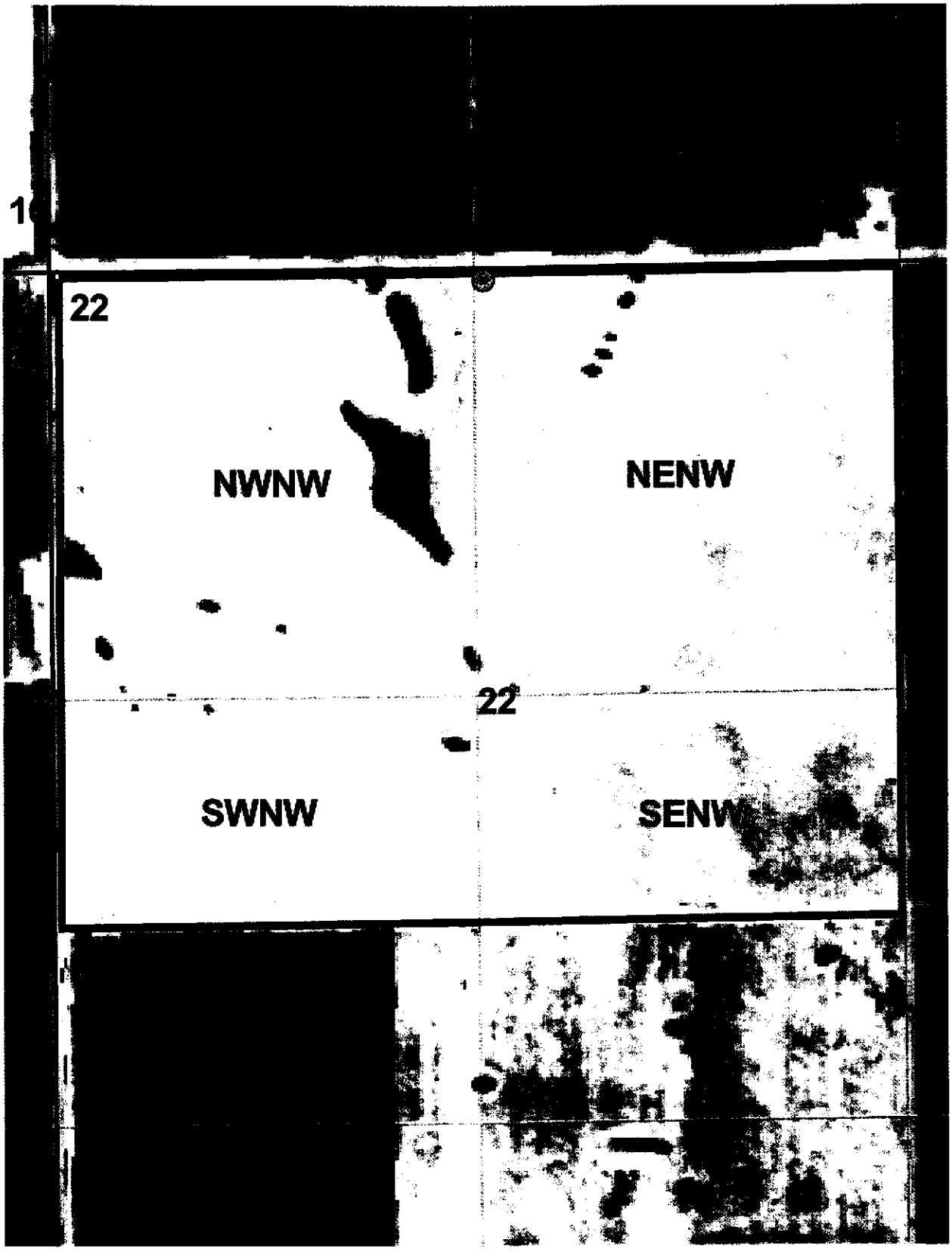
SEAL

MICROFILMED

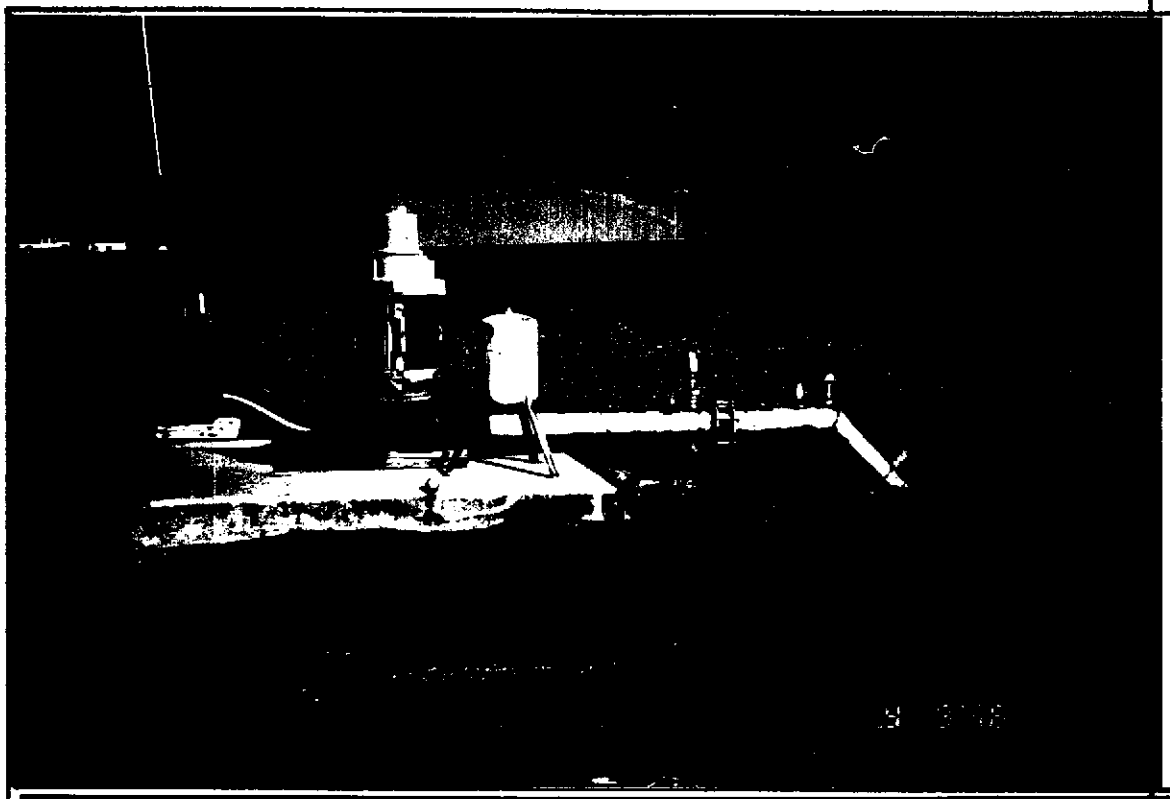
APR 2 2 2002

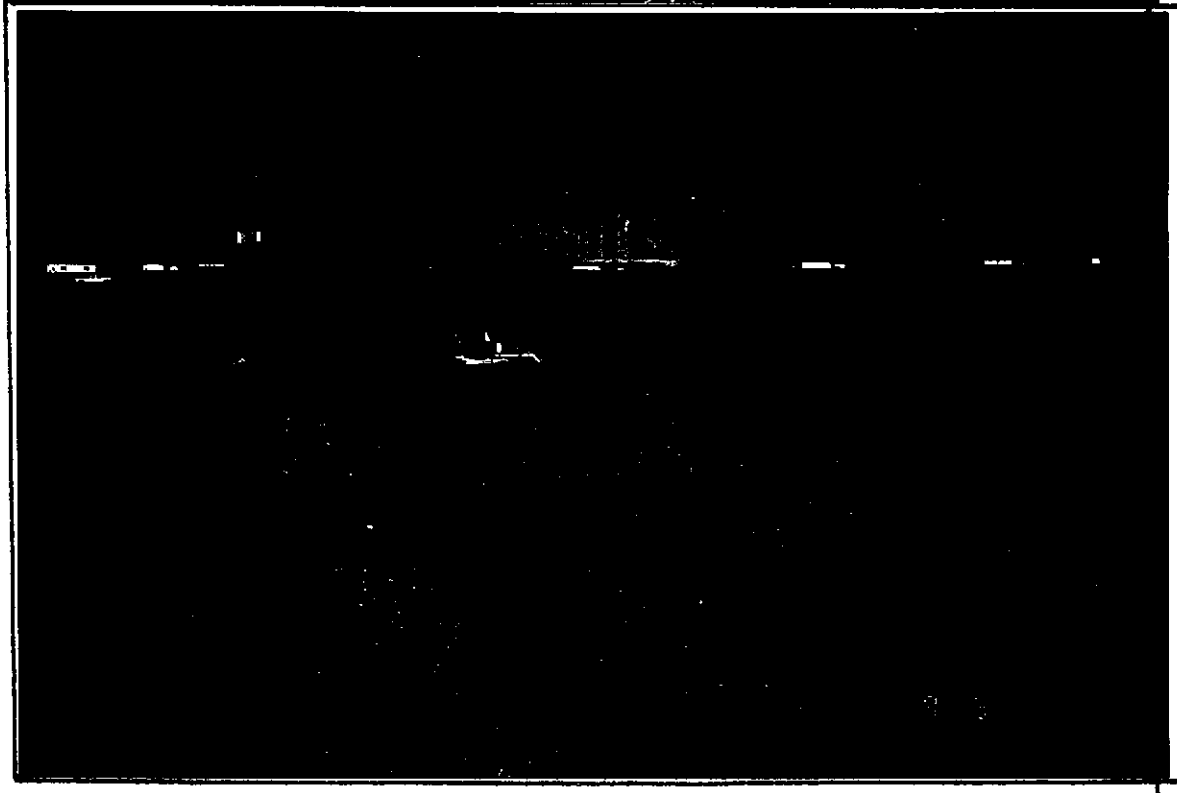
35-08904

07S, 29E, SEC 22

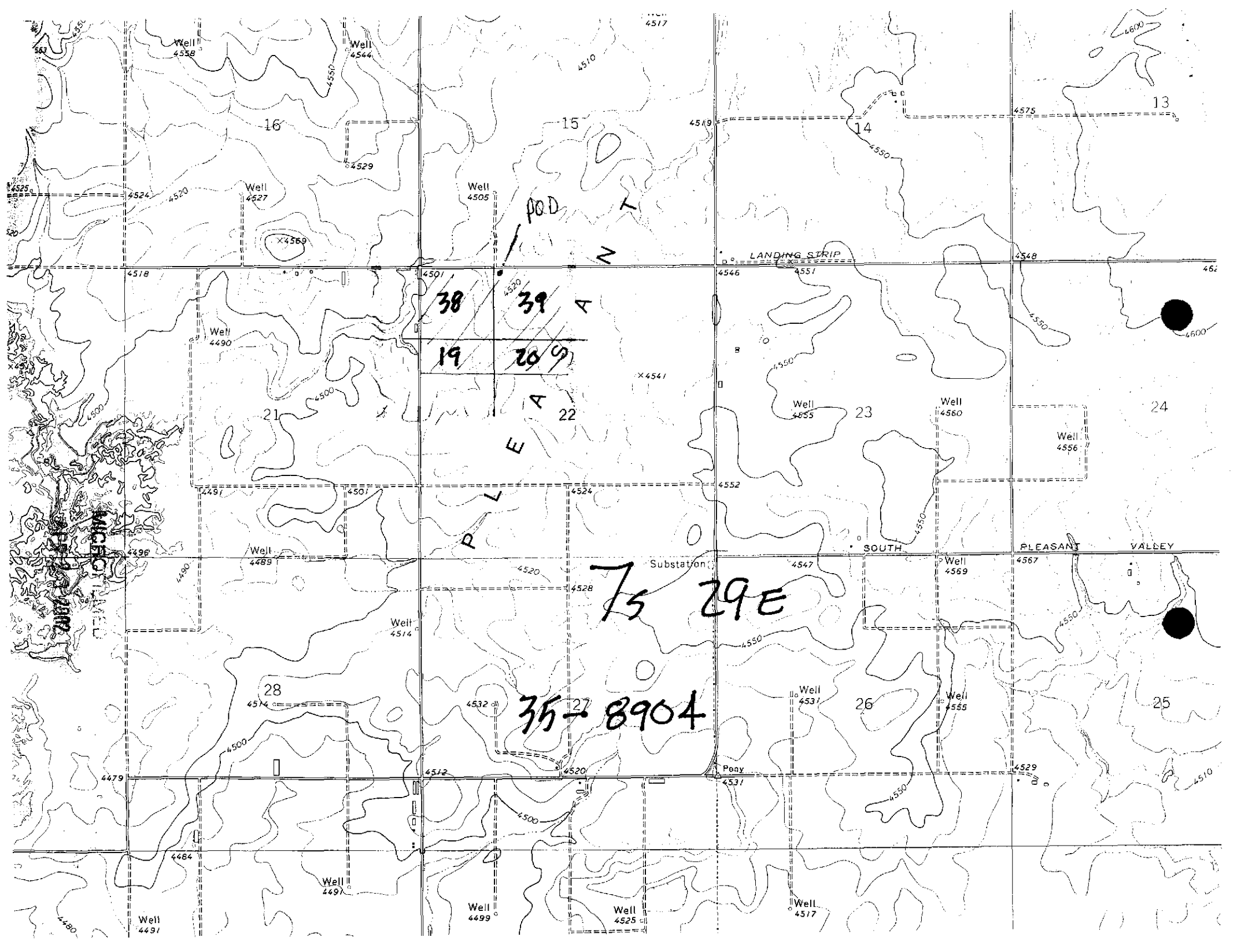


MICROFILMED
APR 2 3 2002





MICROFILMED PERMIT NUMBER
SEP 2 3 2002


POD
38
39
19
20
PLEASANT
VALLEY
LANDING STRIP
SOUTH
PLEASANT VALLEY
Substation
Pony
7s 29E
35-8904
Well 4558
Well 4544
Well 4527
Well 4505
Well 4490
Well 4555
Well 4560
Well 4556
Well 4489
Well 4569
Well 4514
Well 4531
Well 4555
Well 4491
Well 4499
Well 4525
Well 4517
16
15
14
13
21
22
23
24
28
27
26
25

October 16, 1992

L. M. ALLSBERRY
1537 HOMER DR.
POCATELLO ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08904

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08904 Reviewed by KDg Date 10/13/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

irrigated - 120

Correct Uses? yes

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 35-90-E-102
300 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
150 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
NA Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	NA		
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY
New Address _____ Proof Made 10/9/92
10/16/92 KDg

Form 235-1
7/90

Drilling Permit No. 35-90-E-102
Water Right Permit No. 25-08704
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** L. M. ALLSBERRY

2. **Mailing Address** 1537 HOMER DR. POCATELLO ID 83201

Telephone 232-5319

(✓) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** NE 1/4 NW 1/4, or Gov't Lot No. _____

Sec. 22, Twp. 07S, Rge. 29E, County POWER

Street Address of Well Site _____

Lot, block and subdivision _____

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(✓) Non-Domestic: Any beneficial use not included within the definition of domestic. 120 AC.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. **Well construction information:**

A. (✓) New well ( ) Deepen ( ) Replace - See Condition 9

B. Proposed Surface Diameter 16" Proposed Maximum Depth 350'

C. Anticipated bottom hole temperature:

(✓) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

RECEIVED
OCT 23 1992

6. **Construction Start Date** 12/10/90

7. **Anticipated Well Driller** VOLLMER
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** L. M. Allsberry Date 12-4-90

Title _____
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 12/4/90.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Ronald D. Carlson — Signature of Authorized Department Representative

Regional Manager — Title

Receipt No. E015500 Receipted by SK Fee 200.00 Date 12/4/90

EXTENSION OF DRILLING PERMIT

OCT 23 1992

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

K D3

RECEIVED
JUL 26 1991
Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR BALLPOINT PEN

1. WELL OWNER

Name L. M. ALLSberry

Address 1537 Hoover Dr. POCATELLO 83201

35-90-E-102

Owner's Permit No 35-08904

2. NATURE OF WORK

☑ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☑ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

4. METHOD DRILLED

☑ Rotary ☑ Air ☐ Hydraulic ☐ Reverse rotary

☑ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	18" inches	-05 feet	115 feet
.250 inches	16" inches	+1 feet	247 feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☑ Yes ☐ No

Was a packer or seal used? ☐ Yes ☑ No

Perforated? ☑ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☑ Torch

Size of perforation 3/4 inches by 3 inches

Number	From	To
75 perforations	237' feet	247' feet
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet

Well screen installed? ☐ Yes ☑ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter ____ Slot size ____ Set from ____ feet to ____ feet

Diameter ____ Slot size ____ Set from ____ feet to ____ feet

Gravel packed? ☐ Yes ☑ No ☐ Size of gravel _____

Placed from ____ feet to ____ feet

Surface seal depth 27' Material used in seal: ☑ Cement grout ☐ Puddling clay ☐ Well cuttings

Sealing procedure used: ☐ Slurry pit ☑ Temp. surface casing ☑ Overbore to seal depth

Method of joining casing: ☐ Threaded ☑ Welded ☐ Solvent Weld ☐ Cemented between strata

Describe access port 2"

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____

Lot No. ____ Block No. ____

County POWER

NE ¼ NW ¼ Sec. 22, T. 07 N/S, R. 29 E/W

7. WATER LEVEL

Static water level 205' feet below land surface.

Flowing? ☐ Yes ☐ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature 50 °F. Quality Good

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
2000	215	1

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
20"	0	12'	DIRT		✓
20"	12	31	BROKEN LAVA		✓
20"	31	52	SOLID LAVA		✓
20"	52	87	SEMI BROKEN BLACK LAVA		✓
20"	87	110	DIRT + BOULDERS LAVA		✓
20"	110	130	BROKEN LAVA		✓
18"	130	174	SOLID GRAY LAVA		✓
18"	174	186	BROKEN LAVA		✓
18"	186	218	SOLID LAVA GRAY		✓
18"	218	250	BROKEN LAVA	✓	
18"	250	258	SOLID LAVA BLACK		✓
16"	258	260	LOOSE CINDERS	✓	

10.

Work started 02/20/91 finished 04/22/91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name VOLLMER WELL DRILLING Firm No. 383

Address 407 E CUSTER BLACKFOOT ID 83210 Date 05/10/91

Signed by (Firm Official) Kenneth Vollmer

and

(Operator) Kenneth Vollmer

RECEIVED
MAY 05 1992

ADDITIONAL SHEETS IF NECESSARY TO BE ADDED TO THIS COPY TO THE DEPARTMENT

August 31, 1992

L. M. ALLSBERRY
1537 HOMER DR.
POCATELLO ID 83201

PROOF DUE NOTICE

RE: PERMIT NO. 35-08904

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 November 1, 1992. (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 complete 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. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139454

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

November 15, 1990

L. M. ALLSBERRY
1537 HOMER DR.
POCATELLO, ID 83201

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08904

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water.

MICROFILMED
NOV 26 1990

Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED
NOV 26 1990

APPLICATION FOR PERMIT REVIEW

Date: 11-6-90 Reviewer: ~~Jim Johnson~~ Pam Skaggs

#35-8904

Existing:
- No - 26A-P17
  - Complete in 1 year - P16
- Yes
  - Proof not submitted - P16
  - Proof submitted - N/A

Groundwater:
- GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
- LT. 0.7 cfs - N/A

Drilling Permit:
- Approved w/permit - P99
- Not included - 046-P23

Location:
- Water Districts - WD No. _____
  - surface water - 005-P01, 005-01H-P01, 005-01J-P08, P04
  - groundwater - P05, 005-01H-P01(lock device)
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 58 (Groundwater)
- ~~Trust~~ (see list) - (051, 052, 053)-P74
- Non Trust (see list) - 048, 049

River Basins:
- Boise (63) SW - 11D-P72
- Payette (65) - 047, 059-P71
  - Surface - 005,
- Snake (01) - 11A, 061-P22

Use:
- Fish Propagation - (P06) 002, 06A, 007, 09E-P10, 010, 042, 044
- Power - (less than 25cfs P18), 01F-P19, 008, 08A, 09E-P10, 017K, 017G, 017M, 025
- Mining - 06A, 006, 09E-P10, 010, 54
- Storage - 18A-P09, 18B-P09
- Domestic - (restricted areas) 021

Ownership:
- Non land owner - 004

Protested:
- Agreement - 020

Minimum Stream Flow:
- Overlapping uses - 029-P20

Beneficial Use Due Date: - 11-1-~~1990~~ 1992

Swan Falls Flag: - ~~Blank~~ 1

Dist. for staffing 9/7/90

Submitted for advertising 9-7-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY PM DATE 9/7/90 APPLICATION NUMBER 35-8904

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 minicipality, title of signator 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 _____

RECEIVED
OCT 29 1990
Department of Water Resources

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 10-8-90
~~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. ___

___ See below for additional information
Date of priority recommended 9-06-1990
By HWJ Date 10-24-90

STATE OFFICE REVIEW

___ See below for additional information
By ___ Date ___

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

____City	____Idaho Fish & Game	____Irrigation District
____County	____Idaho Health & Welfare	____Canal Company
____Reservations	Division of Environment	____Other_____

Project impacts/implications report

COMMENTS

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 10, 1990

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

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 OCTOBER 8, 1990.

Yours truly,

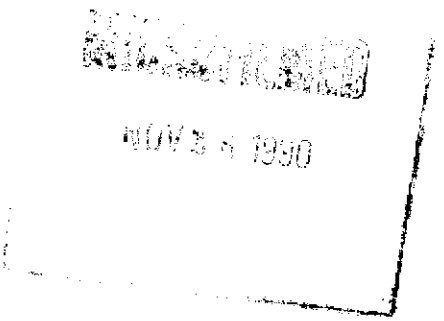
Rita Bodell
Secretary

Encl.

MICROFILMED
NOV 2 5 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl[redacted]ion(s) have been filed [redacted]ppropriate the public waters of the State of Idaho:



35-08904

ALLSBERRY, L.M.
1537 HOMER DR.
POCATELLO, ID 83201

Source: GROUNDWATER

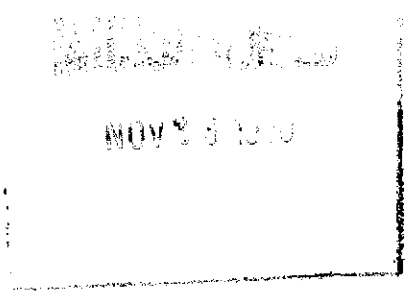
Diversion Pt: NENW Sec 22 T 07S R 29E

Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)

Date Filed: 9/ 6/ 1990

In: T07S R29E S22 NENW NWNW SWNW SENW

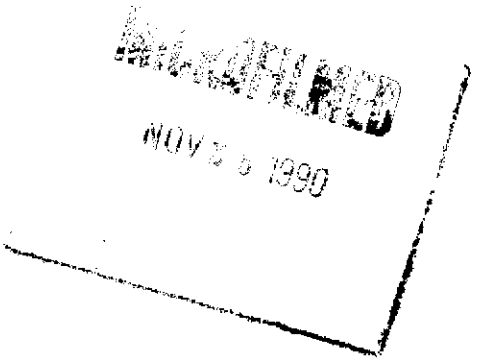
120.0 ACRES TOTAL



The permit(s) will be subject to all prior water rights. Protests may be submitted based [redacted] the criteria of Sec. 42[redacted]A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

Published 9/19/1990 & 9/26/1990



22-Aug-1990

L.M. ALLSBERRY
1537 HOMER DR.
POCATELLO, ID 83201

RE: Application for Permit No. 35-08904

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the POWER COUNTY PRESS on SEPTEMBER 20 & 27, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
NOV 2 6 1990