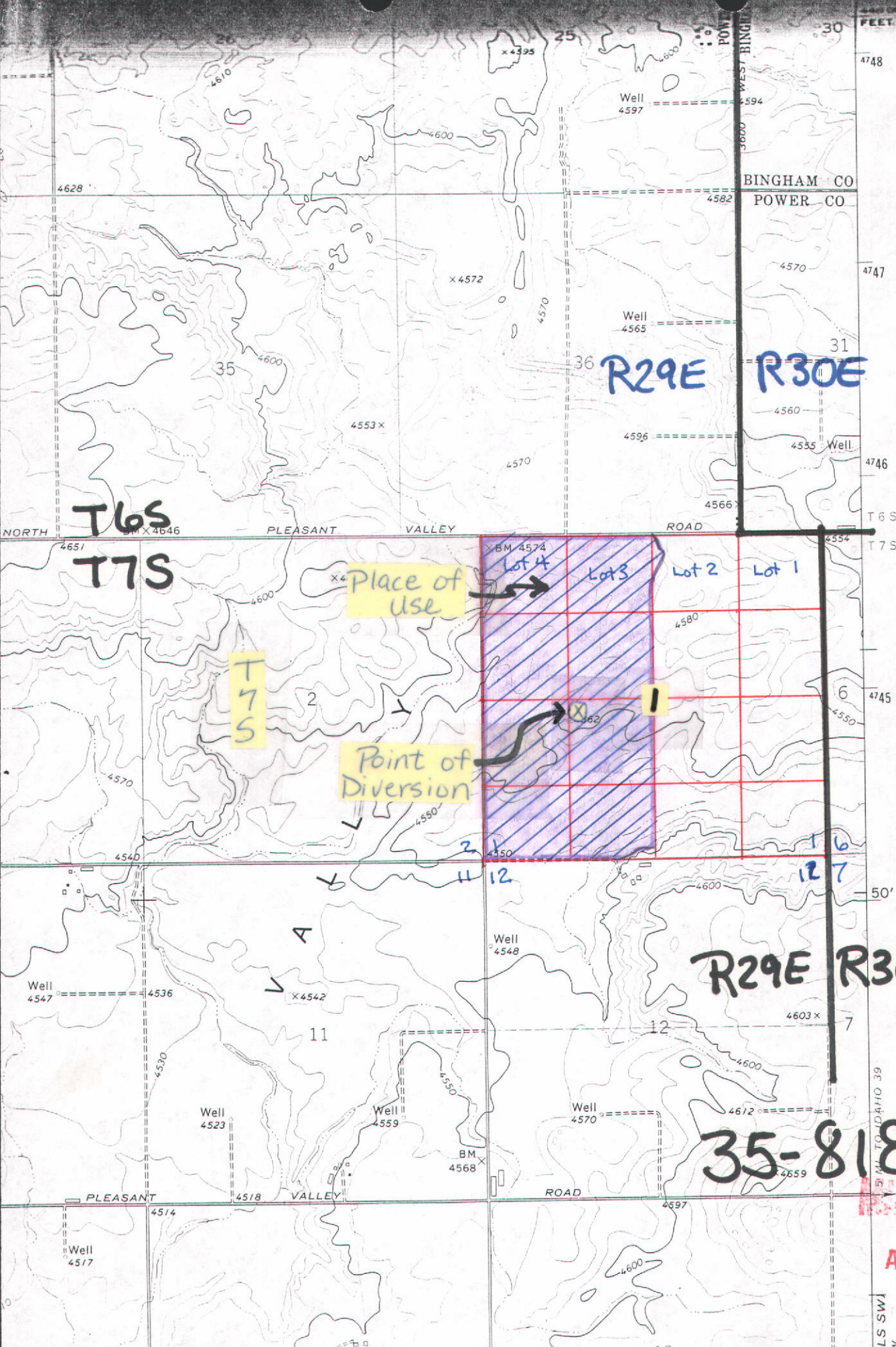


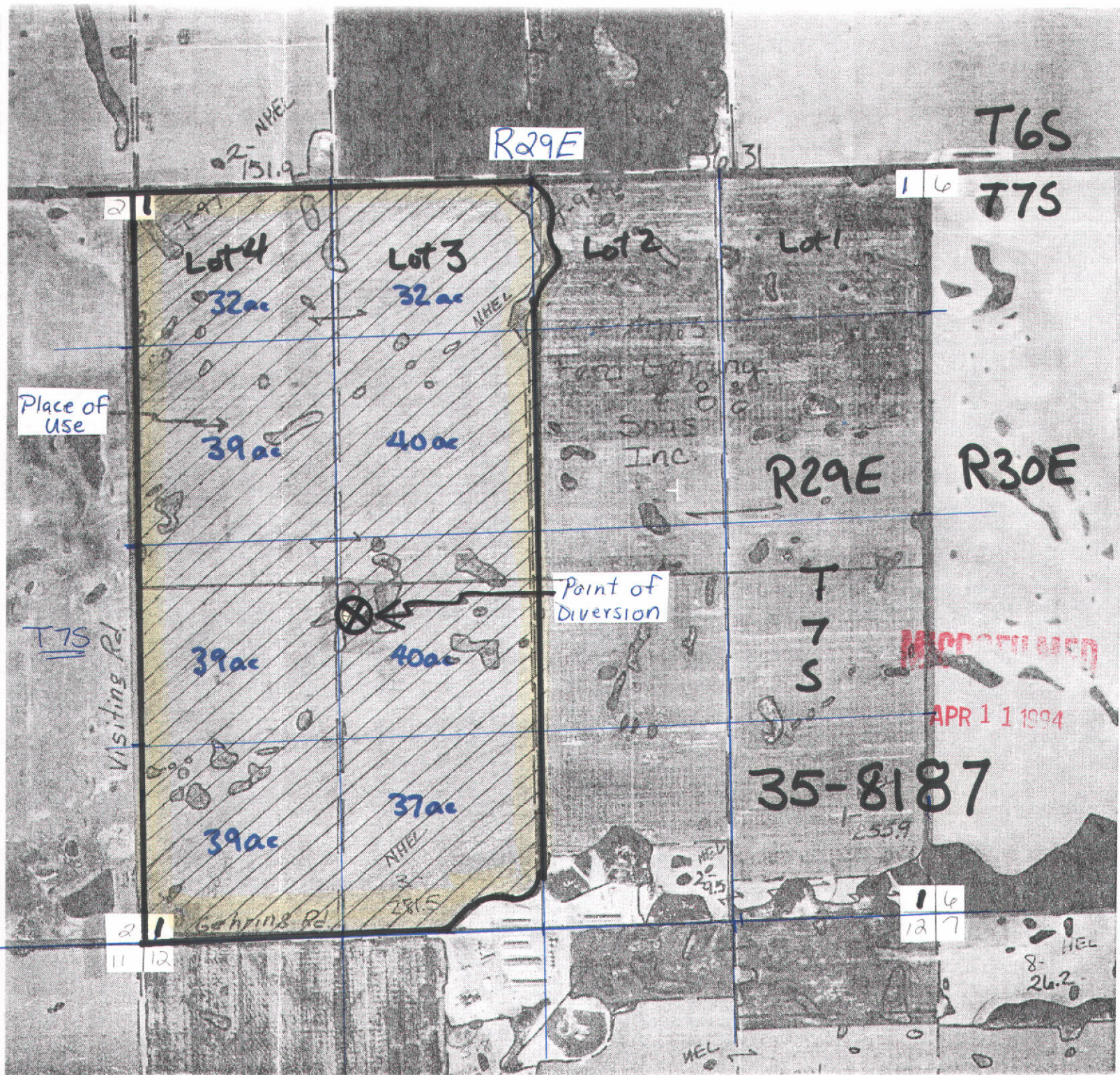


R29E R30E

35-8187

APR 11 1994

35-08187



35-8187

R.29E.

R.30E.

H 10
R

NOT TO Scale

#877
Melvin Funk
Farms

R29E R30E

L
I-10

T6S

North Pleasant Valley Rd

T7S

R29E

T
7
S

Lot 4

32

Lot 3

32

Lot 2

Lot 1

39

40

majority of
Rock piles Have
Been Removed.
300 ac Farmable

39

40

well

39

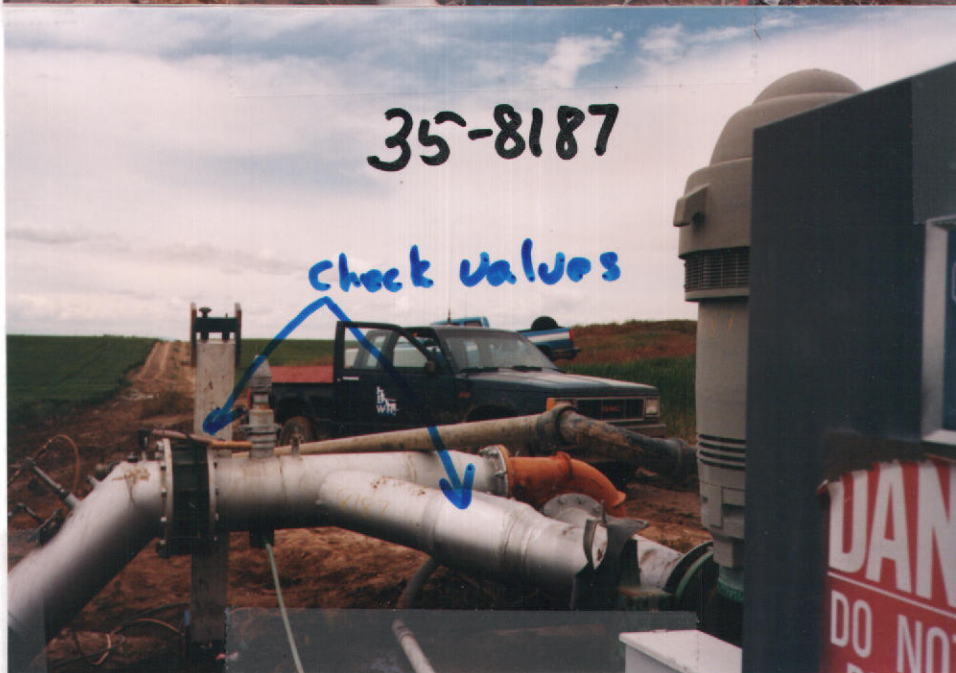
37

R29E

R30E

35-8187

APR 11 1994



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08187

Priority: June 17, 1983

Maximum Diversion Rate:

1.08 CFS

This is to certify, that FERD GEHRING & SONS INC
740 CALDER

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 17, 1983; and has submitted Proof of Beneficial Use on September 1, 1989. An examination indicates that the works have a diversion capacity of 6.180 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/01 to 10/31	1.08 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 1, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

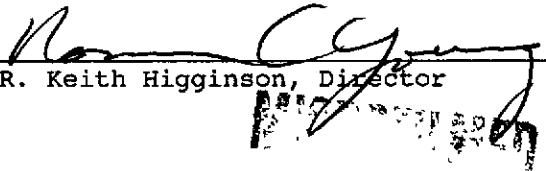
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	1	Lot 2(NWNE) 1	Lot 3(NENW) 32	Lot 4(NWNW) 32	
			SWNW 39	SENW 40	NESW 40	
			NWSW 39	SWSW 39	SESW 37	299

Total number of acres irrigated: 299

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with Right No. 35-07180 shall provide no more than 4.0 afa per acre for the lands above.
5. Right No. 35-07180 is also diverted through the point of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4TH day of MARCH, 1994.

Acting for  R. Keith Higginson, Director

APR 11 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
FEB 24 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08187

Date of Priority: June 17, 1983 Maximum Diversion Rate: 1.08 CFS
Comes now FERD GEHRING & SONS INC
740 CALDER
AMERICAN FALLS ID 83211 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-08187, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.08 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 1, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
07S	29E	1	Lot 2 (NWNE)	1	Lot 3 (NENW)	32	Lot 4 (NWNW)	32	
			SWNW	39	SENE	40	NESW	40	
			NWSW	39	SWSW	39	SESW	37	299

Total number of acres irrigated: 299

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 AM. FALLS, IDAHO, this 2/18 day of 1994.

RECEIVED

[Signature]
(Signature)

APR 11 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08187

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20⁰⁰ Received by dw # C02967 Date 2/24/94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08187 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with Right No. 35-07180 shall provide no more than 4.0 afa per acre for the lands above.
5. Right No. 35-07180 is also diverted through the point of diversion described above.

Witness my hand this 4th day of MARCH, 1994.

Acting for Ross C Young
R. Keith Higginson, Director

APR 11 1994

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received 125.00
Date 9/11/89
Receipt # 0010821
Receipt by CP
Reviewed by MS-10/11/89
Sent to region

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been utilized according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08187 Department of Water Resources

Name(s) of Permit Holder: FERD GEHRING & SON, INC.

Post Office Address: 704 Calder, American Falls, ID 83211

Telephone No. 226-2540

Source of Water: Ground Water

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 303 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.6 Supplemental acre-feet

Show the date water was first diverted and beneficially used under this permit: April 1, 1971

Measuring Device: Required? Yes X No Fee enclosed \$ 125.00
Installed? Yes X No (See License Examination Fee Schedule)

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

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

Gary W. Gehring 226-2142
(Name) (Telephone Number)

3648 Gehring Road, American Falls, ID 83211
(Address)

The above information is my true statement of the extent to which the above number of acres has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8/29/89

Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08187

Proposed Priority: June 17, 1983 Maximum Diversion Rate: 1.16 CFS

This is to certify, that **FERD GEHRING & SONS INC.**

740 CALDER

AMERICAN FALLS, ID 83211

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	1.16 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NESW Sec. 1, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 1	NENW 32	NWNW 31	SWNW 40	303
	SEnw 40	NESW 40	NWSW 40	
	SWSW 40	SESW 40		

Total number of acres irrigated: 303

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 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 August, 1989.

MICROFILMED

AUG 18 1989

[Signature]
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Ferd Gehring And Sons, Inc. Phone 226-2540

Post office address 740 Calder, American Falls, ID 83211

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 7S

Range 29E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.16 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 1.16cfs 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 and sprinkler system.

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

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

c. Proposed well diameter is 20 inches; proposed depth of well is 420 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

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

RECORDED

AUG 18 1989

Aug 18 1964

[illegible]

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion

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

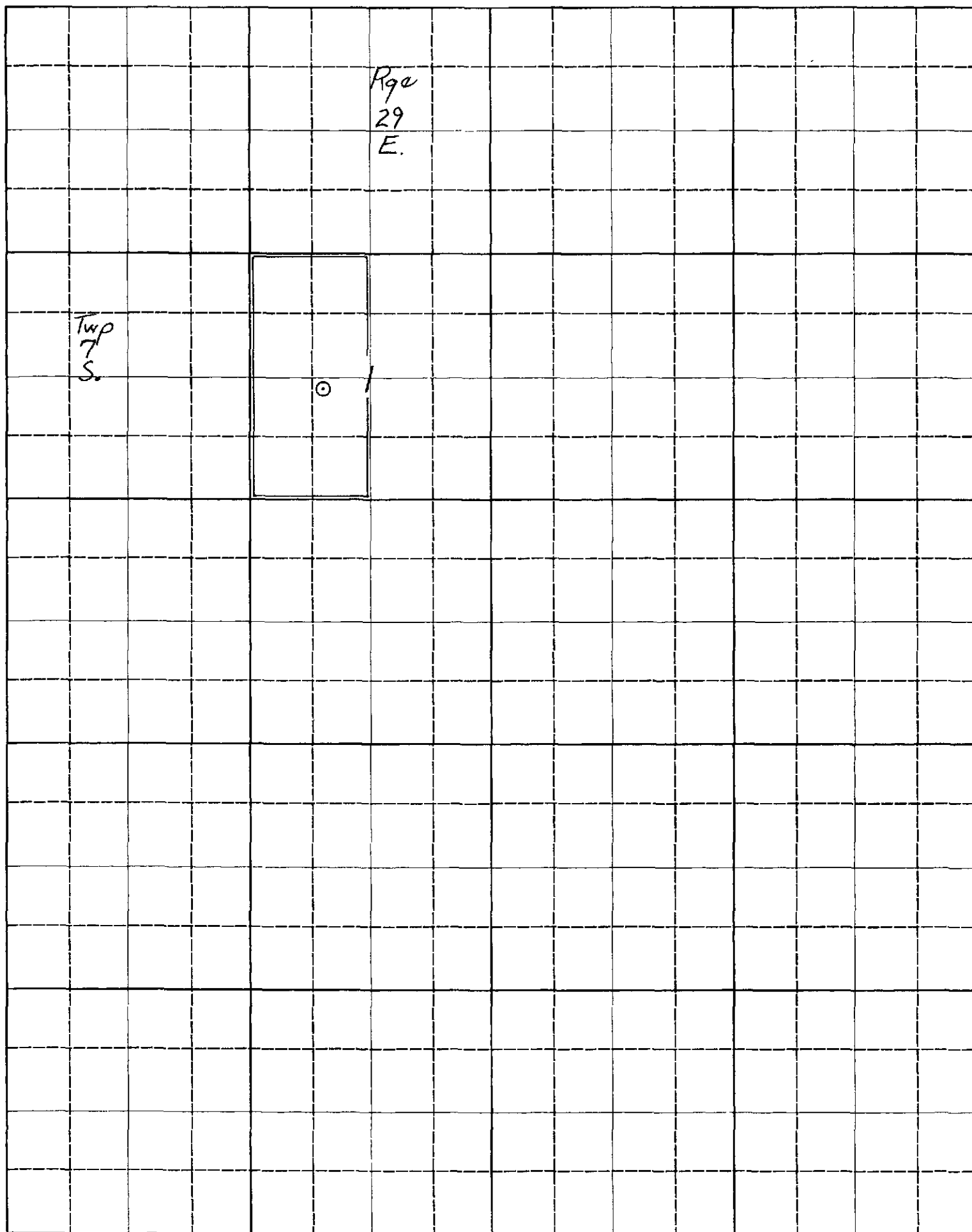
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks This application in combination with other right brings

~~the quantity up to 0.02cfs/ac~~

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



Scale 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RECORDED

AUG 18 1989

Harry M. Dill
(Applicant)

MICROFILMED

AUG 18 1989

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. Other: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by EMC Date 6-17-83 Time 2:15

Preliminary check by KW Fee \$ 65.00

Received by KW Date 6-17-83 # 30829

Publication prepared by KB Date 6-24-83

Published in Boise County Press

Publication dates 3-2-83 to 3-9-83

Publication approved KW Date 3-28-83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KW



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 7, 1994

FERD GEHRING & SONS INC
740 CALDER
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08187

Dear Water Right Holder(s):

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

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

APPROVED

APR 11 1994

Cavaness & Boomer

BEN CAVANESS
HENRY R. (Hank) BOOMER

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

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

February 22, 1994

Jim Johnson
Water Rights Supervisor
Idaho Dept. of Water Resources
Statehouse Mail
Boise, ID 83720-9000

RECEIVED
FEB 24 1994
Department of Water Resources

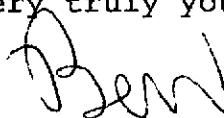
Re: Water Right No. 35-08187 - Ferd Gehring & Son

Dear Jim:

Enclosed is the Application for Amendment of the above numbered water right that has been properly executed by Gary Gehring. Also enclosed is Mr. Gehring personal check in the amount of \$20 to cover the fee.

I believe this should take care of this matter; however, if you will require anything further, please let me know.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

cc; Gary Gehring

FILED - 208-226-2562

APR 1 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 20, 1994

FERD GEHRING & SONS INC
740 CALDER
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 35-08187

Dear Water Right Holder(s):

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

The enclosed application for amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

WR0749NP
No. L35-08187

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FERD GEHRING & SONS INC 740 CALDER AMERICAN FALLS ID 83211 (208) 226-2540	06/17/1983	IRRIGATION	04-01 10-31	1.08 CFS	
					TOTAL DIVERSION:	1.08 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 6.18 CFS

Point(s) of Diversion: T07S R29E S01 NESW POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	29E	1	:			02	01			03	32	04	32	39	40	40	39	39	37	:	299.0
																				TOTAL ACRES	299.0

Pou County: POWER

Other Rights: 35-7180

Other Water Rights with Same Point(s) of Diversion and Source:
35-07180 35-08187

Other Water Rights Listing Overlapping Place(s) of use:
35-07180 35-07884 35-08187

Remarks: This right when combined with Right No. 35-07180 shall provide no more than 4.0 afa per acre for the lands above.
Right No. 35-07180 is also diverted through the point of diversion described above.

Dates: App. Received: 06/17/1983 Priority Date: 06/17/1983
Proof Due Date: 09/01/1990 Proof Made Date: 09/01/1989
Exam Made Date: 06/26/1991 Exam Sent to S.O.: 11/04/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 11/17/93 CHAPMAN 11/18/93 CHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac						
L3508187	T07S R29E S 1	GROUNDWATER																			
	:	02-01				03-32				04-32				39 40				:	40 39 39 37	:	299
3508187	GROUNDWATE :					32				31				40 40				:	40 40 40 40	:	303
R3508187	GROUNDWATE :					32				31				40 40				:	40 40 40 40	:	303
3507180	GROUNDWATE :					31				31				40 40				:	40 40 40 40	:	302
R3507180	GROUNDWATE :	02-01				03-32				04-32				39 40				:	40 39 39 37	:	299
3507884	GROUNDWATE :	01-31		02-31		40 40												:	40 40 40 40	:	302

Overlaps

AJ5809NP
No. R35-08187

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/14/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY W GEHRING RT 1 BOX 145 AMERICAN FALLS ID 83211 (20B) 226-2142	06/17/1983	IRRIGATION	04-01 11-01	1.16 CFS	
TOTAL DIVERSION:					1.16 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T07S R29E S01

NESW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07S	29E	1	:					:	32	31	40	40	:	40	40	40	40	:					:	303.0
TOTAL ACRES																							303.0	

POU County: POWER

Other Water Rights with Same Point(s) of Diversion and Source:
A35-07180 A35-08187

Other Water Rights Listing Overlapping Place(s) of use:
A35-07180 A35-08187 R35-07180

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date: 06/26/1991 Verified Date: 01/07/1994

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/03/94 MCCARTHY 01/07/94 RUBERRY

*The POU will be changed
per license when issued.
Jim*

LICENSE REVIEW CHECKLIST

Permit # 35-8187 Date 1-14-94 Brenda Chapman

	Yes	No	
NAME	<u> </u>	<u>✓</u>	Or Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u> Advanced to: <u> </u>
	<u> </u>	<u>✓</u>	Order to Reinstate Needed? <u> </u>
	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of Originally Intended source
	<u> </u>	<u>✓</u>	Notice of Intent to Void - Source change.
P/D	<u> </u>	<u>✓</u>	Amendment Needed?
	<u>✓</u>	<u> </u>	Overlap(s) <u>35-7180 (same P/D)</u>
P/U	<u> </u>	<u> </u>	Amendment Needed? <u>Add NWNE</u>
	<u>✓</u>	<u> </u>	Overlap(s) <u>35-7180 (same acres)</u>
TOTAL CFS	<u> </u>	<u> </u>	Measurement <u>✓</u> Theoretical only
			<u>14 x 33 x 6 = 2772 gpm or 6.18 CFS</u>
CAPACITY = 6.13			
<u>35-7180 = 4.90</u>			
AVAILABLE 1.28			
Allowable Amount: <u>299 x .02 = 5.98 - 4.90 = 1.08</u>			
Capacity of System: <u>6.13</u>			
TOTAL VOLUME			Season of Use: <u>C/4.0 (4-1 to 10-31)</u>
	<u> </u>	<u>✓</u>	Calculations:
			<u>299 x 4 = 1196 afw</u>
			Flow limit: <u>1.08 x 214 x 1.9835 = 458</u>
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4?
	<u>✓</u>	<u> </u>	Special Overlap <u>W34 W36</u>
			(leave off CFS)
CONDITIONS	<u> </u>	<u>✓</u>	Measuring/Locking Devices
	<u> </u>	<u>✓</u>	W/Master Control
	<u> </u>	<u>✓</u>	Irrigation Overlap <u>6-17-83</u> Water Dist
	<u> </u>	<u>✓</u>	Water Quality <u>6-26-91</u> App Rec'd
	<u> </u>	<u>✓</u>	Other <u> </u> Exam Made

COMMENTS: Combined rates do not exceed capacity - do not list volume; AMEND P/U

RECOMMENDED	CFS	DIV VOL
<u>Irrigation</u>	<u>1.08</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

LICENSE
1ST AMEND LETTER P41
2ND AMEND LETTER P42

will have to take acre out of NWNE if don't respond

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 05 1993

Department of Water Resources

A. GENERAL INFORMATION

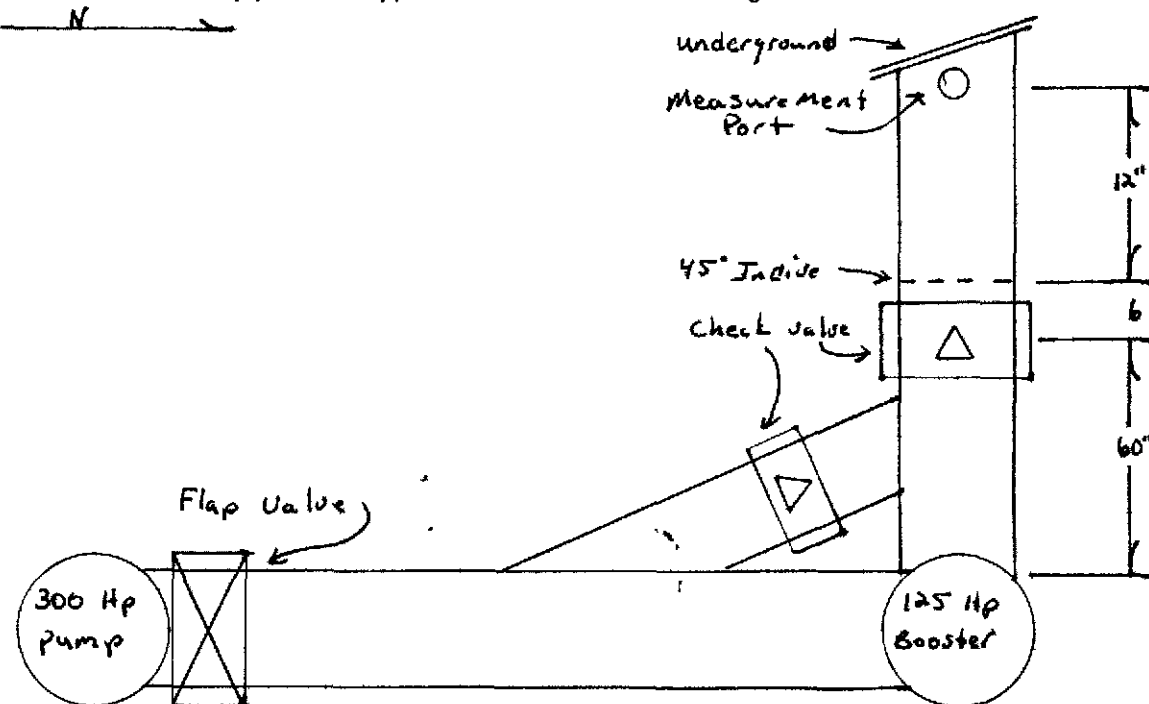
Permit No. 35-8187
1. Owner: Feed Gehring & Sons Inc. Phone No. 226-2540
Current Address: 740 Calder American Falls, Id 83211
2. Accompanied by: Gary Gehring EXAM DATE: 6-26-91
Address: 3648 Gehring Rd. American Falls Phone No. 226-2142
Relationship to Permit Holder: Son
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 35-07180
☒ Copies Attached
2. Other water rights with same point of diversion 35-07180
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

APR 11 1994

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

System Description (continued)

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

300 Hp pump to 12" Pipe to 125 Hp Booster to 12" Pipe to 14" underground main line to 14-1/2 mile wheel lines with 33 bids and 10 gpm Flow control Nozzels operating at 68 psi.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
T-1-1	US Electric	300	CC1004936	Johnston	12" discharge
Booster	Marathon	125	19-00333-2/17-2	Berkley	8" discharge

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	%	%	%	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					NE 1/4	SW 1/4	75	29E	Power
									Quad + onsite inspection

6. Place(s) of Use:

Twp.	Rge.	Sec.	NE 1/4	NE 1/4 SW 1/4	SE 1/4 NW 1/4	SE 1/4 SW 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
7S	29E	1	1				32	32	39	40
							40	40	39	37
										299

Do not use this space

APR 11 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter station	Annubar	Dieterich	7517-3/16-55	191156	12	-
Flow Indicator	Manometer	IDWR	-	-	60"	-
Pressure Gage	Fluid	Rainbird	-	-	0-160	-

2. Measurements:

* Operating pressure 68 psi
 * not Ideal measurement Port ^{Suggest} ~~Recommend~~ using

$$(14 \text{ lines}) \times (33 \text{ bird per line}) \times (6 \text{ gpm Flow}) = 2772.0 \text{ gpm}$$

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 279 \text{ acres} \times 4.0 \text{ af} = 1196 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.3 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 479 \text{ C}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 479.6 \text{ af}$$

2. Volume Calculations for Other Uses.

APR 11 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Since Licenses 35-07180 already has 4.90 cfs of the system
 for 302 acres, then $6.18 \text{ cfs capacity} - 4.90 \text{ cfs} = 1.28 \text{ cfs left}$.
 * Permit only asks for 1.16 cfs. Recommendation: 1.13 cfs as per part
 of diversion overlap review sheet.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4-1 10-31	1.13 cfs	479.6

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Serg Davis
 Signature [Signature]
 Certification Date _____
 Field Report Preparation Date _____

CONSULTANT SEAL

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POINT OF DIVERSION OVERLAP REVIEW

35-8187
Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Q_c):
Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, Whichever is Less.

A. Total Number of Acres irrigated = 299 acres

B. Total Diversion Rate = 6.18 cfs Limit to 0.02 cfs/ac = 5.98

Q_c = Total Diversion rate [1.B]/Total irrigated acres [1.A]

$$= \frac{5.98 \text{ cfs}}{299 \text{ acres}} = 0.02 \text{ cfs/ac}$$

2. Old Application Rate per Acre (Q_o) from Licensed Flow Rates:

License # 35-7180 @ 4.90 cfs / 302 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

$$Q_o = \text{Total Licensed Rate} = \frac{4.90 \text{ cfs}}{302 \text{ ac}} = 0.01623 \text{ cfs/ac}$$

(Old Diversion Rate(Q_o) = Licensed Flow Rate/# acres)

3. Comparison of Diversion Rates if:

A. Old Diversion Rate(Q_o) > New Diversion Rate(Q_c) : **EXCLUDE** Licensed Lands.

$$Q_o(\#2) = \text{_____} > Q_c(\#1) = \text{_____} \quad \text{GO TO ITEM \#4A.}$$

B. New Diversion Rate(Q_c) > Old Diversion Rate(Q_o) : **INCLUDE** Licensed Lands.

$$Q_c(\#1) = 0.02 \text{ cfs/ac} > Q_o(\#2) = 0.01623 \quad \text{CONTINUE TO ITEM \#3.B.1}$$

1. Additional Flow Rate for Licensed Lands. *

$$Q_a = (Q_c - Q_o) \times (\# \text{ Lic. Ac.}) = \left[\left(\frac{0.02}{\text{cfs/ac}} \right) - \left(\frac{0.01623}{\text{cfs/ac}} \right) \right] \times \left(\frac{299}{\text{acres}} \right) = 1.13 \text{ cfs}$$

2. Flow Rate for New Acreage. Total acres(#1.A) - Licensed acres(#3) = New Acres
(299) - (299) = 0 acres

$$Q_n = (Q_c) \times (\# \text{ New Ac.}) = (\text{_____} \text{ cfs/ac}) \times (\text{0} \text{ ac}) = \text{0} \text{ cfs}$$

GO TO ITEM \#4B.

4. Calculate Total Flow Rate to be licensed:

A. Flow Rate excluding licensed land. Total Acres(#1.A) - Lic. Acres(#2) = New Acres
(299) - (299) = 0 ac

$$Q_t = Q_c(\#1) \times (\# \text{ New Acres}) = \text{_____} \text{ cfs/ac} \times \text{_____} \text{ ac} =$$

$$Q_t = \text{_____} \text{ cfs}$$

CONDITIONS/REMARKS: _____

- B. Flow Rate including licensed land.

$$Q_t = Q_a(\#3.B.1) + Q_n(\#3.B.2) = 1.13 \text{ cfs} + \text{0} \text{ cfs} =$$

$$Q_t = 1.13 \text{ cfs}$$

CONDITIONS/REMARKS: *NOTE USE CURRENT IRRIGATED ACRES IN CALCULATIONS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-8187

Permit No.

Measurement Calculations **Theoretical Capacity**

pump hp = 300 hp

Booster hp = 125 hp

Static H₂O Level = 216

Assume: 70% efficiency
278 dynamic Pumping = Lift

$$\text{Total } H_p = 425 \text{ hp} = (300 + 125 \text{ hp})$$

$$Q = \frac{hp (8.814) (\text{eff})}{\text{Lift} + (PSI \times 2.308)} = \frac{(425)(8.814)(.7)}{278 + (68 \times 2.308)} = 6.028 \text{ cfs}$$

$$Q = 6.03 \text{ cfs} = 2706 \text{ gpm}$$

Theoretical system capacity of 6.03 cfs (2706 gpm) is very close to calculations of the number of sprinklers and their rated capacity 6.18 cfs (2772 gpm).

Both values exceed 0.02 cfs/ac for 299 ac or 5.98 cfs

Therefore: Recommend Limiting right to 0.02 cfs/ac

APR 11 1994

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

Measured by: Gary Buss

Date 6-26-91

Owner: Gary Gehring

Permit No. 35-8187

T-1-1

Description of well &/or measuring site

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

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 40.0
 T = Pipe Thickness in Inches = 0.135 12.48"
 ID = 2 [(0.1592 X CIR) - T] = 12.48

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12"
 State ID No. 191156

Select C based on size from Table below.

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

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 32.9
 Low Reading = 18.9
 High - Low = H = ... 14

CALCULATION OF DISCHARGE IN CFS (Q)

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

$$Q = \frac{(12.48)^2 (\sqrt{14}) (3.99)}{448.8} = 5.18 \text{ cfs} \quad 2325.2 \text{ gpm}$$

14-69 gpm Flow
 1/4 - 33 b.r.d.s
 2772 gpm
 68 psi

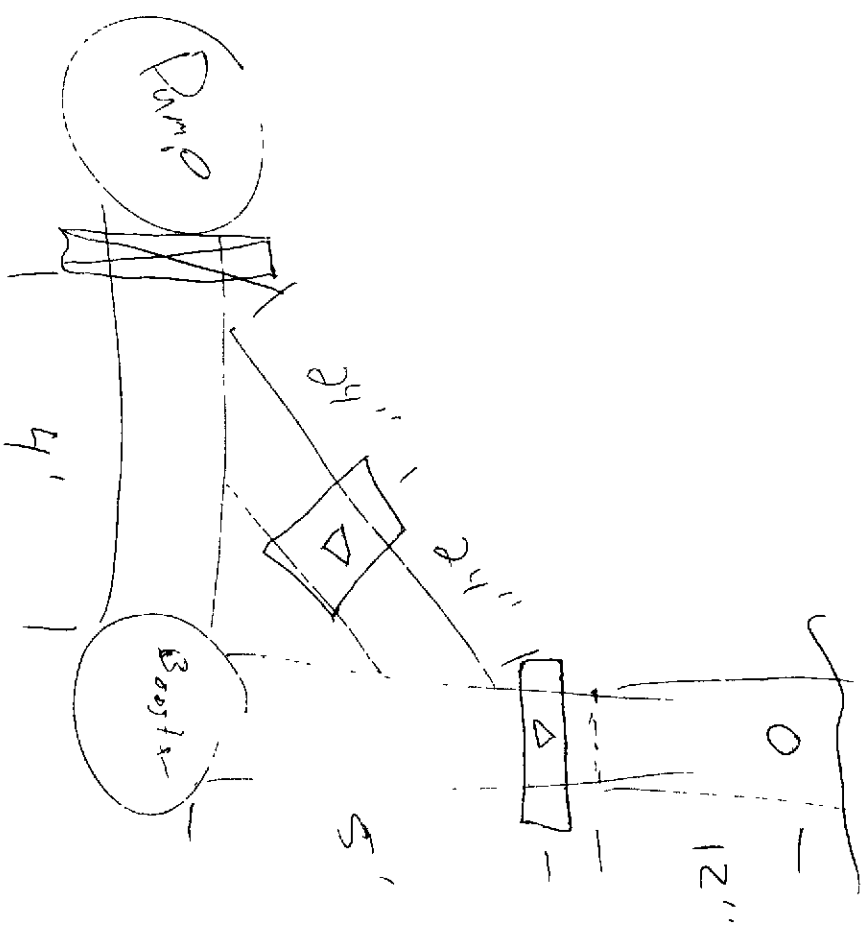
Not Ideal measurement

Because of position of measurement
 Port and Fluxuation of water in
 Manometer.

SKETCH (If not shown on Field Report)

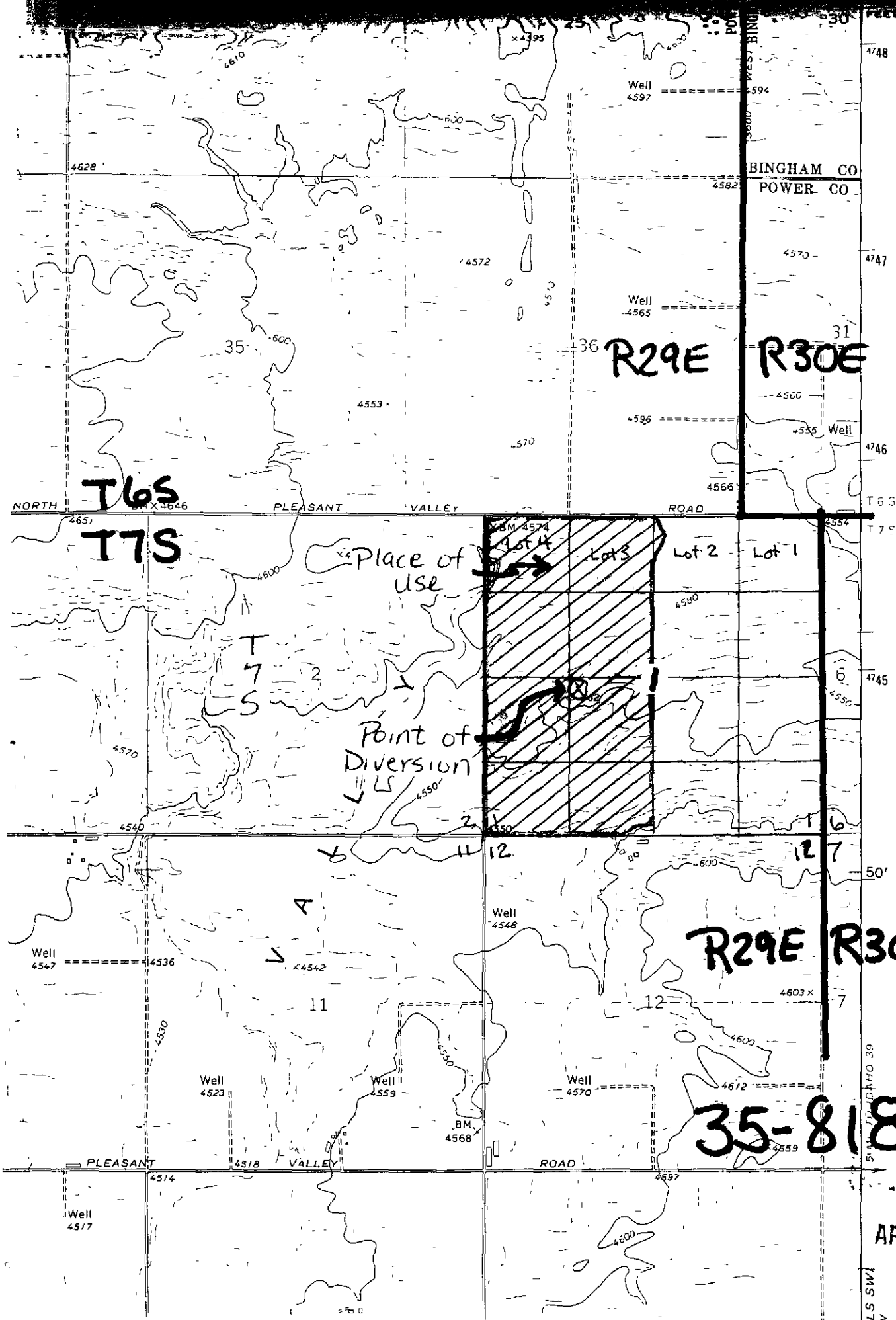
APR 11 1992

11



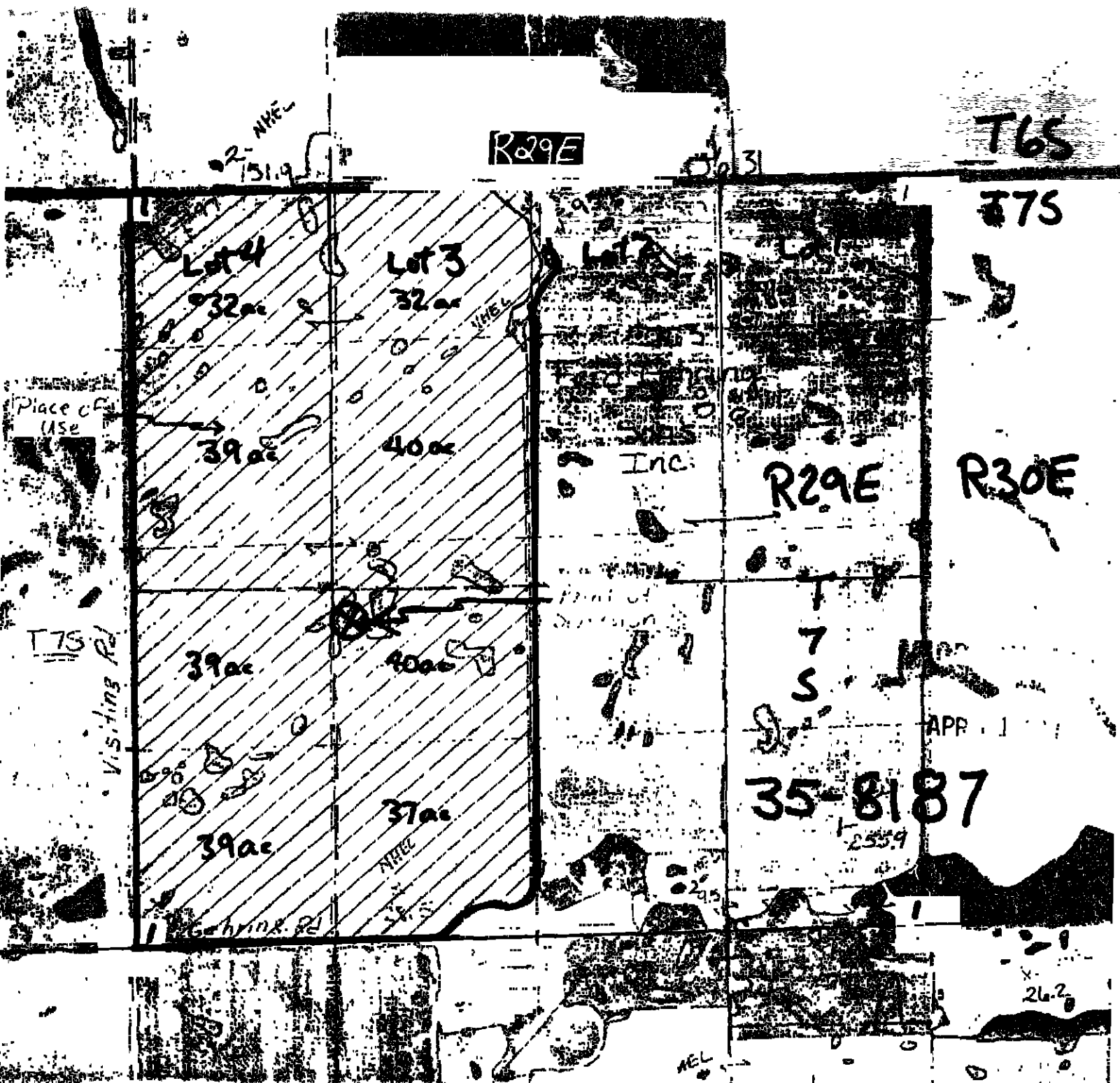
11-11-54

300 HP US Electric CC 1009936 Johnson 12" discharge
 Booster 125 HP Marathon 19-00333-2 / 17-2 Berkley 8" discharge



APR 11 1994

35-08187



35-8187

R29E R30E

T6S

T7S

Majority of
Best Quality Hay
Been Removed
300.00 Farmable

R29E

35

APR 11 1994



35-8187

Booster

35-8187

check valves

35-8187

Flap

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

RECEIVED

APR 11 1994

October 17, 1989

FERD GEHRING & SONS INC.
740 CALDER
AMERICAN FALLS, ID 83211

RE: PERMIT NO. 35-08187

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

OCT 18 1989

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8187

Date: 10/6/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely _____
_____ Reinstated

Source of Water:

- ☒ Surface water
☒ Groundwater
 ☒ 1. well log in file
 ☒ 2. drilling permit 1971
 ☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
 ☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

PROG ACCEPTABLE

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WELL DRILLER'S REPORT

State law requires that this report be filed with the State within 30 days after completion of the investigation.

[illegible]

Possible well log
(not confirmed by
groundwater protection
section)

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

OCT 18 1989

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

FERD GEHRING & SONS INC.
740 CALDER
AMERICAN FALLS, ID 83211

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08187

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

AUG 18 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED
1984

AUG 16 1989

MEMORANDUM

TO: File No. 35-8187
FROM: Gary Spackman *Gary*
DATE: July 31, 1989

RE: Waiver of Rule 4,5. Information Requirements

Application 35-8187 was filed prior to July 1, 1985 and represents development complete in 1971. It is exempt from Swan Falls processing requirements. Under normal circumstances, it would be subject to the additional information requirements of Rule 4,5. of the Water Appropriation Rules and Regulations. Development is already complete, however, and many of the concerns addressed by Rule 4,5. should already have been raised after completion of development.

Pursuant to the memorandum from Glen Saxton dated July 19, 1989, the requirement for additional information under Rule 4,5. should be waived.

MicroFILMED

AUG 18 1989

MEMORANDUM

TO: Regions and Water Allocation Bureau
FROM: Glen Saxton *WJS*
RE: NEED FOR ADDITIONAL INFORMATION UNDER RULE 4,5. OF THE
WATER APPROPRIATION RULES AND REGULATIONS: PRE-EXISTING
DEVELOPMENT
DATE: July 19, 1989

Many applications are being submitted to the department representing development which occurred several years ago. Some of these applications request diversion in excess of 5 cfs or irrigation in excess of 200 acres, prompting review under Rule 4,5. of the Water Appropriation Rules and Regulations.

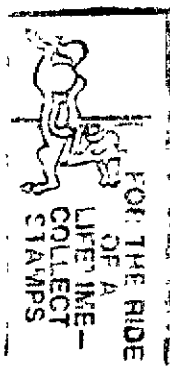
The purpose of Rule 4,5. requirements for additional information is to force pre-development analysis of the application. If the development is already complete, many of the analysis criteria are of little value.

If development is already in place prior to filing of the application, the requirements of Rule 5 in some cases may be waived. The waiver of the requirements is based on the fact that many of the negative effects of the development should already have been felt or recognized. One exception, however, is when development is so recent that possible problems associated with the development may not yet have surfaced.

An analysis of the system prior to the development will help us in avoiding conflicts with other public interests which may be injured by the development.

MICROFILMED
AUG 18 1989

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 Eastern District Office
 150 Shoup — Suite 15
 Idaho Falls, Idaho 83402



INSUFFICIENT ADDRESS



Ferd Gehring & Sons, Inc.
 Box 23
 Sterling, ID 83210

MAR

Department of Water Resources
 Eastern District Office

MICROFILMED

AUG 18 1989

Handwritten signature or mark.



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 27, 1989

Ferd Gehring & Sons, Inc.
Box 23
Sterling, ID 83210

Application for Permit No. 35-08187

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 35-08187. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Power County Press. 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

1989 FEB 28

February 27, 1989

Ferd Gehring & Sons, Inc.
Box 23
Sterling, ID 83210

Application for Permit No. 35-08187

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

INDEXED

AUG 18 1989

vit of Publication

RECEIVED

MAR 24 1989

Department of Water Resources
Eastern District Office

duly sworn on oath, states:

The Power County Press, a newspaper of
ounty, Idaho, published weekly at American
ewspaper has been published in said county
ly for over seventy-eight consecutive weeks,
the annexed notice or advertisement:
advertisement was published as per clipping
re edition of said newspaper and not in any
— successive weekly issues thereof, the
ation being the 1st day of
and the date of last publication being the
5th 1989.

Erma Compton

March in the year of
otary Public, personally appeared Erma
ed to me to be the person whose name
ment, and being by me first duly sworn,
rein are true, and acknowledged to me that

Brett Compton
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,
Mar. 1 & 8, 1989.

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-08163

GEHRING, GARY
RT. 1, BOX 145
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt: NWN Sec 12 T 07S R
29E
Use: IRRIGATION (4.000 CFS)
Date Filed: 6/17/1983
In: T07S R29E S01 NESE SESE
R30E S07 NENW NWNW
SWNW SENW
200.0 ACRES TOTAL

35-08165

GEHRING, GARY W.
RT. 1, BOX 145
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt: NESW Sec 2 T 07S R
29E
Use: IRRIGATION (2.190 CFS)
Date Filed: 6/17/1983
In: T07S R29E S02 NENW NWNW
SWNW SENW
NESW NWSW SWSW SESW
S11 NWNW
338.0 ACRES TOTAL

35-08186

FERD GEHRING & SON, INC.
740 CALDER
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt. SWNE Sec 10 T 07S R
29E
NWNE Sec 15 T 07S R 29E
Use: IRRIGATION (1.600 CFS)
Date Filed: 6/17/1983
In: T07S R29E S03 NESE SESE
80.0 ACRES TOTAL

35-08187

FERD GEHRING & SONS, INC.
740 CALDER
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt. NESW Sec 1 T 07S R
29E
Use: IRRIGATION (1.160 CFS)
Date Filed: 6/17/1983
In: T07S R29E S01 NENW NWNW
SWNW SENW
NESW NWSW SWSW SESW
303.0 ACRES TOTAL

35-08188

GEHRING, GARY W.
RT. 1 BOX 145
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt. NWNW Sec 10 T 07S R
29E
NESW Sec 10 T 07S R 29E
Use: IRRIGATION (1.790 CFS)
Date Filed: 6/17/1983
In: T07S R29E S10 NENW NWNW
SWNW SENW
NESW NWSW SWSW SESW
315.0 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

NOT RECORDED

AUG 18 1989

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

FEBRUARY 24, 1989

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 MARCH 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 18 1989

35-08187

FERD GEHRING & SONS, INC.
740 CALDER
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: NESW Sec 1 T 07S R 29E

Use: IRRIGATION (1.160 CFS)

Date Filed: 6/17/1983

In: T07S R29E S01	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW

303.0 ACRES TOTAL

MICROFILMED
AUG 18 1983

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. 42-203C, 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 MARCH 20, 1989.

R. Keith Higginson, Director

Published 3/01/1989 & 3/08/1989

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AUG 18 1989

January 23, 1989

FERD GEHRING & SON, INC.
740 CALDER
AMERICAN FALLS, ID 83211

RE: APPLICATION FOR PERMIT NO. 35-8186 & 35-8187

Dear Applicant:

The department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the department requests the information described below.

From the department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

The department asks that you advise us within 15 days of this letter if you no longer have a continued interest in developing a water right as proposed by the application. If you do not respond in this time period, the department will proceed with the usual processing of the application including advertisement.

Please feel free to contact the department if you have any questions.

Sincerely,

Ronald D. Carlson
EASTERN REGIONAL MANAGER

RDC/rb

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AUG 18 1989

FORM A

STATE OF IDAHO

RECEIVED
JUL 3 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8187
Name(s) of Permit Holder: Ferd Gehring & Son, INC
740 CALDWAY

Post Office Address: AMERICAN FALLS, IDAHO
83211 Telephone No. 226-2540

Source of Water: GROUND WATER

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 303 (acres)
Other/Remarks SUPPLEMENT WATER
TO # 35-7180

Indicate the date water was first diverted and beneficially used under this permit: MAY 1, 1991 - USED CONTINUOUSLY SINCE THEN

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

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

Person to contact to accompany the Department representative during field examination: APPLICANT (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-25-85

MICROFILMED

Ferd Gehring & Son Inc. by
David M. Gehring V.P.
Signature of Permit
(and Title, if appropriate)

AUG 18 1989

Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use.

FORM A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 1 1985
Department of Water Resources
Southern District Office

The Idaho Department of Water Resources will consider ~~this form~~ as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8187
Name(s) of Permit Holder: Ferd Gehring & Son, INC
740 CALDER

Post Office Address: AMERICAN FALLS, IDAHO
83211 Telephone No. 226-2540

Source of Water: Ground water

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 303 (acres)

Other/Remarks SUPPLEMENT WATER

TD # 35-7180

Indicate the date water was first diverted and beneficially used under this permit: MAY 1, 1991 - used CONTINUOUSLY SINCE THEN

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

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

Person to contact to accompany the Department representative during field examination: APPLICANT (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-25-85

Date

Ferd Gehring & Son Inc. by
Ferd Gehring V.P.
Signature of Permit
(and Title, if appropriate)

AUG 18 1985

Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7180 Priority July 6, 1971 Amount 4.90 cfs

THIS IS TO CERTIFY, that Gehring Farms, Ferd Gehring & Son, Inc.
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7180 issued pursuant to Application for Permit dated July 6, 1971,
and has submitted proof to the Department of Water Resources on May 26, 1976,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 4.90 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>October 31</u>	at <u>4.90</u> cfs and	<u>1056</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.90 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1056 acre feet per year, said waters to be diverted within the NE $\frac{1}{2}$ SW $\frac{1}{2}$, Sec. 1, Twp. 7S,
Rge. 29E, B. M. in the County of Power

Description and location of place of use

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	29E	1					31.5	31	39.7	40	40	39.8	40	39.7					301.7

Total number of acres irrigated 301.7

A measuring device of a type approved by this Department shall be maintained as
part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
January, 19 78.

MICROFILMED

JUN 18 1989

Director

35-8182-

FERD GEHRING & SONS, INC.

740 CALDER, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 06/17/1983

Diversion Pt: NESW Sec 01 T 07S R 29E

Use: IRRIGATION (1.16 CFS)

In: NENW NWNW SWNW SENW NESW NWSW SWSW SESW Sec 01 T 07S R 29E
FOR 303 ACRES

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AUG 18 1989