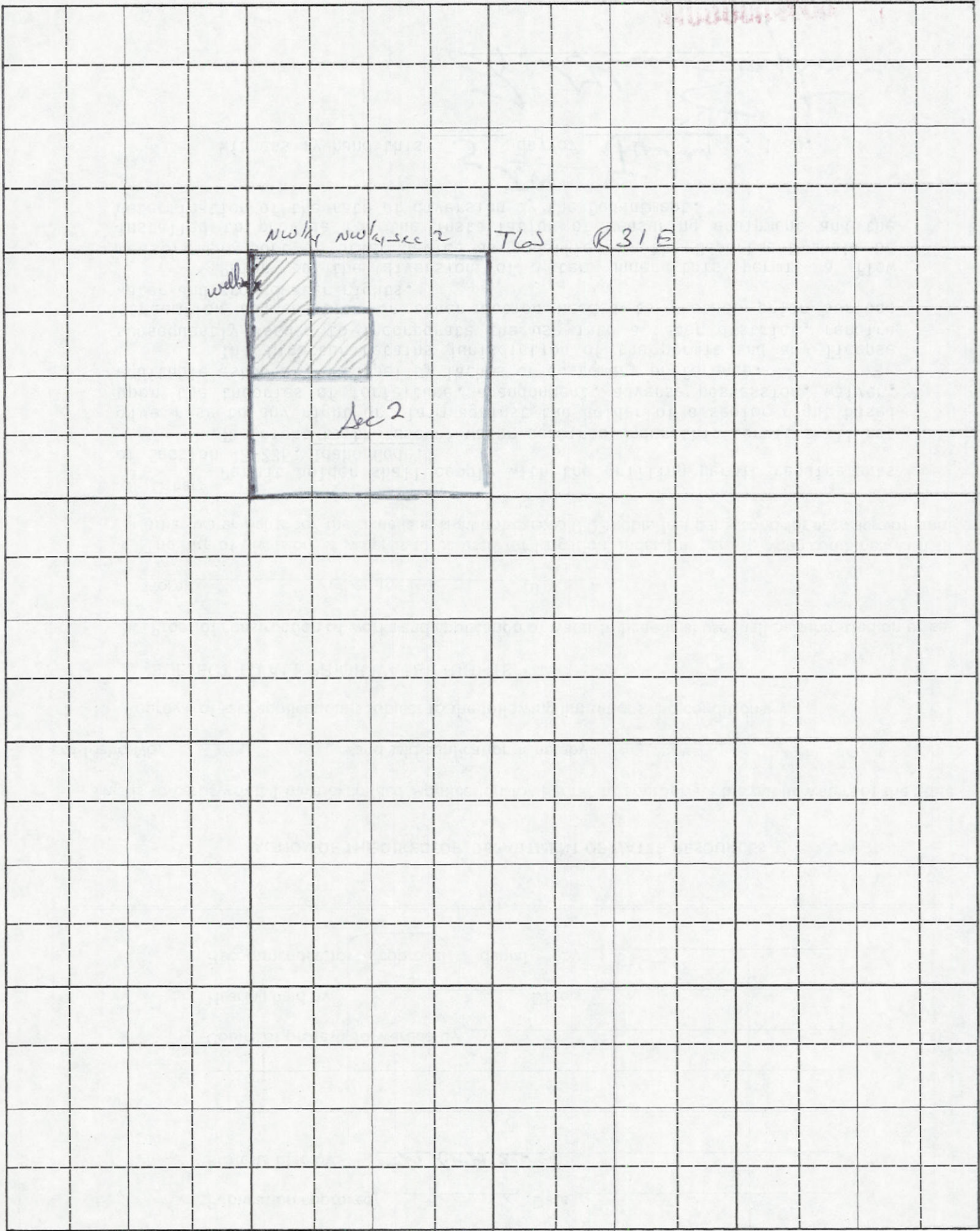


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

AUG 18 1989

Dwight W. Horsch
(Applicant)

Contact W
place # 104812
US 9610 326903
11/1/02 Keller

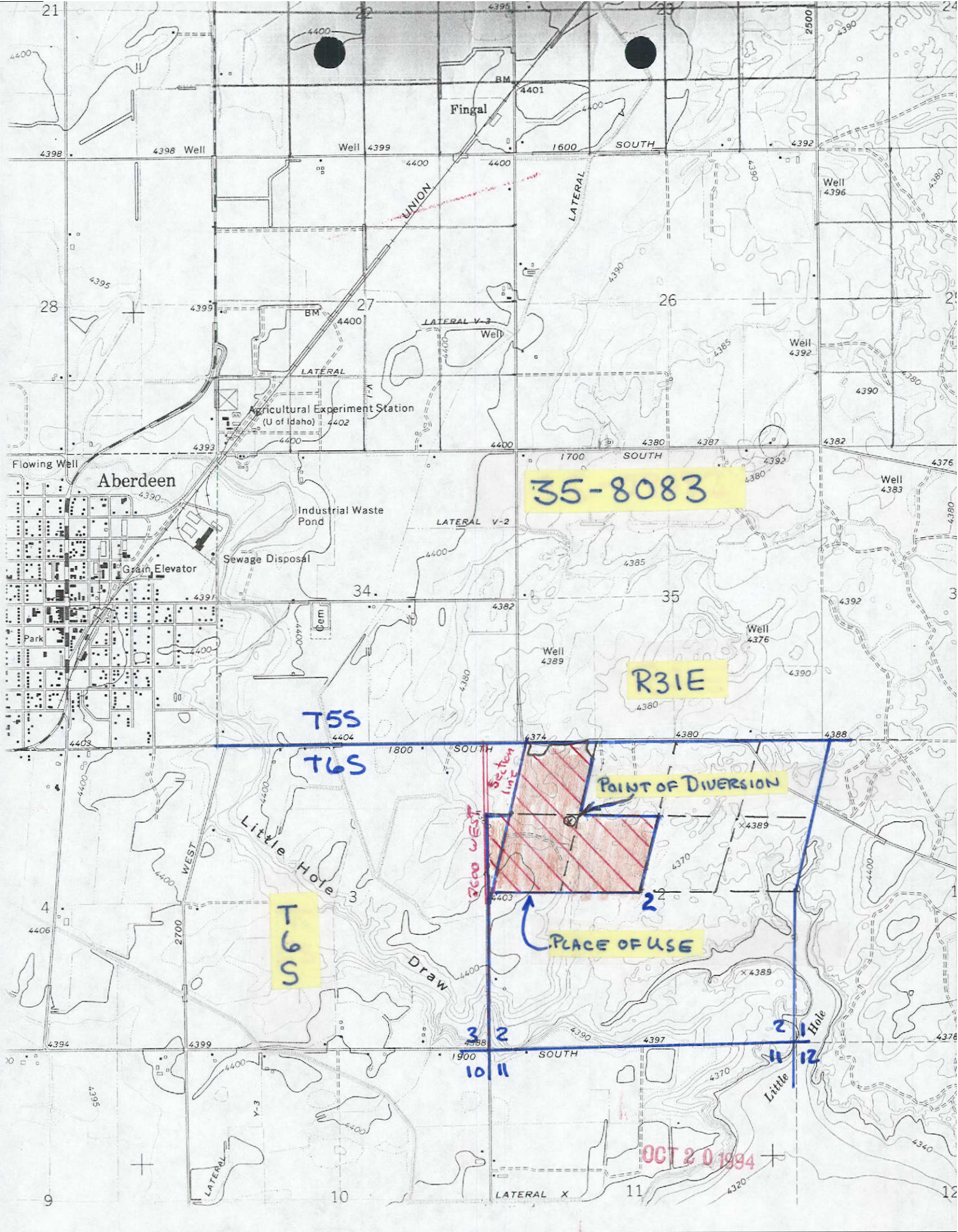
NCA P on 35-7530 only

Address Service
Aberdeen Id 83211

83210

9 items \$5.40
Postage Due

Name	Old Address	New Address
University of Idaho Regents	P.O. box AA Aberdeen Id 83210	P.O. 870
Behrend Farms	RT 1 Box 114 Aberdeen Id 83210	P.O. Box 92
Behrend Farms	2807 W. 1900 S. Aberdeen Id 83210	P.O. Box 92
Behrend Farms	RT 1 Box 236 Aberdeen Id 83210	P.O. Box 92
Muirbrook Paul	2751 W. 1000 S. Aberdeen Id 83210	P.O. Box 775
Church of Jesus Christ of LDS	Aberdeen 2nd Ward Aberdeen Id 83210	2727 W. 1500 S.
Horsch Dwight	1911 S. 2700 W. Aberdeen Id 83210	1991 S. 2700 W.
Becker Daniel	RT 1 Box 124 Aberdeen Id 83210	3042 W. 2000 S.
Funk Raymond	RT 1 Box 77 Aberdeen Id 83210	2066 S. 2950 W.



35-8083

R31E

T5S

T6S

T6S

POINT OF DIVERSION

PLACE OF USE

OCT 20 1984

Butte Run

35-08083

HEL
3
75.6

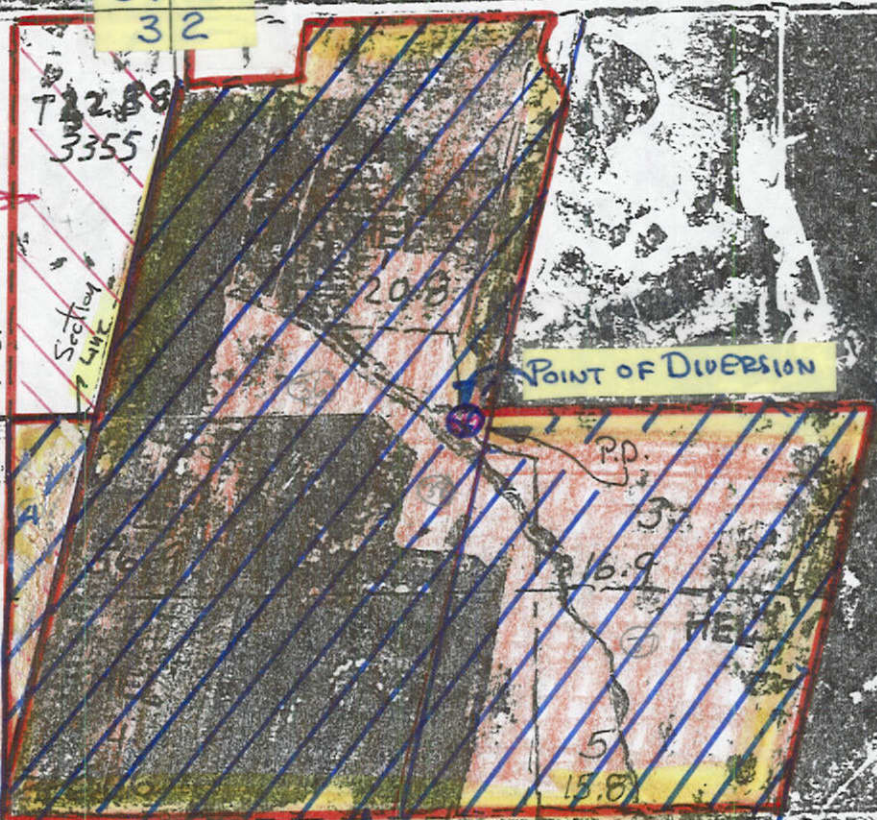
Beach Rd.

34 35
3 2

T22.88
3355

A35-07530
T6S

Rd.
Relocated



R31E
T6S

T2368

HEL

R31E PLACE OF USE

20.0

T2348

section line

OCT 20 1994

HEL

41.2

35-8083

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 35-08083

Priority: January 21, 1983

Maximum Diversion Rate: 2.32 CFS

Maximum Diversion Volume: 464.0 AF

This is to certify, that DWIGHT W HORSCH
1991 S 2700 W

ABERDEEN ID 83210 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 21, 1983; and has submitted Proof of Beneficial Use on June 18, 1990. An examination indicates that the works have a diversion capacity of 2.700 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	2.32 CFS	464.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 2, Township 06S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	31E	2	Lot 4 (NWNW) 36	SWNW 38	SENW 38	112
		3	SWNE 4			4

Total number of acres irrigated: 116

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

OCT 20 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

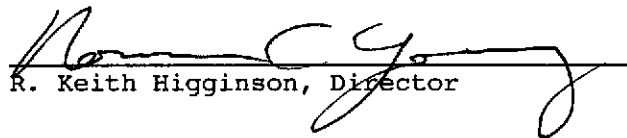
WATER RIGHT NO. 35-08083

CONDITIONS/REMARKS:

8. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

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 OCTOBER, 1994.

Acting for


R. Keith Higginson, Director

OCT 20 1994

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08083

RECEIVED
SEP 8 1994

Department of Water Resources

Date of Priority: January 21, 1983

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

Comes now
1991 S 2700 W
ABERDEEN ID 83210

DWIGHT W HORSCH

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. 35-08083, 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	2.32 CFS	464.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 2, Township 06S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
06S	31E	2	Lot 4 (NWNW)	36	SWNW 38	SENW 38	112
		3	SWNE	4			4

Total number of acres irrigated: 116

RECEIVED

OCT 20 1994

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 Aberdeen, Idaho, this 6th day of September, 1994.
1991 S 2700 W

Dwight W. Horsch
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08083

FOR DEPARTMENT USE ONLY

Preliminary check by B Fee = 50⁰⁰ Received by RT # 0031011 Date 8-9-94

ACTION OF THE DEPARTMENT OF WATER RESOURCES

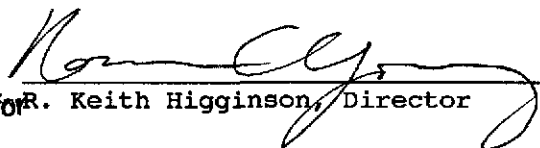
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-08083 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

OCT 20 1994

Witness my hand this 4TH day of OCTOBER, 1994.


Acting for R. Keith Higginson, Director

RECEIVED
JUN 18 1990

For Office Use Only

Amt of Fee \$ 150.48Date 6-15-90Receipt No. E014842Received by HLS6/11-8-90

STATE OF IDAHO

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/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8083 Telephone No. 208-377-4825Name(s) of Permit Holder(s): Dwight W HenschPost Office Address: 1991 & 2700 W. Aberdeen, Idaho, 83210Source of Water: GroundwaterIf ground water, well driller's name: _____ Date drilled: 1983

Extent of Use:

Domestic _____ (No. of households)

Irrigation 120 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 2.40 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: _____

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

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

OR

Flow Measurement Port: Required? ☒ Yes No Installed? ☒ Yes NoFee Enclosed: \$ 150.48 (See License Examination Fee Schedule)

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

See above

Name

Telephone No.

Address

MICROFILMED

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

DEC 6 7 1990

6/15/1990
Date

Dwight W Hensch
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Dwight W. Horsch Phone 397-4925

Post office address RR #1 Aberdeen, Idaho 83210

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2 Township 6S

Range 3E B.M. Bingham County, additional points of diversion if any: Change as per visit 4-24-89 HWJ

4. Water will be used for the following purposes:

Amount 2.4 for irrigation purposes from April 1 to Nov. 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. 2.4 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. One well and pump to maintain
and handlines

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 16 inches; proposed depth of well is 250 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is Two 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: _____

MICROFILMED

AUG 18 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
65	31E	2					N/A	40	40	40									120

Total number of acres to be irrigated 120

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

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

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

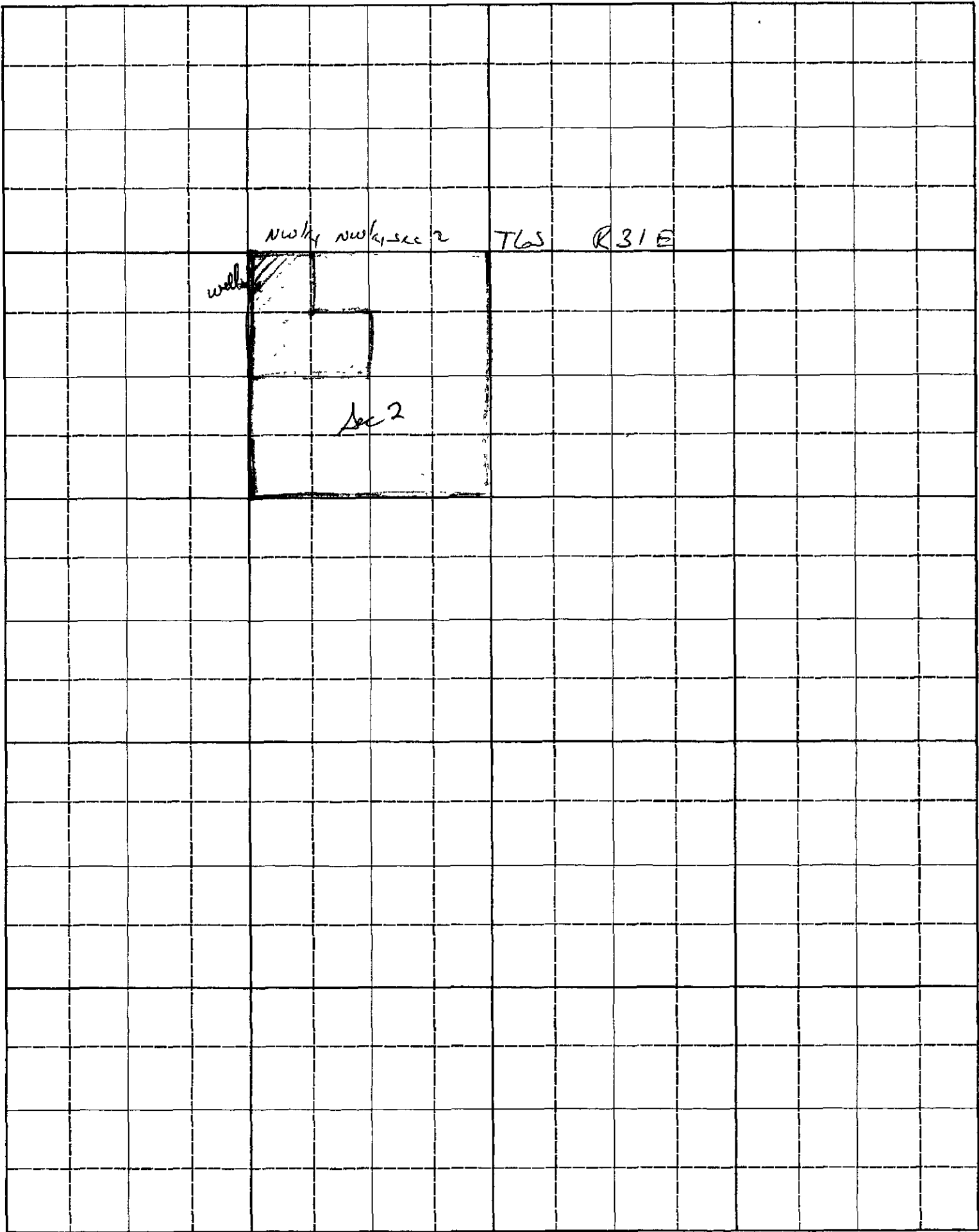
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

MICROFILMED

AUG 18 1980

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.

MICROFILMED

AUG 18 1989

Dwight W. Horsch
(Applicant)

Proposed Priority 1/21/83

Received by DRT Date Jan 21, 1983 Time 4:10 PM
Preliminary check by NCY Fee \$ 85⁰⁰ # 25833
Received by DRT Date Jan 21, 1983
Publication prepared by CW RB Date 3-27-85 5-10-89
Published in Blackfoot News Morning News
Publication dates 4-24 & 4-25, 1985 5-18, 24, 89
Publication approved CW RB Date 4-16-85 6-9-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8083, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 90.
- 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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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.

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.

Witness my hand this 5th day of July, 1989.

Z. Glen Saylor

MICROFILMED

AUG 18 1989

3:17 PM 3/8/2002

Sherman, Sally

To: Grindle, Dave
Cc: Shaff, Don
Subject: CID Update for Dwight Horsch

Importance: High

Please use the perfect, current CID 104812 to replace CID 326903 for Mr. Horsch. I need to do an NCAP on this right, and will be gone next week. If possible, would you please do this one (and one other I'll send in a sec) today?

Thanx, Dave.

give DAF wrong CID to keep. Fixed
address 3-18-02.
-12

35-7530

35-7619 A+B

35-8083

35-8680

-10682

-10687

-10688

35-11275

35-8082

35-8572

Basin	Nun Sequence	Split Basis	Stat	Prio	Divers	Sou	Wate	Owner	Lis	Version	Number	Source	Ta
35	7619 A	Licens Acti	###	2.96	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	7619 B	Licens Acti	###	1.81	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	10682	Benefi Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	10687	Benefi Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	10688	Benefi Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	11275	Benefi Acti	###	0.06	GRC	DOM	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	7530	Licens Acti	###	2.96	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	7619 A	Licens Acti	###	1.81	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	7619 B	Licens Acti	###	0.49	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	7619 B	Licens Acti	###	0.49	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrAdjudica					
35	8083	Licens Acti	###	2.32	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	8680	Licens Acti	###	1.14	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	10682	Decrer Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	10687	Decrer Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	10688	Decrer Acti	###	0.04	GRC	DOM	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	11275	Decrer Acti	###	0.06	GRC	DOM	HORSCH, DWIGHT W	(Cur wrWaterRi					
35	8082	Acti	###	1.2	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrWaterPe					
35	8572	Acti	###	0.4	GRC	IRRI	HORSCH, DWIGHT W	(Cur wrWaterPe					

Name	Old Address	New Address
University of Idaho Regents	P.O. box AA Aberdeen Id 83210	P.O. Box 870
Behrend Farms	RT 1 Box 114 Aberdeen Id 83210	P.O. box 92
Behrend Farms	2807 W. 1900 S. Aberdeen Id 83210	P.O. Box 92
Behrend Farms	RT 1 Box 236 Aberdeen Id 83210	P.O. Box 92
Muirbrook Paul	2751 W. 1000 S. Aberdeen Id 83210	P.O. Box 775
Church of Jesus Christ of LDS	Aberdeen 2nd Ward Aberdeen Id 83210	2727 W. 1500 S.
Horsch Dwight	1911 S. 2700 W. P.O. Box 56	1991 S. 2700 W.
Becker Daniel	RT 1 Box 124 Aberdeen Id 83210	3042 W. 2000 S.
Funk Raymond	RT 1 Box 77 Aberdeen Id 83210	2066 S. 2950 W.



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

October 5, 1994

DWIGHT W HORSCH
1991 S 2700 W
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08083

Dear Water Right Holder(s):

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

OCT 20 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

July 29, 1994

DWIGHT W. HORSCH
1991 S. 2700 W.
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08083

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 \$50.00 filing fee within 14 days.

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

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

OCT 20 1994

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-8083 DATE 7-25-94



NAME	Yes	No		Or Address Change?
PRIORITY DATE	☐	☒		Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒		Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☐	☒		Amendment needed? _____
	☐	☒		Overlaps? _____
PLACE OF USE	☒	☐		Amendment needed? <u>Add Lot 4 NWNW OF SEC 2</u>
	☐	☒		Overlaps? <u>(Aberdeen Springfield) SWNE OF SEC 3</u>
DIV RATE	☐	☒		Measurement Q = <u>2.70</u> Theoretical Q = _____ <u>116 x .02 = 2.32</u>
				Capacity: <u>2.70</u> Combined rates exceed capacity _____ Permit/fee limits: <u>2.4</u> Allowable: <u>(2.32)</u>
ANNUAL VOLUME	☐	☒		Season of use: <u>c/4.0 (41 to 10-31)</u> Calculations: _____ <u>116 x 4.0 = 464</u>
				Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☐	☒		Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS		☒		Multiple p/d(s) in <u>1/4</u> ?
	<u>WB3</u>	☐		Other <u>Aberdeen Springfield</u>
CONDITIONS	☐	☒		Measuring/Locking Devices
	☐	☒		Watermaster control - District _____
	<u>R31</u>	☐		Irrigation Overlap
	☐	☒		Water Quality
	☒	☐		Other <u>NON-TRUST</u>

COMMENTS: _____

 _____ Amend P/U

RECOMMENDED	CFS	VOLUME	LICENSE _____
<u>Irrigation</u>	<u>2.32</u>	<u>464</u>	
_____	_____	_____	1ST AMENDMENT LETTER <u>p41+p38</u>
_____	_____	_____	FINAL AMENDMENT LETTER <u>p42</u>

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM																																							
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac																																													
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																																												
L3508083	T06S R31E S 2	GROUNDWATER																																																																							
	:	:																																04-36	38	38	:	:																												112							
A0100023Z1	LARGE CLAI :	:																																								24	28	:	:																												70
0100297	SNAKE RIVE :	:																																										:	:																												
A0100297Z1	LARGE CLAI :	:																																								24	28	:	:																												70
A0102064G1	LARGE CLAI :	:																																								24	28	:	:																												70
A0102068G1	LARGE CLAI :	:																																								24	28	:	:																												70
A0102068H1	LARGE CLAI :	:																																								24	28	:	:																												70
A3502543Z1	LARGE CLAI :	:																																								24	28	:	:																												70
R3502543Z1	LARGE CLAI :	:																																								I	I	:	:																												
A3504246Z1	LARGE CLAI :	:																																								24	28	:	:																												70
R3504246Z1	LARGE CLAI :	:																																								I	I	:	:																												
3508083	GROUNDWATE	:																																40	40	40	:	:																												120							
L3508083	T06S R31E S 3	GROUNDWATER																																																																							
	:	:																																04	:	:																												4									
A0100023Z1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
0100297	SNAKE RIVE :	:																																										:	:																												
A0100297Z1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
A0102064G1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
A0102068G1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
A0102068H1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
A3502543Z1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
R3502543Z1	LARGE CLAI :	I	I	I	I	:	I	I	I	I	:	I	I	I	I	:	I	I	I	I	:																																																				
A3504246Z1	LARGE CLAI :	40	39	38	30	:	38	40	37	37	:	38	40	38	40	:	40	40	40	40	:	615																																																			
R3504246Z1	LARGE CLAI :	I	I	I	I	:	I	I	I	I	:	I	I	I	I	:	I	I	I	I	:																																																				
3507530	GROUNDWATE	01-38	02-38	36	:	03-36	:	:																												148																																					
A3507530	GROUNDWATE	01-38	02-38	36	:	03-36	:	:																												148																																					
R3507530	GROUNDWATE	01-38	02-38	36	:	03-36	:	:																												148																																					
3508663	GROUNDWATE	02	:	35	23	:	:																												60																																						
3508680	GROUNDWATE	:	04-41	20	:	:																												61																																							

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8083

1. Owner: Dwight W. Horsch Phone No. 397-4925

Current Address: 1991 S. 2700 W. Aberdeen, Id. 83210

2. Accompanied by: Dwight Horsch EXAM DATE: 7-1-93

Address: Same Phone No. Same

Relationship to Permit Holder: owner

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Aberdeen-Springfield service area

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	2	6S	31E	Bingham	ASCS conflict

2. Place(s) of Use:

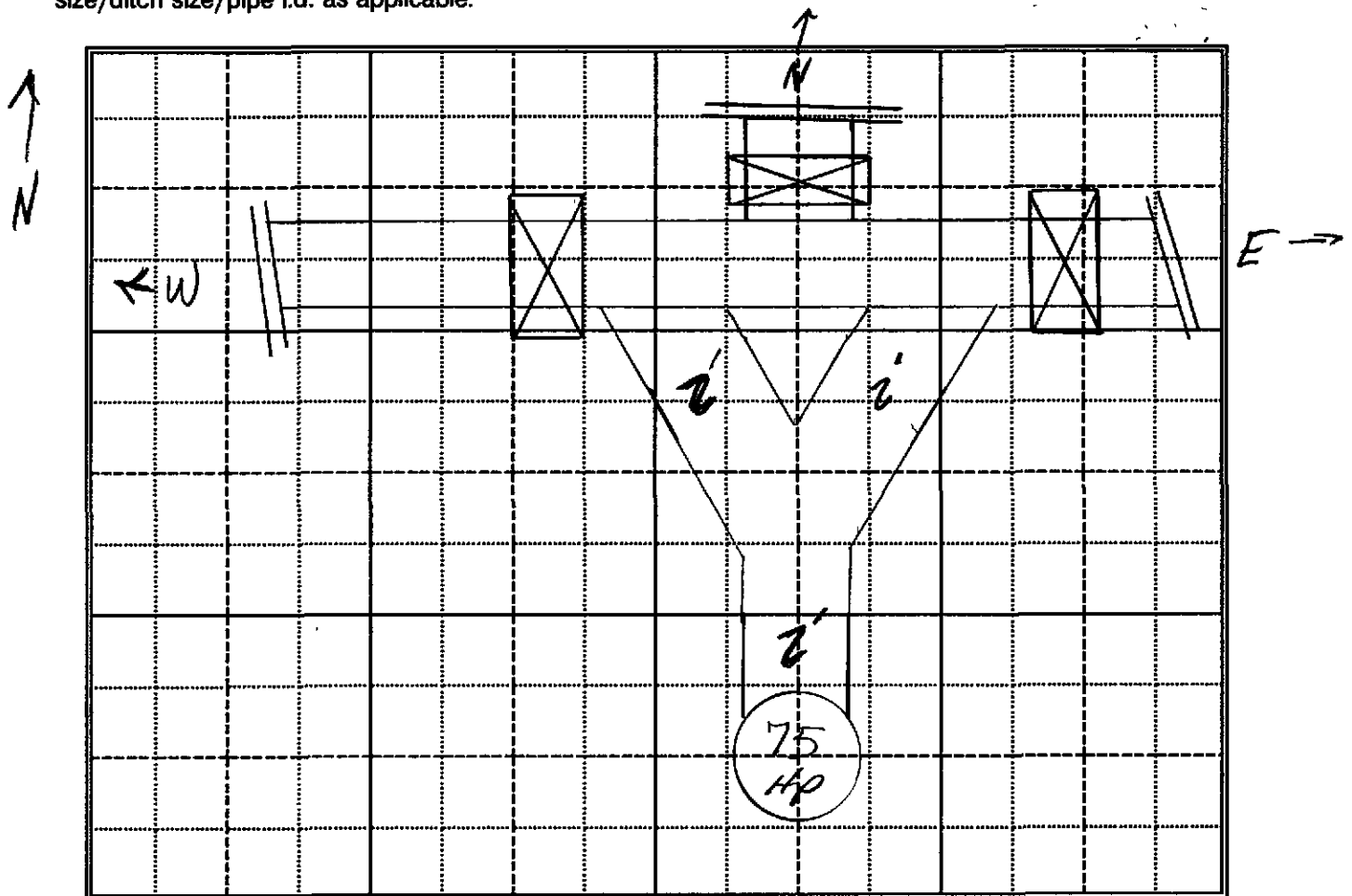
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	31E	2						36	38	38									112
								L-4											
		3			4														4

OCT 20 1994

116

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System-Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	75	P66101244	Layne	8" discharge

*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
pressure gage	Fluid	ashcroft			100 psi	

2. Measurements: operating pressure 72 psi
dynamic pumping depth 5' (according to owner)

E. NARRATIVE/REMARKS/COMMENTS

75 Hp pump to 8" underground main line
to the west supplying water to Three
14 bird Handlines, One 32 bird Handline,
One 30 bird Handline, One 7 bird Handline
all with 5 gpm flow control, and One
38 bird wheel lines with 5.5 flow control.

also to 6" main line to the North supplying
water to One 32 bird Handline with
5 gpm flow control.

also to 6" main line to East supplying
water to one 27 bird Handline with
5 gpm flow control and, One 25 bird
Hand line with 5 gpm flow control.

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

OCT 20 1994

F. FLOW CALCULATIONS

Additional Computation Sheets Attached (2.63 cfs)

Measured Method:

$$Q = 1195 \text{ birds} (5 \text{ gpm}) + (38 \text{ birds} (5.5 \text{ gpm})) = 1184 \text{ gpm}$$

$$\text{Theory } Q = \frac{(75)(8.814)(.7)}{(5) + (72)(2.308)} = 2.70 \text{ cfs (1213 gpm)}$$

G. VOLUME CALCULATIONS

$$* 116 \text{ acres} \times 0.02 \text{ cfs} = 2.32 \text{ cfs recommended}$$

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 116 \text{ acres} \times 4.0 \text{ cfs} = 464 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.32 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 984.7 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 464 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	2.32 cfs	464
Totals:			2.32 cfs	464 afa

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

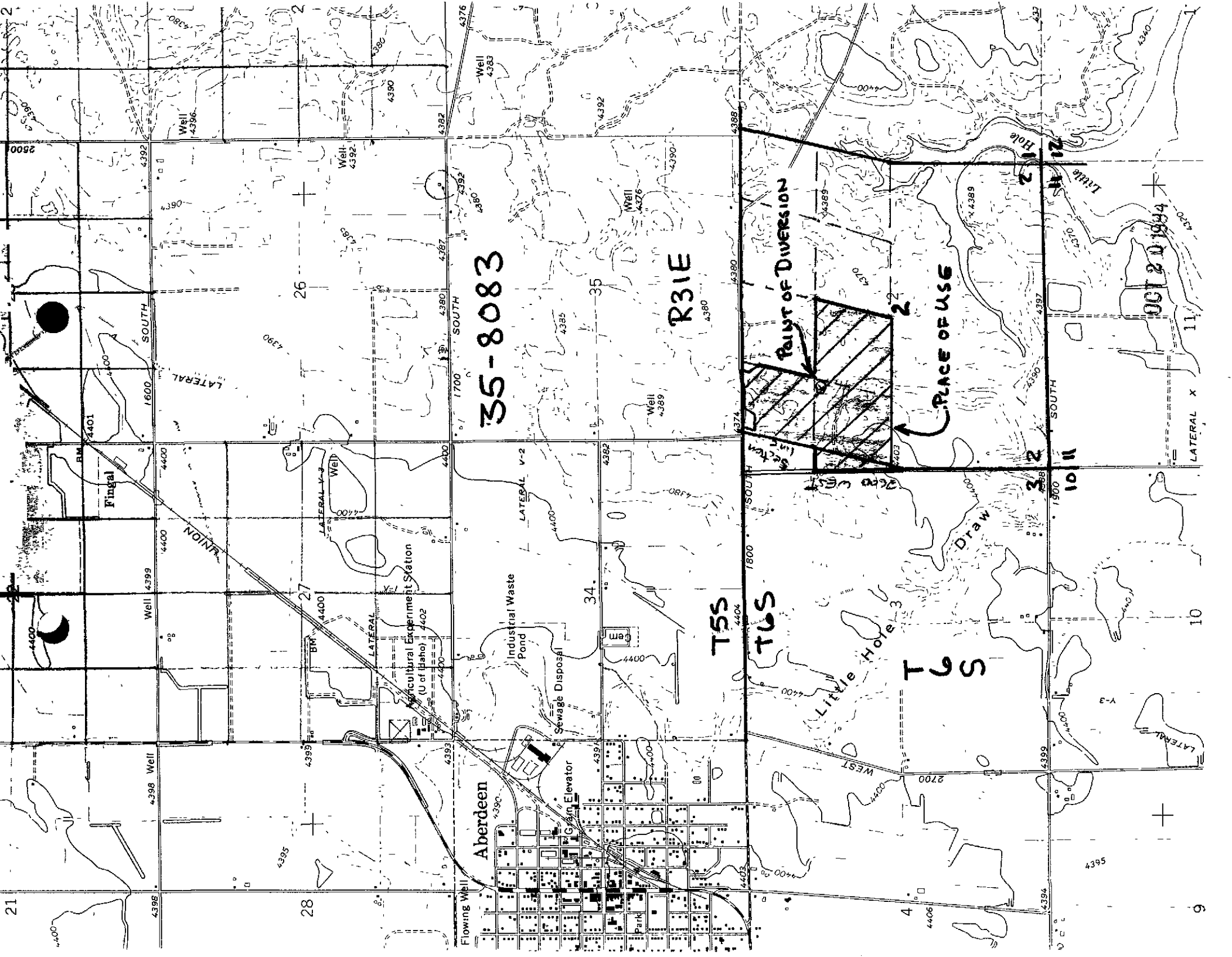
I. AUTHENTICATION

Field Examiner's Name Gary Buss Date 7-1-93

Reviewer [Signature] Date 11-9-93

SEAL

OCT 20 1994



Butte Run

35-08083

HEL

75.6

34 35

Beach Rd

32

T 2368

3355

35-07530

T6S

Rd

Re located

Point of Diversion

R31E

T9S

T2368

HEL R31E

PLACE OF USE

20.0

T2348

Section line

HEL

OCT 20 1994

HEL

41.2

35-8083

November 15, 1990

DWIGHT W. HORSCH
RR #1
ABERDEEN, ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08083

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

DEC 07 1990

/ 38763
May 31, 1990

DWIGHT W. HORSCH
RR #1
ABERDEEN, ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 35-08083

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 August 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 6 7 1990

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
July 6, 1989

DWIGHT W. HORSCH
RR #1
ABERDEEN, ID 83210

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

RE: PERMIT NO. 35-08083

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.

RECORDED

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

MAIL ROOM
AUG 18 1989

May 11, 1989

Dwight W. Horsch
Rt.1
Aberdeen, ID 83210

RE: Application for Permit No. 35-8083

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 Morning News. 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

Microfilm

AUG 18 1989

R37E, S07, NESW, NWSW, SWSW, SESW
150.0 ACRES TOTAL

27-07344

DAYLEY, Marv
995 York
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt NENW, Sec. 4, T 03S, R.
36E
Use IRRIGATION (.110 CFS).
STOCKWATER (.020 CFS)
Date Filed 3/02/1983
In T03S, R36E, S04, NENW
6.0 ACRES TOTAL

27-07347

CARLISLE, Scott
Rt. 6, Box 403
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt NENW, Sec 4, T. 03S, R.
36E
Use IRRIGATION (.120 CFS)
Date Filed: 4/05/1983
In T03S, R36E, S04, SENW
6.0 ACRES TOTAL

35-08083

HORSCH, Dwight W.
RR #1
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt SWNW, Sec 2, T 06S, R
31E.
Use Irrigation (2.400 CFS).
Date Filed 1/21/1983
In T06S, R31E, S02, NWNW, SWNW.
SENW
120.0 ACRES TOTAL

35-08601

PETERSON, Jeanne
PETERSON, Hal
Route 5, Box 94
Blackfoot Idaho 83221
Source GROUNDWATER
Diversion Pt SWSE, Sec 35, T 02S, R
33E
Use IRRIGATION (.500 CFS)
Date Filed 7/01/1985
In T02S, R33E, S35, SESW, SWSE
25.0 ACRES TOTAL

35-08725

GARDNER, Lance I
589 N 150 W
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt NWNE, Sec 2, T 02S, R
35E
Use IRRIGATION (.200 CFS)
STOCKWATER (.200 CFS)
Date Filed 4/24/1989
In T02S, R35E, S02, NWNE

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed on the criteria of Sec 42-203A, Idaho
Code and/or the new public interest criteria
or 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 JUNE 5,
1989

R. KEITH HIGGINSON
Director

(395)
Pub 5/18, 25

RECEIVED

JUN - 1 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell do

solemnly

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

newspaper two consecutive weeks

the first publication having been made on the

18th day of May, 19 89;

and the last publication having been made on the
25th day of May, 19 89;

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

On this 30th day of May, in
the year 19 89 before me, a Notary Public of said State,
personally appeared

[Signature]
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

[Signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee... \$5.00

MicroFILMED

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

MAY 10, 1989

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 5, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 18 1989

35-08083

HORSCH, DWIGHT W.
RR #1
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: SWNW Sec 2 T 06S R 31E

Use: IRRIGATION (2.400 CFS)

Date Filed: 1/21/1983

In: T06S R31E S02 NWNW SWNW SENW

120.0 ACRES TOTAL

Withhold

AUG 18 1989

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 JUNE 5, 1989.

R. Keith Higginson, Director

Published 5/18/1989 & 5/25/1989

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AUG 18 1989

FROM Ernest.

DATE 9/30/85

TO File 35-8083.

SUBJECT This well is located within $\frac{1}{2}$ mile of American Falls and is only 25' deep. Consideration should given to placing the water master control condition on the permit, if issued.

Prior to approval the application should be amended to reflect the well's correct legal description.

MICROFILMED

AUG 18 1989

SIGNATURE

BEN CAVANESS
Michael Wheeler, Associate

Ben Cavaness
ATTORNEY-AT-LAW
P.O. Box 70
American Falls, Idaho 83211

Telephone
(208)226-2562

September 27, 1985

SEP 30 1985

Department of Water Resources
Eastern District Office

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

Re: Application for Permit No. 35-8083

Dear Ernest:

Enclosed is the original of an executed affidavit properly executed by Mr. Dwight Horsch, a Beneficial Use Survey form, properly executed by Mr. Horsch, and the original and one copy of the well driller's log for the new well.

Please cause the original of this log to be filed with the appropriate officials in your department and retain the copy for your files for the showing of the proof of use.

Please advise if anything further will be required in this matter.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

MICROFILMED

AUG 18 1989

AFFIDAVIT

SEP 1 1985
Department of Agriculture
Laramie District Office

State of Idaho)
) ss.
County of Bingham)

I, DWIGHT W. HORSCH, being first duly sworn upon my oath do depose and say:

I

That I am the Dwight W. Horsch listed as an applicant for ground water in the State of Idaho under Permit No. 35-8083 filed on January 21, 1983.

II

That I employed Vollmer Well Drilling in the Spring of 1984 to drill the subject well and well was drilled and in operation by June 4, 1984.

III

That I used said well to irrigate my crops during the 1984 crop year.

IV

That the sprinkler system in all required construction and installation had been completed by June 15, 1984, and was fully in place prior to the October 1, 1984 deadline.

Dated this 25th day of September, 1985.

Dwight W. Horsch
DWIGHT W. HORSCH

SUBSCRIBED AND SWORN TO Before me this 25th day of September, 1985.

[Signature]
NOTARY PUBLIC for Idaho
Residing at Aberdeen, Idaho

(seal)

MICROFILMED

AUG 18 1989

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

35-8083-

HORSCH, DWIGHT W.

RR #1, ABERDEEN, ID 83210

Source: GROUNDWATER

Date Filed: 01/21/1983

Diversion Pt: N44W Sec 02 T 06S R 31E

Use: IRRIGATION (2.40 CFS)

In: N44W S44W SENW Sec 02 T 06S R 31E FOR 120 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 35-8083 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

Dwight W. Horsch
(Signature)

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.

[illegible]



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 14, 1985

RE: Application for Permit No. 35-8083

Dwight W. Horsch
Rt. 1
Aberdeen, ID 83210

Dear Mr. Horsch: .

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

AUG 18 1985

RECEIVED
JUL 8 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. 35-8083
Name(s) of Permit Holder: Horsch, Dwight T W
1991 South, 2900 West
Post Office Address: Aberdeen, Idaho 83210
Telephone No. 397-4925
Source of Water: Ground water
Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 120 (acres)
Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: June 4, 1984

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

Flow Measurement Port: Required? X Yes _____ No
Required? y 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.

MICROFILMED

6-28-85
DateDwight T W
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:



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Bingham County ASCS Office
765 West Judicial
Blackfoot, ID 83221

June 27, 1985

To Whom It May Concern:

Per the request of Dwight Horsch, we have examined our slides taken in 1985, in particular the NW $\frac{1}{4}$ of Sec. 2 T6S R31E. Our slides show that a crop of barley was growing at the time this slide was taken.

Sincerely,

Edward C. Cook

Edward C. Cook
County Executive Director

ECC/cb

MICROFILMED

AUG 18 1989

WATER BANK LEASE AGREEMENT FOR 1985

EXCHANGE AGREEMENT

The Committee of Nine, hereafter lessor, being *Swan Falls agreement*
authorized pursuant to Idaho Code §42-1765 to operate the
Upper Snake River Water Supply Bank *Dwight W. Horsch* does agree to lease to
Dwight W. Horsch of Aberdeen, hereafter

lessee, 240 A.F. of water for the irrigation year starting
April 1, 1985. This agreement is subject to the adopted
Rules and Regulations of the Water Supply Bank and applicable
conditions on the requisite water right permit granted by the
Idaho Department of Water Resources.

Upon execution of this agreement and receipt of
\$ 600.00, the Snake River Watermaster will assign to the
Director of the Department of Water Resources 240 A.F. of
storage to be released at his discretion in exchange for water
pumped from groundwater at a well(s) located within:

NW 1/4 NW 1/4, Sec. 2, T. 6S, R. 31E;

Other: _____

For the irrigation of 120 acres of land within:

W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 6S, R. 31E B.M.

The lessee understands and agrees that this lease in
no way obligates the lessor to future leases or in any other
manner not specified above.

(Name) DWIGHT W. HORSCH

Rt. #1, Aberdeen, ID 83210

(Address)

RECEIVED MICROFILMED

APR 2 1985

AUG 18 1989

Department of Water Resources
Eastern District Office

State of Idaho)

County of _____)

On this ____ day of _____, 19____, before me the undersigned Notary Public in and for said county and state, personally appeared _____, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Notary Public in and for Idaho

Residing at :

I have accepted the request of _____
to purchase water from the Water Supply Bank this ____ day of
_____, 19____.

Watermaster, Water District No. 1

Agent for the Committee of Nine

NOTARIZED

AUG 18 1989

March 25, 1985

RE: Applications for Permits Nos. 35-7082 and 35-7083

Mr. Dwight W. Horsch
Rt. #1
Aberdeen, ID 83210

Dear Mr. Horsch:

Pursuant to your request, please find enclosed copies of the above referenced applications. We have taken the liberty of completing the lease agreements necessary to start the processing of your applications. Please sign the agreements in the presence of a notary public and return to this office with the rental fee of \$900.00.

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

Very truly yours,

RONALD D. CARLSON
Watermaster

RDC:CW

Enclosures

MICROFILMED
AUG 18 1989

Source. GROUNDWATER
Date Filed 02/20/1985
Diversion Pt.: SWSE, SESE, Sec 16, T. 02S,
R. 36E
Use. IRRIGATION (2.40 CFS)
In NESW, SESW, NESE, NWSE, SWSE,
SESE, Sec. 16, T. 02S, R. 36E, for 120 ACRES

27-7395

LDS CHURCH
Blackfoot South Stake
Route 4, Box 97
Blackfoot, Idaho 83221
Source GROUNDWATER
Date Filed. 08/09/1984
Diversion Pt. SWNW, Sec. 22, T. 02S, R.
35E.
Use DOMESTIC (0.04 CFS)
In SWNW, Sec. 22, T. 02S, R. 35E.

27-7386

CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source. GROUNDWATER
Date Filed 06/30/1983
Diversion Pt. NWNE, Sec. 35, T. 02S, R. 35E
Use MUNICIPAL (2.00 CFS)
In The City Limits of Blackfoot.

27-7384

CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source GROUNDWATER
Date Filed 6/30/1983
Diversion Pt. SWNE, Sec. 27, T. 02S, R.
35E.
Use. MUNICIPAL (0.1440 CFS)
In SWNE, Sec. 27, T. 02S, R. 35E.

27-7357

HENDRICKS, THOMAS H
&/or GERTRUDE L.
Box 192
Fort Hall, Idaho 83203
Source GROUNDWATER
Date Filed 06/03/1983
Diversion Pt. SENE, Sec. 36, T. 04S, R.
34E
Use IRRIGATION (0.09 CFS)
DOMESTIC (0.25 CFS)
In. SENE, Sec. 36, T. 04S, R. 34E, for 3
ACRES

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho, 83402 on or before
APRIL 22, 1985

KEN DUNN, Director

(8527)
Pub. 4-4, 11

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-8224

SHRADER, Lark G. &/or MAXINE R.
Rt. 2, Box 305
Blackfoot, Idaho 83221
Source. GROUNDWATER
Date Filed 06/30/1983
Diversion Pt.: SWSE, Sec. 20, T. 03S, R.
34E
Use. IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In SWSE, Sec. 20, T. 03S, R. 34E, for 1
ACRES.

35-8351

PARRISH, Jay
Rt. 7, Box 356
Blackfoot, Idaho 83221
Source GROUNDWATER
Date Filed 06/25/1984
Diversion Pt. NESE, Sec. 33, T. 02S, R.
34E
Use DOMESTIC (0.10 CFS)
In NESE, Sec. 33, T. 02S, R. 34E

35-8108

CALCHERA, Rosalie
Rt. 1, Box 262A
Shelley, Idaho 83274
Source GROUNDWATER
Date Filed 02/28/1983
Diversion Pt.: NENE, Sec. 17, T. 01N, R.
37E
Use IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In NENE, Sec. 17, T. 01N, R. 37E, for 3
ACRES

35-8083

HORSCH, DWIGHT W.
RR #1
Aberdeen, Idaho 83210
Source. GROUNDWATER
Date Filed. 01/21/1983
Diversion Pt.: NWNW, Sec. 02, T. 06S, R.
31E
Use IRRIGATION (2.40 CFS)
In: NWNW, SWNW, SENW, Sec. 02, T. 06S,
R. 31E, for 120 ACRES.

35-8082

HORSCH, DWIGHT W.
RR #1
Aberdeen, Idaho 83210
Source. GROUNDWATER
Date Filed. 01/21/1983
Diversion Pt.: SWNE, Sec. 01, T. 06S, R.
31E
Use IRRIGATION (1.20 CFS)
In. SENW, NESW, NWSW, SWSW, Sec. 01,
T. 06S, R. 31E, for 60 ACRES.

27-7402

MARLOW, Dennis L. &/or MARY JO
Route 6, Box 283
Blackfoot, Idaho 83221
Source GROUNDWATER
Date Filed 03/13/1985
Diversion Pt.: SWSW, Sec. 16, T. 02S, R.
36E.
Use IRRIGATION (1.20 CFS)
In SWSW, Sec. 16, T. 02S, R. 36E.

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, _____
solemnly

David Mark Brown

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

the first publication having been made on the
4th day of April, 19 85

and the last publication having been made on the
11th day of April, 19 85;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 11th
day of April, 19 85

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988

AUG 18 1985

35-8083

HORSCH, DWIGHT W.

RR #1, ABERDEEN, ID 83210

Source: GROUNDWATER

Date Filed: 01/21/1983

Diversion Pt: NWNW Sec 02 T 06S R 31E

Use: IRRIGATION (2.40 CFS)

In: NWNW SWNW SENW Sec 02 T 06S R 31E FOR 120 ACRES

35-8083

HORSCH, DWIGHT W

RR #1

Aberdeen, Idaho 83210

Source GROUNDWATER

Date Filed: 01/21/1983

Diversion Pt NWNW, Sec 02, T. 06S, R.

31E

Use IRRIGATION (2.40 CFS)

In NWNW, SWNW, SENW, Sec 02, T 06S,

R 31E, for 120 ACRES

MICROFILMED

AUG 18 1989