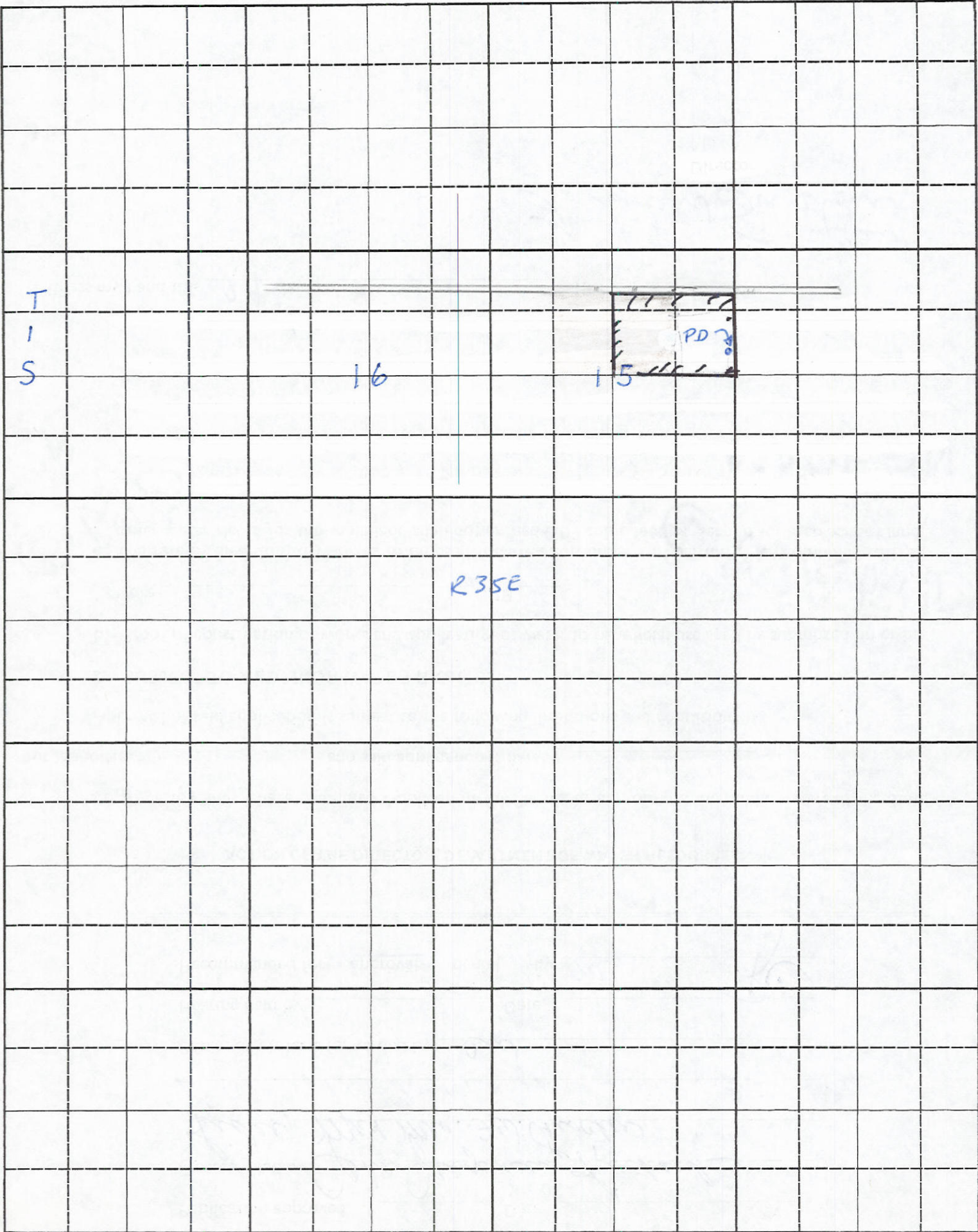


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

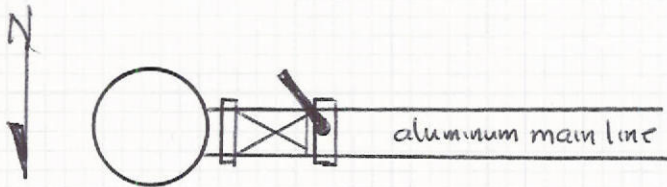
R35E

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.

Vernon R. Herbst
(Applicant)

10. Other water rights on these lands Newlava Side Canal
11. Other water right diverted from same p.d. N.A.
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

DIVERSION AND DELIVERY SYSTEM



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature HLW-Jones Date 12-06-85

Consultant's License Number _____

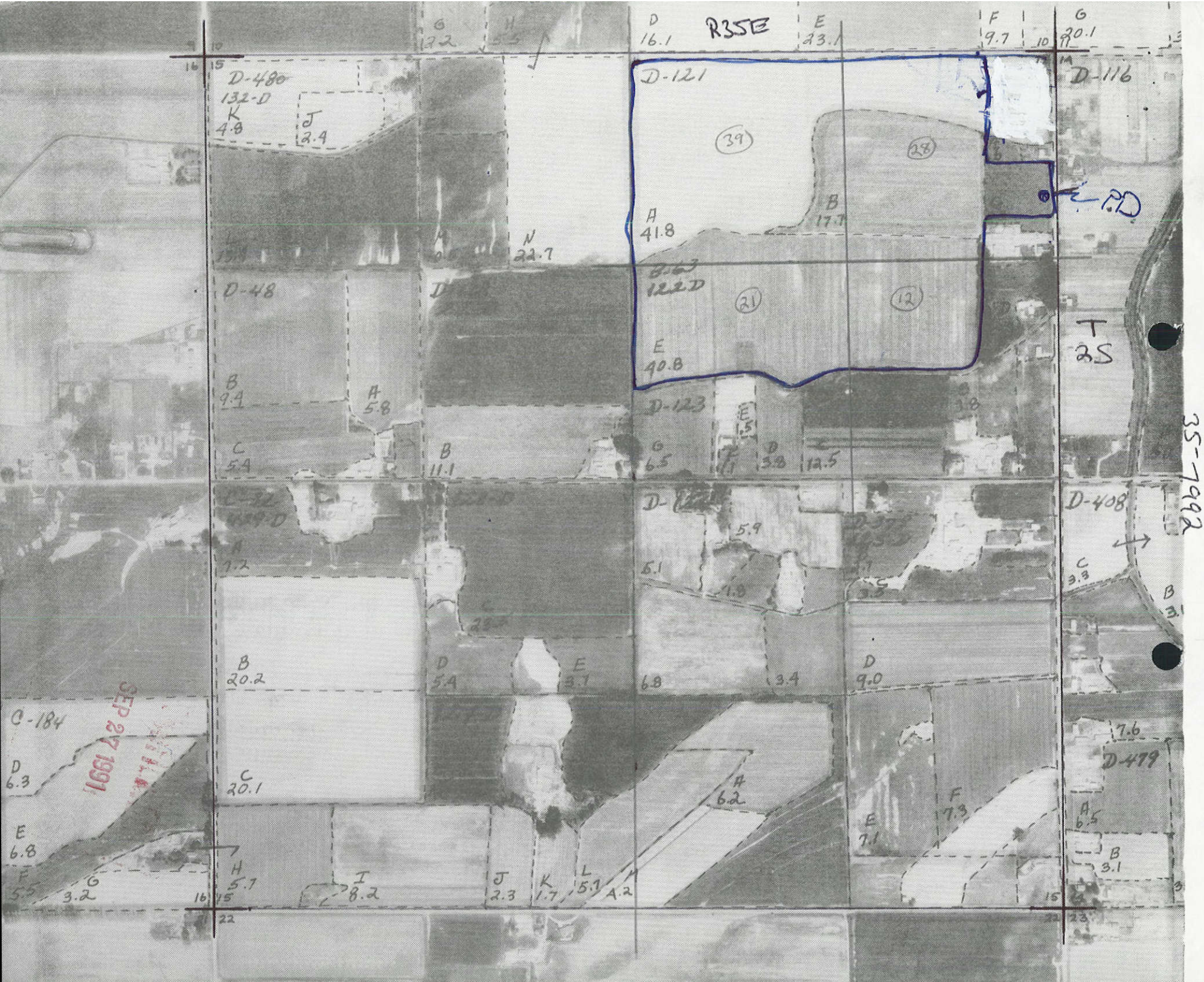
IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

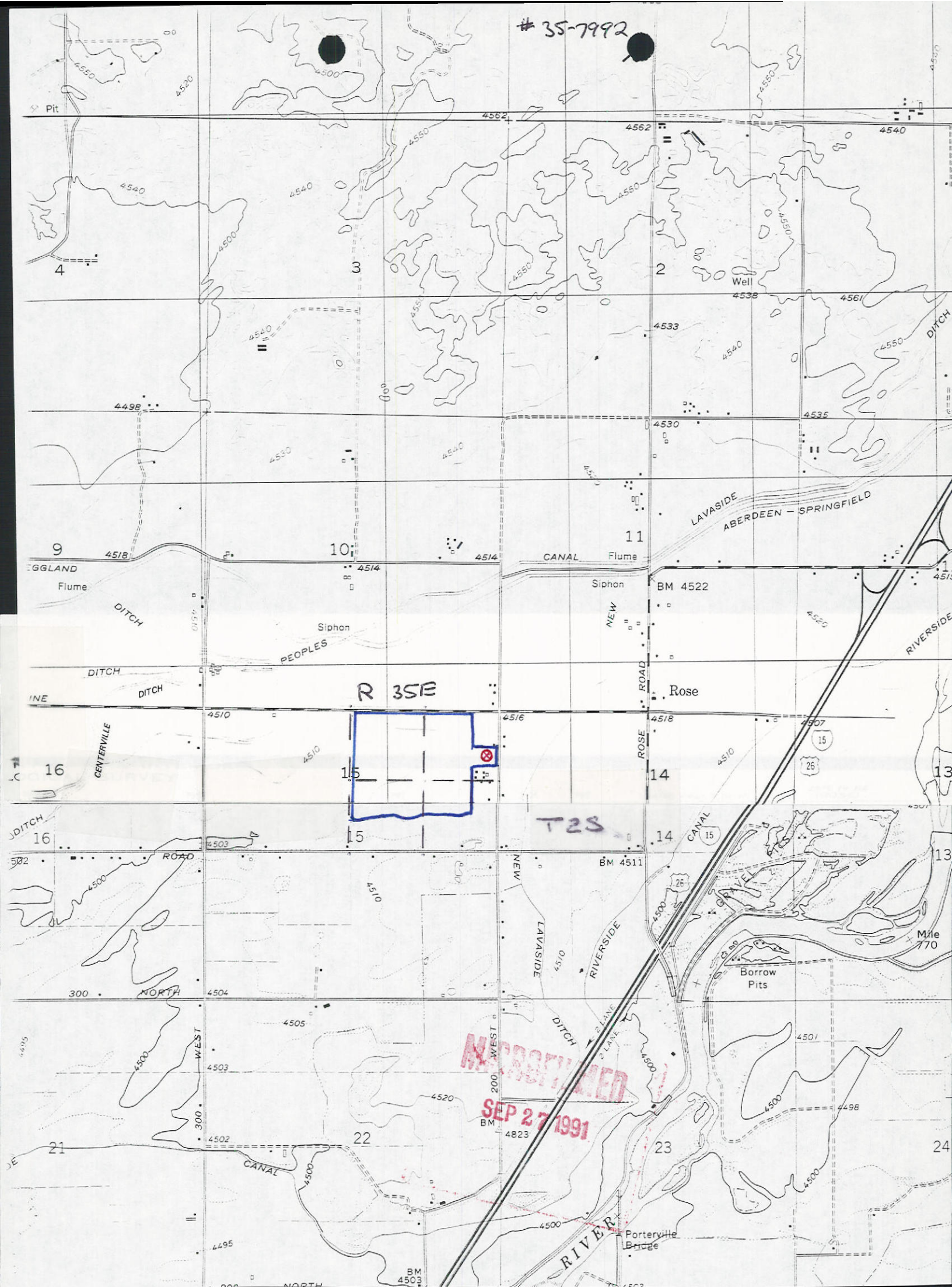
Date

CONSULTANT SEAL

SEP 27 1991



2



APPROVED

State of Idaho
Department of Water Resources

RECEIVED
JUL 31 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07992

Department of Water Resources

Date of Priority: July 2, 1981

Maximum Diversion Rate: 1.53 CFS
Maximum Diversion Volume:¹ 350.0 AF

Comes now
RT. 1 BOX 232
BLACKFOOT, ID 83221

VERNON HERBST

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. 35-07992, 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 11/01	1.53 CFS	350.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 15, Township 02S, Range 35E
BINGHAM County

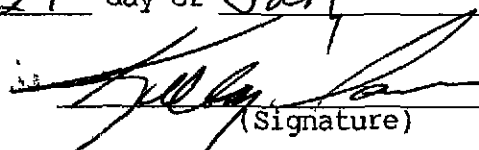
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	35E	15	NENE 28	NWNE 39	SWNE 21	100
			SENE 12			

Total number of acres irrigated: 100

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 _____, this 29 day of July, 1991.


(Signature)

SEP 27 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07992

FOR DEPARTMENT USE ONLY

#C021359

Preliminary check by SE Fee \$20.00

Received by MA

Date 8/31/91

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. 35-07992 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 which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.

Witness my hand this 4TH day of September, 1991.

Acting for

R. Keith Higginson, Director

SEP 27 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07992

Priority: July 2, 1981

Maximum Diversion Rate: 1.53 CFS
Maximum Diversion Volume:¹ 350.0 AF

This is to certify, that VERNON HERBST

RT 1 BOX 232

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 2, 1981; and has submitted Proof of Beneficial Use on July 28, 1983. An examination indicates that the works have a diversion capacity of 1.530 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 11/01	1.53 CFS	350.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 15, Township 02S, Range 35E
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>
02S	35E	15	NENE 28	NWNE 39	SWNE 21	100
			SENE 12			

Total number of acres irrigated: 100

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 which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.

SEP 27 1991

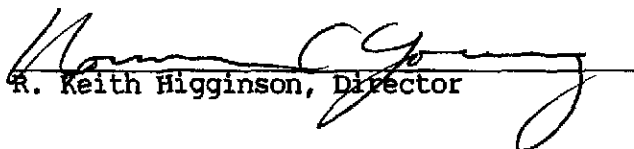
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07992

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 SEPTEMBER, 1991.

Acting for


R. Keith Higginson, Director

SEP 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Vernon Herbst Phone 785-3643

Post office address Rt. 1 Box 232 Blackfoot, ID 83221

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 2S

Range 35E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 2.0 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

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 18 inches; proposed depth of well is 150 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: _____

MICROFILMED

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	
2S	35E	15	15	15	40	40													110

Total number of acres to be irrigated 110

c. Describe any other water rights used for the same purposes as described above. Stock in
New Lavaside Canal

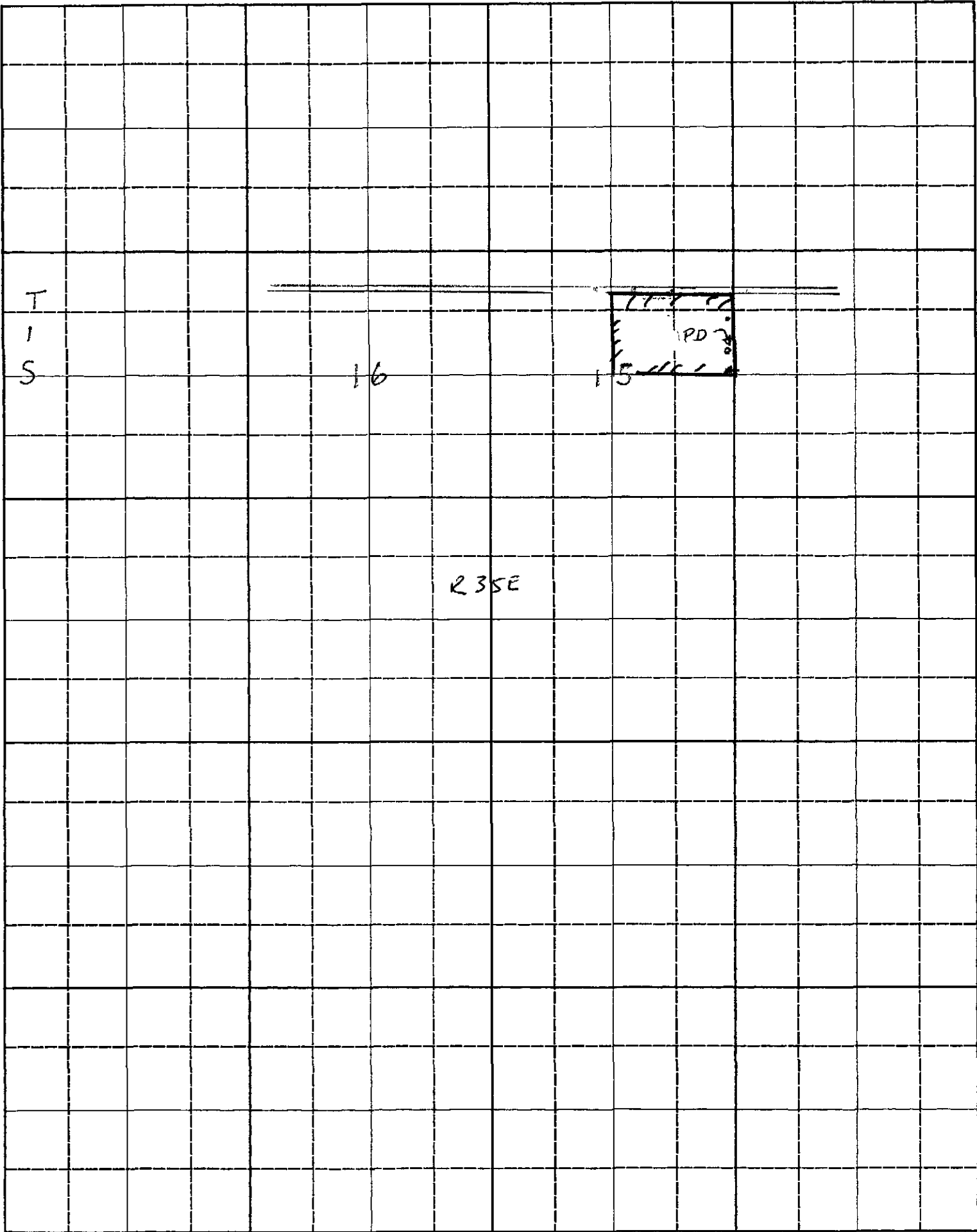
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant and LDS Church

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing Water from well will be used to irrigate church farm

10. Remarks

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



Scale: 2 inches equal 1 mile.

R35E

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.

Vernon R. Herbst
(Applicant)

Proposed Priority 7/2/1981

Received by RDC Date 7/2/81 Time 12:00
Preliminary check by SM. Fee \$ 65⁰⁰
Receipted by BRS Date 7-2-81 # 17768 92-63/124
Publication prepared by kw Date 7/8/1981
Published in The Blackfoot News
Publication dates 7/16 & 7/23/81
Publication approved kw Date 7/27/81
Protests filed by: John Ferguson, Richard
Lider, Mrs & Mrs. J.W. Krocker
Protest WITHDRAWN as per letter 8-25-1981.
Copies of protests forwarded by kw
Hearing held by _____ Date _____
Recommended for approval denial by EMC. RC

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. 35-7992, 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 September 1, 19 86.
- 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: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 24th day of September, 19 81.

J. Glen Saylor
Chief, Operations Bureau

Aug. 2, 1981

Director of the Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83402

ATTN: A. Kenneth Dunn

Subject: GRANTING A WATER PERMIT FOR IRRIGATION, PERMIT # 35-7992.

Dear Mr. Dunn,

We the undersigned are protesting this water permit. We are concerned what effect a well of this size will have on our smaller wells.

There are approximately 15 wells within a $\frac{1}{4}$ mile radius of the proposed well sight, 5 of these wells are approximately 300 ft from this well sight.

If this well is allowed to be drilled and put into use, will the smaller wells in this area need to be redrilled deeper to keep from going dry?

We are asking for some proof or study to be done before allowing this well to be drilled, to see what effect this would cause for the other wells?

Sincerely Yours,

John Jorgensen
~~RT #4~~ Box 278 RT. #1
Blackfoot, Idaho 83221

Richard Rids
Rt #1 Box 288 Blackfoot
Mr & Mrs W.A. Fischer
PO Box 233
Blackfoot Id. 83221

RECEIVED

AUG 3 1981

Department of Water Resources
Eastern District Office

MICROFILMED

RECEIVED

JUL 27 1981

Department of Water Resources
Eastern District Office

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

35-7990

CHRISTENSEN, CARL R

&/or MARY J

P O Box 143

Sterling, Id 83210

Source GROUNDWATER

Date Filed, 07-02-1981

Amount: 1 20 CFS

Diversion Point, NENW Sec. 08, T

05S, R 32E, Bingham Co

Use IRRIGATION (1 20 CFS) from
04/01 to 11/01

STOCKWATER (0 08
CFS) from 01/01 to 12/31

Place of use NENW NWNW SWNW
Sec 08, T. 05S, R 32E, for 60
acres

Diversion Means WELL & DITCH

35-7992

HERBST, Vernon

Rt. 1, Box 232

Blackfoot, Id 83221

Source GROUNDWATER

Date Filed 07/02/1981

Amount 2 00 CFS

Diversion Point NESE, Sec. 15 T.

02S, R. 35E Bingham Co

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

Place of Use NENE NWNE SWNE
SENE, Sec 15 T 02S, R 35E, for
110 acres.

Diversion Means WELL & PUMP

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 150 Shoup Ave Idaho
Falls, Idaho 83402 on or before
August 3, 1981

A. KENNETH DUNN
Director

(6981)

Pub.: 7-16, 23

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____
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 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: Thurs
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper two consecutive weeks

the first publication having been made on the

16th day of July, 19 81,

and the last publication having been made on the

23rd day of July, 19 81;

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 24th

day of July, 19 81

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1984

MICROFILMED

September 9, 1991

VERNON HERBST
RT 1 BOX 232
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-07992

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 our office.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

SEP 27 1991

I am signing my name to this
because I bought the ground on
a bankruptcy. And there was no
permit transferred

[Handwritten signature]

379 N. 200

Blackfoot

RECORDED
SEP 27 1991



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

June 21, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

KELLY DANCE
410 N. 200 W.
BLACKFOOT, ID 83221

RE: Permit No. 35-07992

NOTICE OF PENDING ORDER VOIDING PERMIT

Dear Permit Holder(s):

The development proposed in Permit to Appropriate Water No. 35-07992 was examined in 1985 by Department of Water Resources personnel. At the time of the examination, the Department personnel discovered that the actual point of diversion differed from the point of diversion proposed in the permit.

We have attempted on several occasions to persuade you to file an application for amendment of Permit No. 35-07992 with the Department. To date, the application for amendment of the permit has not been filed with the Department.

Enclosed is a completed application for amendment of your permit which reflects the correct place of use. You should sign the application for amendment, and return it to this Department accompanied by a \$20 filing fee within thirty (30) days of the date of this letter.

Should you fail or refuse to submit the application for amendment within thirty (30) days, the Department will act to void your permit. The grounds for voiding the permit are set forth in Section 42-219, Idaho Code, where it states that if the Department finds "that the applicant has not fully complied with the law and the conditions of the permit . . . [it] may refuse issuance of a license and void the permit." One of the conditions of the permit was that the point of diversion and/or place of use would be located as indicated on the permit.

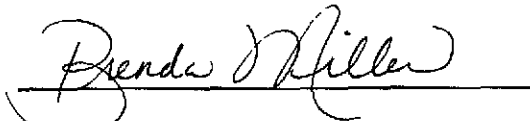
Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

SEP 27 1991

cc: Eastern Region

I hereby certify that on this 27th day of June, 1991,
I sent the original copy of this letter, postage prepaid, to the
person and address listed above.



Brenda Miller
Clerical Specialist

SEP 27 1991

June 6, 1991

KELLY DANCE
410 N. 200 W.
BLACKFOOT, ID 83221

RE: WATER RIGHT NO. 35-07992

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend the above referenced permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

SEP 27 1991



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

April 15, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Water Right No. 35-07992

Kelly Dance
410 N. 200 W.
Blackfoot, ID 83221

Dear Property Owner:

The above referenced water right is in the process of being reviewed for licensing. We have tried unsuccessfully to obtain an amendment to the permit so that a license can be issued. Contact with the assessor's office revealed that you are listed as the owner of the property in their records.

We also find that you have submitted a Snake River Basin Adjudication Claim on this particular right. In order for the adjudication claim to be included in the final decree, the license needs to be issued on the existing right. Therefore, we are forwarding the amendment form to you. You need simply to sign the form and return it to us along with the \$20.00 filing fee.

Once we receive the amendment, we will issue a license and will forward a copy to you for your records. The license will be issued in the name of the right holder shown in our records. If you wish to have the license issued in your name, you need to have the current holder of record, Vernon Herbst, assign the right to you via the enclosed assignment form. Whether or not an assignment is received, a license becomes real property and is appurtenant to the land which it covers.

Please submit the amendment form and fee to us within 30 days. You can submit the assignment form at the same time, if you desire to have the license issued in your name. If you have any questions concerning this matter, please feel free to contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

Enclosure

RECORDED

SEP 27 1991

September 12, 1990

Vernon Herbst
Rt. 8 Box 57
Idaho Falls, ID 83401

RE: Permit No. 35-07992

NOTICE OF PENDING ORDER VOIDING PERMIT

Dear Permit Holder(s):

The development proposed in Permit to Appropriate Water No. 35-07992 was examined in 1985 by Department of Water Resources personnel. At the time of the examination, the Department personnel discovered that the actual place of use &/or point of diversion differed from the place of use &/or point of diversion proposed in the permit.

We have attempted on several occasions to persuade you to file an application for amendment of Permit No. 35-07992 with the Department. To date, the application for amendment of the permit has not been filed with the Department.

Enclosed is a completed application for amendment of your permit which reflects the correct point of diversion and place of use. You should sign the application for amendment, and return it to this Department accompanied by a \$20 filing fee within thirty (30) days of the date of this letter.

Should you fail or refuse to submit the application for amendment within thirty (30) days, the Department will act to void your permit. The grounds for voiding the permit are set forth in Section 42-219, Idaho Code, where it states that if the Department finds "that the applicant has not fully complied with the law and the conditions of the permit . . . [it] may refuse issuance of a license and void the permit." One of the conditions of the permit was that the point of diversion would be located as indicated on the permit.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

RECEIVED

SEP 27 1991

Page 2

GS:blm

Enclosure

cc: Eastern Region

I hereby certify that on this 13th day of September, 1990, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Brenda L. Miller

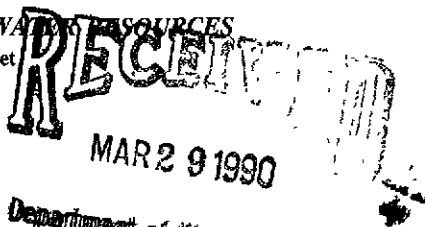
SEP 27 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

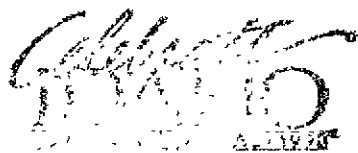
100 North Orchard Street

Boise, Idaho 83706-2237

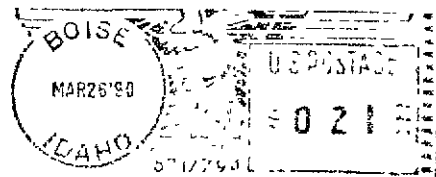


Department of Water Resources

FORWARDING



PRESORTED
FIRST CLASS



Current address 4/2/90

Rt. 8 Box 57

ID Falls, 83401

SEP 27 1991

Revert 4/12/90 JJ

April 12
~~March~~ 23, 1990

VERNON HERBST
RT. 1 BOX 232
BLACKFOOT, ID 83221

RE: PERMIT NO. 35-07992

Dear Permit Holder(s):

We previously forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue the license.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

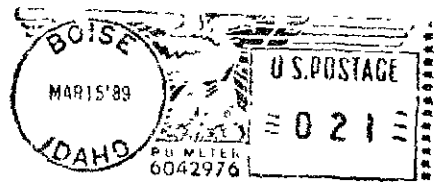
Enclosure

SEP 27 1991

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Celebrate
IDAHO
1890 • CENTENNIAL • 1990

PRESORTED
FIRST CLASS



SEP 27 1991



RECEIVED

MAR 20 1989

5004 EAST 81st NORTH
IDAHO FALLS, IDAHO 83401

Department of Water Resources

*re sent to the
address 3/20/89
SC*

March 7, 1989

VERNON HERBST
RT. 1 BOX 232
BLACKFOOT, ID 83221

RE: PERMIT NO. 35-07992

Dear Permit 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. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

SEP 27 1991

POD OVERLAP REV

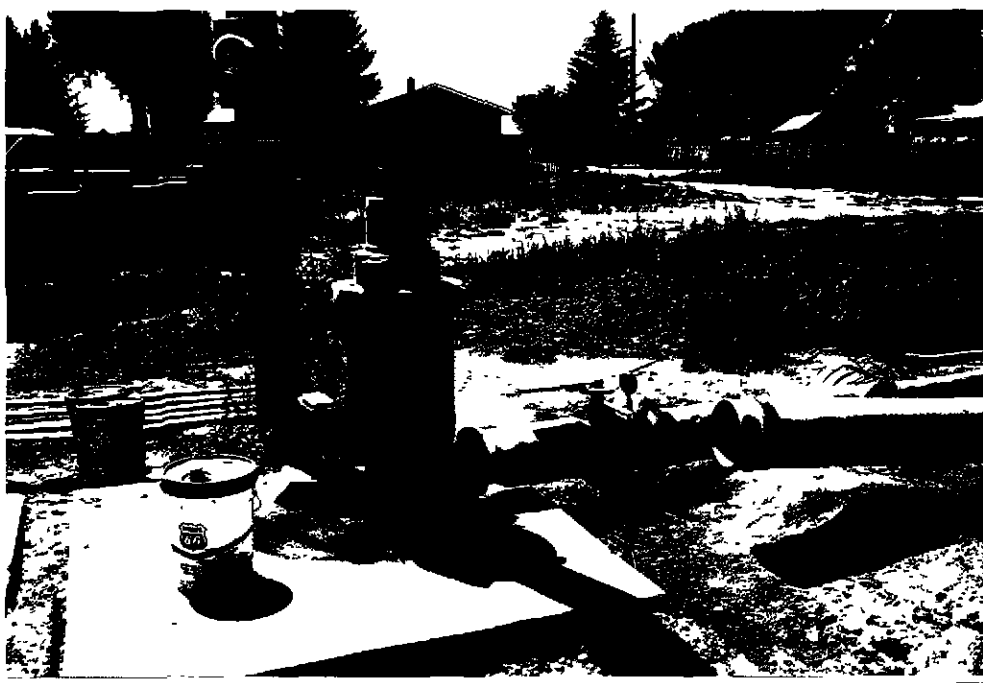
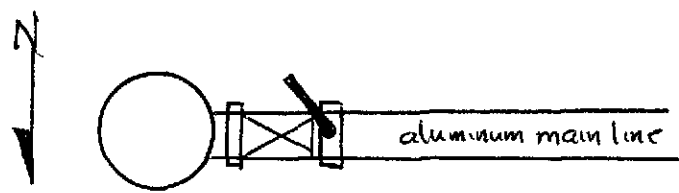
WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3507992	02S	35E	15	NE SE		GROUNDWATER	HERBST, VERNON

SEP 27 1991

Place(s) of Use:			Indicate Method of Determination																ASCS Air Photo
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	35E	15	28	39	21	12													100
Total Acres																			100

10. Other water rights on these lands New lava Side Canal
11. Other water right diverted from same p.d. N.A.
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

DIVERSION AND DELIVERY SYSTEM



13. ☒ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. 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
16. Examiner's/Consultant's Signature HLW Jones Date 12-06-85
- Consultant's License Number
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination

Date

CONSULTANT SEAL

570 21 201

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JAN 13 1986

35-7992

Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Line #1 - 52 psi Au For 56 sprinklers with 9/64 N. = $4.26 \text{ gpm} \times 56 = 238.6 \text{ gpm}$

Line #2 - 47 psi av For 56 sprinklers with 9/64 N. = $4.05 \text{ gpm} \times 56 = 226.8 \text{ gpm}$

Line #3 - 44 psi av. For 56 sprinklers with 9/64 N. = $3.94 \text{ gpm} \times 56 = 220.6 \text{ gpm}$

total 686 gpm
or
 1.53 cfs

* Permit amt limited by capacity to 1.53 cfs

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 100 \text{ acres} \times 3.5 \text{ af/a} = 350 \text{ af} \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.53 \text{ cfs} \times 214 \times 1.9835 = 649.4 \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = 350 \text{ af} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: New Lava Side Canal

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

c) Analysis:

Right of Way Condition
Not required on license
Jan
9-4-91

SEP 27 1991

RECOMMENDED AMOUNTS

- | | | | | | | |
|----|-------------------|-----------------|---------------|------------------|-----------------------------|------------------------|
| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
| | | | | | | |

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

[illegible]

Immersion	4-01	11-01	1.57	350
-----------	------	-------	------	-----

Allowable Maximums: _____

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

SEP 27 1991

10. 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

11. Examiner's Signature John Jones

Date 12-06-85

Checked in Regional Office by Cary Eckman

Date 1-09-86

Approved in State Office by _____

Date 12/1/88

35-7992



This is a detailed topographic map of a section of the Los Angeles River and its surrounding infrastructure. The map features a grid system with section numbers 1 through 24. Key features include:

- Rivers and Canals:** The Los Angeles River flows from the top right towards the bottom right. Several canals are shown, including the "CANAL FLUME", "CANAL", and "CANAL WEST". Ditches are also marked, such as "DITCH", "DITCH", and "DITCH".
- Infrastructure:** The "PORTERVILLE BRIDGE" is visible on the right side. A "ROAD" runs horizontally across the middle. A "RAILROAD" is shown running diagonally from the top left towards the bottom right.
- Topography:** Contour lines indicate elevation, with labels such as 4500, 4510, 4520, 4530, 4540, and 4550. A "Pit" is marked near the bottom left.
- Labels and Markings:** Various labels are present, including "LAVASIDE", "RIVERSIDE", "NEW", "Siphon", "Flume", "Borrow Pits", "Mile", "WEST", "NORTH", "CENTREVILLE", "R 3SE", "T-23", "SEP 27 1931", "BM 4511", "BM 4512", "BM 4513", "BM 4514", "BM 4515", "BM 4516", "BM 4517", "BM 4518", "BM 4519", "BM 4520", "BM 4521", "BM 4522", "BM 4523", "BM 4524", "BM 4525", "BM 4526", "BM 4527", "BM 4528", "BM 4529", "BM 4530", "BM 4531", "BM 4532", "BM 4533", "BM 4534", "BM 4535", "BM 4536", "BM 4537", "BM 4538", "BM 4539", "BM 4540", "BM 4541", "BM 4542", "BM 4543", "BM 4544", "BM 4545", "BM 4546", "BM 4547", "BM 4548", "BM 4549", "BM 4550", "BM 4551", "BM 4552", "BM 4553", "BM 4554", "BM 4555", "BM 4556", "BM 4557", "BM 4558", "BM 4559", "BM 4560", "BM 4561", "BM 4562", "BM 4563", "BM 4564", "BM 4565", "BM 4566", "BM 4567", "BM 4568", "BM 4569", "BM 4570", "BM 4571", "BM 4572", "BM 4573", "BM 4574", "BM 4575", "BM 4576", "BM 4577", "BM 4578", "BM 4579", "BM 4580", "BM 4581", "BM 4582", "BM 4583", "BM 4584", "BM 4585", "BM 4586", "BM 4587", "BM 4588", "BM 4589", "BM 4590", "BM 4591", "BM 4592", "BM 4593", "BM 4594", "BM 4595", "BM 4596", "BM 4597", "BM 4598", "BM 4599", "BM 4600".

R-8 DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7992.

Name(s) of Permit Holder: Vernon Herbst

Post Office Address: Rt. 1, Box 232

Blackfoot, ID 83221 Tel. No. 785-3643

Source of Water: Surface Water
 Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 110 (acres)
☐ Other

JUL 28 1983 SEP 27 1991

S15 T2S R35E

Requiring Div Water Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access from District Office Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

July 28, 1983
 Date

Vernon R Herbst
 Signature of Permit Holder



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

August 24, 1982

Vernon Herbst
Rt. 1, Box 232
Blackfoot, ID 83221

RE: Permit #35-7992

Dear Permit Holder;

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJLJK

Phone no longer
in service
check with ASCS
7-21-85

Mr. Herbst will
call the 18
m 12 midnight hours
Sun in morning

Call Terry Herbst or Ladd
Herbst
346-6888
346-6965
785-2009-

Blackfoot
Leon Dance
785-3752
(will call)

Down Freeway

to Rose exit -

stop sign
Rose exit
SEP 27 1991

Call Monday Aug 5

RECEIVED

OCT 1 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Vernon Herbst Phone 785-3643

Post office address Rt. 1 Box 232 Blackfoot, ID 83221

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 2S

Range 35E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 2.0 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

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 18 inches; proposed depth of well is 150 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: _____

SEP 27 1981

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	
2S	35E	15	15	15	40	40													110

Total number of acres to be irrigated 110

c. Describe any other water rights used for the same purposes as described above. Stock in
New Lavaside Canal

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

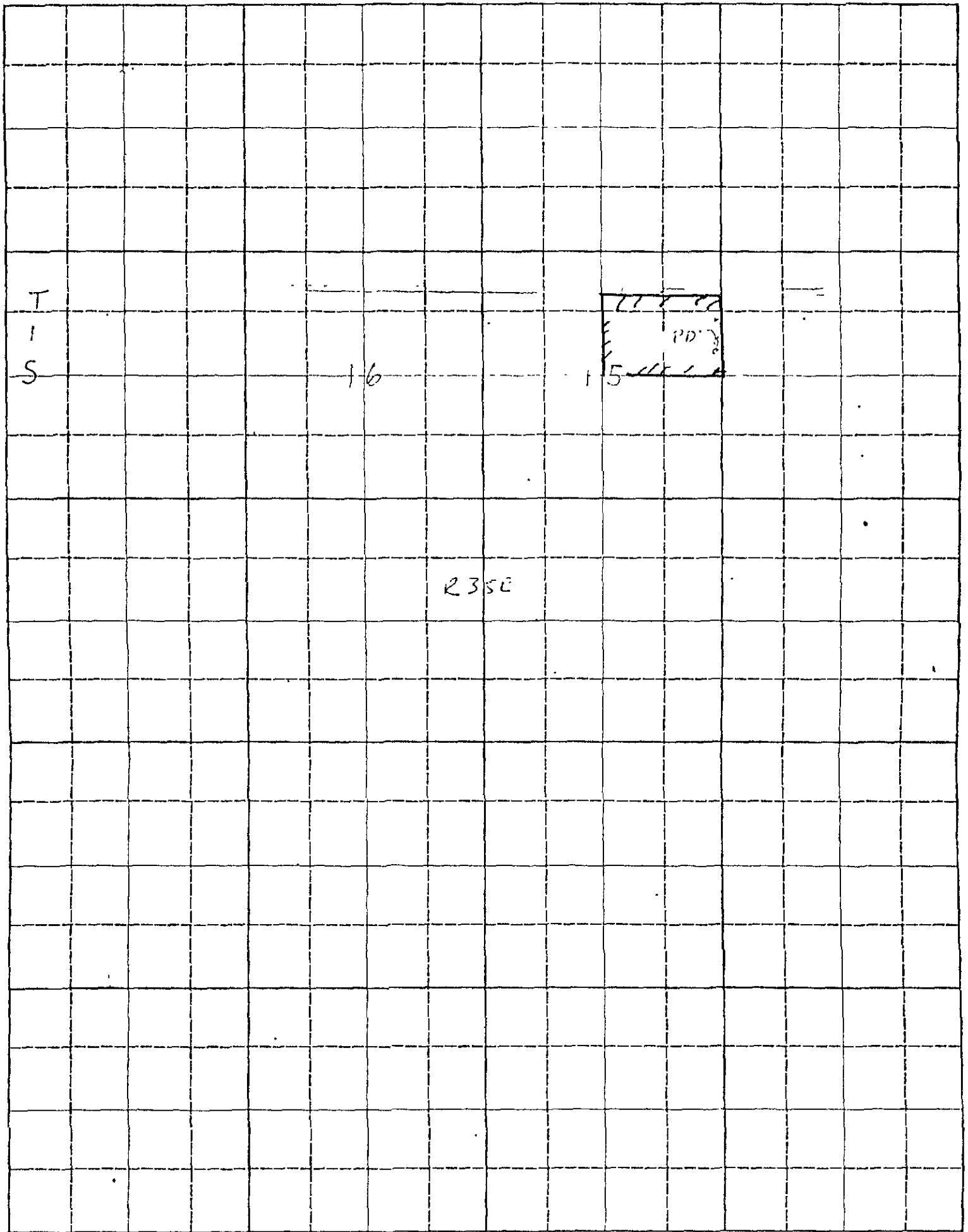
b. Who owns the land to be irrigated or place of use Applicant and LDS Church

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Water from well will be used to irrigate church farm

10. Remarks

SEP 27 1991

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.

R35E

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.

SEP 27 1891

R Herbst
(Applicant)

Proposed Priority 7/2/1981

Received by BDC Date 7/2/81 Time 1:00 PM

Preliminary check by SM Fee \$ 6.50

Receipted by SJS Date 7-2-81 # 17768 92-63/1241

Publication prepared by kw Date 7/8/1981

Published in The Blackfoot News

Publication dates 7/16 & 7/23/81

Publication approved kw Date 7/27/81

Protests filed by John Jorgensen, Richard

Lider, Mr & Mrs F.W. Krosch

Letter WITHDRAWN on p. 6. 8-25-1981

Copies of protests forwarded by kw

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

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. 35-7992, 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 September 1, 19 86.

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: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 24 day of September, 19 81.

A. Glen Sayton
Chief, Operations Bureau

SEP 27 1981



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

August 24, 1982

Vernon Herbst
Rt. 1, Box 232
Blackfoot, ID 83221

RE: Permit #35-7992

Dear Permit Holder;

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJLJK

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7992.

Name(s) of Permit Holder: Vernon Herbst

Post Office Address: Rt. 1, Box 232

Blackfoot, ID 83221 Tel. No. 785-3643

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)

☐ Stockwater (number and type of stock)

☒ Irrigation 110 (acres)

JUL 28 1983 Other _____

Department of Water Resources ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Accredited District Office ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

July 28, 1983
Date

Vernon R Herbst
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HERBST, VERNON
RT. 1 BOX 232
BLACKFOOT, ID 83221

SEPTEMBER 29, 1981

RE: PERMIT NO. 35-7992

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: 35 7992

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising. _____

☒ Yes ☐ No Final date for protests: Aug. 3 ✓

☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: July 27, 1981 ✓

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☒ Yes ☐ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

7-2-81 Date of priority recommended.

Special conditions of approval or cover letter. _____

Code 04

RECEIVED

SEP 2 1981

Department of Water Resources

By: Ernest Carlson Date: Aug 25, 1981

STATE OFFICE REVIEW:

SLW/L03 OIC, 04

☐ See attached sheet for more information.

By: [Signature] Date: 9/15/81

MICROFILMED

August 31, 1981

RE: Application for Permit No. 35-7992

Vernon Herbst
Rt. #1, Box 232
Blackfoot, ID 83221

Dear Mr. Herbst:

This is to advise you that Richard Rider, John Jorgensen, and F. W. and Grace Fischer have withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

August 31, 1981

RE: Application for Permit No. 35-7992 HERBST

Richard Rider
Rt. #1, Box 288
Blackfoot, ID 83221

Dear Mr. Rider:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED
JAN 13 1982

August 31, 1981

RE: Application for Permit No. 35-7992 HERBST

F. W. & Grace Fischer
P.O. Box 833
Blackfoot, ID 83221

Dear Mr. & Mrs. Fischer:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED

August 31, 1981

RE: Application for Permit No. 35-7992 HERBST

John Jorgensen
Rt. #1, Box 278
Blackfoot, ID 83221

Dear Mr. Jorgensen:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

RECEIVED

August 22, 1981

AUG 25 1981

Department of Water Resources
Eastern District Office

Re: Application for Permit No. 35-7992 HERBST

Mr. Ronald D. Carlson
Eastern Regional Supervisor
State of Idaho
Department of Water Resources
Eastern District Office
150 Shoup
Idaho Falls, ID 83402

Gentlemen:

We the undersigned hereby withdraw our protest in
reference to the application for permit No. 35-7992 - HERBST.

John D. Jorgensen
J. W. & Grace Fisher
Richard Bider

MICROFILMED

August 5, 1981

Vernon Herbst
Rt. #1, Box 232
Blackfoot, Idaho 83221

Dear Mr. Herbst:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 35-7992. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

RECEIVED
AUG 11 1981
IDWR

August 5, 1981

RE: Application for Permit No. 35-7992 HERBST

Mr. & Mrs. F. W. Fischer
P.O. Box 833
Blackfoot, Idaho 83221

Dear Mr. & Mrs. Fischer:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

RECEIVED

August 5, 1981

RE: Application for Permit No. 35-7992 HERBST

Richard Rider
Rt. #1, Box 288
Blackfoot, Idaho 83221

Dear Mr. Rider:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

August 5, 1981

RE: Application for Permit No. 35-7992 HERBST

John Jorgensen
Rt. #4, Box 278 Rt. #1, Box 278
Blackfoot, Idaho 83221

Dear Mr. Jorgensen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

35-7992_

HERBST, VERNON

RT. 1 BOX 232, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 07/02/1981

Amount: 2.00 CFS

Diversion Point: NESE Sec 15 T 02S R 35E, BINGHAM Co.

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

Place of Use: NENE NWNE SWNE SENE Sec 15 T 02S R 35E FOR 110 ACRES

Diversion Means: WELL & PUMP.

MICROFILMED