

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

Phyllis Ringe

being first duly sworn

on oath, states:

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

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 16th day of January, 1980

the date of last publication being the

23rd day of January, 1980

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

17th day of January, 1980

Wita Sheard
Notary Public, residing at American Falls, Idaho.

My Commission expires the

is for Life

(SEAL)

day of January, 1980

Legal Notice

Published in The Power County Press, Jan. 16 and 23, 1980.

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:

No. 35-7884

ok kw 1/29/80
Gehring, Ferdinand, 795 Bannock, American Falls, Idaho 83211. Source: Groundwater. Date Filed: 01/02/1980. Amount: 6.40 CFS. Diversion Point: SENE Sec 01 T 07S R 29E, Power Co. Use: Irrigation (6.40 CFS) from 04/01 to 11/01. Place of Use: NENE NWNE SWNE SENE NESE NWSE SWSE SESE Sec. 01 T 07S R 29E for 320 acres. Diversion means: well, pump, mainline and sprinkler system.

If issued, the permit(s) will be subject 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before January 28, 1980.

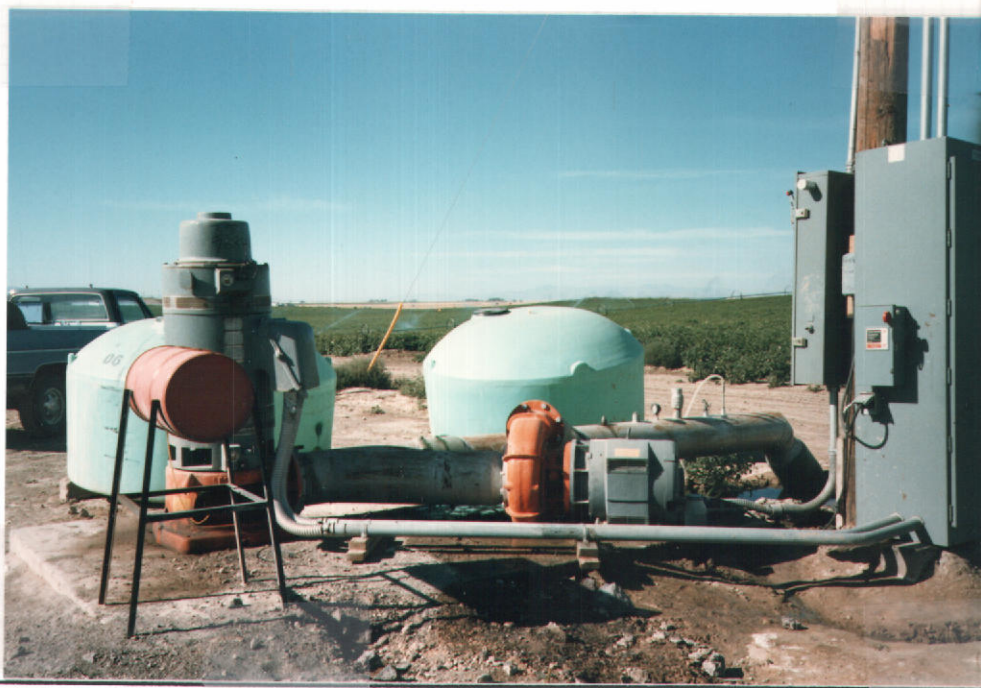
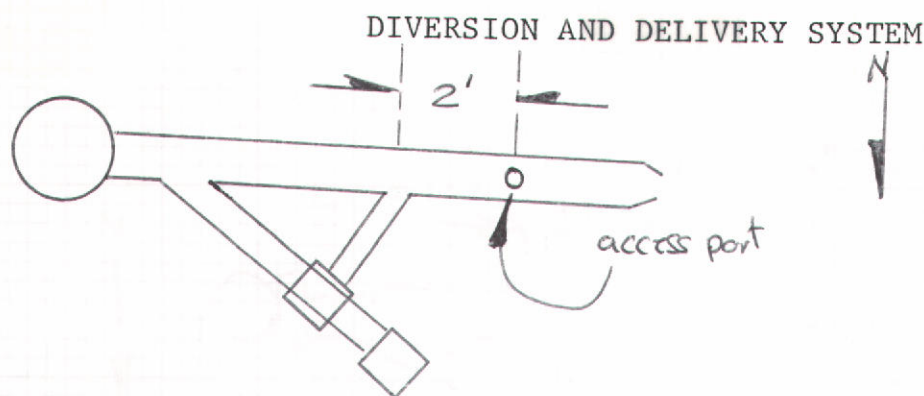
STEPHEN ALLRED
Director

RECEIVED

JAN 24 1980

Department of Water Resources
Eastern District Office

10. Other water rights on these lands N.A.
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.



13. ☒ Photo of Diversion & System Attached

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

14. Remarks check if assignment finally completed - OK 11-27-85

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 H.W. Jones Date 11-27-85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

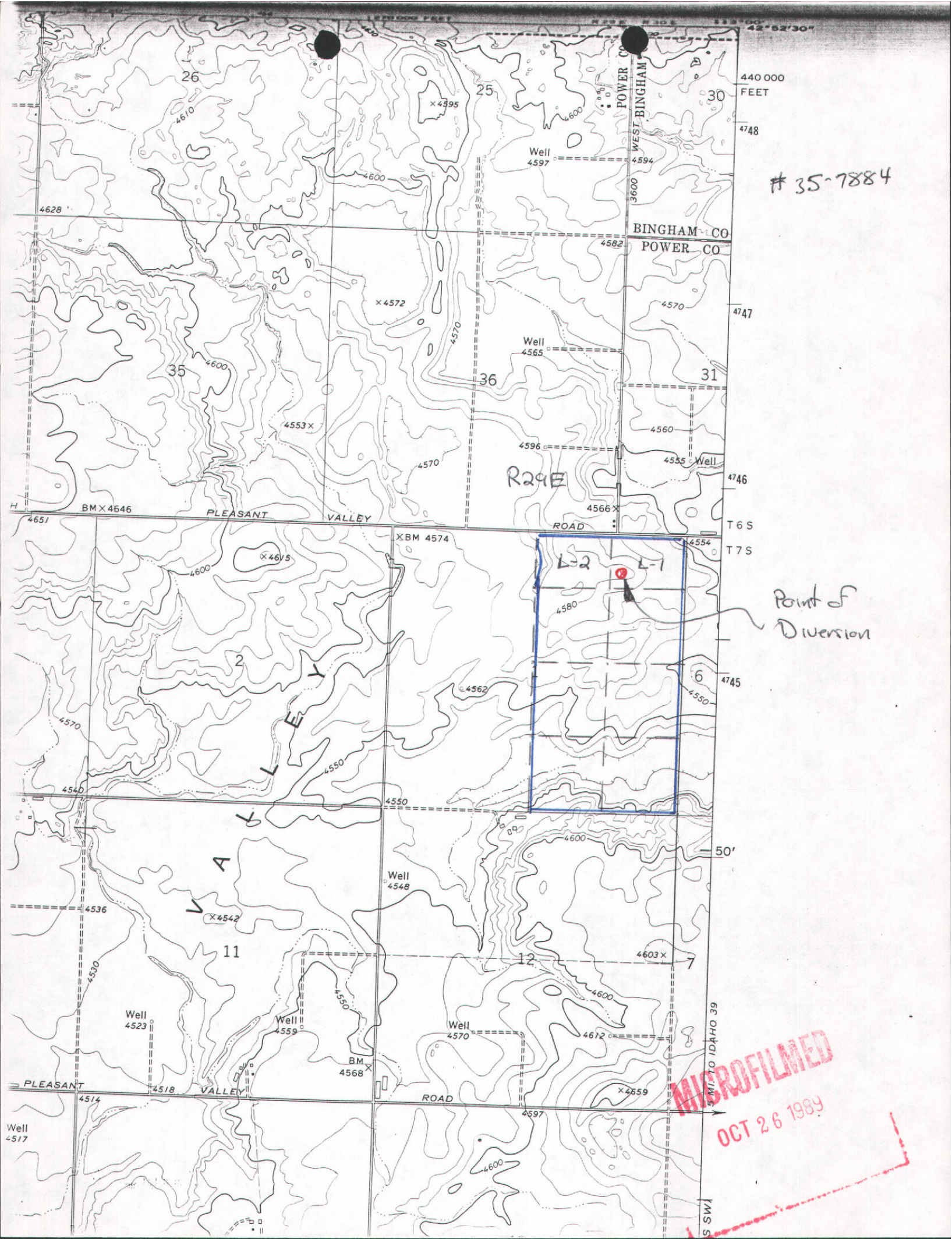
Beneficial Use Examination _____

Date

CONSULTANT SEAL

MICROFILMED

OCT 26 1989



35-7884

R29E

Point of
Diversion

MICROFILMED
OCT 26 1989

35-7884



A-517
Melvin Funk

A-34
Richard
Tapp

35361431

1416

3631 3753

T75

A-240
Gehring Farms

A-284
Joe F. Allen
& Sons

A-240
Arthur Adolf

C
7153
N
428

A
1268

B
1548

R29E

239
73

239

A-22
Gilbert

72.5

164

499

22.2

1231

1525

A-297
O.E. Ford & Sons

MICROFILMED

OCT 26 1989

A-240
Arthur Adolf

B
776

A-284
Joe F. Allen
& Sons

I-7L

NOT TO SCALE

A
1510

127 810

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07884

Priority: January 2, 1980

Maximum Diversion Rate: 5.59 CFS
Maximum Diversion Volume:¹ 1057.0 AF

This is to certify, that GARY W. GEHRING
3648 GEHRING RD.

AMERICAN FALLS, ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1980; and has submitted Proof of Beneficial Use on June 4, 1985. An examination indicates that the works have a diversion capacity of 5.590 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	5.59 CFS	1057.0 AF

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	1	LOT 1(NENE) 31	LOT 2(NWNE) 31	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		302
Total number of acres irrigated:						302

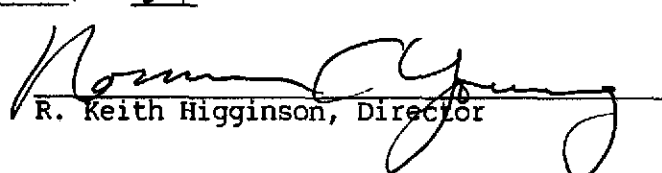
CONDITIONS/REMARKS:

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 reflect cropping patterns or acceptable standards of water delivery 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.

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 24 day of OCTOBER, 1989.

MICROFILMED

OCT 26 1989

Acting for  R. Keith Higginson, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07884

Date of Priority: January 2, 1980

Maximum Diversion Rate: 5.59 CFS
Maximum Diversion Volume:¹ 1057.0 AF

Comes now

GARY W. GEHRING

~~740 CALDER~~

AMERICAN FALLS, ID 83211

3648 Gehring Rd.

and represents to the Director of the

APPROVED

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. 35-07884, 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	5.59 CFS	1057.0 AF

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
07S	29E	1	LOT 1(NENE)	31	LOT 2 NWNE	31	SWNE	40	
			SENE	40	NESE	40	NWSE	40	
			SWSE	40	SESE	40			302

Total number of acres irrigated: 302

MICROFILMED

OCT 26 1989

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 17 day of July, 1989.

Gary W. Gehring
(Signature)

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07884

FOR DEPARTMENT USE ONLY

0008855

Preliminary check by kw Fee = \$20.00 ✓ Received by cw Date 8-4-89

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. 35-07884 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 reflect cropping patterns or acceptable standards of water delivery 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.

Witness my hand this 24TH day of OCTOBER, 1989.

R. Keith Higginson
Acting for R. Keith Higginson, Director

MICROFILMED

OCT 26 1989

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
Original Permit	35-7884	Ferdinand Gehring	6.4 cfs
Full Assignment	35-7884	Gary W. Gehring	6.4 cfs

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED
AUG 2 1985

ASSIGNMENT OF PERMIT

I, Ferdinand Gehring, hereby assign to Gary W. Gehring Department of Water Resources
of Route 1, Box 145, American Falls, ID 83211
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35-7884
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 30th day of JULY, 1985.

X Ferdinand Gehring
Permit Holder

Hannah H. Gehring
Spouse of Permit Holder

State of Idaho)
County of Power) ss.

On this 30th day of JULY, 1985, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Ben Canones
Notary Public residing at
American Falls, Idaho

My commission expires:
LIFE

MICROFILMED

Form 204
RECEIVED

OCT 31 1984

Department of Water Resources
Eastern District Office

RECEIVED

NOV 7 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office

24

For Office Use Only	
Fee Received	15.00
Date	11-07-84
Receipt #	34335

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

NOV 8 1984

Department of Water Resources

Ferdinand Gehring of 740 Calder, American Falls
(Name) (Address)

State of Idaho 83211, deposes and says:

226-2540

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 35-7884.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

February 1, 19 85.

That he has heretofore performed the following work described under said permit: Picked rock, leveled high spots, continued my farming of ground. (If no work has been completed put none.)

Costing \$ appx \$8,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Pendency of existing lawsuits and termination of moratorium which made development too risky and difficult to obtain financing

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to February 1, 1989, 19 89.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Ferdinand Gehring
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to February 1, 1989.

IT IS FURTHER ORDERED that the department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest.

Signed this 27th day of November, 19 84.

A. Glen Sayton
Chief, Operations Bureau

RECEIVED

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 FERDINAND GEHRING Phone 226-2540

Post office address 795 Bannock, American Falls, ID 83211

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

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

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

4. Water will be used for the following purposes:

Amount 6.4 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. 6.4 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, buried main line to sprinkler system

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

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

c. Proposed well diameter is 18 inches; proposed depth of well is 260 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: _____

APPROVED

[illegible]

320

c. Describe any other water rights used for the same purposes as described above. none

Who owns the property at the point of diversion
applicant

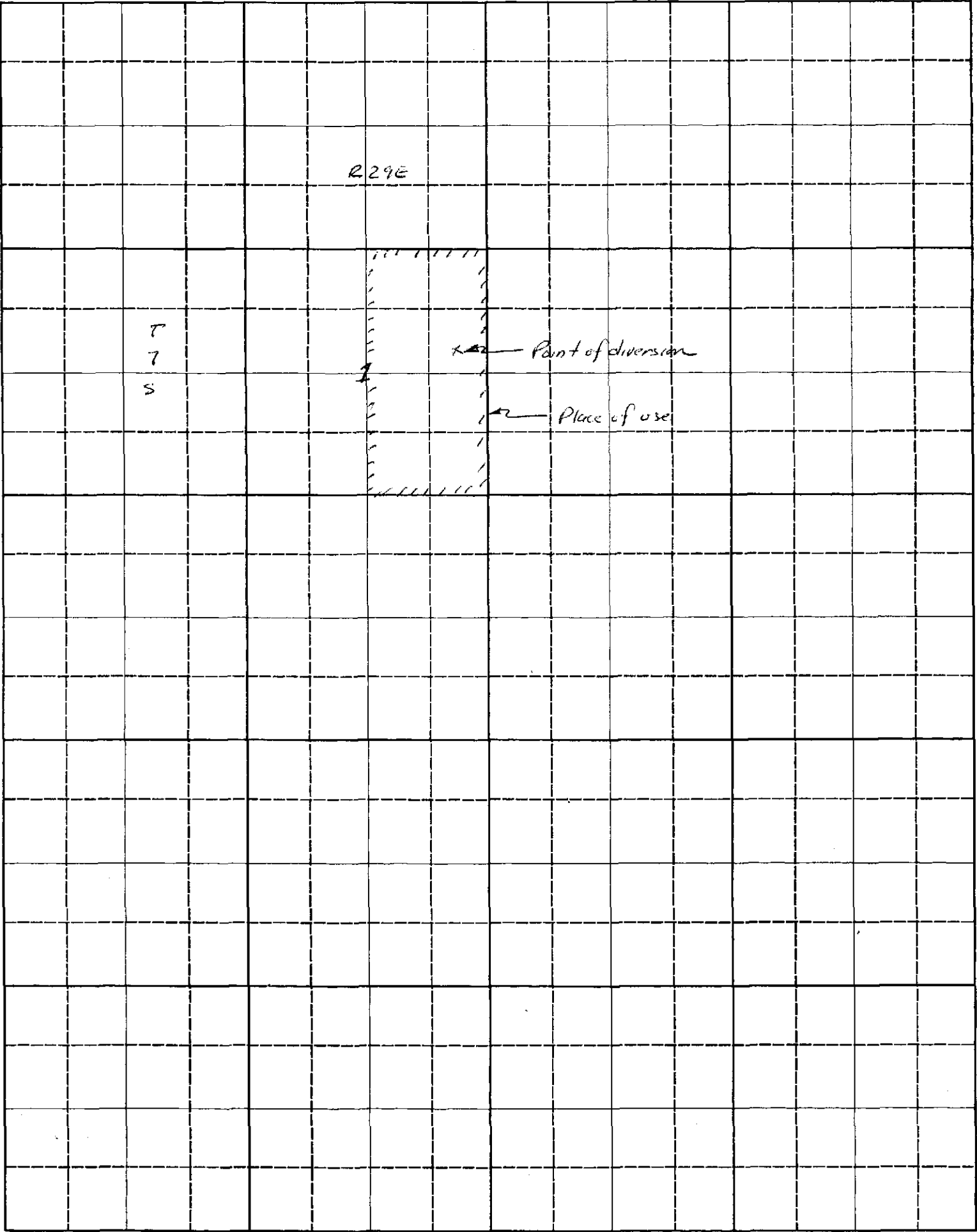
b. Who owns the land to be irrigated or place of use
applicant

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

applicant to make this filing

marks

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.

David Lekrune
(Applicant)

Proposed Priority 1/2/80

Received by S.M. Date Jan 2, 1980 Time 3:30 PM.

Preliminary check by SMC Fee \$ 95.

Received by S.M. Date 1/2/80 # 15478

Publication prepared by kw Date 1/03/80

Published in Power County Press 23 kw 16 1/16/80 & 1/23/80

Publication approved by S.M. Date 2/13/80

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by S.M.

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. 35-7884, 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

February 1, 19 85.

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: (1) 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.

Witness my hand this 15 day of February, 19 80.

A. Allen Sauton

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} s.s.

Phyllis Ringe

being first duly sworn

on oath, states:

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

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 16th day of January, 1980

the date of last publication being the

23rd day of January, 1980

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

17th day of January, 1980

Anita Sheard
Notary Public, residing at American Falls, Idaho.

My Commission ~~expires the~~

is for life

(SEAL)

day of January, 1980

Legal Notice

Published in The Power County Press, Jan. 16 and 23, 1980.

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:

No. 35-7884

*ok
1/29/80
KW*
Gehring, Ferdinand, 795 Barnock, American Falls, Idaho 83211. Source: Groundwater. Date Filed: 01/02/1980. Amount: 6.40 CFS. Diversion Point: SENE Sec 01 T 07S R 29E, Power Co. Use: Irrigation (6.40 CFS) from 04/01 to 11/01. Place of Use: NENE NWNE SWNE SENE NESE NWSE SWSE SESE Sec. 01 T 07S R 29E for 320 acres. Diversion means: well, pump, mainline and sprinkler system.

If issued, the permit(s) will be subject 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before January 28, 1980.

STEPHEN ALLRED

RECEIVED

JAN 24 1980

Department of Water Resources
Eastern District Office

October 24, 1989

GARY W. GEHRING
3648 GEHRING RD.
AMERICAN FALLS, ID 83211

RE: PERMIT NO. 35-07884

Dear Permit 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,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

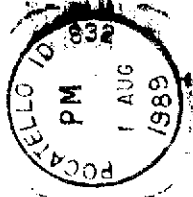
MICROFILMED
OCT 26 1989

GEHRING
GF FARMS

3648 Gehring Rd.
American Falls, Idaho 83211

MICROFILMED
OCT 26 1989

↑
**NOTE
ADDRESS
CORRECTION**



State of Idaho
Department of Water Resources
1301 Orchard Street
Statue Square Mall
Boise, Idaho 83720

Recd with
licensing amendment
8/89-

NW NE 31	NE NE 31
SW NE 40	SE NE 40
NW SE 40	NE SE 40
SW SE 40	SE SE 40

MICROFILMED
OCT 24 1989

July 10, 1989

GARY W. GEHRING
740 CALDER
AMERICAN FALLS, ID 83211

RE: PERMIT NO. 35-07884

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

MICROFILMED

OCT 26 1989

POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3507884	07S	29E	1	SE NE		GROUNDWATER	GEHRING, FERDI
NO MATCHES FOR THIS POD							

MICROFILMED

OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JAN 18 1986

35-7884
Permit No.

Department of Water Resources

1. Measurement Calculations

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

$$Q = \left(\frac{12'' \text{ mainline ID}}{2} \right)^2 \times 3.85 \times \sqrt{2.2'' \text{ meter Reading}} = 2600.4 \text{ gpm} \times 0.965 = 2509.4 \text{ gpm}$$

or
5.59 cfs
Capacity

302 acres req. @ 0.02 cfs/acre = 6.04 cfs;
Limited by capacity to 5.59 cfs

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 302 \text{ acres} \times 3.5 \text{ af/yr} = 1057 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 5.59 \text{ cfs} \times 214 \text{ d.} \times 1.9835 = 2372$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1057 \text{ af}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: N.A.

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

c) Analysis:

MICROFILMED

OCT 26 1989

RECOMMENDED AMOUNTS

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

4. Permit Holder:

Address:

5. Source:

6. Beneficial Use

Period of Use
From To

Rate of Diversion

Q (cts)

Annual Volume
V (afa)

Invested

10-77

10-11

5.59

1501

7. Point(s) of Dive

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

10. Recommended Amendments

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by _____

Date _____

11-27-85

Date _____

98-60-7

Date _____

88/28/t1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 13 1986

Department of Water Resources

Permit No. 35-7884

Phone No. 226-2142

226-2540

1. Owner: Ferdinand Gehring Gary Gehring Phone No. 226-2142
Current Address: 740 Calbar American Falls, ID 226-2540
2. Accompanied by: Gary Gehring - Applicant EXAM. DATE: 8-23-85
Address: _____ Phone No. 226-2142
Relationship to Permit Holder: Son
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	300	BYJ0220113	Berkley	NA
Booster	Marathon	75	19-00327	Berkley	
			-278-1		

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
well/pump & booster to 14 sprinkler lines

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar					12"	
Eagle Eye Nitor				091471	10-80	7-19-85

7. Measurements 12" ID measuring ☐ Additional data/computation sheets attached
22" Meter Reading

8. Point(s) of Diversion: Indicate Method of Determination ASCS Air Photo

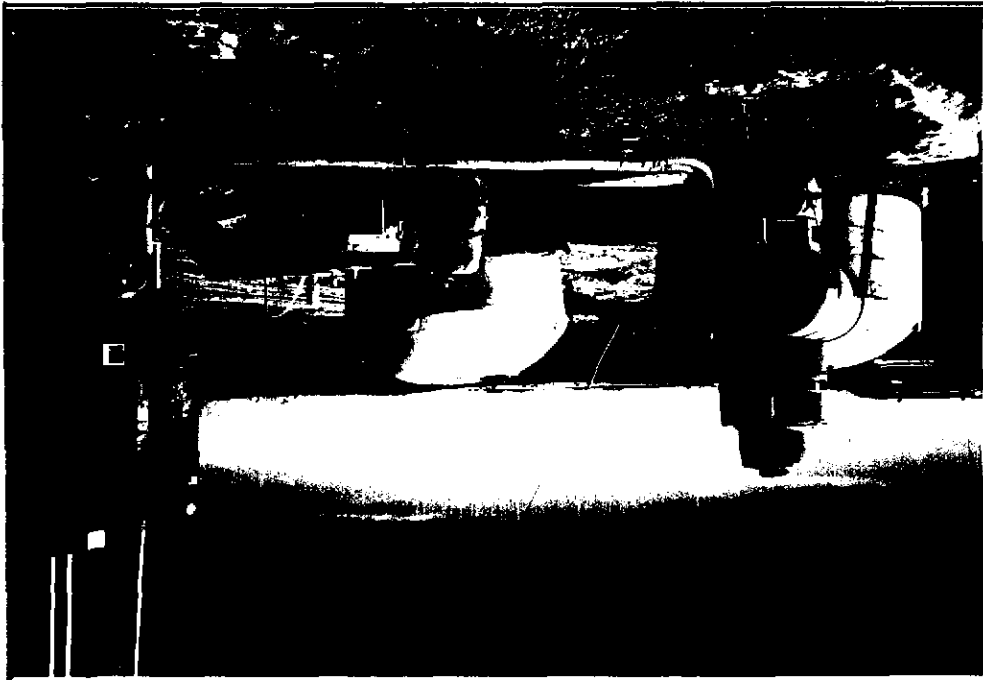
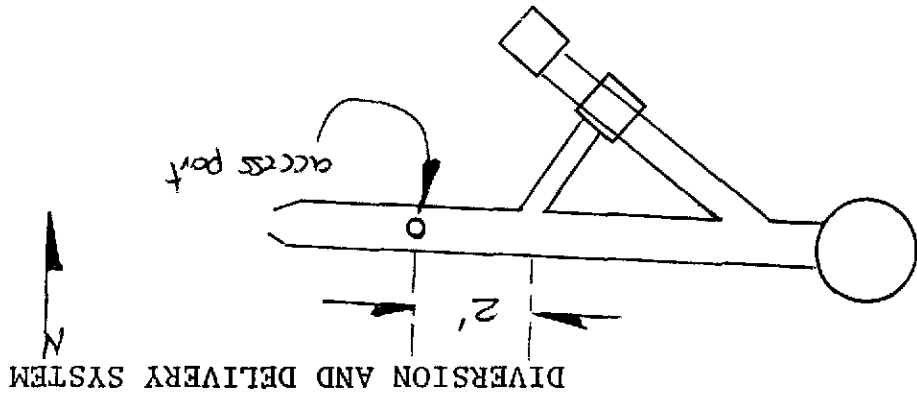
[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination <u>ASCS & Photo</u> |
|----|------------------|---|

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	
7S	29E	1	31	31	40	40									40	40	40	40	302
			L-1	L-2															
Total Acres																			302

10. Other water rights on these lands N.A.
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.



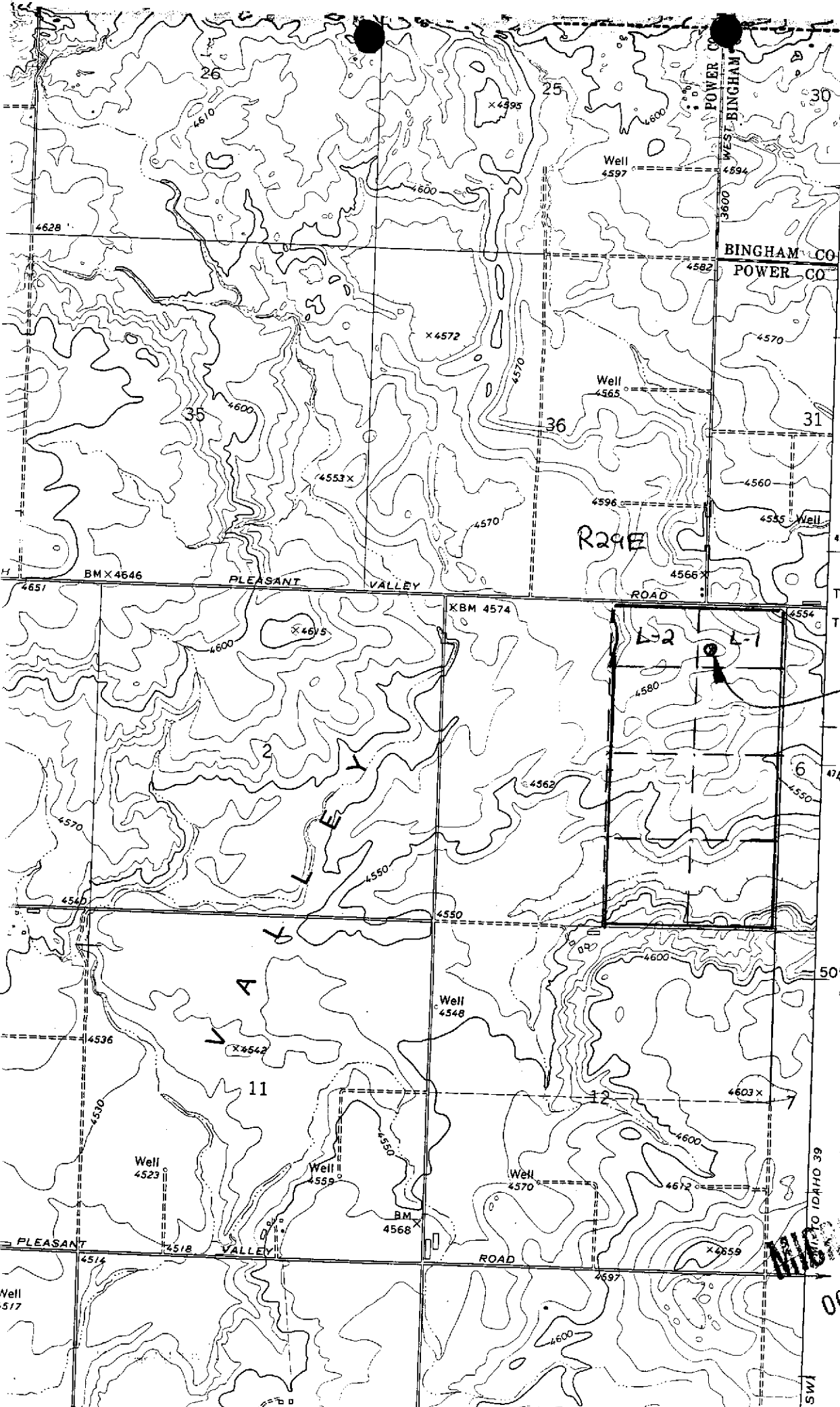
13. ☒ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Check if assignment finally completed - OK 11-27-85

15. Recommended Amendments
- ☒ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature A.C. Jones Date 11-27-85
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct _____
- Beneficial Use Examination _____

Date _____

CONSULTANT SEAL



35-7884

Point of Diversion

OCT 26 1939



A-517
Active Point

A-34
Rivers
Tappan

35 36 1431

1416

3131 3753

T75

A-211
Cohasset Point

A-284
Joe Fallon
+ Son

A-240
Arthur Adams

4133

428

1268

1518

R29E

239

229

499

223

525

11-297

11-506-1065

MICROFILMED

OCT 26 1989

B-240

718

A-284

Joe Fallon
+ Son

I-7L

NOT TO SCALE

METER NO. 091471RANGE 10"-80"DATE TESTED 7-19-1985

UPSCALE	DOWNSCALE	AVERAGE	METER READING	Flow ERROR	Flow CORREC FACTOR
9.37	9.06	9.215	10		0.959
14.62	14.62	14.62	16		0.955
18.50	18.50	18.50	20		0.962
24.25	24.50	24.375	26		0.968
27.87		27.87	30		0.963
	29.87	29.87	31		0.981
34.25		34.25	36		0.975
40.25		40.25	41		0.990

#35-7884

MICROFILMED

OCT 26 1989

John L. Lamm
740 Calder
P.O. Falls, Idaho



RECEIVED



MICROFILMED

MAY 16 1983

OCT 26 1989

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 35 7884

Name(s) of Permit Holder(s): Gehring Farms, Inc.

Post Office Address: 740 Calder

American Falls, Ida. P.O. 226-2540

☐ I hereby certify that construction of diverting works for the above referenced permit began on _____ (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

due to Idaho Power
Moratorium.

*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

5-10-83

A. Gehring

August 8, 1985

RE: Permit No. 35-7884

Gary W. Gehring
Rt. 1, Box 145
American Falls, ID 83211

Dear Mr. Gehring:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

In reviewing the permit, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met. The next step towards licensing of the permit will be for our regional office to examine your water right system.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

MICROFILMED

Permit No. 35-7884

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. a. Full Assign?
b/ Partial Assign?
4. "No assignment" condition on permit? NO
5. Commencement of works received? proof in file
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of Residency required? NO
7. Extension granted due to litigation? yes
If yes, commencement of works is not required.

1. Type Permit Summary Sheet ✓
2. Coding Sheet ✓
3. Acknowledgement letter type #12
4. Copy to region ✓

Date: 8/8/85
Employee: R. Walker

MICROFILMED

BEN CAVANESS
MARK BEEBE

Cavaness & Beebe

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

August 1, 1985

Telephone
(208) 226-2562

RECEIVED

AUG 2 1985

Ms. Kay Walker
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Re: Permit No. 35-7884 - Ferdinand Gehring

Dear Ms. Walker:

Enclosed is the notarized Assignment of Permit that you recently returned to us for notarization. Sorry for this error.

Very truly yours,



Ben Cavaness

BC:mh

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 23, 1985

RE: Permit No. 35-7884

Ferdinand Gehring
740 Calder
American Falls, ID 83211

Dear Mr. Gehring:

We are in receipt of the Proof of Beneficial Use statement for Permit No. 35-7884 and the assignment of this permit to Gary W. Gehring.

We have accepted the proof of beneficial use statement you submitted. Before a license can be issued a field examination of the extent of use must be made by a representative of our Eastern Regional Office in Idaho Falls. We cannot tell you just when this examination will be made, but our examiner will contact you or Gary W. Gehring prior to making his inspection.

We cannot, however, accept the assignment form as it has not been notarized. We have enclosed the assignment you submitted and a duplicate typed form, for your convenience. Please sign the typed form in the presence of a notary public and return it to us for processing.

If you have any questions in regard to this matter, please feel free to contact either our office or our office in Idaho Falls.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosure

cc: Eastern Region

MICROFILMED

RECEIVED
JUN 7 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUN 4 1985

Department of Water Resources
Lewiston District Office

Department of Water Resources

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. 35-7884

Name(s) of Permit Holder: Ferdinand Gehring

Post Office Address: 740 Calder Ave. Falls

Telephone No. 226-2540

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 320 _____ (acres)

Other/Remarks _____

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

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

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

Applicant or Gary Gehring
(Name)

(Address)

226-2142

(Telephone Number)

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

6-04-1985
Date

Ferdinand Gehring
Signature of Permit Holder (and Title, if appropriate)

kw

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

FORM A

STATE OF IDAHO

JUL 1 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern District Office

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. 35-1884
 Name(s) of Permit Holder: Ferdinand Gehring dba Ferd
Gehring & Son Inc Route #1 Box 145
 Post Office Address: AMERICAN FALLS, Idaho
83211 Telephone No. 226-2540
 Source of Water: GROUNDWATER
 Extent of Use: Domestic _____ (number of households)
 Stockwater _____ (number and type of stock)
 Irrigation 320 (acres)
 Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: MARCH 1, 1985

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

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

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

(Address)

(Telephone number)

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

6-28-85
 Date

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

MICROFILMED

duplicate
 see proof
 rec'd 6-4-85
 kw

Daily Cash Report No.	Date
Total Customer Payment	
Customer Order No.	Request No.

JUL 1 1985

IDAHO CUSTOM
ELECTRIC SERV
REQUEST

VERN TEUSCHER

METER SUPER.

Am Falls

HAC WACKER

PACIFIC POWER

KEN BERNER

KEN BERNER

Department of Water Resources
Southern District Office

CUSTOMER REQUEST	Customer Name	Lehring Farms		City	Am Falls	State	ID	Zip	83211
	Billing Address	#1 Bbx 145		City	Am Falls	State	ID	Zip	83211
	Person Contacted			Address			Phone		
	Service Address	85 Season		Location	SE 1/4	Twp	15	Range	2E
REMARKS	Service For	Date Service Needed	Temporary Date	Permanent Date	Type of Load	Residential		Commercial	Irrigation
	Rate Schedule	New Load	10 (Phase)	30 (Phase)	Est. Demand	Volts	Service	Primary	
	Permit # 35-7884 approved								
OTHER	Right of Way Required	Service Request	Line Extension		Customer Cost Determined By				
	☐ Yes ☐ No	☐ Upgrade ☐ Additional Applicant ☐ Customer	☐ Average Unit Cost ☐ Work Order Cost						

REQUEST ACCEPTANCE	Customer Acceptance On Above Request	Date	Request Prepared By
--------------------	--------------------------------------	------	---------------------

See Reverse For Detail On Line Extension Cost Total

9-17-84 GGD

CUSTOMER COSTS	1. Line Extension Cost	\$ 730 ⁰⁰	9. Line Ext. Construction Credit	(\$ 0)
	2. Unusual Conditions	\$ 0	10. 1/2 Common Share Portion (NSR)	\$ 0
	3. Up to 1,000 Allowance	(\$ 730 ⁰⁰ +)	11. Right-of-Way Permit (NSR)	\$ 0
	4. Net Extension Cost (1+2-3)	\$ 0	12. Svc. OH/UG Difference (NSR)	\$ 0
	5. Line Extension Upgrade (See Schedule 71 paragraph III.5)	~~(\$ 0)~~	13. Svc. OH/UG Construction Credit	(\$ 0)
	6. Company Betterments	(\$ 0)	14. Relocation Costs (NSR)	\$ 0
	7. Net Line Ext. Upgrade (5-6)	\$ 0	15. NSR Cash (10+11+12-13+14)	\$ 0 <i>1000</i>
	8. Construction Contribution (4+7)	\$ 0	16. Cash on Existing Agreement	\$ 0
			17. Total Customer Pmt. (8-9+15+16)	\$ 0

NOTICE	The undersigned acknowledges that this written quotation will be binding for 60 days and is subject to acceptance of any and all service request information provided by the Customer, Company's ability to obtain required labor, materials, equipment, satisfactory rights-of-way, to comply with governmental regulations and in accordance with and subject to the Company's standard Rules and Regulations, Line Extension Schedule No. 71 and applicable Rate Schedule, as now or hereinafter in effect and on file with the Idaho Public Utilities Commission. Customer payment due thirty (30) days prior to start of construction.
--------	---

QUOTATION ACCEPTANCE	Customer Signature	Idaho Power Company
	Date	Authorized Signature
	Quotation Date	Title

MICROFILMED

INSTRUCTIONS	District Office Cashier: Monies Collected from Customer should be distributed on the DCR as shown in the adjacent block.	Line 10 Assign To M1.2 (Original WO)	\$
	Prepare Journal Entries for lines 9 and 13	Lines 8 - 9 Assign To M1.2 (New WO)	\$
		Lines 11 + 14 Assign To WO	\$
		Lines 12 - 13 Assign To M5.2	\$
		Line 16 Assign To A/C 252	\$
		Line 9 As Shown In G.I. Book, Page 1040-3D (Top Half)	\$
		Line 13 As Shown In G.I. Book Page 1040-7	\$

IN THE MATTER OF:)
The Application of)
Gary Gehring)
Permit #35-7884)
State of Idaho)
County of Power)

AFFIDAVIT

RECEIVED

JUL 1 1985

Department of Water Resources
Southern District Office

I, Gary W. Gehring

being first duly sworn,

deposes and says: that in 1977 we extended the mainline on our adjacent field to cover some sixty to seventy-five acres of farmable property within the 320 acres that is encompassed in the legal description of 35-7884.

That in the Spring of 1984 we consulted with Idaho Power Co. relative to extending a power line to drill a new well on the 7884 property. In September of 1984 a formal application was made with the power company to actually begin the extension of the lines, a copy of which extension request is attached.

That in September of 1984 an order was placed with Funk Irrigation for the entire sprinkler system to be placed upon the property. That during the following Winter and early Spring, the sprinkler system was installed and I am farming the ground during this 1985 crop year.

That prior to the 1984 development of the balance of the property and the 1977 development of a portion of the property, we picked up a substantial amount of rock and leveled the property where required in order to have an amenable flow of sprinkler irrigation.

Gary W. Gehring
(Signature)

Subscribed and sworn to before me this 28th day of June, 1985.

Ben Carver
(Notary Public)

Residing at American Falls, Idaho.
My Commission Expires Life.

MICROFILMED

December 27, 1984

Ben Cavaness
CAVANESS AND BEEBE
P. O. Box 70
American Falls, ID 83211

Dear Mr. Cavaness:

Re: Permit Nos. 35-7884 and 35-7885 Ferdinand Gehring

Your letter of December 21, 1984 correctly describes some errors in my letter dated November 28, 1984 in regard to the above-referenced permits.

The requests for extension of time were timely received and the priority of each permit has not been advanced as the transmittal letter states.

The proof of beneficial use submittal date for Permit No. 35-7884 has been extended to February 1, 1989 and for Permit No. 35-7885 to February 1, 1988.

I hope this misinformation has not caused you inconvenience.

Please contact me if I can provide additional information.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Mr. Ferdinand Gehring

MICROFILMED

Cavaness and Beebe

BEN CAVANESS
MARK BEEBE

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

Telephone
(208) 226-2562

December 21, 1984

RECEIVED
DEC 21 1984
DEC 26 1984

Mr. L. Glen Saxton
Idaho Dept. of Water Resources
Statehouse
450 W. State Street
Boise, Idaho 83720

Department of Water Resources
Department of Water Resources

Re: Permits Nos. 35-7884 and 35-7885
Ferdinand Gehring

Dear Mr. Saxton:

Mr. Gehring has asked that I respond to your letter of November 28, 1984, a copy of which is enclosed. Your letter states that Permit Nos. 35-7884 and 35-7885 are extended to September 1, 1985, when, I believe, that the extension actually extends the permit beneficial use state until February 1, 1988. Additionally, you indicated that the permits had lost their original priority date since the extension had been submitted after the proof due date.

It is not my understanding that this is correct. According to the information provided to me, we had until February 1, *1985*, 1985 within which to request the extension and that our requests were properly filed with you on November 8, 1984, well in advance of February 1, 1985's original completion date. It is also my understanding that the original priority dates would continue so long as proof of beneficial use was filed prior to the extended deadline.

Please review the enclosed and advise if I am in error.

Very truly yours,

Ben
Ben Cavaness

BC:mh

cc: Mr. Ferdinand Gehring

MICROFILMED

November 28, 1984

Ferdinand Gehring
740 Calder
American Falls, ID 83211

Dear Mr. Gehring:

Re: Permit Nos. 35-7884 and 35-7885

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit proof of beneficial use for Permit No. 35-7884 is extended to February 1, 1989 and the time within which to submit proof of beneficial use for Permit No. 35-7885 is extended to September 1, 1985. Please note that the permits have been reinstated with an advance in priority since the extension of time requests were submitted after the proof due date.

In connection with the development of a water right under these permits, the department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 35-7884

- Y Date received stamp
Y Fee received and receipted
Y Name on request same as on permit
N Address same permit as on latest correspondence
Y Proof due date within six months of due date
Y Signature same as permit
Y Source of water the same
Y Permit holder named in Swan Falls lawsuit
- Proceed diligently
Y Is delay caused by litigation:

Date lit. completed _____
 Date lit. began _____
 Period of delay _____
 New proof due date _____

ACTION:

- Y Is the extension timely received?
N/A Reinstate: Extension received _____
 Proof due date _____
 Days late _____
 Priority date _____
 Adjusted priority date _____
 _____ Is there commencement of works?
 _____ Cover letter ~~_____~~
 _____ Coding sheet - address
 _____ Rolodex card updated and refiled

REPRODUCTION

Reviewed by _____

Date: 11-21-1984

BEN CAVANESS
MARK BEEBE

Cavaness & Beebe

ATTORNEYS-AT-LAW

P.O. Box 70

American Falls, Idaho 83211

November 6, 1984

RECEIVED

NOV 7 1984

Department of Water Resources
Eastern District Office

Telephone
(208) 226-2562

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

RECEIVED

NOV 8 1984

Re: Request for Extension of Time on Permit No. 35-7884 Department of Water Resources
35-7885

Dear Mr. Carlsen:

Enclosed is the check in the amount of \$30 to cover the fee for filing the Request for an Extension of Time on the above referenced permits, in accordance with your letter dated November 2, 1984.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

RECEIVED

November 2, 1984

Ben Cavaness
Attorney at Law
P.O. Box 70
American Falls, ID 83211

RE: Request for Extension of Time on Permit No. 35-7884
35-7885

Dear Mr. Cavaness:

Since July of 1980 there has been a \$15 charge on a Request for an Extension of Time. The requests your office recently submitted on behalf of the Gehring Farms are being returned because this fee was not included.

To insure the priority dates of these permits will not be jeopardized, these requests and \$30 should be received by the Department no later than February 1, 1985.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:jk

Enclosures

MICROFILMED

Cavaness and Beebe

BEN CAVANESS
MARK BEEBE

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

Telephone
(208) 226-2562

October 30, 1984

RECEIVED

OCT 31 1984

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Extensions of Permits

Dear Sirs:

Enclosed is a Request for Extension of Time on Permits Nos. 35-7884 and 35-7885 for three and four years respectively since the applicants have been unable to proceed due to the Idaho Power Water Rights controversy. Please take official action on these extensions and notify us as to your decision at the earliest possible date.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

MICROFILMED

WATER RIGHT NUMBER -7884
ACT
ION
L STAGE - PERMIT

WATER RIGHTS EDIT REPORT
COND. OF APPRVL - 01C
PROOF DUE - 02-01-1985
PERMIT/DENIED - 02-15-1980

02/25/80

PAGE 22

WATER RIGHT NUMBER 35-7884

WATER RIGHTS EDIT REPORT

01/04/80

PAGE 10

ACT
ION

N OWNER LAST NAME - GEHRING
N ADDRESS LINE 1 - 795 BANNOCK

FIRST NAME - FERDINAND

CITY - AMERICAN FALLS

STATE - ID ZIP CODE - 83211

N SOURCE - GROUNDWATER

PRIORITY - 01-02-1980

COUNTY - POWER

TOTAL DIV. RATE - 6.4000CFS

N STAGE - APPLICATION
N DIVERSION POINT - SENE 01 07S 29E
N FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - 6.4000CFS

PLACE OF USE -

TWN 07S RNG 29E SEC 01

TRACT NENE

AC 40 TRACT NWNE
AC 40 TRACT SENE
AC 40 TRACT NWSE

AC 40
AC 40
AC 40

120

AC 40

N USE - IRRIGATION

PLACE OF USE -

TWN 07S RNG 29E SEC 01

TRACT NENE

AC 40 TRACT NWNE
AC 40 TRACT SENE
AC 40 TRACT NWSE

AC 40
AC 40
AC 40

120

AC 40

N USE - IRRIGATION

PLACE OF USE -

TWN 07S RNG 29E SEC 01

TRACT NENE

AC 40 TRACT NWNE
AC 40 TRACT SENE
AC 40 TRACT NWSE

AC 40
AC 40
AC 40

120

AC 40

N DIVERSION MEANS - WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM.

PLACE OF USE -

TWN 07S RNG 29E SEC 01

TRACT NENE

AC 40 TRACT NWNE
AC 40 TRACT SENE
AC 40 TRACT NWSE

AC 40
AC 40
AC 40

120

AC 40

1003

IDENT. NO.

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

WATER RIGHT
DATA ENTRY LOG

<u>Initials</u>	<u>Date</u>	<u>Item</u>
KW	1/3/80	Original form entered
KW	1/21/80	Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
CW	9-5-85	Key punched by State Office <i>Assignment entered</i>



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 15, 1980

Ferdinand Gehring
795 Bannock
American Falls, Idaho 83211

Dear Mr. Gehring,

RE: Permit No. 35-7884

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 an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section.

DRT:mr
Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Ernest APPLICATION NUMBER: 35-7884

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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☒ Yes ☐ No Platted by: Ernest Map No. Basin 35 7S 29E
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: Jan. 28 2/4/80
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/24/80
☒ 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? _____
☒ 1/2/80 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: 1/31/80
STATE OFFICE REVIEW:

- OIC
I.P. letter w/access Port cond
☐ See attached sheet for more information.
By: Jim Date: 2/13/80 MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JANUARY 3, 1980

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JANUARY 28, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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:

If issued, the permit(s) will be subject 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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JANUARY 28, 1980.

C. STEPHEN ALLRED

Director

Published 01/10 & 01/17/80.

MICROFILMED

LEGAL NOTICE

Published in The Power County
Press, Jan. 16 and 23, 1980.

**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:

No. 35-7884

Cehning, Ferdinand, 795 Bannock,
American Falls, Idaho 83211.
Source: Groundwater. Date Filed:
01/02/1980. Amount: 6.40 CFS.
Diversion Point: SENE Sec 01 T
07S R 29E, Power Co. Use: Irriga-
tion (6.40 CFS) from 04/01 to 11/01.
Place of Use: NENE NWNE SWNE
SENE NESE NWSE SWSE SESE
Sec. 01 T 07S R 29E for 320 acres.
Diversion means: well, pump, main-
line and sprinkler system.

If issued, the permit(s) will be
subject 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, 1515 Lincoln Road,
Idaho Falls, Idaho 83401 on or
before January 28, 1980.

STEPHEN ALLRED
Director

*OK
KJ
1/16/80*

GEHRING, FERDINAND

795 BANNOCK, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 01/02/1980

Amount: 6.40 CFS

Diversion Point: SENE Sec 01 T 07S R 29E, POWER Co.

Use: IRRIGATION (6.40 CFS) from 04/01 to 11/01

Place of Use: NENE NWNE SWNE SENE NESE NWSE SWSE SESE Sec 01 T 07S R 29E
FOR 320 ACRES

Diversion Means: WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM.

RECEIVED
FEB 10 1980