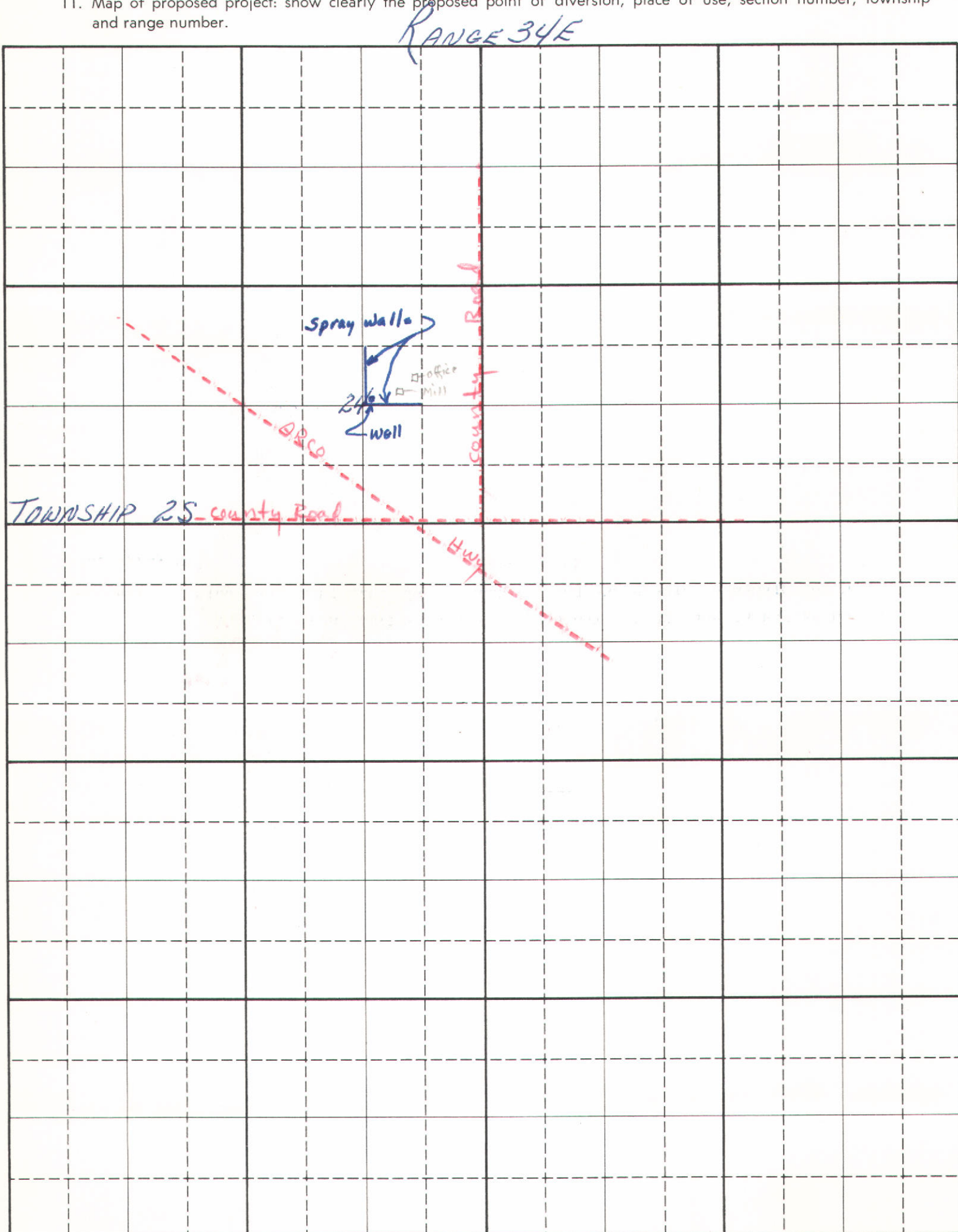


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

HARDING LIVESTOCK & LAND COMPANY

Ralph R. Harding
(Applicant)
President

RECEIVED

JUL 22 1974

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, David Mark Brown do solemnly

Publisher

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

Friday issue of said newspaper ² consecutive

weeks, the first publication having been made on

the 11th day of July, 1974...

and the last publication having been made on the

18th day of July, 1974...; 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.

David Mark Brown
Subscribed and sworn to before me this 19th

day of July, 1974

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1975

MB
**NOTICE OF
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that
Harding Livestock & Land
Company, Box 368, Blackfoot,
Idaho, has on 7-5-74, submitted
Application No. 35-7430, for a
permit to appropriate 11.2 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
SW¹/₄NE¹/₄, Sec. 24, T. 2S, R.
34E, B.M., Bingham County; to
be used from Jan. 1 to Dec. 31
for odor control for feedlot; and
from Apr. 1 to Nov. 15 for the
irrigation of 30 acres. All uses
within the SW¹/₄NE¹/₄, Sec. 24,
T. 2S, R. 34E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,

Idaho Falls, Idaho, 83401, on or
before July 29, 1974.

R. KEITH HIGGINSON

Director

(3914)

Pub.: 7-11, 18 *378*

MICROFILMED

7-16



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7430 Priority July 5, 1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that Harding Livestock & Land Company
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7430 issued pursuant to Application for Permit dated July 5, 1974,
and has submitted proof to the Department of Water Resources on September 11, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.98 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Commercial	from Jan. 1 to Dec. 31	at 0.02 cfs and	1.2 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Twp.
2S, Rge. 34E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2S	34E	24								X									

Total number of acres irrigated _____

Commercial Use is cleaning machinery.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 81.

Director

35 7430

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Harding Livestock & Land Company
 post office address Box 368, Blackfoot, Idaho 83221

2. Source of water supply ground water which is a tributary of - - -

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 2S
 Range 34E B.M. Bingham County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Allow 1.24 cfs Amount 0.6 for Irrigation purpose from Apr. 1 to Nov. 15 (both dates inclusive)
 Amount 10.6 for Odor Screen purpose from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 11.20 Allow 1.84 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 40 h.p. turbine 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 during which storage will occur _____ to _____ inclusive.

c. Proposed well diameter is 14 inches; proposed depth of well is 94 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

b. Estimated construction cost is \$ 9,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 2S
 Range 34E B.M. _____

(2) Amount of power to be generated: _____ hp 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: Water is to be used for a water wall to filter feedlot odors. In addition, about 30 acres of a green belt of trees and grass will be irrigated from this well.

APPROVED

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

[illegible]

30 Total number of acres to be irrigated

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

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

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

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

applicant to make this filing -

10. Remarks	This water is to be used to erect a spray wall of 22 feet in height between
-------------	---

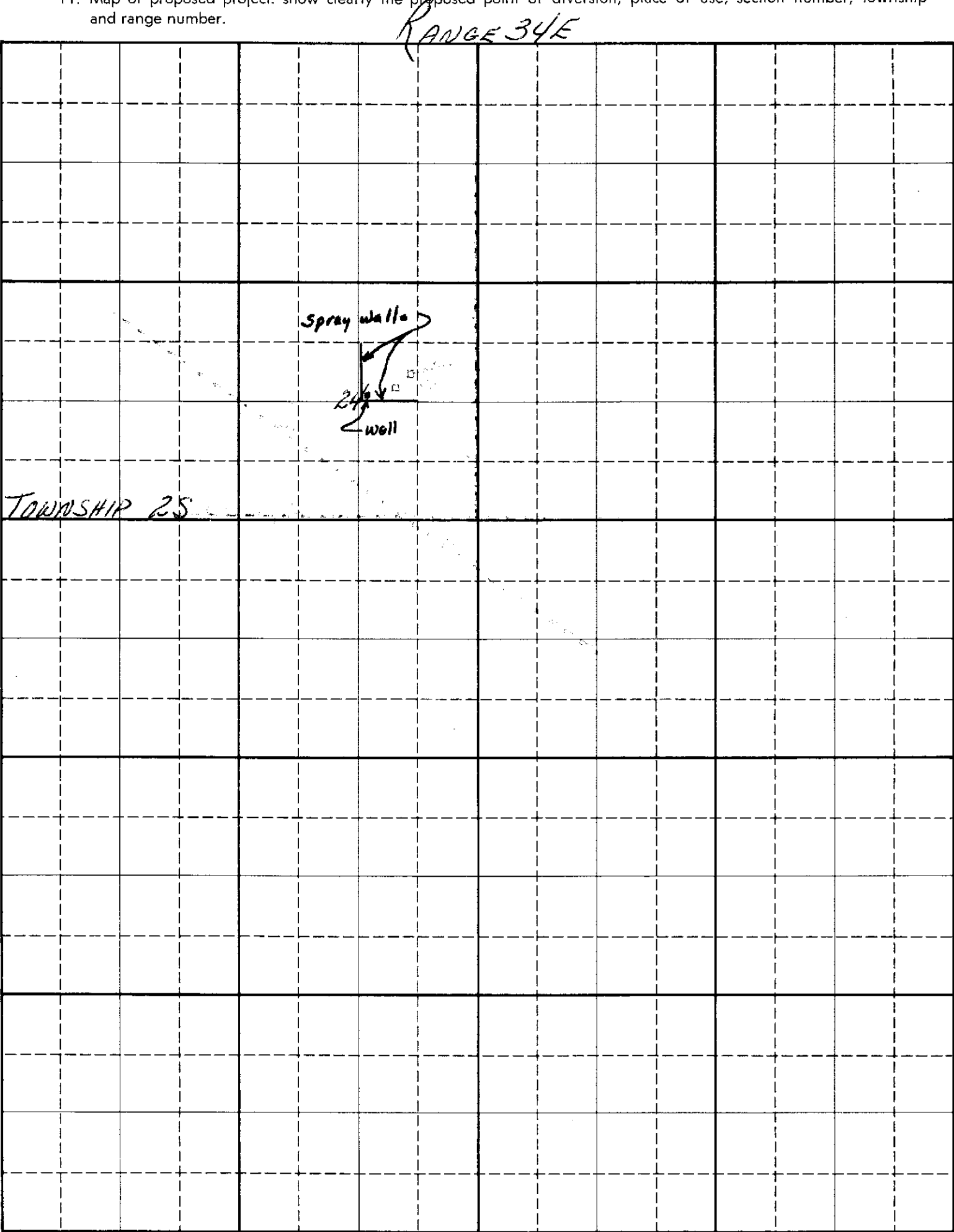
The Harding livestock and land Company feedyard and the farming community of Moreland. The spray wall filtering screen will be made operational whenever the odor drift

it, sərɪnbəd

The water spray wall filtering system has been designed by Dr. Ron Miner of

Oregon State University, the foremost authority on Odor Control in the nation.

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.

HARDING LIVESTOCK & LAND COMPANY

Ralph R. Harding
(Applicant)
President

7-05-1974

Proposed Priority

Received by AB Date 10/5/74 Time 10:40A

Preliminary check by MEY Fee \$ 135.00

Received by AB Date 10/5/74 # 12947

Publication prepared by AB Date 10/5/74

Published in Blanchet Journal

Publication dates 10/18/74

Publication approved MB Date 7-22-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KDC BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7430, 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 November 1, 19 75.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 7 day of October 19 74.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>KEY</u>	<u>7/5/74</u>	Application No. <u>35 7430</u> <u>HARDING</u>
(2)			☒ Source ☒ Point of Diversion ☒ County <u>Need to justify</u> ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>yes</u>
	<u>"</u>	<u>"</u>	Send Copies to: ☒ Idaho State Health Department ☒ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☒ Request Information from Applicant <u>justify</u> <u>Q</u>
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>yes</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>N.A.</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>W. 3 # 27</u> ☐ Increasing (comment) _____
(9)	<u>"</u>	<u>"</u>	Comments: <u>Late irrig season made justifiable for green belt purposes. Reduce at licensing if not used. No conflicting G.W. rights</u>
(10)	<u>MB</u>	<u>7/22/74</u>	Affidavit of Publication received (date) <u>July 22, 1974</u>
(11)	<u>MB</u>	<u>7/29/74</u>	Final date for protests <u>July 29, 1974</u> Protests received: yes <u>no</u> ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>RDC</u>	<u>8/25/74</u>	All requested information received from agencies or applicant yes <u>no</u>
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>7/5/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>E</u>	By <u>RDC</u>	Date <u>8/22/74</u> RECEIVED Department of Water Resources

MICROFILMED

AUG 26 1974

Department of Water Resources

Copy
JD

RECEIVED

JUL 22 1974

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, David Mark Brown do solemnly

Publisher

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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 11th day of July, 19 74,

and the last publication having been made on the

18th day of July, 19 74; 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.

David Mark Brown
Subscribed and sworn to before me this 19th

day of July, 19 74

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1975

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

October 1, 1981

RE: Permit No. 35-7430

Harding Livestock & Land Company
Route #4, Box 41
Blackfoot, ID 83221

Gentlemen:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MICROFILMED

MICROFILMED

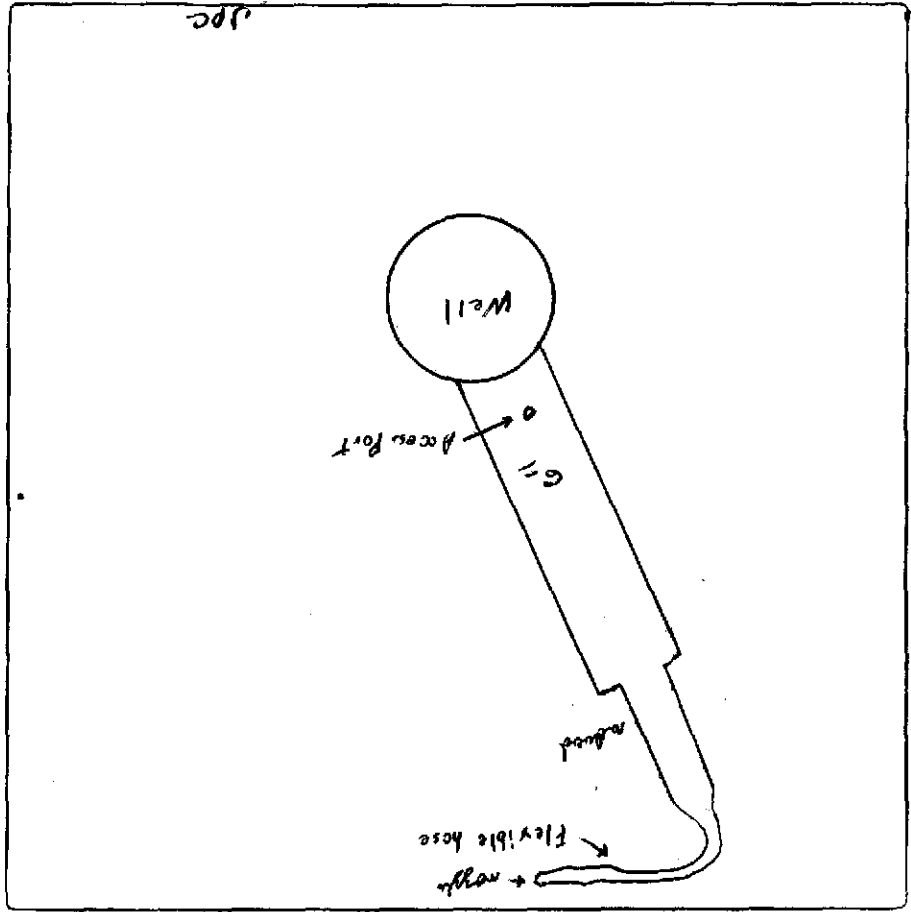
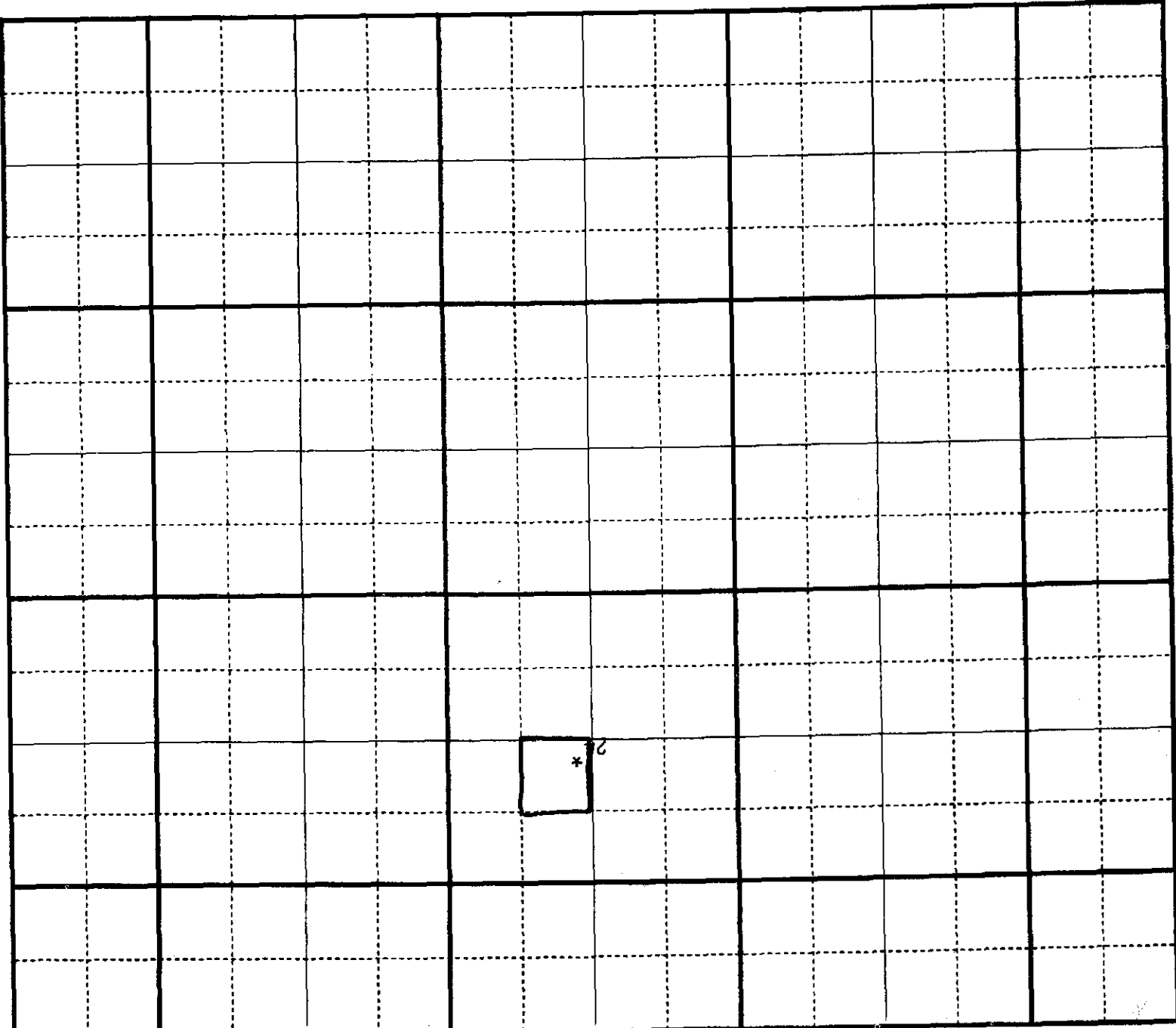
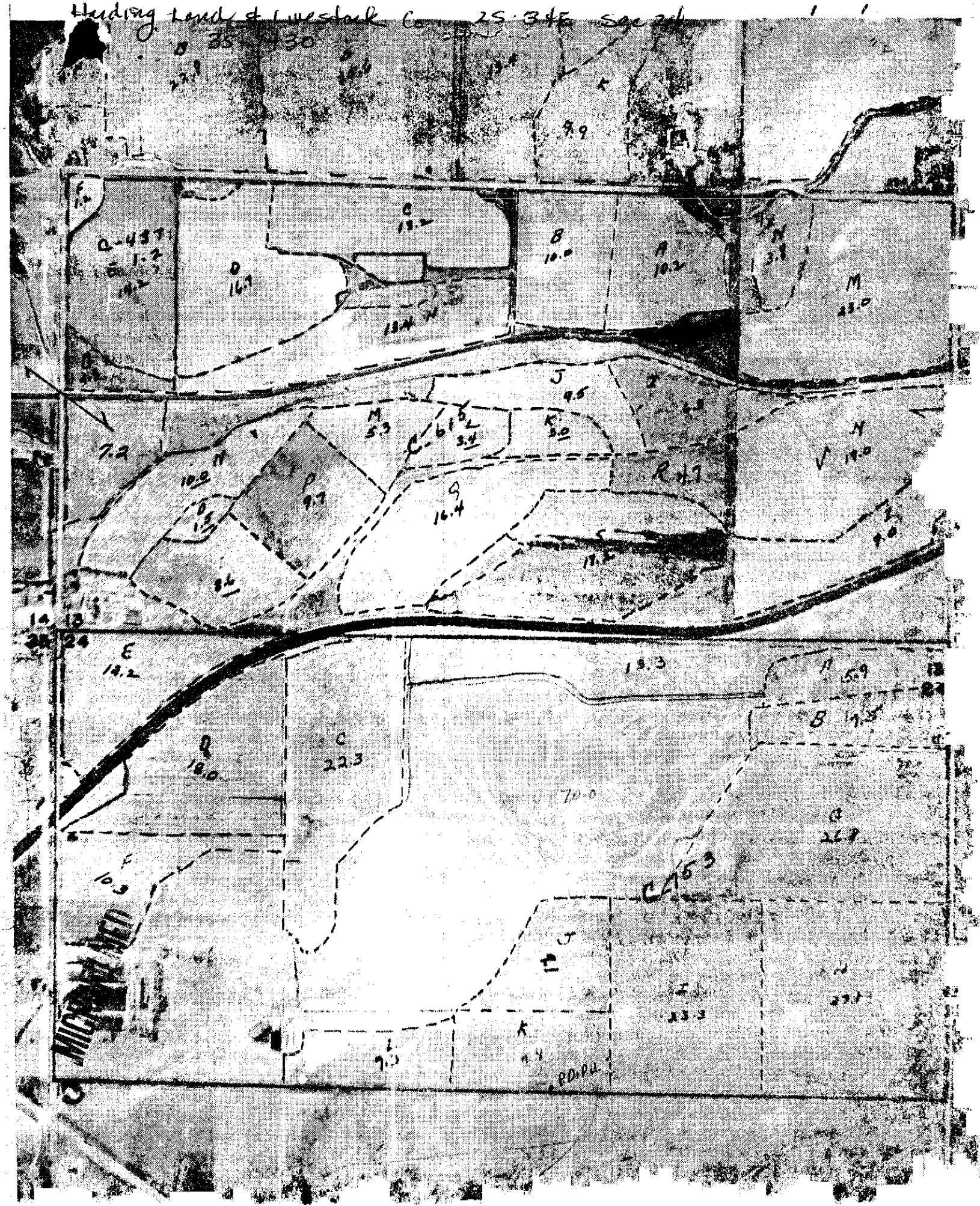


Diagram of System



S
2
1

35-1430



DATE OF EXAM 6/4/79

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE
Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Commercial = .02 cfs 1.2 AF/Ann. Jan 1 Dec 31

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured _____ Method of measurement theoretical

Total Q recommended .02 Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
☒ None

MEASUREMENT CALCULATION:
(40 hp) (8.814 ft) (.60) = .98 cfs capacity assigned .02 cfs for cleaning machinery
(100') (50 psi) (2.308)
V = .02 cfs x 1.9835 cfs AF/dy x 365 dy = 1.4 AF/Ann V assigned 1.2 AF/Ann.

SYSTEM DESCRIPTION:
Groundwater is diverted by a 215 motor 40 hp. motor ser # A301P120
model B177801176 and a single stage + bowler single vertical turbine pump model 45
used for washing vehicles only.

REMARKS:
The irrigation use & other system were not in use but may be sometime in the future

Examiner's Signature John D. Carlson Date 3/10/80
Checked by Anthony R. Kozlowski Date 4-7-80
Approved by R. E. [Signature] Date 8/28/81

No overlapping rights

September 17, 1975

Re: Permit No. 35-7430

Ralph R. Harding
Harding Livestock & Land Company
Route 4, Box 41
Blackfoot, Idaho 83221

Gentlemen:

We acknowledge receipt of the affidavit 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. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

Department of Water Resources

Identification No. _____

Permit No. 35-7430

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

SEP 11 1975

Department of Water Resources

1. a) Name of Permit Holder Harding Livestock and Land Company
 b) Post Office Address Route #4 Box 41, Blackfoot, Idaho 83221
2. Permit Number 35-7430
3. Date of Priority that you are prepared to establish 7-05-74
4. a) Source from which water was appropriated Groundwater
 b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24
 Township 2S, Range 34E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
 Amount 0.60 for Irrigation purposes from April 1 to Nov 15 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount 1.24 for Odor Screen purposes from Jan. 1 to Dec. 31 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated _____ cfs and/or acre-feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Was measured by the applicant.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well and 40 hp turbine pump, depth of well is 90 Ft.
well casing is 16" , motor size is 40 hp pump
 (The above information was taken from the well drillers report)
 b) Describe the type and size of measuring device which you have installed at your point of diversion: Rockwall - 8 inch
 c) Give well driller's name and address and the date the well was completed: Jack Cushman, 1405 So. Broadway
June 7, 1974
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Water is to be used for a water wall to filter feedlot odors. 30 acres of
green belt of trees and grass will be irrigated from the well.
SW 1/4 NE 1/4, Sec. 24, Twp. 2S, Rge. 34E, B.M., Bingham County

Exam typed 9-16-75 by Ji

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

Sept. 9, 1975
(Date)

Donald B. Jacobson
(Signature)
Vice President

State of Idaho)
County of Bingham) ss.

On this 9th day of September, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jannette B. Fay
Notary Public residing at 510 Horrocks
Blackfoot, Idaho

My commission expires 10-14-75



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

September 11, 1975

Re: Permit No. 35-7430

Harding Livestock and Land Company
Route 4, Box 41
Blackfoot, Idaho 83221

Dear Sirs:

We acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit. However, we cannot process the affidavit until you complete Items 4, 5, and 7a and 9.

We are enclosing a sample form of what your proof affidavit should look like after you have completed it. Please return the completed affidavit to this office on or before November 1, 1975 in order that your permit remains in good standing with this Department.

If you have any questions, please contact us.

Sincerely,

JANICE F. ROHM
Secretary

Encl: Proof affidavit



Identification No. _____

Permit No. 35-7430

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 11 1975

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Harding Livestock and Land Company
b) Post Office Address Route #4 Box 41, Blackfoot, Idaho 83221
2. Permit Number 35-7430
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated _____
b) Location of the point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____
Township _____, Range _____ Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: Rockwall - 8 inch
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

Sept. 9, 1975 (Date) Donald B. Jacobson (Signature)
Vice President

State of Idaho)
County of Bingham) ss.

On this 9th day of September, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jannette B. Fay
Notary Public residing at 510 Harrocks
Blackfoot, Idaho

My commission expires 10-14-75

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom and date delivered..... 65¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

82197

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

SEP 4 - 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

B37

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side. / 315
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



September 2, 1975

CERTIFIED MAIL 27197

Re: Permit No. 35-7430

Harding Livestock & Land Company
Box 368
Blackfoot, Idaho 83221

Gentlemen:

One of the conditions of approval of your water Permit No. 35-7430 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON

Director

RKH:jg

Enc: Proof affidavit

June 10, 1974

Harding Livestock & Land Company
P.O. Box 368
Blackfoot, Idaho 83221

Gentlemen:

We have received a well drillers report indicating that a well was drilled for you in the NEXNEX, Sec. 24, T. 2S, R. 34E, B.M., Bingham County.

A review of our records indicates that you have not filed an application for a permit to appropriate the public water of the State of Idaho. Since March 23, 1963, an application has been required prior to construction of a well and a valid permit must be obtained before ground water may be diverted. The only exception to this requirement is a well drilled for stock-watering or single family household use and water used for all other purposes, including irrigation of one-half acre of land in connection with the household use where the total use does not exceed 13,000 gallons of water per day.

If you have already filed an application, which we over-looked in the review of our records, please advise us of the number of the application or the name under which the application was filed. However, if you have not yet filed the required application, you should do so as soon as possible. You may obtain the forms upon request from this office.

If you have any questions, please contact this office.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:eb

35-7430

Requested application 6/12/74-UB
Returned app. 6-20-74 MB
Application #35-7430 filed 7/5/74-UB

RECEIVED

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 60 days after the completion or abandonment of the well.

[illegible]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harding Livestock & Land Company,
Box 368, Blackfoot, Idaho

has on 7/05/74 submitted Application No. 35-7430
for a permit to appropriate 11.2 cubic feet per second ~~acres feet per annum~~
of water from a ground-water source
by means of well and pump
within the SW1/4NE1/4, Sec. 24, T. 2S, R. 34E, B.M., Bingham County;

to be used from Jan. 1 to Dec. 31 for odor control for feedlot; and from
~~Nov. 1 to~~ Nov. 15 for the irrigation of 30 acres. All uses within the SW1/4NE1/4,
Sec. 24, T. 2S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 29, 1974.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho
on July 11 and July 18, 1974.

RECORDED

OB-1
MB-1

July 5, 1974

RE: Application for Permit No. 35-7429 - TRACY
" " " No. 35-7430 - HARDING LIVESTOCK

The Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:CB

Bill submitted 7-22-74 by MB

Enc: Legal Notice (2)

MAILED
JUL 10 1974

**NOTICE OF
APPLICATION FOR
WATER PERMIT**

110 Notice is hereby given that Harding Livestock & Land Company, Box 368, Blackfoot, Idaho, has on 7-5-74, submitted Application No. 35-7430, for a permit to appropriate 11.2 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, T. 2S, R. 34E, B.M., Bingham County; to be used from Jan. 1 to Dec. 31 for odor control for feedlot; and from Apr. 1 to Nov. 15 for the irrigation of 30 acres. All uses within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 2S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 29, 1974.

R. KEITH HIGGINSON

Director

(3914)

Pub.: 7-11, 18

July 8, 1974

Re: Application for Permit No. 35-7430

Mr. Howard Burkhardt
Sr. Public Health Engineer
Idaho Dept. of Health & Welfare
316 North 7th Street
Pocatello, Idaho 83201

Dear Mr. Burkhardt:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. The last date of protest is July 29, 1974, and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Asst. to District Engineer

RDC:MB

Enclosure

THEORETICAL CALCULATIONS

GIVEN - 14" D WELL X 94' w/ 40 HP
TURBINE PUMP.
SPRAY WALLS 22' HIGH X 2600' LONG

WANTED - Q

1) BASED ON HP REQUIREMENTS

ESTIMATED TDH

94' WELL DEPTH

22' SPRAY HEIGHT

8' FRICTION

ASSUMING 3" LATERAL - ASSUME 3'/1000'

ASSUME 65% EFFICIENCY

TDH = 124'

$$bhp = \frac{(Q)(124)}{(8.8)(.65)}$$

AP SHOWS 40 HP PUMP

$$\frac{(40)(8.8)(.65)}{124} = Q = 1.84 \text{ CFS MAX}$$

NOT FILLED

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 12, 1974

Re: Application for Permit No. 35-7430

Mr. Ralph R. Harding
Harding Livestock & Land Co.
Box 368
Blackfoot, ID 83221

Dear Mr. Harding:

We have not received any engineering plans or indication that plans are being prepared to justify the 10.6 cubic feet per second you have requested for your proposed odor screen. Without this information the Department has no way of determining if the quantity of water you wish to appropriate can be justified.

Your application for permit is scheduled to be sent to our Boise Office for final action on August 23, 1974. Without justification for the quantity you have listed for "odor control", it is unlikely that this application can be approved for more than the 0.6 c.f.s. you request for irrigation purposes.

If we can be of assistance to you, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to District Engineer

RDC:mb

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 29, 1974

Re: Application for Permit No. 35-7430

Mr. Ralph R. Harding
Harding Livestock & Land Co.
Box 368
Blackfoot, ID 83221

Dear Mr. Harding:

Since we have received no engineering plans to justify the 10.6 c.f.s. you have requested for your odor screen, I made some rough calculations based on the information reported on your application and find the maximum amount of water you will be able to divert with a 40 H.P. pump will 1.84 c.f.s. Therefore, if we do not receive information to justify the high diversion rate by September 27, 1974, the quantity of water to be appropriated under this permit will be reduced to 1.84 c.f.s.

If you have any questions, please contact us.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:mb

RECEIVED
AUG 30 1974

INTER-DEPARTMENT MEMO — 1

FROM Ron

DATE Sept. 30, 1974

TO Bob

SUBJECT Application for Permit No. 35-7430

Department of Water Resources

My calculations should give a rather liberal estimate of quantity. Since we have had no response from the applicant, I recommend the Q on this application be reduced to the theoretical capacity of his proposed system; i. e., 1.84 cfs.

MICROFILMED

ROC
MB

SIGNATURE

October 9, 1974

Re: Permit No. 35-7430

Harding Livestock & Land Co.
Box 368
Blackfoot, Idaho 83221

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 35-7430 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

July 5, 1974

Mr. Ralph R. Harding
Harding Livestock & Land Company
Box 368
Blackfoot, Idaho 83221

Dear Mr. Harding:

Attached herewith is departmental receipt No. 12947 in the amount of \$135.00. The application appears to be in proper form and processing will be commenced.

Again, let me remind you that engineering details for the design of the water wall feedlot odor filter will have to be supplied before final action can be taken on your application. These engineering designs should include justification for the rate of diversion requested and a diagram of your diverting works and system. Also, because the use would appear to be essentially non-consumptive, we will need information concerning the disposition of the waste water.

Your cooperation in this matter has been greatly appreciated, and we will be happy to answer any questions you have.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:CB

Attachment

June 26, 1974

Mr. Ralph R. Harding, Pres.
Harding Livestock & Land Company
Box 368
Blackfoot, ID 83221

Dear Mr. Harding:

Enclosed please find your check No. 92-301 in the amount of \$135.00 and the application for permit. We have taken the liberty of retyping the application and redrawing the sketch map according to the county map, showing county roads and the Arco highway in reference to your land description. Also, when signing the retyped application, please indicate your title.

Before we can further process your application for permit, it will be necessary that you submit a copy of the design and calculation as to how you determine the quantity of water needed for odor control.

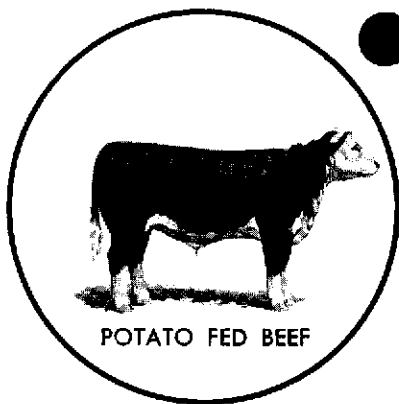
If you have any questions, please do not hesitate to contact us.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:mb

Enc: Check No. 92-301
Appl for Permit
Retyped Application



HARDING LIVESTOCK & LAND COMPANY

BOX 368 BLACKFOOT, IDAHO 83221 208-684-4441

June 25, 1974

74-172

Mr. Norman C. Young,
District Engineer
State of Idaho
Dept. of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Young:

This is in reply to your letter of June 21, 1974. Mr. Jackman does hold the position of elected Secretary of our Corporation, and would be authorized to sign for the Company.

However, I have reviewed your letter and want to state that we want to apply for enough water to operate our odor control spray wall and also the erection of a 30-acre green belt of grass and trees to beautify and add a filtering effect to feedlot odors. The well and sprinkler system has been designed to Dr. Ron Miner's specifications strictly to screen and filter feedlot odors as they pass from our feedlot to the nearby farming community of Moreland.

Please find enclosed a signed application and our check in the amount of \$135.00. If you have further questions, do not hesitate to give me a call.

Sincerely yours,


Ralph R. Harding
President

RRH/jf

Enclosures

PHOTOCOPIED

June 21, 1974

Harding Livestock & Land Company
Box 368
Blackfoot, Idaho 83221

Gentlemen:

We find it necessary to return the application for permit to appropriate ground water because the required filing fee did not accompany the application. In addition, the information presented will need some clarification before the application can be processed.

1. In Item 4 the quantity of water is listed as 11.15 cubic feet per second (or 5000 gallons per minute). The Idaho Code, Section 42-204, limits the rate of diversion for irrigation purposes to 0.02 cfs per acre. Thus, the 30 acres requested to be irrigated would be allowed 0.6 cfs, unless a larger rate of diversion can be justified by coarse soils or unusual irrigation systems. It appears from Item 8a(5) that irrigation may be an incidental use associated with a special use involving control of feed lot odors. If odor control is a beneficial use of the water, it should be listed separately from irrigation of Item 4. Ample information should be supplied to justify the need for the high rate of diversion requested.

2. If the water is to be used for purposes other than irrigation, Item 8a should be completed.

3. The place of use for irrigation in Item 8b should be more fully completed.

4. More details should be included in the plat of Item 11, so that the scale and legal descriptions of the point of diversion and place of use can be determined.

5. The position held by Mr. Donald B. Jackman at Harding Livestock and Land Company should be indicated. The signature must be that of an elected official, if the company is incorporated, that of a partner if a partnership, or one holding a power of Attorney. We are enclosing a power-of-attorney form you may find useful. We are also enclosing a fee schedule which may be used to determine the filing fee based upon the rate of diversion.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosures

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>NCY</u>	<u>6/29/74</u>	Application No. <u>HARDING Livestock</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map <u>Not Clear</u> <u>no scale, no P.d etc</u> ☒ Signature <u>partner, elected official, P.O. A.?</u> ☒ Fee <u>None</u>
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>No</u>
	<u>"</u>	<u>"</u>	Send Copies to: ☒ Idaho State Health Department <u>when acceptable</u> ☐ Idaho Fish and Game Department ☐ Bureau of Land Management ☒ <u>Shirley Boyce</u>
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B. L. M. ☒ Request Information from Applicant <u>Return</u>
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>No</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>N.A.</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>CV-D #27</u> ☐ Increasing (comment) _____
(9)	<u>"</u>	<u>"</u>	Comments: <u>Appears to be unrealistic for the proposed pump as well as for the proposed usage. Could be conflicting w. rights but can't tell from info on application.</u>
(10)			Affidavit of Publication received (date) _____
(11)			Final date for protests _____ Protests received: yes _____ no _____
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes _____ no _____
(14)			Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District	By	Date

Maximum rate of diversion shall not exceed 1.84 cfs.

30F