

Rge - 26E

1 7

0 0

*16 36

22 39

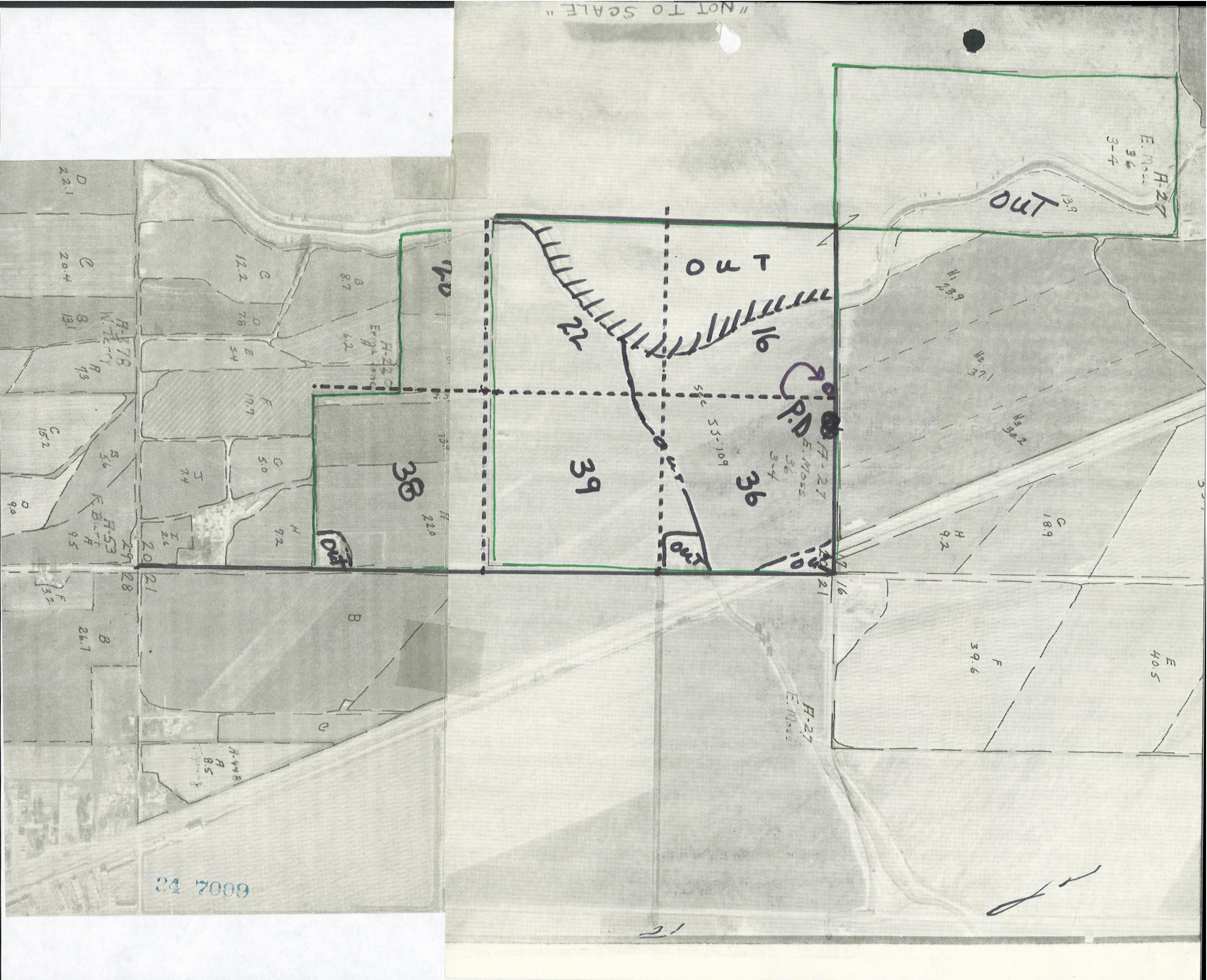
2 0

20 38

P.D.

Diagram of System

24 7009



State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 34-7009 Priority July 8, 1968 Amount 1.32 cfs

THIS IS TO CERTIFY, that L. B. HIBARGER

of Arco, Idaho, has complied with the terms and conditions of Permit No. 34-7009 issued pursuant to Application for Permit dated July 8, 1968, and has submitted proof to the Department of Water Administration on July 17, 1973, 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 3.94 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Sept. 30</u>	at <u>1.32</u> cfs and	<u>398 acre feet or</u> <u>3.0 af per acre</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.32 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 * 398 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 20,
Twp. 5 N, Rge. 26 E, B.M. in the County of Butte

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 $\frac{1}{4}$	
5 N	26 E	20	35	20	25	40									38	20			178

Total number of acres irrigated 178

* Subject to the condition that the maximum volume per year shall not exceed 534 acre feet when combined with License No. 24330/34-2306.

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

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

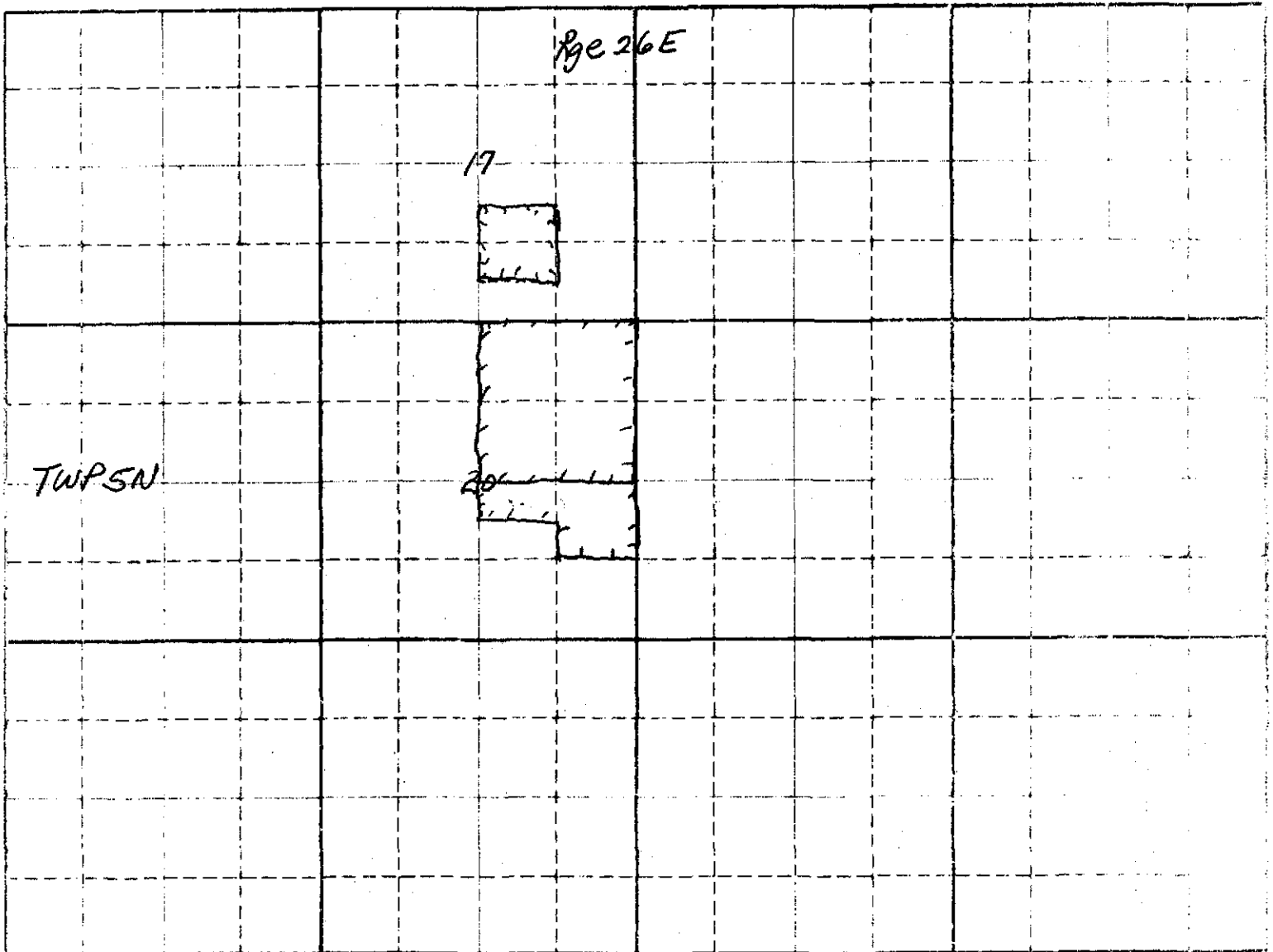
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of April, 19 74.

Director

[Signature]
34-7009

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, Ida., this 8 day of June, 19 73

P. B. Hubinger
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration
hereby approve the above application for amendment for Permit No. 34-7009.

Witness my hand this 26th day of June, 19 73

R. Keith Higginson
Director

Identification No. 34-7009

Application No. 42645

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

Permit Issued For 1.32 SEC. FT. To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant L. B. Hibarger
post office address Box 67, Arco, Idaho
2. Source of water supply well, underground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 5 North
Range 26 E B.M. Butte County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into consumed 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:
Amount 4.8 for irrigation purpose from May 1st to Sept 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated: 4.8 (allow 4.8 c.f.s.)
a. 4.8 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Motor, Pump, Electrical hookup and discharge pipe

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.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 in inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$10,000.00.
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: _____ 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: irrigation only

34-7009

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	26	20	X	X	X	X													160
5 N	26	17									X			X					80

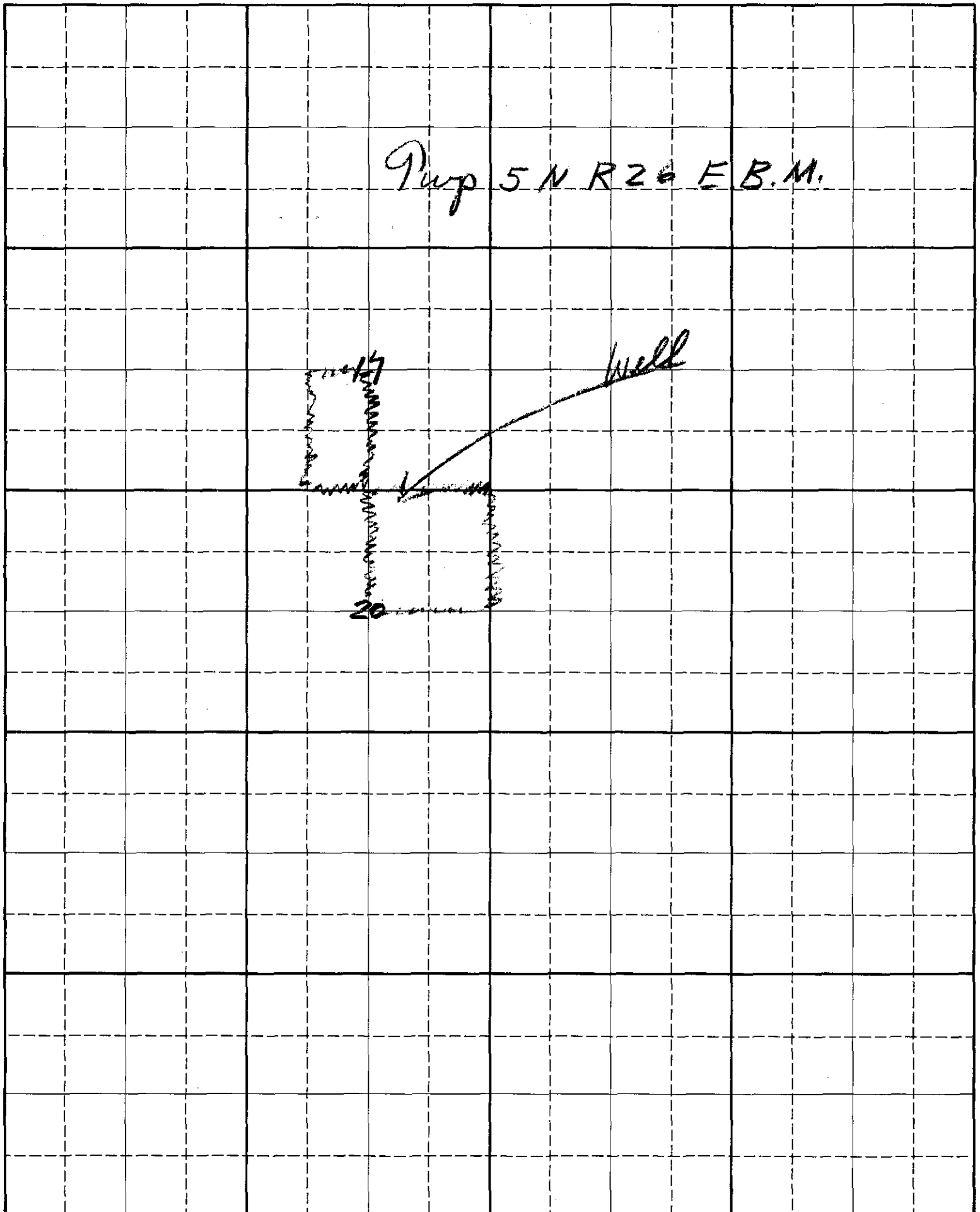
Total number of acres to be irrigated eventually
240

c. Describe any other water rights used for the same purposes 60 miners inches of 6-1-1897
1383 inches of storage rights in Mackay Dam. 1 other well pumping about
100 inches.

9. a. Who owns the property at the point of diversion L B Hibarger
 b. Who owns the land to be irrigated or place of use L B Hibarger
 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 The existing water rights are not adequate to irrigate this
property. We will eventually try and sprinkle more land that is unlevel
and cannot be watered by gravity. That is the reason for drilling this
new well.

11. Map of proposed project:



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.

X L. B. Harger
(Applicant)

34-2009

Received by ef Date 7-8-68 Time 8:00 a
Preliminary check by Qwr Fee \$ 40.00 7-9-68
Receipted by ef Date 7-10-68
Publication prepared by KS Date 7-18-68
Published in Orin Advertising
Publication dates 7-25-68 8-1-68
Publication approved YSL Date 7-23-68
Priority reduced to _____ Reason _____

Protests filed by: NONE

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CAJ/Dwr

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 34-7009, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights. Maximum rate of diversion shall not exceed 4.8 c.f.s.

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

Witness my hand this 19 day of August, 19 68.

R. Keith Higgins
State Reclamation Engineer

July 20, 1968

State of Idaho
Department of Reclamation
Boise, Idaho

Attn: Donald W. McEldowney
Appropriation Examiner

RECEIVED
JUL 22 1968
Department of Reclamation

Gentlemen:

Re: Application No. 34-7009

Thank you for your letter of July 17th. Will you please correct my request to the maximum legal amount of 4.8 cu. ft. per second.

At this time I have no means of knowing how much water can be developed and because of the soil structure I believe that the maximum will be insufficient. I assume after the well has been developed that I can re-evaluate the situation and apply for additional water at that time if needed.

Thank you for calling this to my attention.

Very truly yours,

Loren B. Hibarger
Loren B. Hibarger
Box 67
Arco, Idaho

34-7009

RECEIVED

AUG 2 1968

Affidavit of Publication

Department of Reclamation

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for two (2) consecutive weeks, commencing
with the issue dated July 25, 1968
and ending with the issue dated August 1, 1968

Elizabeth L. Brammer

Subscribed and sworn to before me this

 day of August, 1968

Margaret Gaffner
Notary Public.

Residence: Arco, Idaho.
My commission expires Nov-1, 1969

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that
I, B. Hibarger, Box 67, Arco,
Idaho has on July 8, 1968 applied
for permit to divert 5 cubic feet
per second of water from subter-
ranean source under application
No. 34-7009. Water will be diverted
by well, pump, motor and
pipe within the SW 1/4 NE 1/4, Sec.
20, Twp. 5 N., Rge. 26 E., B.M. in
Butte County and is to be used
from May 1 to September 30 for
irrigation in NE 1/4 Sec. 20, E 1/4
SW 1/4 Sec. 17, Twp. 5 N., Rge. 26
E., B.M.

Any protest against this appli-
cation must be filed with the De-
partment of Reclamation within
ten days from the last date of
publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in the Arco Advertiser
on July 25 and August 1.

34-7009

Affidavit of Publication

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for two (2) consecutive weeks, commencing
with the issue dated July 25, 1968
and ending with the issue dated August 1, 1968

Elizabeth L. Brammer

Subscribed and sworn to before me this

1 day of August, 1968

Margaret Gaffner
Notary Public.

Residence: Arco, Idaho.
My commission expires Nov - 1, 1968

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that
L. B. Hibarger, Box 67, Arco,
Idaho has on July 8, 1968 applied
for permit to divert 5 cubic feet
per second of water from subter-
ranean source under application
No. 34-7009. Water will be divert-
ed by well, pump, motor and
pipe within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
20, Twp. 5 N., Rge. 26 E., B.M. in
Butte County and is to be used
from May 1 to September 30 for
irrigation in NE $\frac{1}{4}$ Sec. 20; E $\frac{1}{2}$ -
SW $\frac{1}{4}$ Sec. 17, Twp. 5 N., Rge. 26
E., B.M.

Any protest against this appli-
cation must be filed with the De-
partment of Reclamation within
ten days from the last date of
publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in the Arco Advertiser
on July 25 and August 1.

34-7009

STATEMENT

ARCO ADVERTISER

P. O. BOX C

ARCO, IDAHO 83213

Department of Reclamation
107 State House
Boise, Idaho # 83701

7-25 Notice of Application For Water

34-7009

26 lines 2¢

\$ 6.24

" I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid."

Elizabeth L. Brammer
The Arco Advertiser
by: Elizabeth L. Brammer
Secretary / Owner

34-7009

February 3, 1988

RECEIVED

FEB - 8 1988

Department of Water Resources

Department of Water Resources
Statehouse
Boise, ID 83720

Re: Loan No. 96650-H, Hibarger
License #34-2306 & 34-7009

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water License #34-2306 and 34-7009, as described in Mortgage Deed dated November 24, 1976, given by L. B. Hibarger, et al.

Said mortgage was recorded in the Public Records of Butte County under Microfilm #M5635.

Sincerely,

Jean Wright

Jean Wright
Administrative Assistant

jw
cc: Ag-Land Mortgage

no response
reg'd - kw
2/22/88

WATER RIGHT NUMBER 34-7009 ✓

OWNER LAST NAME - HIBARGER ✓

ADDRESS LINE 1 - P.O. BOX 630 ✓

ADDRESS LINE 3 - ✓

SOURCE - GROUNDWATER ✓

STAGE - LICENSE ✓

TOTAL DIV. VOLUME -

DIVERSION POINT - NWNE 20 05N 26E LOT RE DIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 05-01 TO - 09-30 USE - IRRIGATION ✓

USE - IRRIGATION ✓

FIRST NAME - L. B. ✓

ADDRESS LINE 2 -

CITY - MOORE ✓

TRIBUTARY OF - ✓

PRIORITY - 07-08-1968 ✓ COUNTY - BUTTE ✓

ORIG OWNER - ✓

STATE - ID ✓ ZIP CODE - 83255 ✓

TOTAL DIV. RATE - 1.3200 ✓ CFS

TRFR/AMEND - ✓ WATER DIST. - ✓ DLE/CAREY ACT - RIGHT BASIS -

USE DIV. RATE - 1.3200 ✓ CFS USE DIV. VOLUME - 398.00 ✓ AFA

PLACE OF USE - TWN 05N RNG 26E SEC 20 ✓ TRACT NENE LOT AC 35 ✓ TRACT NWNE LOT AC 20 ✓

TRACT SWNE LOT AC 25 ✓ TRACT SENE LOT AC 40 ✓

TRACT NESE LOT AC 38 ✓ TRACT NWSE LOT AC 20 ✓

DATE - TOTAL ACRES 178 ✓

DECREE NAME - ✓

REMARKS - SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME/YR. SHALL NOT

EXCEED 534 AF WHEN COMBINED WITH LIC. 24330/34-2306. ✓

ANNUAL VOLUME NOT TO EXCEED 3.0 AF/AC. ✓

NON IRRIG USE - ✓

OTHER RIGHTS FOR SAME USE - ✓

PROOF DUE - ✓

PERMIT/DENIED - ✓

PROTESTED -

HEARING - ✓

OLD NO. - ✓

PROOF MADE - ✓

FLD EXAM - ✓

COND. OF APPROVAL - R01 ✓ 16 ✓

DIVERSION MEANS - ✓

IDENT. NO. 34-7069

WATER RIGHT
DATA ENTRY LOG

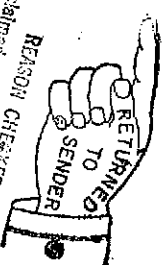
[illegible]

IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Annex 2

o 83707

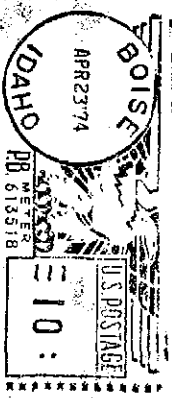


REASON CHECKED
Name Refused
Address unknown
such street Address
such office in state number
Do not remain in this envelope

~~L. B. Hibarger~~

~~Box 67~~

~~Arco, ID 83213~~



Return to
Box 6300 PO 83229-25
Moore, ID

Department of Water Administration

34-7009

April 23, 1974

Re: Permit No. 34-7009

L. B. Hibarger
Box 67
Ardo, Idaho 83213

Dear Mr. Hibarger:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

34-7009

April 1, 1974

L. B. Hibarger
Box 67
Arco, Idaho 83213

Dear Mr. Hibarger:

A representative of this Department has made an examination of the works covered by your Permit No. 34-7009 and has found the following:

Quantity of water diverted: 3.94 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.32 cfs

The maximum quantity diverted shall not exceed *398 acre feet per year.

Beneficial use: For irrigation of 178 acres within the NE 1/4, N 1/2 SE 1/4, Sec. 20, Twp. 5 N, Rge. 26 E

Point of diversion: NW 1/4 NE 1/4, Sec. 20, Twp. 5 N, Rge. 26 E, B.M.

Priority date established: July 8, 1968

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

* Subject to the condition that the maximum volume per year shall not exceed 534 acre feet when combined with License No. 24330/34-2306.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

34-7009

RECEIVED

FIELD REPORT

- [illegible]

240

Rge - 26E

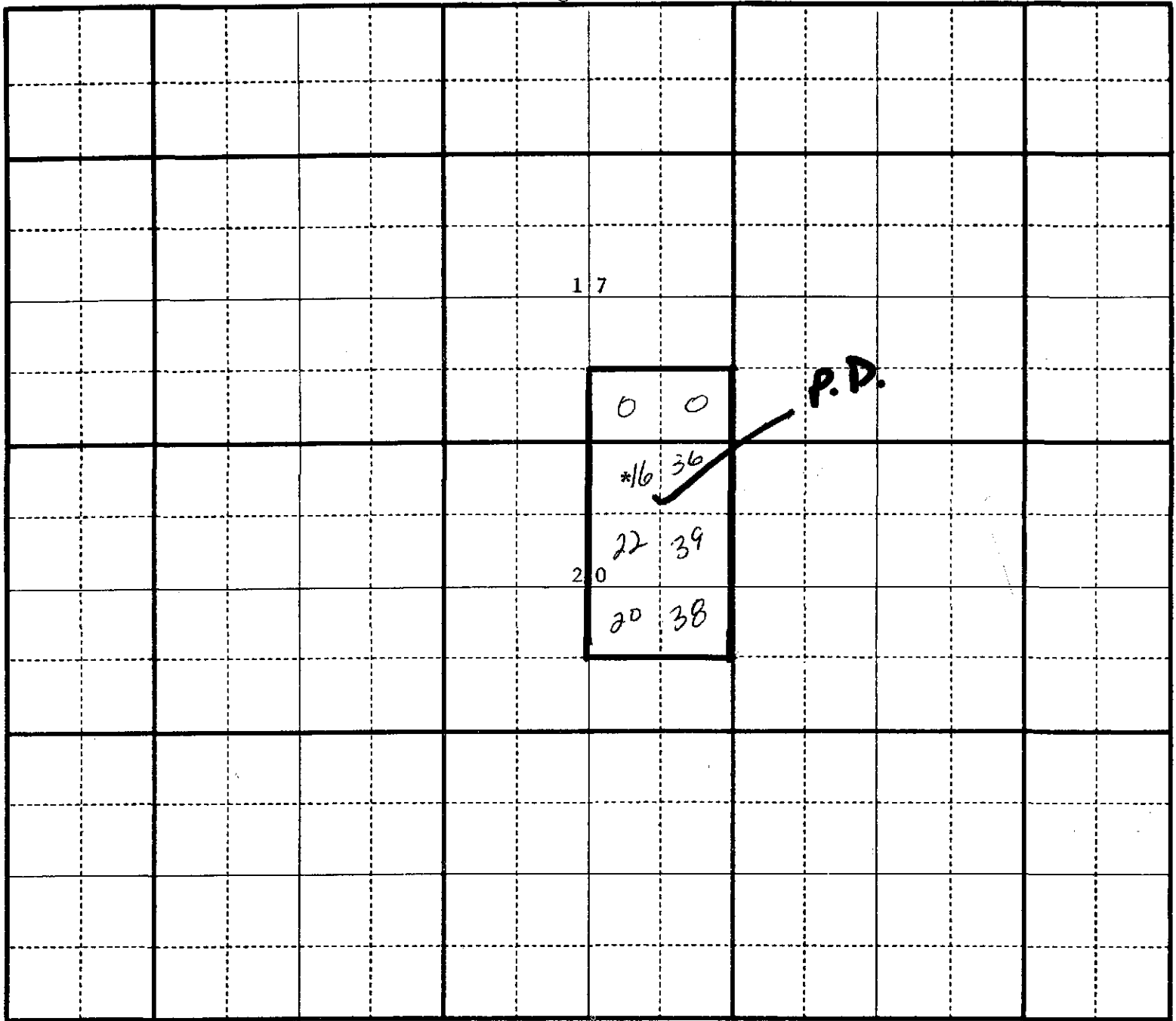


Diagram of System

UNIT 39

H-27
E 3.6
3-4

OUT

OUT

36

39

38

OUT

C 189

H 92

E 40.5

F 39.6

H-27
E 10.1

34 7009

$$\begin{array}{r} 5.55 \\ 277.50 \\ \hline \end{array}$$

60 A
240 AC
240 "

120

1 well

$$\begin{array}{r} 160^{\circ} \text{ AC} \\ 112^{\circ} \\ \hline 48^{\circ} \\ 40 \\ \hline 108^{\circ} \end{array}$$

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

RECEIVED

August 8, 1973

AUG 9 1973

Department of Water Administration
Eastern District Office

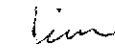
Mr. Norman Young
District Engineer
Idaho Water Administration
1515 Lincoln Ave.
Idaho Falls, Idaho

Dear Norm:

I have had a request from Mr. Loren Hibarger of Moore, Idaho, to furnish you some data on soils of his farm.

He has soils that are gravelly loam and are only moderately deep. The one inch to the acre is not sufficient to irrigate all the land. It takes quite a large head of water to push the water through on the border type of irrigation that he uses. It would be my recommendation in his case to allow more than the .02 c.f.s. per acre because of the high soil loss.

Sincerely,



James Stalnaker
District Conservationist
Arco Field Office
Arco, Idaho 83213

34 7000



July 18, 1973

Re: Permit No. 34-7009

L. B. Hibarger
P. O. Box 630
Moore, Idaho 83255

Dear Mr. Hibarger:

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 just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jc

34 7009

Identification No. _____

Permit No. 34-7009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUL 17 1973

Department of Reclamation

1. a) Name of Permit Holder L. B. Hiltner

b) Post Office Address P.O. Box 630, Moose, Idaho

2. Permit Number 34-7009

3. Date of Priority that you are prepared to establish 7/8/68

4. a) Source from which water was appropriated Well

b) Location of the point of diversion: ~~NE~~ NW 1/4 NE 1/4 Section 20

Township 5N, Range 26E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 4.81 cfs for irrigation purposes from May 1st to 9/30 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 3.47 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: Parshall flume
Eugene Gabert Water Master Big Lost River Irrigation Dist

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) 14" bore
pump 40 H.P., 16"
casing 220' depth

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

Parshall flume 18" x 15"

c) Give well drillers name and address and date the well was completed _____

Findlay's Well Drilling 255 W. Pargson St Blackfoot Idaho

Well completed June 30 1968

Exam typed 7/18/73 by jc

34 7009

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: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	26E	20	40	40	40	40									40	20			220
5N	26E	17										10		10					20

Total number of acres irrigated 240

10. Remarks: _____

20 acres in Sec 17 still to be used

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

July 11, 1973
(Date)

L. B. Stibarger
(Signature)

State of Idaho)
County of Butte) ss.

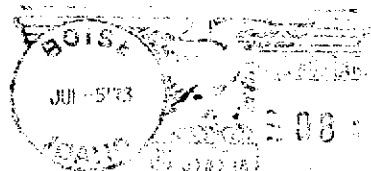
On this 11 day of July, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jack L. Phillips
Jack L. Phillips

Notary Public residing at Arco, Butte County, Idaho

My commission expires October 20, 1975

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707



☒ Moved, left no address
☐ No such number
☒ Moved, not forwardable
☐ Addressee unknown

L. B. Hibarger
2218 Oakwood Drive
Bakersfield, California

93304

*Re-addressed
to Moon, Idaho*

RETURN
TO WRITER
UNCLAIMED



34 7009

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707



REASON CHECKED
Unclaimed _____ Refused _____
Addressee unknown _____
Insufficient Address _____
No such street _____ number _____
No such office in state _____
No such remark _____

L. B. Hibarger
Arco,
Idaho 83212

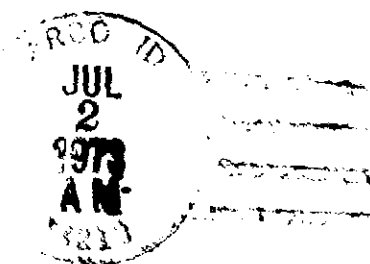
*Sent to
address from
letter of 4/21/69
L. B. Hibarger
2313 Oakwood Drive
Bakersfield, California*

*93304
fc*

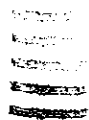


RECEIVED
JUL 5 1973
Department of Water Administration

34 7709

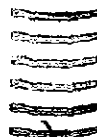


STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707



REASON CHECKED

Unclaimed ☐ Refused ☐
Addressee unknown ☐
Insufficient Address ☐
No such street ☐ number ☐
No such office in state ☐
No return permit in this envelope ☐



L. B. Hibarger
Box 67
Arco, Idaho 83212

AUTHORIZED TIME FOR FORWARDING HAS
EXPIRED.



RECEIVED
JUN 28 1973
Department of Water Administration



June 26, 1973

Re: Permit No. 34-7009

L. B. Hibarger
Box 67
Arco, Idaho 83212

Dear Mr. Hibarger:

Enclosed please find a copy of the approved application for amendment in connection with the above referenced permit.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jc
Enclosure
cc: Eastern District Office

34 7009

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

①

L B Hubinger

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Archie L. S. 15

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

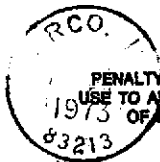
6.4.73

③

34 7009

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

34 7009



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



Postmark of Delivering Office

SENDER INSTRUCTIONS

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



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.



**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE • ANNEX #2
BOISE, IDAHO 83707

June 1, 1973

CERTIFIED MAIL

24525

Re: Permit No. 34-7009

L. B. Hiberger
Box 67
Arco, Idaho 83212

Dear Mr. Hiberger:

One of the conditions of approval of your water Permit No. 34-7009 (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 August 1, 1973. 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

Enc: Proof affidavit

34 7009

NOTE: on exam report tell the examiner to
check the location of the well and to note
this location of the well log filed with the
Department.

24-7009

RECEIVED
APR 21 1969

Department of Reclamation

checked
out

State of Idaho
Department of Reclamation
Boise Idaho

attention: Donall W Mc Eldowney
Appropriation Examiner.

I reply to your letter of April 9
asking for information regarding
application for permit to appropriate
public waters of the State of Idaho:

I have received an approved copy
of Application for Permit # 34-7009
and cover letter dated Aug 22 1968
signed by C. Stephen Delref, assistant
State Reclamation Engineer and a
copy of Application Receipt # 1082.
in the amount of \$40⁰⁰ - For
your further information my copy
also shows Application # 42645-09
34-7009

34-7009

I trust this will enable you
to clarify your records

Sincerely
O. B. Hilborn

LOREN B. HIBARTEE

3213 OAKWOOD DRIVE

Bakersfield Calif 93304

DON SAMUELSON
GOVERNOR



RECEIVED
R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 9, 1969

Department of Reclamation
Identification
34-7009

Application #
42645

Receipt # 1082- \$40.00

L. B. Hibarger
2213 Oakwood Drive
Bakersfield, Calif.

Gentlemen:

It has been brought to our attention that on or about
June 30, 1968, you had a well drilled.
The well is reported to be located at a point in the
NWNW (Butte Co.), Sec. 20, T. 5N, R.
26E, B.M. for irrigation use.

A search of our records has failed to find your appli-
cation or approved permit. Under existing Idaho Statutes,
Sections 42-226, 42-229, and 42-230 of the Idaho Code, you
are required to file and obtain an approved permit before
you divert waters from a subterranean source, with the
exception of domestic wells which are defined under Section
42-111 of the Idaho Code.

If we have overlooked your permit, please advise the
Department as to your permit number. However, if you have
not yet filled out an application for permit, please use
the instructions and the blank application form which we
have enclosed.

We will be very happy to assist you with any questions
you may have.

*Letter dated 8-22-68
signed by C Stephen Albred
State Reclamation Engineer*

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Application for Permit
Instructions

*THIS IS COVERED BY PERMIT 34-7009
Permit so noted on log*

*34-7009
5-1-69*

April 9. 1969

L. B. Hibarger
2213 Oakwood Drive
Bakersfield, Calif.

Gentlemen:

It has been brought to our attention that on or about
June 30, 1968, you had a well drilled.
The well is reported to be located at a point in the
NW 1/4 (Butte Co.) Sec. 20, T. 5N, R.
26E, B.M. for irrigation use.

A search of our records has failed to find your application or approved permit. Under existing Idaho Statutes, Sections 42-226, 42-229, and 42-230 of the Idaho Code, you are required to file and obtain an approved permit before you divert waters from a subterranean source, with the exception of domestic wells which are defined under Section 42-111 of the Idaho Code.

If we have overlooked your permit, please advise the Department as to your permit number. However, if you have not yet filled out an application for permit, please use the instructions and the blank application form which we have enclosed.

We will be very happy to assist you with any questions you may have.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Application for Permit
Instructions

34-7009

August 22, 1968

Re: Permit No. 34-7009

L. B. Hlbarger
Box 67
Arco, Idaho 83213

Dear Mr. Hlbarger:

We enclose a copy of your approved application for permit 34-7009
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 1082 for \$40.00

34-7009

July 17, 1968

Re: Application No. 34-7009

L. B. Hibarger
P. O. Box 67
Arco, Idaho

Dear Mr. Hibarger:

We have received your application for permit to appropriate the public waters of the State of Idaho. You should be advised that before final action is taken we will require clarification as to the quantity of water you have requested.

The maximum legal rate of diversion in the State of Idaho is .02 cubic feet per second per irrigated acre or approximately 1 miners inch per acre. You have requested 250 inches for 250 acres of ground. If you have a soils condition or a method of application which requires more water, you should submit qualified information and a specific request for excessive water to this department before final action is taken.

If, however, the maximum legal rate of diversion will be sufficient, please advise the department by return mail so that we may correct the application. The maximum that may be considered under the application as it now stands is 4.8 cubic feet per second.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

plus
received
7-23-68

34-7009

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that L. B. Hibarger, Box 67, Arco, Idaho has on July 9, 1968 applied for permit to divert 5 cubic feet per second of water from subterranean source under application No. 34-7009. Water will be diverted by well, pump, motor and pipe within the NW 1/4 Sec. 20, Twp. 5 N., Rge. 26 E., B.M. in Butte County and is to be used from May 1 to September 30 for irrigation in NE 1/4 Sec. 20, E 1/4 SW 1/4 Sec. 17, Twp. 5 N., Rge. 26 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in the Arco Advertiser
on July 25 and August 1.

Valley Press

34-7009

July 18, 1968

Re: Permit No. 34-7009
L. B. Hibarger

The Arco Advertiser
P.O. Box C
Arco, Idaho 83213

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 ample 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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that L. B. Hibarger, Box 67, Arco, Idaho
has on July 8, 1968
applied for permit to divert ~~acres~~ 5 cubic feet per second ~~amount~~
of water from subterranean source
under application No. 34-7009. Water will be diverted by well, pump,
motor and pipe within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20, Twp. 5 N.,
Rge. 26 E., R. M. in Butte County
and is to be used from May 1 to September 30 for irrigation
in NE $\frac{1}{4}$ Sec. 20; E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 17, Twp. 5 N., Rge. 26 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the The Arco Advertiser
on July 25th and August 1st.

34-7009

48