

STATE OF IDAHO,
County of Boise

Sherry Archer, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

May 12, 1978 and end-

ing with the issue of May 19

1978

Sherry Archer

Subscribed and sworn to before

me this 22 day of May, 1978

Robert J. Thiffault
Clerk of Dist Court

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Larry D.
Hester, P.O. Box 157, Horseshoe
Bend, Idaho 83629 has on May 1, 1978
submitted Application No. 65-12121
for a permit to appropriate 0.02 cubic
feet per second of water from a
fountain water source by means of well
and pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec
and 17N-R2E B.M., Boise County to be
used from April 1 to October 15 for

irrigation of $\frac{3}{4}$ acre within the NE $\frac{1}{4}$
NE $\frac{1}{4}$ Sec 34 T7N-R2E 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 Director of
the Idaho Department of Water
Resources, 92 South Cole Road,
Boise, Idaho 83705 on or before May
29, 1978.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on May 12
and 19, 1978.

OK
slw
5-30-78

RECEIVED

MAY 26 1978

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPUNCHED

A. GENERAL INFORMATION

Permit No. 65-12121

1. Owner: Larry D Herbert

Phone No. 793-2691

Current Address: P.O. Box 176 Horseshoe Bend, ID 83629

2. Accompanied by: Larry Herbert

EXAM. DATE: 8-6-86

Address: same as above

Phone No. 793-2691

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to _____

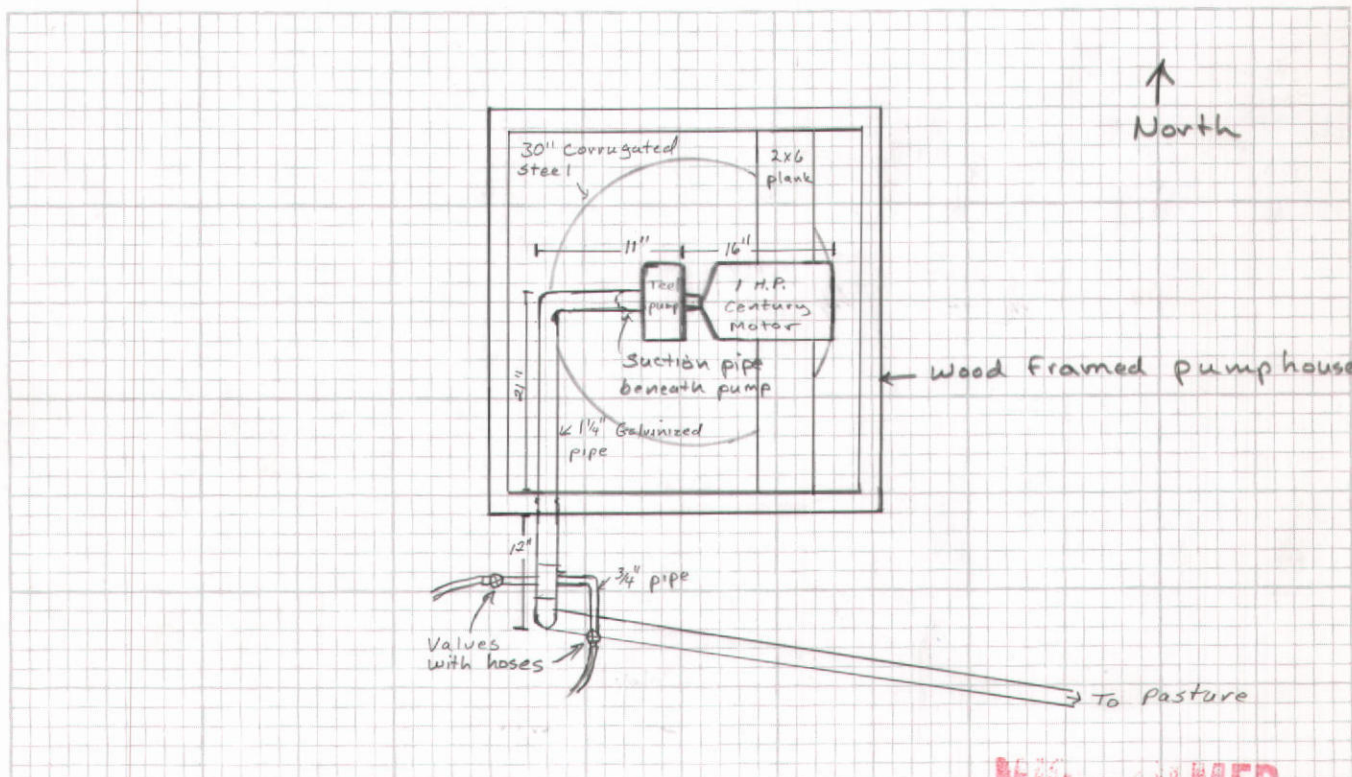
B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-10688, 65-10892, 65-11029, 65-11030, 65-11032 + 65-1677 not used on this land ☒ Copies Attached

2. Other water rights with same point of diversion: 65-12699 River water 65-7505, 65-7040, 65-1677, 65-11032, 65-11030, 65-11029, 65-10892 do refer to this well. ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = 10'

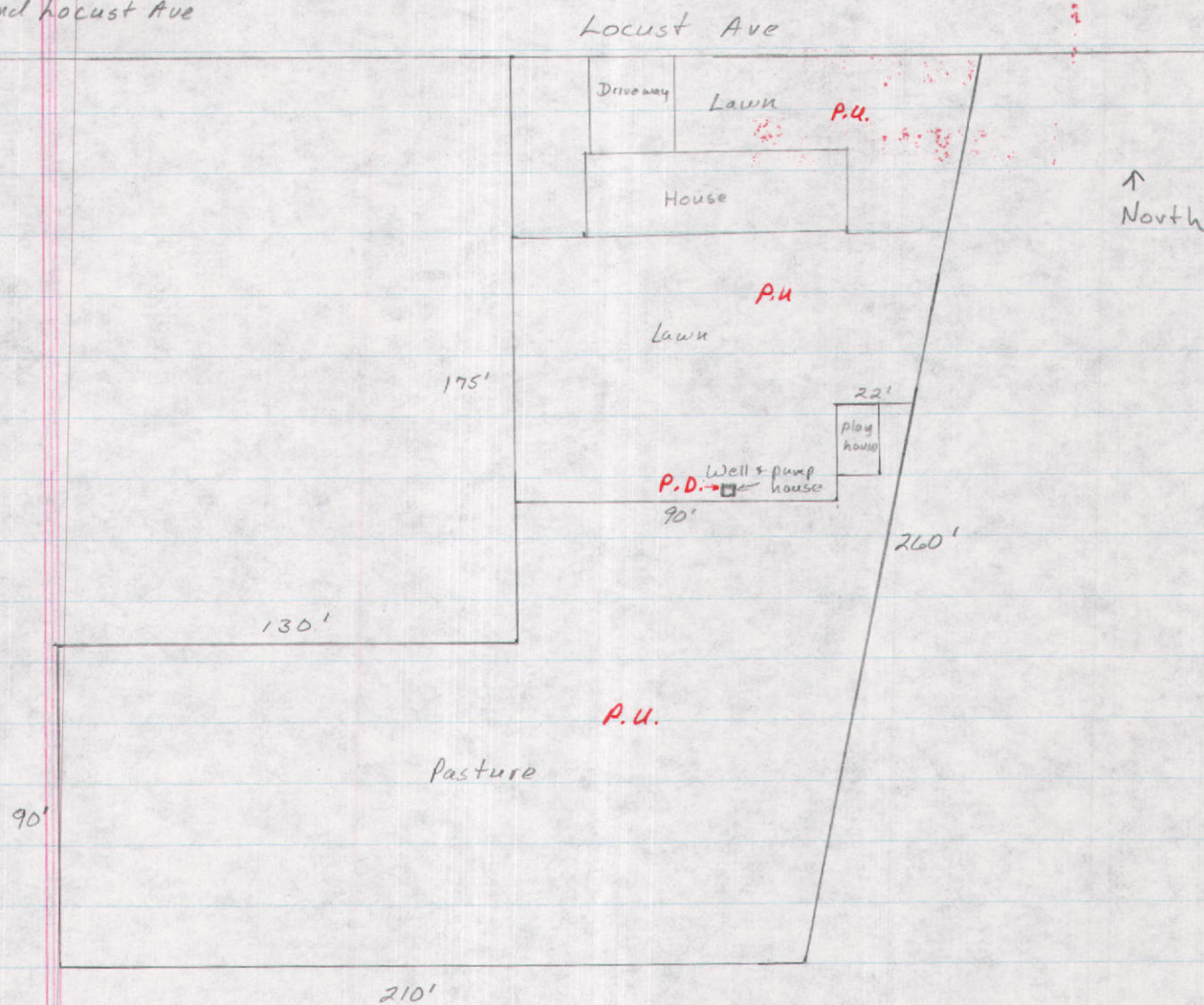
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Aerial Photo Attached **DEC 20 1988**
(required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

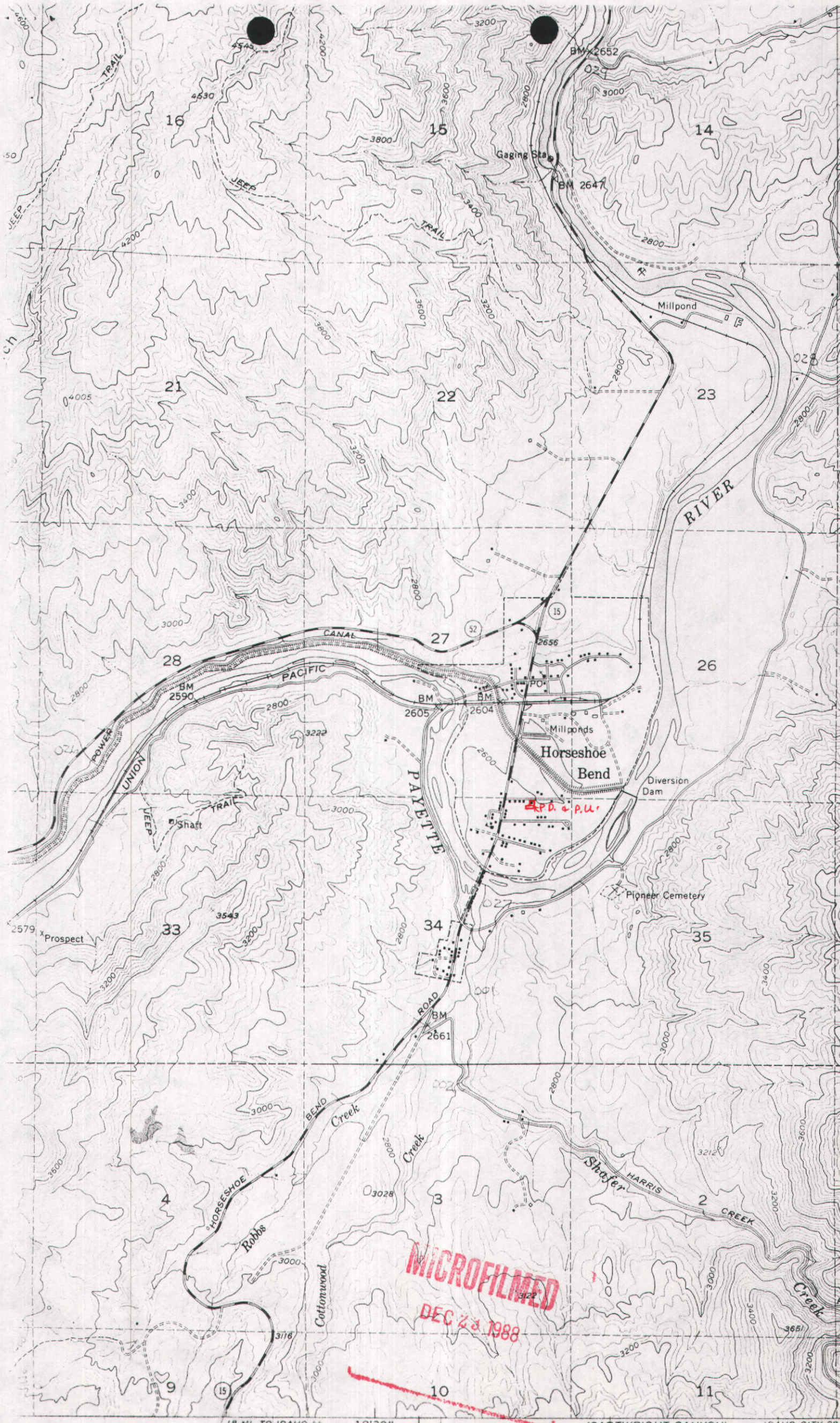
65-12121

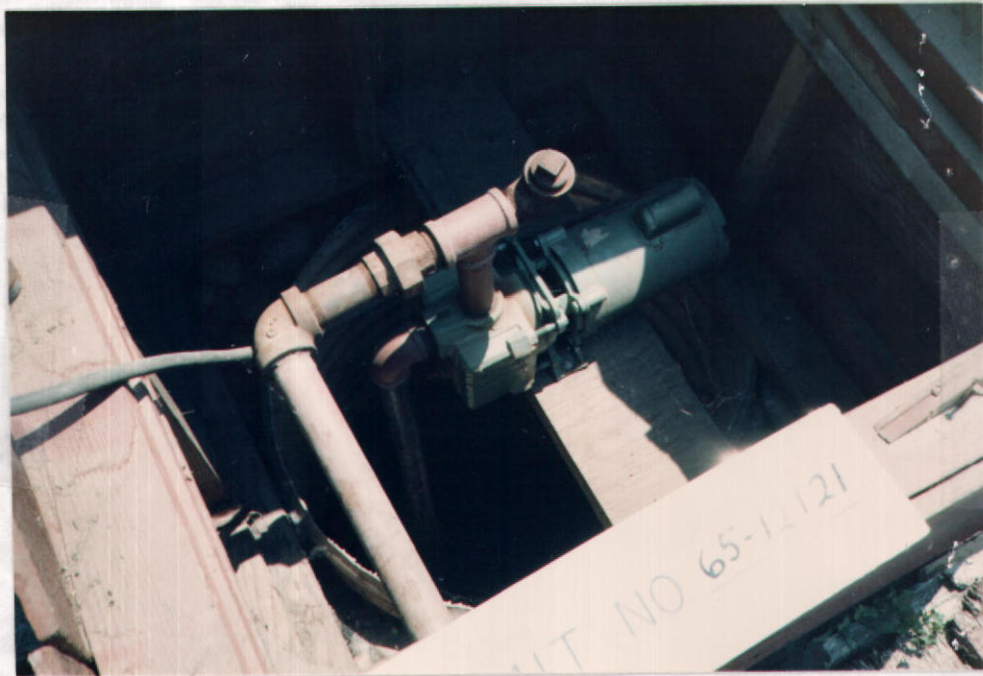
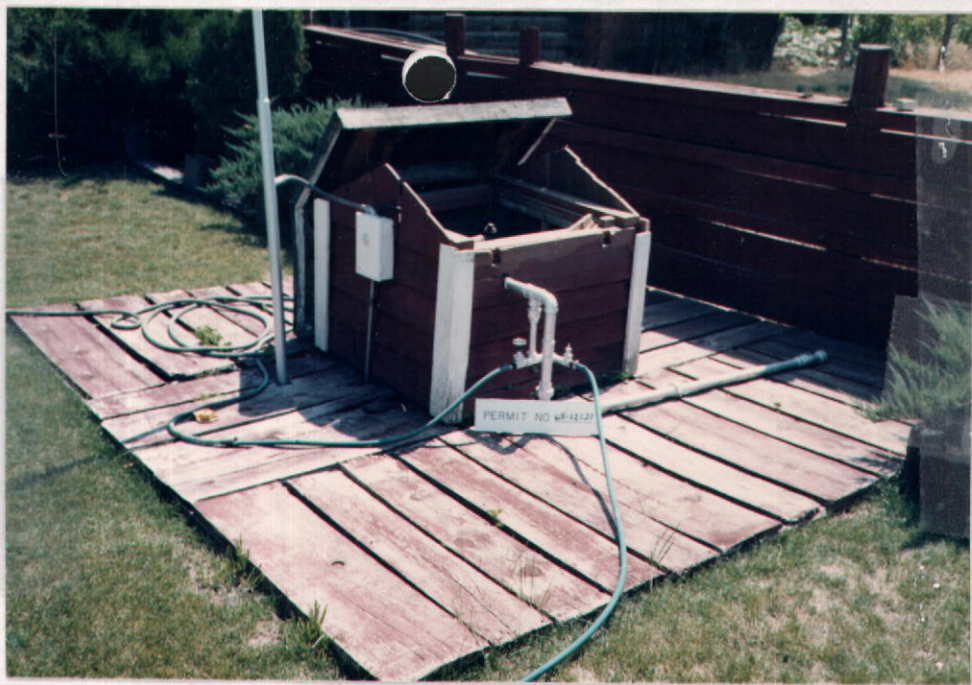
Intersection
of Sharon Dr.
and Locust Ave



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DEC 23 1988





PERMIT No. 65-12121

LARRY D. HERBERT

MICROFILMED

DEC 23 1988

SENE	03	21	65-2366	SHOENAKER	03-15-1930	SPRINGS
SENE	03	21	65-2614	SHOENAKER	04-24-1956	LONE PINE CREEK
SENE	04	20	65-12563	SHOENAKER	09-14-1982	PAYETTE RIVER
SENE	04	43	65-12582	BOISE CASCADE CORP	12-07-1982	SPRINGS
SENE	04	12	65-2366	SHOENAKER	03-15-1930	SPRINGS
SENE	04	12	65-2614	SHOENAKER	04-24-1956	LONE PINE CREEK
SENE	04	10	65-3402	SHOENAKER	04-01-1930	PAYETTE RIVER
SENE	04	02	65-7482	SHOENAKER	04-01-1930	SPRING
NENE	04	43	65-12749	KLINE	04-29-1974	GROUNDWATER
NENE	08	43	65-12749	STEPHENS	10-16-1985	SPRING
NENE	02	04	65-8532	STEPHENS	10-16-1985	SPRING
				PEARL KENNEDY ESTATE	02-01-1961	PAYETTE RIVER
				KENNEDY	07-24-1895	GROUNDWATER
				DOUBLE DIAMOND INC	08-01-1971	GROUNDWATER
				HANSON	05-22-1968	GROUNDWATER
				HANSON	06-01-1965	GROUNDWATER
				DOUBLE DIAMOND RAN	06-01-1946	GROUNDWATER
				WALLACE		
				WALLACE		
				MC KEAN		

34

HARRIS

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 2468
01/04/1986

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
07N	02E	34		04	43		65-10966	HARRIMAN	C	D	06-01-1936	GROUNDWATER
				04	43		65-11024	HARRIMAN	C	D	01-01-1959	GROUNDWATER
				04	43		65-11116	DECKER	C	D	09-01-1949	GROUNDWATER
			NENE		43,04		65-10688	HILL	C	D	07-01-1946	SPRINGS
			NENE		43		65-10892	WATSON	C	D	06-01-1943	GROUNDWATER
					43		65-11029	HAINES	C	D	06-01-1950	GROUNDWATER
			NENE		43		65-11030	HAINES	C	D	06-01-1946	GROUNDWATER
			NENE		43		65-11032	FAKRELL	C	D	07-01-1957	GROUNDWATER
			NENE	01	01		65-12121	BENNETT	C	P	05-01-1978	GROUNDWATER
			NENE		43		65-1677	BENNETT	C	D	06-11-1965	GROUNDWATER
			NENE	04	01	01,43	65-10744	HUNDER	C	D	06-01-1945	GROUNDWATER
			NENE	04	03	01,43	65-11325	HESTER	C	D	06-01-1953	GROUNDWATER
			NENE	04	03	01	65-12699	HOWELL	C	D	12-07-1983	PAYETTE RIVER
			NENE	04	03	01,43	65-7635	MC REYNOLDS	C	P	06-25-1976	PAYETTE RIVER
			NENE	02	01	01	65-12051	COOPER	C	L	10-31-1977	GROUNDWATER
			SWNE	02	04	01	65-10832	HORSESHOE BEND SCH	C	D	04-01-1935	GROUNDWATER
			SENE	02	02	01	65-10833	HOFF	C	D	06-01-1935	GROUNDWATER
			SENE	01	02	01	65-12699	FRYE	C	D	12-07-1983	PAYETTE RIVER
			SENE	01	01	01,04,06	65-10748	HOFF	C	D	04-01-1968	PAYETTE RIVER
			SENE	01	11	01	65-1151	FRYE	C	D	08-01-1965	SPRING
			SENE	01	07	01	65-1317	COOPER	C	D	01-01-1870	SHAVER CREEK
			SENE	01	04		65-2869	DOUBLE DIAMOND INC	C	P	08-31-1966	PAYETTE RIVER
			SENE		04		65-12013	WOOD	C	L	10-07-1977	SPRING
			SENE		04		65-12013	WOOD	C	L	10-07-1977	SPRING
			SENE		43		65-12013	WOOD	C	L	10-07-1977	SPRING
			SENE		43		65-10671	WOOD	C	D	06-01-1950	GROUNDWATER
			SENE		43		65-10727	CARTER	C	D	06-01-1955	GROUNDWATER
			SENE		43		65-10728	CARTER	C	D	06-01-1964	GROUNDWATER
			SENE		43		65-10729	RENFRO	C	D	06-01-1966	SPRING
			SENE	02	01,43		65-10834	RENFRO	C	D	06-01-1917	SPRING
			SENE		43		65-10889	RENFRO	C	D	08-10-1967	GROUNDWATER

C 4

				12-07-1982 SPRINGS	SHOEMAKER	
NESH	00 43	65-12749	P	10-16-1985 SPRING	STEPHENS	
SESH	43	65-12582	P	12-07-1982 SPRINGS	SHOEMAKER	
					SHOEMAKER	
SESH	01.04	65-3402	D	04-01-1930 SPRING	SHOEMAKER	
33	SESE	65-3505	D	04-01-1911 SPRING	WEBSTER	
34	01 43.04	65-1152	D	07-29-1895 GROUNDWATER	DOUBLE DIAMOND INC.	
	02 01	65-10833	D	06-01-1935 GROUNDWATER	HOFF	
					FRYE	
	02 43	65-10940	D	08-01-1971 GROUNDWATER	HANSON	
					HANSON	
	02 43	65-1194	D	09-22-1968 GROUNDWATER	DOUBLE DIAMOND RANCH	
	04 43.01	65-10744	D	08-01-1945 GROUNDWATER	COOPER	
	04 43	65-10856	D	06-01-1965 GROUNDWATER	WALLACE	
					WALLACE	
	04 43	65-10873	D	06-01-1946 GROUNDWATER	MC KEAN	
	04 43	65-10966	D	06-01-1936 GROUNDWATER	HARRIMAN	
					HARRIMAN	
	04 43	65-11024	D	01-01-1959 GROUNDWATER	DECKER	
	04 43	65-11116	D	09-01-1949 GROUNDWATER	HILL	
	04 01.43	65-11325	D	06-01-1953 GROUNDWATER	MOODS	
NENE	43	65-10892	D	06-01-1943 GROUNDWATER	HAINES	
					HAINES	
					FRORELL	

0 2

HRR150

LAND DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 912
01/04/1986

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
07N	02E	34	NENE	43		65-11029	D		06-01-1950 GROUNDWATER	BENNETT	C
			NENE	43		65-11030	D		06-01-1946 GROUNDWATER	BENNETT	C
			NENE	43		65-11032	D		07-01-1957 GROUNDWATER	MUMER	C
			NENE	01		65-12121	P		05-01-1970 GROUNDWATER	HESTER	D
			NENE	43		65-1677	D		06-11-1965 GROUNDWATER	HOWELL	C
										HOWELL	C
										MC REYNOLDS	D
			NENE	40		65-7040	D		05-10-1968 GROUNDWATER	CITY OF HORSESHOE BEND	C
			NENE	40		65-7505	D		08-12-1974 GROUNDWATER	CITY OF HORSESHOE BEND	C
			NENE	04 01		65-12699	P		12-07-1983 PAVETTE RIVER	COOPER	C
			NENE	01.43		65-12051	D		10-31-1977 GROUNDWATER	HORSESHOE BEND SCHOOL DIST. NO. 73	C
			SHNE	02		65-12052	-				
			SHNH	43.04		65-12013	L		10-07-1977 SPRING	WOOD	D
										WOOD	D
			NESH	43.01		65-1203	D		08-15-1876 SPRING	STEPHENSON	C
			NASH	43		65-10729	D		06-01-1966 SPRING	REHRO	C
			SHSH	43.01		65-10834	D		06-01-1917 SPRING	STONE	C
										STONE	C
			SESH	43		65-10671	D		06-01-1950 GROUNDWATER	CARTER	C
			SESH	43		65-10727	D		06-01-1955 GROUNDWATER	REHRO	C
			SESH	43		65-10728	D		06-01-1964 GROUNDWATER	REHRO	C
			SESH	43		65-10809	D		08-10-1967 GROUNDWATER	REHRO	C

P 7

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12121

Priority: May 1, 1978 Amount: 0.02 CFS 3.4 AFA

This is to certify, that LARRY D. HERBERT
P.O. BOX 176

HORSESHOE BEND, ID 83629 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated May 1, 1978, and
has submitted proof to the Department of Water Resources on April 11, 1983, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .050 cfs of water from a **GROUNDWATER**
source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/15	0.02 CFS	3.4 AFA

LOCATION OF POINT OF DIVERSION(S): NENE , Sec. 34, Township 07N, Range 02E
BOISE 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>
07N	02E	34	NENE	0.8		0.8

Total number of acres irrigated: 0.8

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Actual acres irrigated = .75.

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 12TH
day of DECEMBER, 1988.

ACCORDING TO THE

Director

MICROFILMED

DEC 20 1988

State of Idaho
Department of Water Resources

RECEIVED
MAR 8 1979
Department of Water Resources
Western Regional Office

ASSIGNMENT OF PERMIT

I, Harry D. Hester, hereby assign to Harry D. Herbert
of Box 176 Horse Bend, Ida 83629
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 05-12121
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 26 day of February, 19 79.

Harry D. Hester
Permit Holder

Myrtle L. Hester
Spouse of Permit Holder

State of Idaho)
County of Blaine) ss.

On this 1st day of March, 19 79, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Beverly L. Pickett
Notary Public residing at
Idaho

My commission expires:
March 23, 1982

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ASSIGNED TO:

Larry D. Herbert
Box 176
Horseshoe Bend, ID 83629
3-8-79

Identification No _____

Application No. 65-12121

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1 Name of applicant Larry D. Hester Phone 208-793-2418
post office address P.O. Box 157 Horseshoe Bend Idaho 83629

2 Source of water supply Ground water which is a tributary of _____

3 a Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 7N
Range 2E B.M. Beise County County; additional points of diversion if any _____

b If water is not consumed, it will be discharged into No Discharge 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 .02 for irrigation purpose from Apr 1 to Oct 15th (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.

a .02 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. 1 hp pump, 48" x 16' FT
deep Hand dig well 300' sprinkler 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 48" inches, proposed depth of well is 16 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 \$ 500⁰⁰

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 _____

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

TWP	RANGE	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	
2N	2E	34	3/4																3/4

Total number of acres to be irrigated 3/4

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

9 a. Who owns the property at the point of diversion Larry D. & Myrtle L. Hester

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

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 _____

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

 $\ell - 2E$

Section 27

Section 86

27	26
34	35

Section 34

Satz 7.10.35

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

Lampio D. Hester
(Applicant)

Proposed Priority 5/01/78

Received by lf Date 5-1-78 Time 1.00pm

Preliminary check by _____ Fee \$ 10.00

Receipted by lf Date 5-2-78 # 11063

Publication prepared by lf Date 5-4-78

Published in Idaho World

Publication dates May 12+19, 1978

Publication approved clw Date 5-30-78

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS YG

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 65-12121, 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 June 1, 19 83.

c Other _____

2 Denial of said application is for the following reasons _____

Witness my hand this 19th day of June 19 78.

Norma C. Gray
Administrator

STATE OF IDAHO,
County of Boise

Sherry Archer, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho, that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

May 12 1978... and end
ing with the issue of May 19

1978.

Sherry Archer
Subscribed and sworn to before

me this 22 day of May 1978.

Robert J. Thiffault
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Larry D.
Hester, P.O. Box 157, Horseshoe
Bend, Idaho 83629 has on May 1, 1978
submitted Application No. 65-12121
for a permit to appropriate 0.02 cubic
feet per second of water from a
ground water source by means of well
and pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec
and T7N-R2E B.M., Boise County to be
used from April 1 to October 15 for
used

NE $\frac{1}{4}$ Sec 34 T7N-R2E 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 Director of
the Idaho Department of Water
Resources, 92 South Cole Road,
Boise, Idaho 83705 on or before May
29, 1978.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83401 on May 12
and 19, 1978.

OK
alw
5-30-78

December 13, 1988

LARRY D. HERBERT
P.O. BOX 176
HORSESHOE BEND, ID 83629

RE: PERMIT NO. 65-12121

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

DEC 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

h

Permit No

1. **Measurement Calculations**

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

a) signal bucket filled in 13.4 sec = 0.05 cfs

b) Pump & drawdown equation = 0.96 cfs

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{3/4 \text{ acre} \times 4.5 \text{ AF/acre/yr}}{1} = 3.38 \text{ AFA} \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{0.02 \times 198 \times 1.9835}{1} = 7.85 \text{ AFA} \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = 3.38 \text{ AFA} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. **Overlap Review**

a) Other water rights with same place of use: yes, but Rts not used on same land.

b) Other water rights with same point of diversion: 65-7505, 65-7040, 65-1677,
65-11032, 65-11030, 65-11029, 65-10892

c) Analysis:

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DEC 23 1988

No Fee
L 0.0485

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	65-12121	5-1-78	0.02 cfs	5-1-78	7-11-83	0.05 cfs

4. Permit Holder: LARRY D. Herbert

Address: P.O. Box 176 Horseshoe Bend, ID 83629

5. Source: GROUNDWATER tributary to _____

6. Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrigation</u>	<u>4-1</u>	<u>10-15</u>	<u>.02</u>	<u>3.38</u>

Allowable Maximums: .02 cfs 3.38 AFA

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
		NW	NE	NE	34	7N	2E	Boise

8. Place(s) of Use

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	
7N	2E	34	3/4																3/4
Total Acres <u>3/4</u>																			

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature _____ Date _____

Checked in Regional Office by _____ Date _____

Approved in State Office by T. Luke Date 10/5/88

RECEIVED

DEC 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

65-12121
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED
DEC 18 1986

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☐ Copies of any Amendments/Orders with conditions of approval
☒ Computer Data Proof Report
☒ Copy of U.S.G.S. Quad
☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index RAG 7/11/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index RAG 7/11/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? JW 7/24/86 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☐ Photographs of Point of Diversion and Place of Use
☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Carter Fitchell 8-6-86 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent JW 12/10/86 (Initial and date)
Exam Reviewed by Manager of Regional Office JW 12/10/86 (Initial and date)
Exam Date Entered in Computer JW 12-10-86 (Initial and date)
Exam sent to State Office JW 12-18-86 (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File JW 12-16-86 (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-12121

1. Owner: Larry D Herbert

Phone No 793-2691

Current Address. P.O. Box 176 Horseshoe Bend, ID 83629

2. Accompanied by Larry Herbert

EXAM DATE: 8-6-86

Address: Same as above

Phone No 793-2691

Relationship to Permit Holder: Owner

3. Source Groundwater tributary to _____

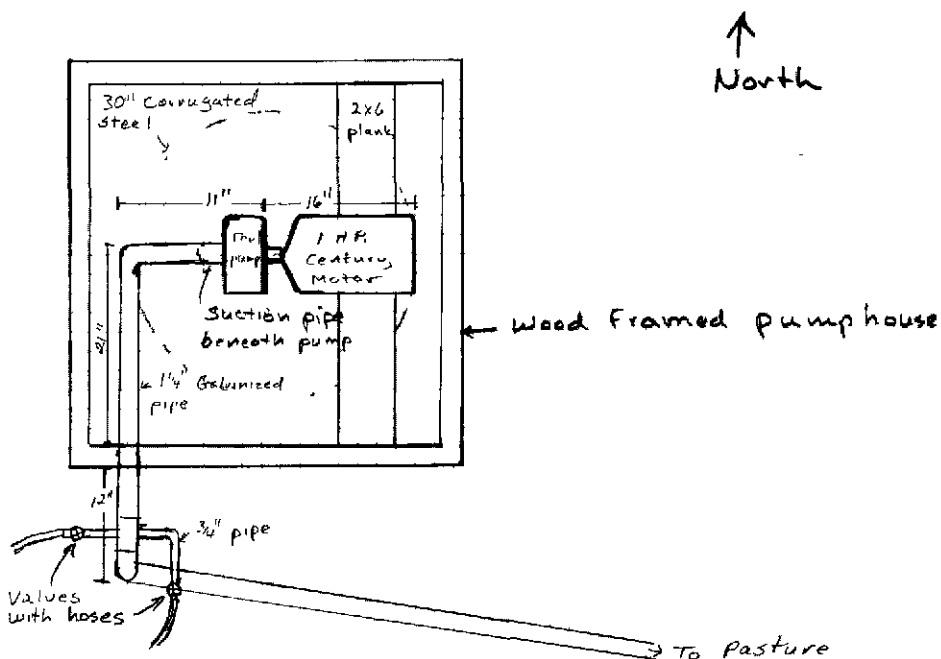
B. OVERLAP REVIEW

1 Other water rights with same place of use: 65-10688, 65-10892, 65-11029, 65-11030, 65-11032 + 65-1677 not used on this land ☒ Copies Attached

2 Other water rights with same point of diversion: 65-12699 River water 65-7505, 65-7040, 65-1677, 65-11032, 65-11030, 65-11029, 65-10892 do refer to this well. ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 10'

2 ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement Indicate pressure, number of sprinklers, etc.)

System consists of a shallow well (approx. 16') dug with a backhoe. A 1 H.P. centrifugal pump sets upon a 30" diameter corrugated steel culvert set vertically and extending down into the well 33" Below the culvert is a ~~sp~~ square metal "box" that serves to support the sides of the well. The water was standing 88" below ground level. The water is used to irrigate the lawn around the

☒ See Remarks on page 4 for continuation

4

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Dayton	1	6K709	Teel	Centrifugal 1P 854

*Code to correspond with No. on map and aerial photo

5 Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NE	34	7N	2E	Boise	Topographic Map

6. Place(s) of Use:

Indicate Method of Determination *Pacing*

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	
7N	2E	34	1																1

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 gallon bucket					5 gal	

2 Measurements:

Filled 5 gallon bucket in 13.4 seconds

Applied for .02 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\frac{5 \text{ gal}}{13.4 \text{ sec}} \left(\frac{60 \text{ sec}}{\text{min.}} \right) = 22.39 \text{ gpm} \quad \frac{22.39}{448.8} = .05 \text{ cfs}$$

2. Alternate Method for Checking Purposes

$$\frac{(1 \text{ HP})(8.8)(.8)}{7.33 + 2.31(0)} = \frac{7.04}{7.33} = .96 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure _____ psi x 2.31 = _____ ft (1), Dynamic pumping level: _____ ft (2)

Total Head (1) + (2) = _____ (3), Flow rate: _____ cfs (4)

Water HP (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW _____ Ave PF x _____ Ave Volts x _____ Ave Amps x 0.01732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4.5 = 4.5 \text{ ata}$$

$$V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 198 \times 1.9835 = 7.9 \text{ ata}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = 4.5 \text{ ata}$$

2. Volume Calculations for Other Uses

H REMARKS AND OVERLAP REVIEW ANALYSIS

house and the pasture behind the house (south of the house). The pasture was not being irrigated at the time of the examination, but the sprinkler pipe was ~~off~~ on the property. A five gallon bucket was filled with 2 hoses from the valves shown in the diagram in 13.4 seconds.

I. RECOMMENDATIONS**1 Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-15	.02	4.5
Totals:			.02	4.5

2 Recommended Amendments☐ Change P.D. as reflected above☐ Add P.D. as reflected above☒ None☐ Change P.U. as reflected above☐ Add P.U. as reflected above☐ Other**J. AUTHENTICATION**Field Examiner's Name Carter FritschleSignature Carter Fritschle

Certification Date _____

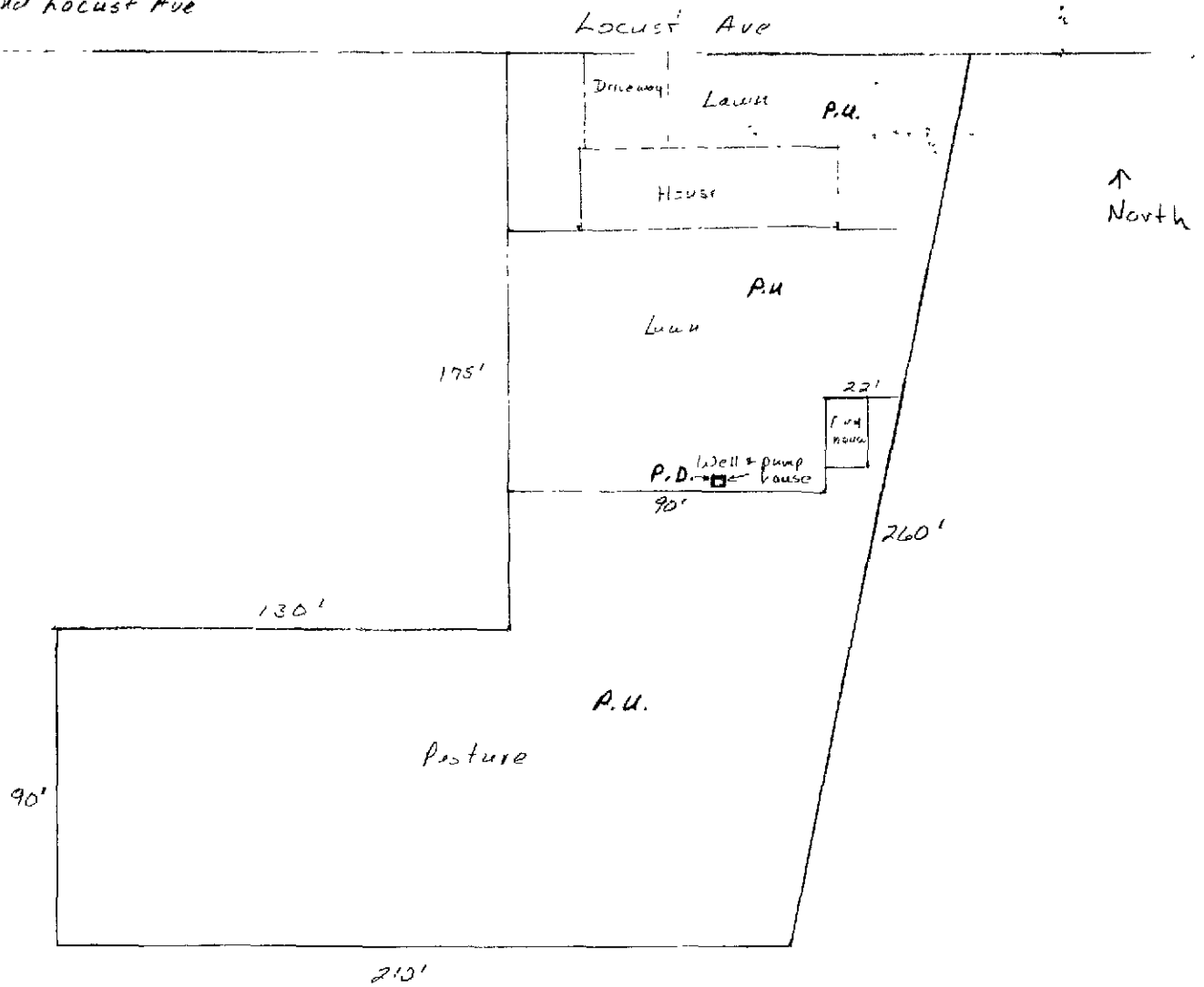
Field Report Preparation Date 3-6-86JP
12/10/86

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

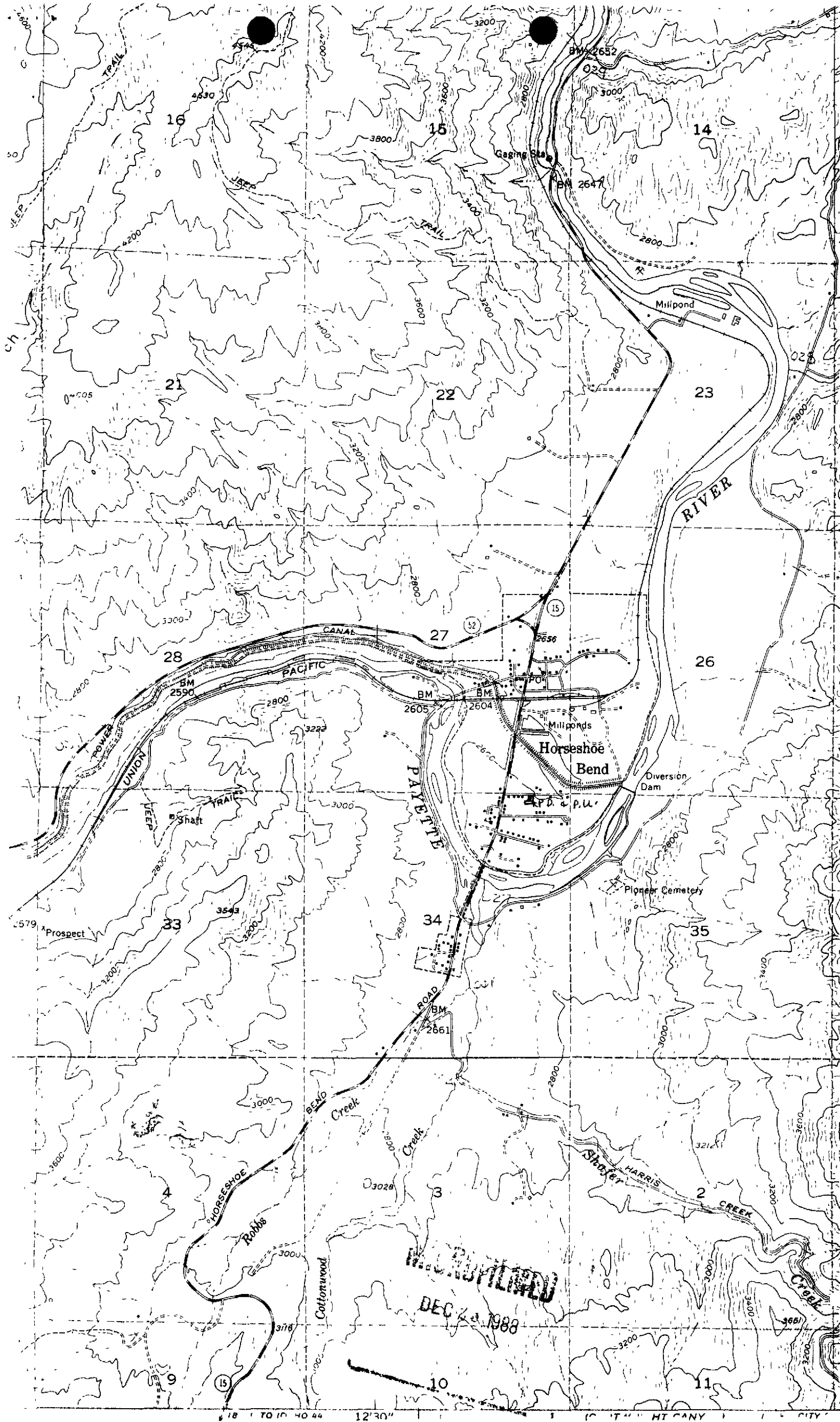
65-12121

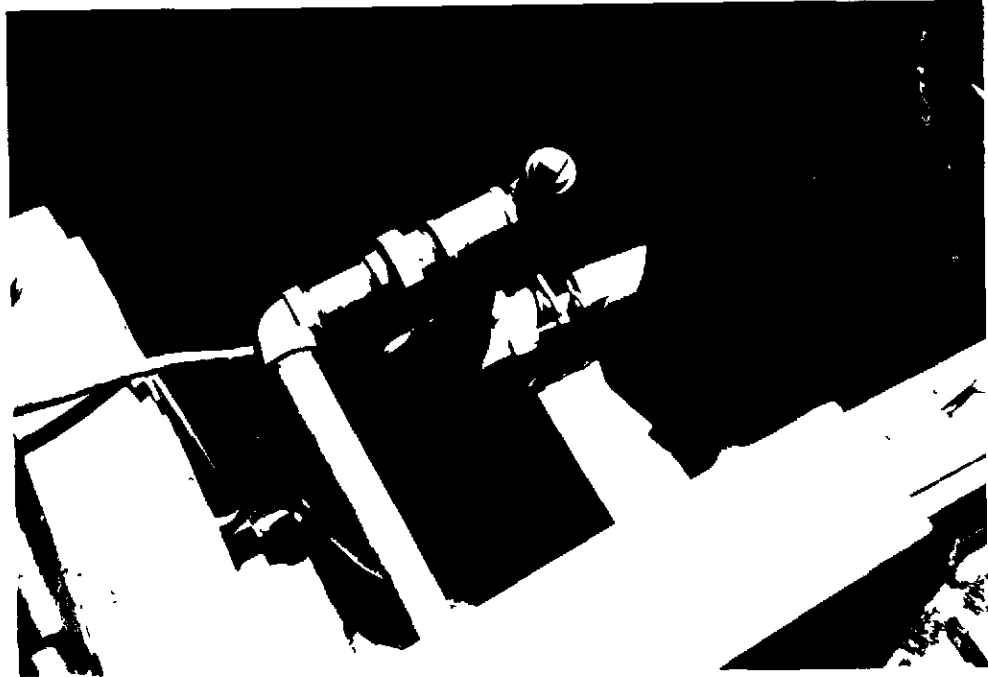
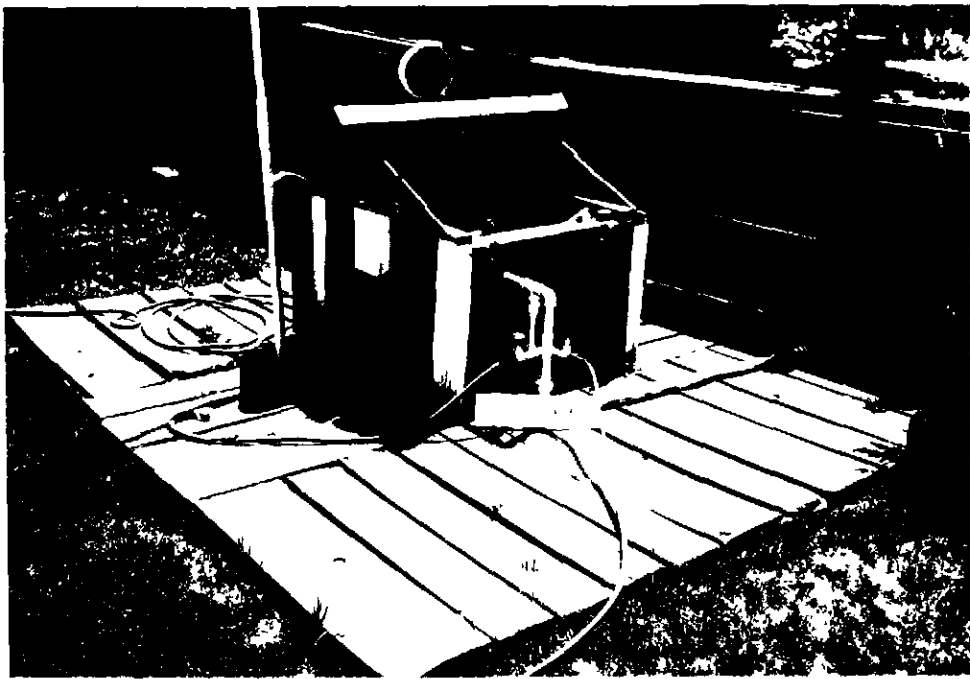
Intersection
of Sharon Dr.
and Locust Ave



MICROFILMED

DEC 20 1988





HERMIT No 65-12131

A PRY 1 HERBERT 000000

n.e. south east at pump house

nd 65-12121

pump and shallow well

65-12121

PERMIT No. 65-12121

LARRY D. HERBERT

RECEIVED

DEC 29 1988

07
07
07

PAGE 912
[1/04/1965

456
- 4
- -
077
077

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 29, 1983

LARRY D. HERBERT
P.O. BOX 176
HORSESHOE BEND ID 83629

RE: Permit No. 65-12121

Dear Permit Holder:

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

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

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

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

RECEIVED
FILMED

DEC 20 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-12121.

Name(s) of Permit Holder: Larry D and Diana L Herbert

Post Office Address: Box 176

Horseshoe Bend, ID 83629 Tel. No. 793-2691

Source of Water: Shallow well

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>1</u>	(acres)
☐ Other	

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

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

4/11/83
Date

Larry D Herbert
Signature of Permit Holder



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

APR 18 1983
MAIL ROOM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

HERBERT, LARRY D.
P.O. BOX 176
HORSESHOE BEND, ID 83629

138421

PROOF DUE NOTICE

MARCH 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12121 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

138421

March 20, 1979

Larry D. Herbert
Box 176
Horseshoe Bend, ID 83629

Dear Mr. Herbert:

Re: Permit No. 65-12121

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLARD
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 19, 1978

Re: Permit No. 65-12121

Larry D. Hester
P. O. Box 157
Horseshoe Bend, ID 83629

Dear Mr. Hester:

Your approved copy of Application for Permit No. 65-12121 is enclosed and we direct your attention to the conditions of approval on the fourth page.

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.

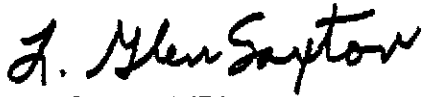
While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

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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,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

65-12121

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
2. ☒ Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. ☒ Time req. for Proof of B/U
7. ☐ Place of Use for other than irrig.
8. ☒ Place of Use for irrigation (add acres)
9. ☒ Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department	☒ U.S.F.S.
☒ Idaho Fish & Game Dept.	☒ Dept. of Lands
☒ Bureau of Land Management	☒ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ☐ yes ☒ no

Other rights on same land None platted

Withdrawals of all protests received ☐ yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. ☐

Meas. Dev. or Sc. Meas. no

ID Power Co. Letter - G.W. & Tribs. ☒

Totalizing meter ☐

SNAKE RIVER CONDITION ☐

Supplemental ☐

Payette River Letter ☐

Right-of-Way Cond. ☐

Priority Date 5-1-78

Watermaster Cond. ☐
Wtr. Dist No. ☐

Water Quality #16 ☐

Meas. Dev. Cond. for apps within a Water Dist. ☐

Water Quality #10 ☐
intrastate ☐ interstate ☐

Jan Grover
Reviewer
6/15/78
Date

RECEIVED
JUN 15 1978

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12121

☒ 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
☒ Signature
☒ Fee

(1) DBS _____

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) _____

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use No. Gw platted

(10) _____

Comments: _____

(11) OK alw _____

Affidavit of Publication received (date) 5-30-78

(12) _____

Final date for protests 5/29/78
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

No Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By Allen Date 5/31/78

IP G.w
letter

RECEIVED

JUN 2 1978

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

May 5, 1978

Larry D. Hester
P. O. Box 157
Horseshoe Bend, ID 83629

Dear Mr. Hester:

Enclosed is your Receipt No. 65-12121 in the amount of \$ 10.00
for Application for Permit No. 65-12121 which was received in
this office on May 1, 1978.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

May 5, 1978

Re: Notice of Application for Water Permit No. 65-12121 -- Larry D. Hester

Idaho World
P. O. Box 220
Idaho City, ID 83631

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. 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 the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before May 29, 1978.

Sincerely,

RITA FLECK
Secretary

Bill Submitted
5-30-78 alw

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that LARRY D. HESTER
P. O. Box 157, Horseshoe Bend, Idaho 83629
has on May 1, 1978 submitted Application No. 65-12121
for a permit to appropriate 0.02 cubic feet per second ~~XXXXXXX~~
~~XXXXXXX~~ of water from a groundwater source
by means of well and pump
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 T7N-R2E B.M., Boise County
to be used from Apr 1 to Oct 15
for irrigation of 3/4 acre
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 T7N-R2E 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before May 29, 1978.

C. STEPHEN ALLRED

Director

Published in the Idaho World, Idaho City, Idaho
on May 12, 1978 and May 19, 1978.