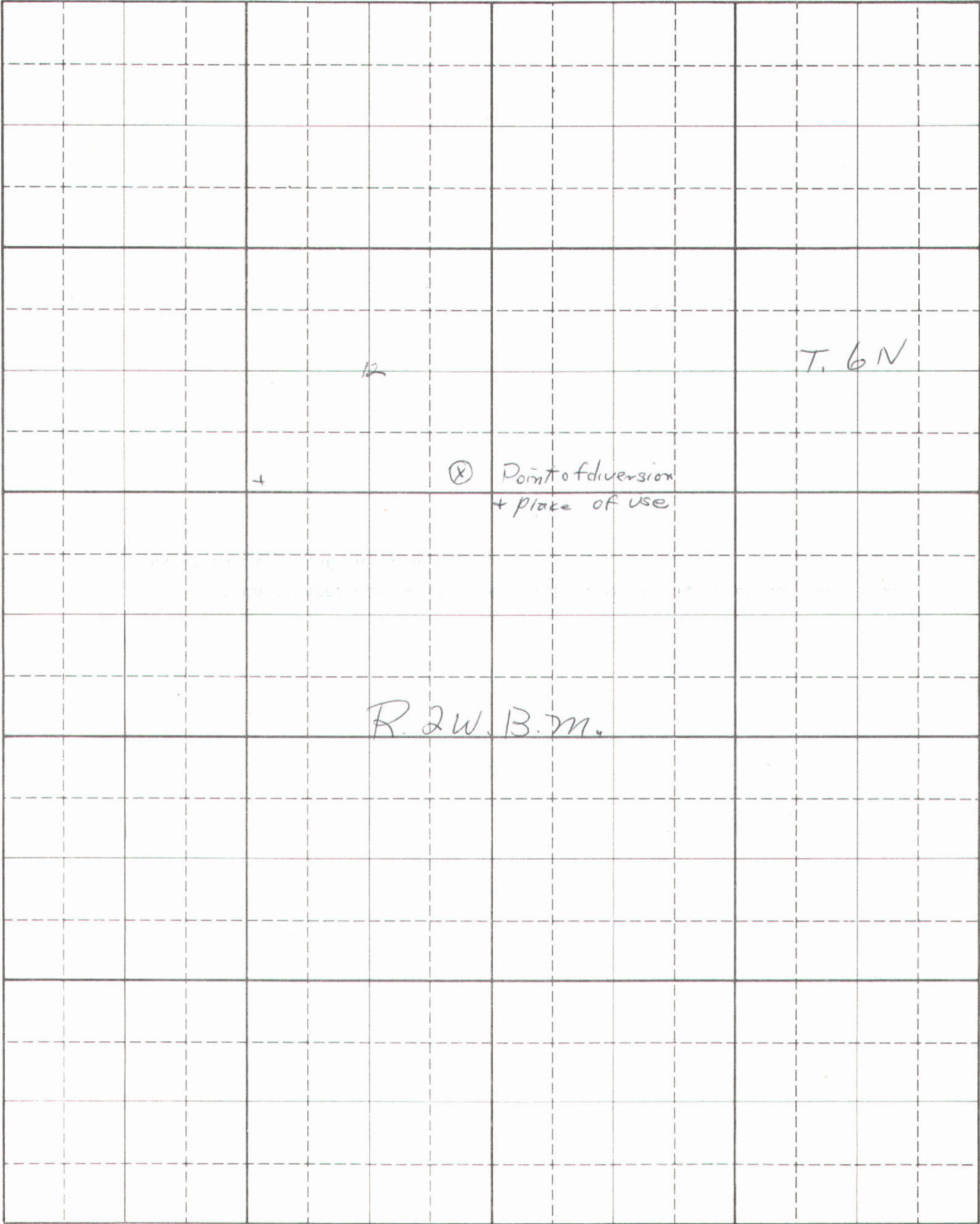


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Dennis Hebert Jr
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Arvita Soler being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for 2
consecutive weekly issues thereof, be-

ginning with the issue of Mar 4,

1976, and ending with the issue of

March 11, 1976

Arvita Soler

Subscribed and sworn to before me this

15th day of

April, 1976

Brandon D. Held

Notary Public,

Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Dennis Hebert Jr. and/or Donna E.
Hebert, Auxiliary Route, Mill Road,
Emmett, Idaho, has on Feb. 25,
1976 submitted Application No.
65-7606 for a permit to appropriate
0.03 cubic feet per second of water
from a groundwater source by
means of well, pump and flood
irrigation within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 12, T. 6N, R. 2 W, Gem
County to be used from April 1 to
Oct. 31 for irrigation of 1.5 acres
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T.
6N, R. 2 W, 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,
Statehouse, Boise, Idaho 38720,
on or before March 22, 1976.

R. Keith Higginson
Director

Published in the Emmett Mes-
senger-Index, Emmett, Idaho on
March 4, 1976 and March 11, 1976.

RECEIVED

APR 16 1976

Department of Water Resources

OK-16
4-16-76
RB

MICROFILMED

T
6
N

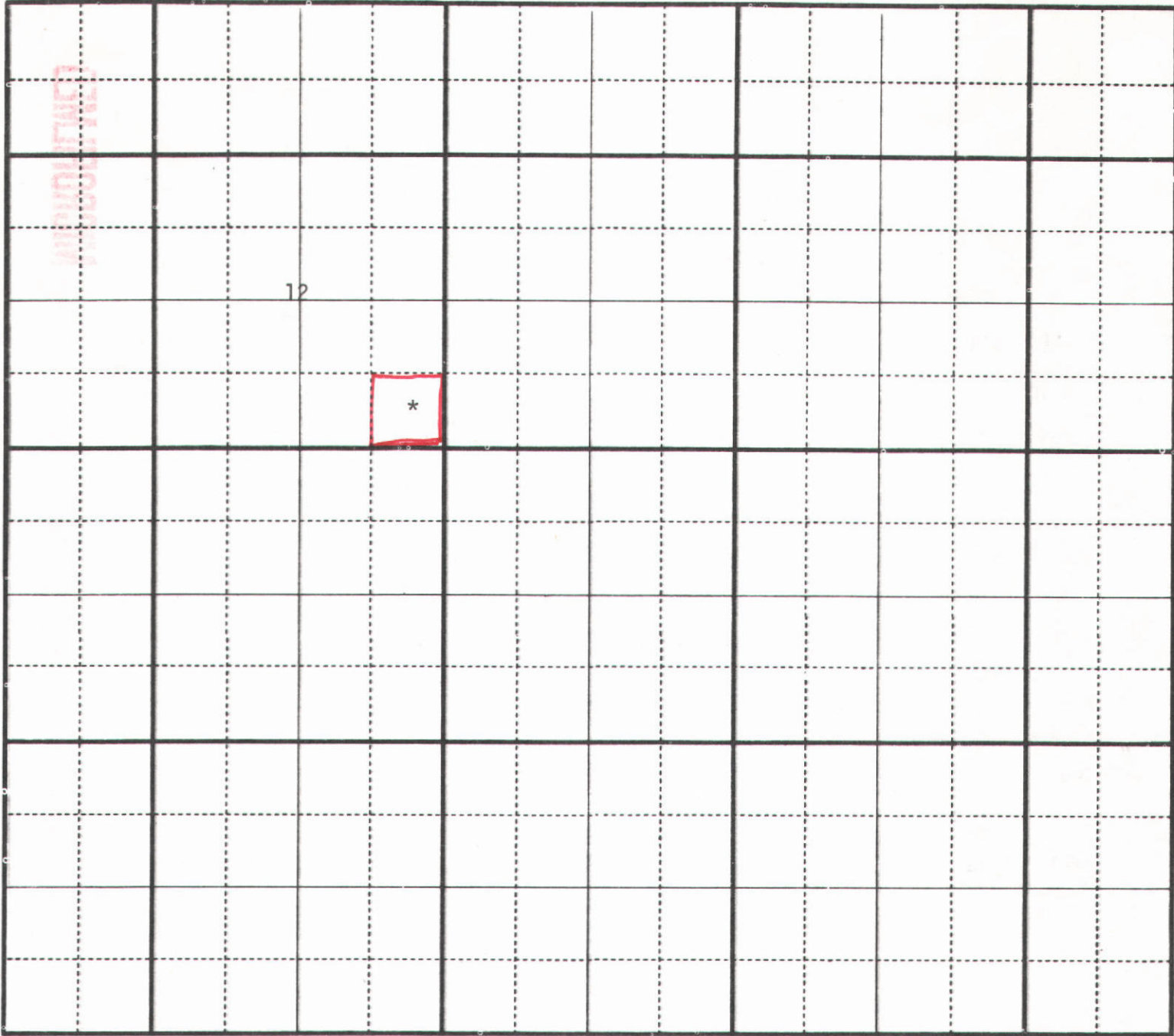


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7606 Priority Feb. 25, 1976 Amount 0.03 cfs.

THIS IS TO CERTIFY, that Dennis &/ or Donna E. Hebert
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7606 issued pursuant to Application for Permit dated Feb. 25, 1976,
and has submitted proof to the Department of Water Resources on Feb. 24, 1977,
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 0.03 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
<u>Irrigation</u>	from <u>April 1</u> to <u>October 31</u>	at <u>0.03</u> cfs and	<u>6.75 acre feet</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 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
6.75 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12;
Twp. 6n, Rge. 2W, B. M. in the County of Gem

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 $\frac{1}{4}$	
6N	2W	12																1.5	1.5

Total number of acres irrigated 1.5

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 9 day of
February, 19 78.

Director

Identification No. _____
Application No. 65-7404

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 Dennis Hebert Jr. &/or Donna E. Hebert Phone: 365-3303
post office address Auxiliary Rt., Mill Rd, Emmett, ID
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 6 N
Range 2 W B M. Gem 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:
Amount 0.03 for Irrigation purpose from April 1 to Oct. 31 (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 0.03 cubic feet per second and/or
b _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and flood irrigation

- 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 8 inches; proposed depth of well is 35 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 \$2,000.00
- 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 _____

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

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	
6N	2 W	12																1.5	1.5

Total number of acres to be irrigated 1.5

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

Fourth Street Lateral (Tap #11) see remarks

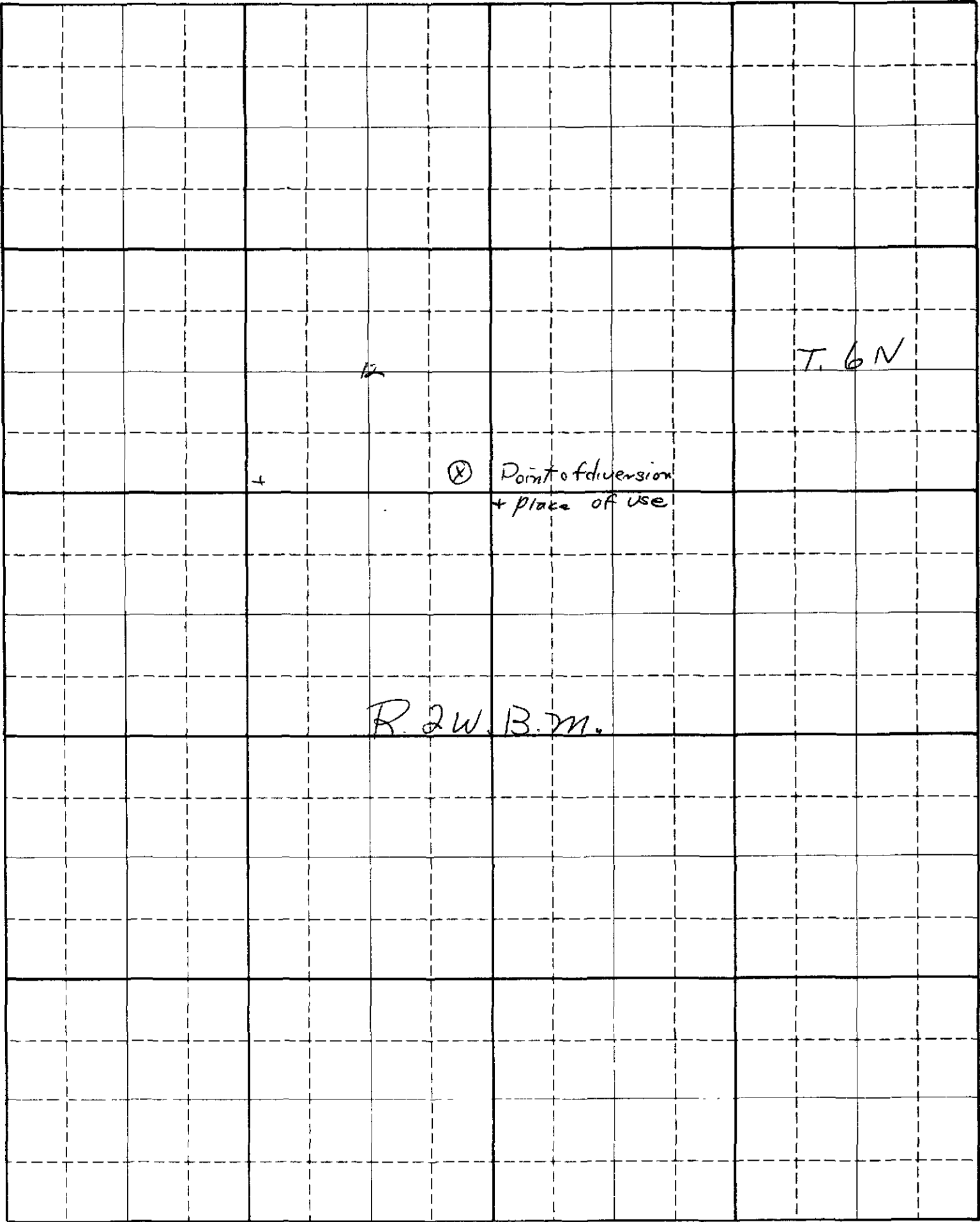
9 a. Who owns the property at the point of diversion Applicant

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

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 Water from lateral difficult to get and rotation system allows water every two weeks which is not often enough.

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

Dennis Hebert Jr
(Applicant)

Proposed Priority 2-25-76

Received by C/S Date 2-25-76 Time 11:30 a.m.

Preliminary check by P.W.H. Fee \$ 10.00

Receipted by C/S Date 2-25-76 # 3660

Publication prepared by RB Date 2-26-76

Published in Emmett Messenger Index

Publication dates March 4 & 11

Publication approved RB Date 4-16-76

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by J.H. ORT

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 65-7606, 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 April 1, 1981.

c Other No more water may be diverted under this permit, when combined with other rights appurtenant to the lands in question, than one miner's inch for acre of land served.

2 Denial of said application is for the following reasons _____

Witness my hand this 27 day of April, 1976.

R. Karl Hiji
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Archie Boley being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for 2
consecutive weekly issues thereof, be-

ginning with the issue of May 1

1976 and ending with the issue of

March 21, 1976

Archie Boley

Subscribed and sworn to before me this

15th day of

April, 1976

Benson D. Hall

Notary Public,

Residing at Emmett, Idaho.

RECEIVED

APR 16 1976

Department of Water Resources

OK
4-16-76
RB

MICROFILMED

February 14, 1978

Re: Permit No. 65-7606

Dennis &/or Donna E. Herbert
Auxiliary Route - Mill Road
Emmett, ID 83617

Dear Mr. and Mrs. Herbert:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED

January 27, 1978

Re: Permit No. 65-7606

Dennis &/or Donna E. Herbert
Auxiliary Route--Mill Road
Emmett, ID 83617

Dear Mr. and Mrs. Herbert:

A representative of this Department made an examination of the works covered by your Permit No. 65-7606 on April 5, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.03 cfs Source: groundwater

The maximum quantity diverted shall not exceed 6.25 acre feet per
year.

Point of diversion: SE~~1~~SE~~1~~, Sec. 12, Twp. 6N, Rge. 2W, B. M.

Beneficial use: Irrigation of 1.5 acres

Priority date established: February 25, 1976

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BJF/cah

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Dennis Hebert &/or Donna E. Hebert
Post office address Auxillary Rt., Mill Rd., Emmett, ID Phone 365-3303
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.03 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.03 cubic feet per second and annual volume _____ AF/Annum.

- 5. Location of Point(s) of Diversion:**

Township 6N N/S, Range 2W E/W, B.M., Section 12, Subdivision SE $\frac{1}{4}$ SE $\frac{1}{4}$, Gem County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions:

Description of diverting works: well, pump and flood irrigation

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 1.5

MICROFILMED

T
6
N

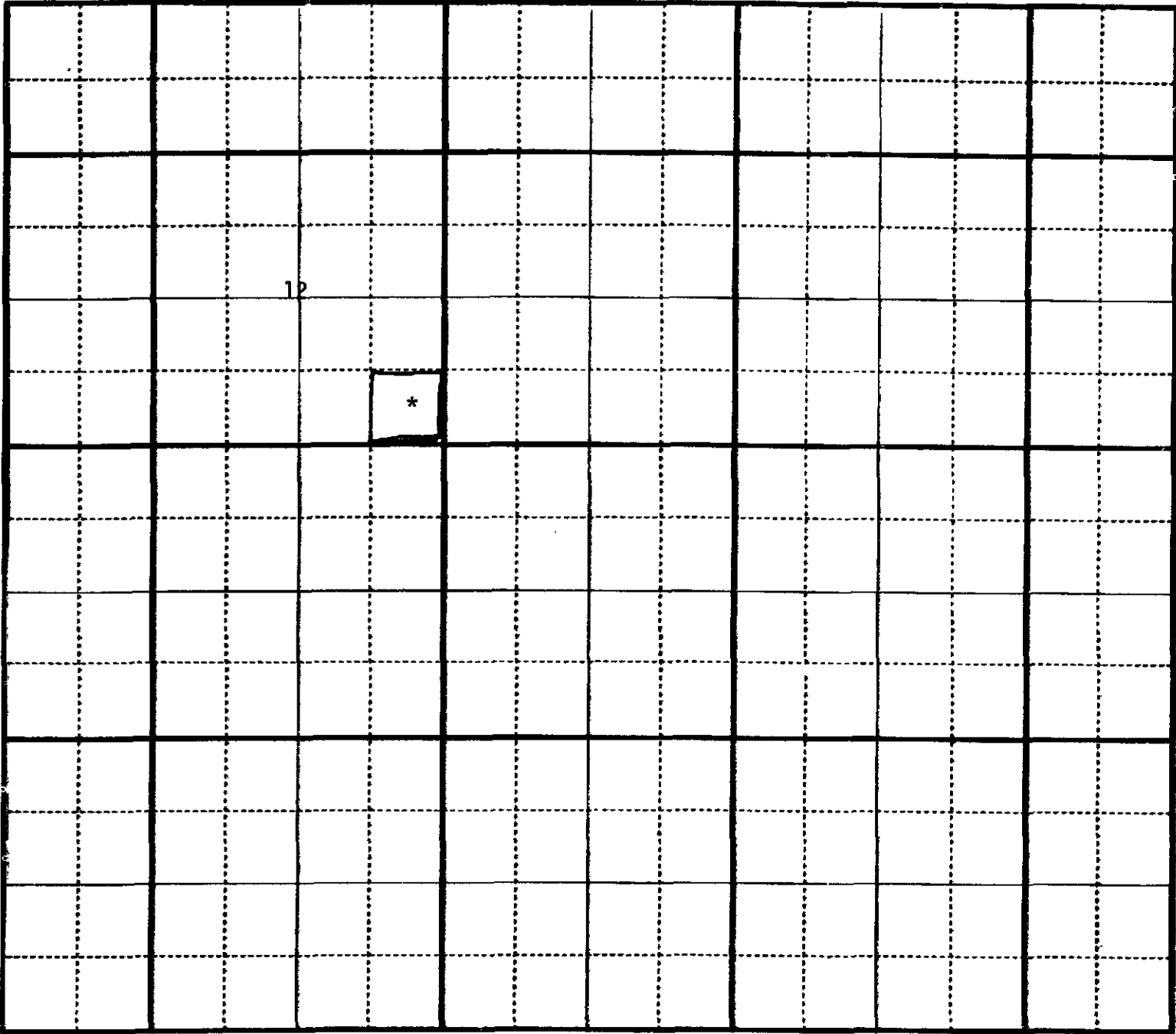


Diagram of System

DATE OF EXAM 5 April 77

ACREAGE
Found 1.5
Recommended 1.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q=0.03 c.f.s. V=6.75 AF/Ann. from 4-1 to 10-31
Domestic Q= c.f.s. V= AF/Ann. from to
Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes ☒ no

Name source: supplemental to
twp. 6N N/S, Rge 2W E/W, B.M., Sec. 12, Sub. SE 1/4 SE 1/4 Sam
County

Exchange? yes no ☒

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

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

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

Total Q measured 0.03 cfs Method of measurement GPM

Total Q recommended 0.03 cfs Meter No. Type Condition

Total V recommended 6.75 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:
system will produce approx 20 gpm inc & slow
is controlled at gate.

SYSTEM DESCRIPTION:
8" well approx 30' deep w/ 3HP submersible pump
to 2" discharge w screw valve

REMARKS:
System is in Mrs Hebert turned pump on
for exam

ditch water is not used very often due to small amount

Examiner's Signature Ernest O. Ballen Date 5 April 77

Checked by PH Date 4-11-77

Approved by _____ Date _____

March 10, 1977

Re: Permit No. 65-7606

Dennis Hebert &/or Donna E. Hebert
Auxillary Route
Mill Road
Emmett, ID 83617

Dear Mr. and Mrs. Hebert,

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, but 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 regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr :le

MICROFILMED

Identification No. _____

Permit No. 65-7606

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

1. a) Name of Permit Holder Dennis &/or Donna E. Hebert Jr. FEB 24 1977 *okj*

b) Post Office Address Auxiliary Rd., Emmett, ID

2. Permit Number 65-7606

Department of Water Resources
Western Regional Office

3. Date of Priority that you are prepared to establish February 25, 1976

4. a) Source from which water was appropriated groundwater

b) Location of the point of diversion: SE 1/4 SE 1/4, Section 12

Township 6N, Range 2W Boise Meridian, Other points of diversion: _____

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

Amount 0.03 c.f.s. for irrigation purposes from Apr 1 to Oct 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)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 0.03 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) Well, pump, and flood Irrigation

b) Describe the type and size of measuring device which you have installed at your point of diversion: E.C. Russell, Emmett Id.

c) Give well driller's name and address and the date the well was completed: E.C. Russell, Emmett Id.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 3/9/77 *J*

MICROFILMED

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	
6N	2W	12																1.5	1.5

Total number of acres irrigated 1.5

10. Remarks: _____

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

24 February 1977
(Date)

Donna E. Hebert
(Signature)

State of Idaho)
County of Ada) ss.

On this 24 day of February, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Pete Bandele
Notary Public residing at Boise, Idaho

My commission expires March 8, 1980

April 27, 1976

Re: Permit No. 65-7606

Dennis Jr. &/or Donna E. Hebert
Auxiliary Rt., Mill Rd.
Emmett, ID 83617

Dear Mr. and Mrs. Hebert:

Enclosed is a copy of your approved Application for Permit No. 65-7606 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

RECEIVED
APR 29 1976
WATER RIGHTS
DIVISION
IDAHO DEPARTMENT OF
AGRICULTURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7606

☒ 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) R.W.H. 2-25-76

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

(4) R.W.H. 2-25-76

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

(10) _____

Comments: none platted

(11) RB OK

Affidavit of Publication received(date) 4-16-76

(12) _____

Final date for protests _____
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

Supplemental → See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By ZHL

Date 4-19-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 26, 1976

Re: Application for Permit No: 65-7606 -- Bennis &/or Donna E. Hewert
65-7605 -- Thomas L. &/or Jean Welsh

Emmett Messenger-Index
120 N. Washington Avenue
Emmett, ID 83617

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. 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 in 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."

Sincerely,

(Signature of Claimant)

Bill submitted

4-16-76
RB

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DENNIS HERBERT JR. &/or DONNA E. HERBERT
Auxiliary Route, Mill Road, Emmett, ID
has on Feb. 25, 1976 submitted Application No. 65-7606
for a permit to appropriate 0.03 cubic feet per second ~~surface~~
~~per year~~ of water from a groundwater source
by means of well, pump and flood irrigation
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 6 N, R. 2 W, Gem County

to be used from April 1 to Oct. 31
for irrigation of 1.5 acres

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 6 N, R. 2 W, B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
March 22, 1976.

R. KEITH HIGGINSON

Director

Published in the Emmett Messenger-Index, Emmett, ID
on March 4, 1976 and March 11, 1976.