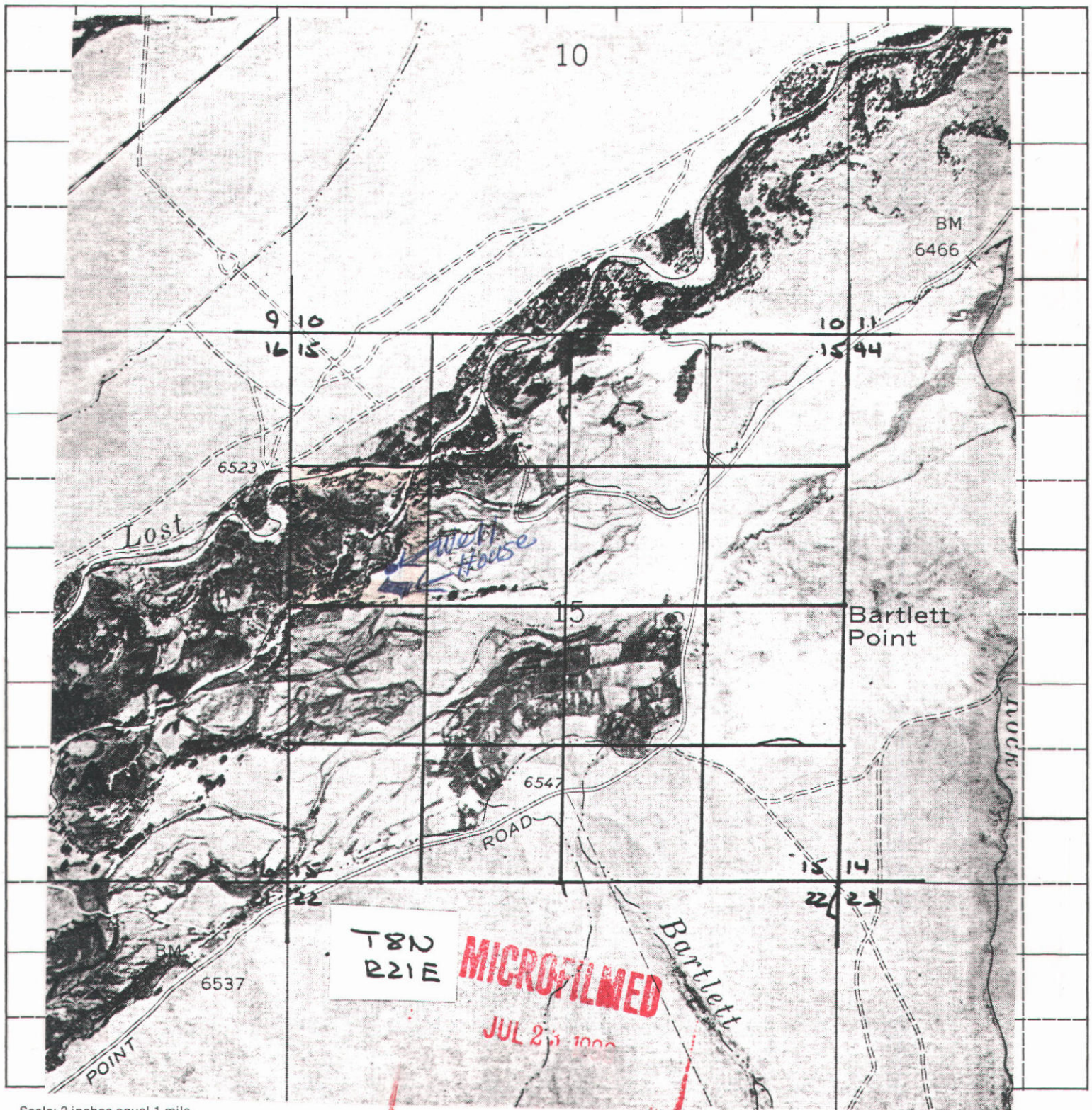


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

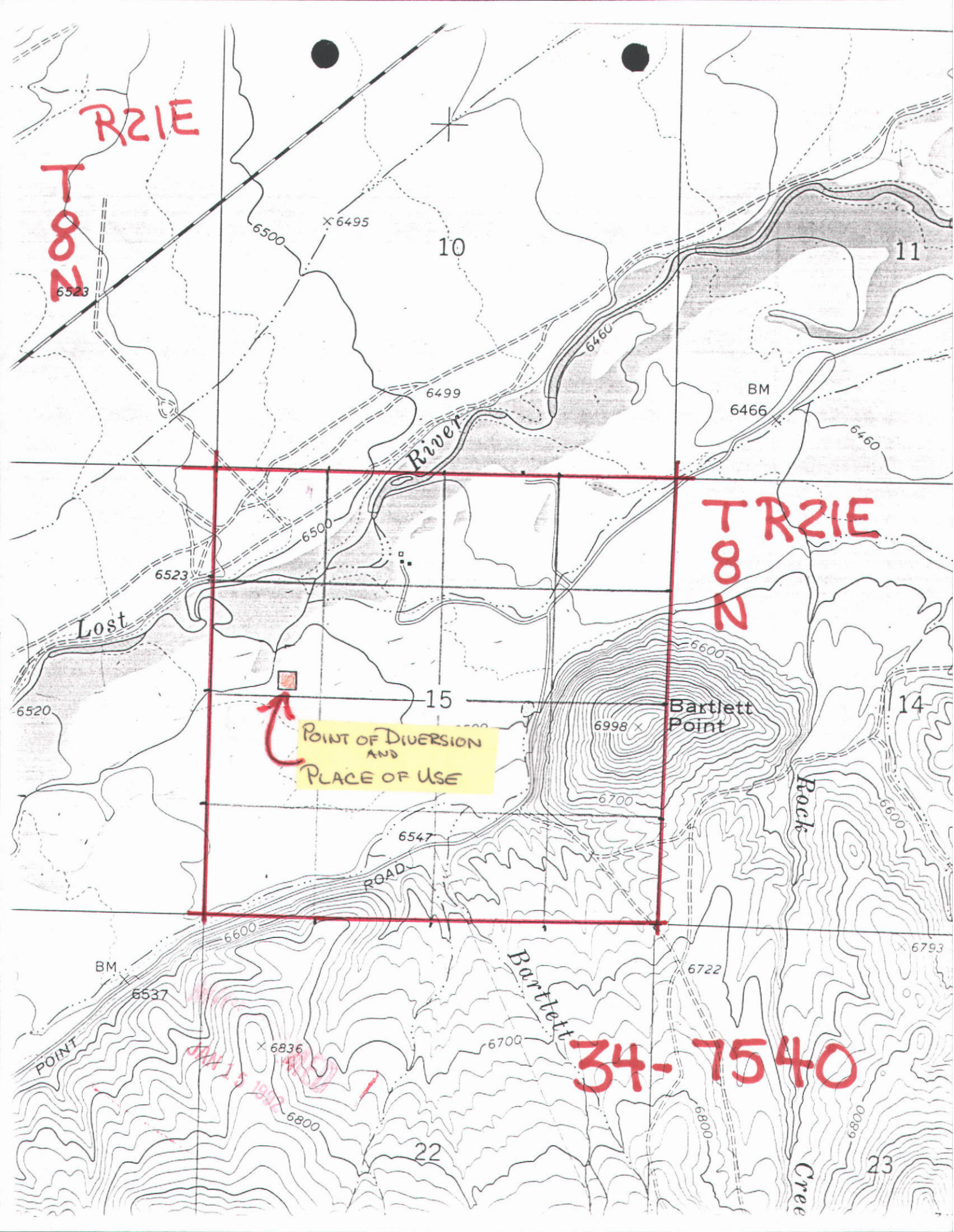

(Applicant)

T 8 N
R 21 E

T 8 N
R 21 E

POINT OF DIVERSION
AND
PLACE OF USE

34-7540





well

34-7540

RECEIVED

JAN 15 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07540

Priority: February 5, 1990

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:¹

1.2 AF

This is to certify, that EUGENE H GABERT

PO BOX 206

MACKAY ID 83251

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 5, 1990; and has submitted Proof of Beneficial Use on June 26, 1991. An examination indicates that the works have a diversion capacity of .040 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW, Sec. 15, Township 08N, Range 21E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

08N 21E 15

SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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 4th day of NOVEMBER, 1991.

Acting for


R. Keith Higginson, Director

FILED

JAN 15 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 34-07540

Proposed Priority: February 5, 1990 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **EUGENE H. GABERT**
P.O. BOX 206
MACKAY, ID 83251

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 15, Township 08N, Range 21E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

08N 21E 15

SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

28th day of June, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

JUL 25 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of applicant EUGENE H. GABERT Phone (208) 588-2846
Post office address P.O. Box 206, Mackay, ID 83251

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

3. Location of point of diversion is SW 1/4 of NW 1/4, Govt. Lot _____
Sec 15 Township 8N Range 21E B.M. CUSTER County; additional
points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum

~~EMERGENCY~~
6. ~~Proposed~~ diverting works:

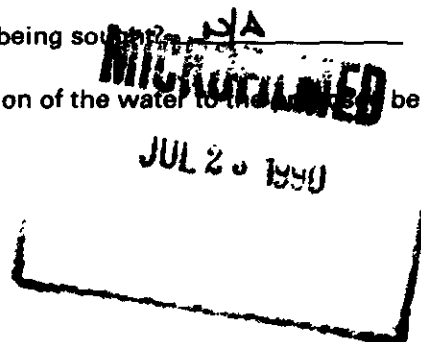
a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP AND PIPELINES
FOR DOMESTIC USE.

b Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 40 feet.

d. Is ground water with a temperature of greater than 90°F being sought? N/A

7. Time required for the completion of the works and application of the water to the intended beneficial use is
1 years (minimum 1 year).



8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower, show total feet of head and proposed capacity in KW _____
- b. Stockwatering; list number and kind of livestock _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. D/ONE HOUSEHOLD
- e. Other; describe fully. 1937

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	21E	15							D										—

Total number of acres to be irrigated —

10. Describe any other water rights used for the same purposes as described above. N/A

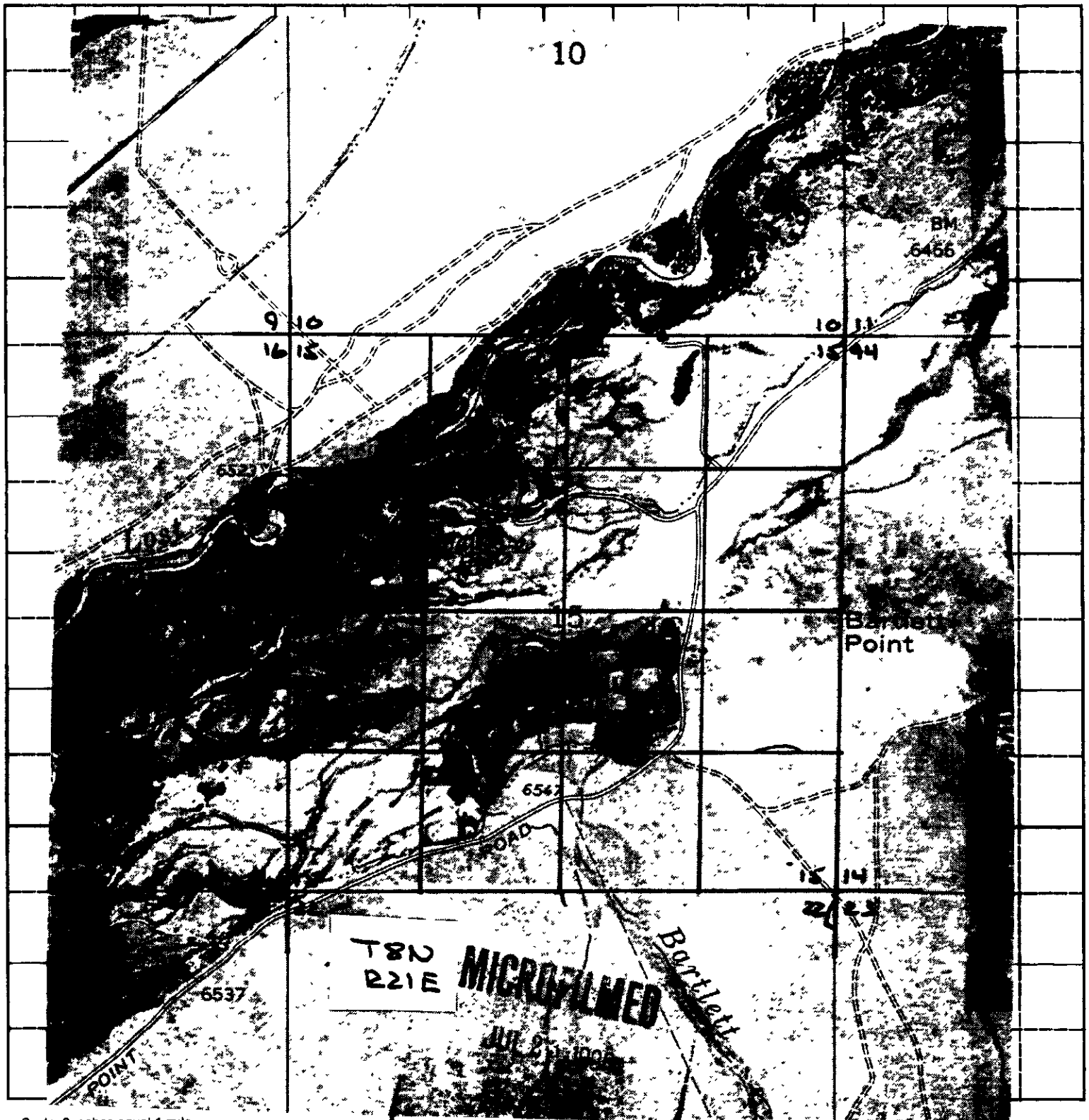
11. a. Who owns the property at the point of diversion? APPLICANT - Eugene H. Gabert
- b. Who owns the land to be irrigated or place of use? APPLICANT Eugene H. Gabert
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: EXISTING SYSTEM. Well is Located in the Center SE¼, SW¼, NW¼, Sec. 15, T8N, R21E, B.M. Well is 60 FT. From House.

MICROFILMED

JUL 23 1990

13. 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.

Leopold H. Hansen
(Applicant)

Received by CW Date 1-17-90 Time 1:45 PM Preliminary check by 2-5-90
Fee \$ 30.25 Received by RB # E011768 Date 1-18-90
Publication prepared by RB Date 5-31-90 Published in Custer Pub. Co.
Publication approved LB Date 6-6-90

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. _____, and said application is hereby _____

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECEIVED

JUL 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Habert, Eugene H. Phone (208) 588-2846
Post office address P.O. Box 206 Mackay, Id. 83251
2. Source of water supply Well which is a tributary of underground
3. Location of point of diversion is S/E 1/4 of S/W 1/4 of N/W 1/4, Govt. Lot _____
Sec 15 Township 8 North Range 21E B.M. Custer County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1-1- to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

N/A

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 6" inches; proposed depth of well is 40 feet.
d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Completed years (minimum 1 year).

MICROFILMED

JUL 23 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW _____
- b. Stockwatering, list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. One
- e. Other; describe fully. _____

9. Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
								D											

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? self
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

MICROFILMED

JUL 23 1990

[illegible]

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.

MICROFILMED

JUL 23 1997

(Applicant)

1/12/90

Received by OW Date 1-17-90 Time 1:45p Preliminary check by _____
Fee \$ 25⁰⁰ Receipted by RB # E011768 Date 1-18-90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

JUL 23 1990

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss **MAY 14 1990**

I, Margaret Parks, ~~Department of Water Resources~~ **Fasten Dispatch Office**
the Challis Messenger, a weekly newspaper published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated May 3 1990 and ending with the issue dated May 10 1990

Margaret Parks

STATE OF IDAHO)

COUNTY OF CUSTER)

On this 10th day of May in the year of 1990, before me, a Notary Public,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Edith M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-91 **1990**

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

34-07521

LOGAN, ROBERT S
LOGAN, JAN
RT. 1 BOX 26D
MACKAY, ID 83251
Source: GROUNDWATER
Diversión Pt: NENE Sec 8 T 06N R 25E

Use: IRRIGATION (.060 CFS)
DOMESTIC (.020 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/13/1989
In: T06N R25E S08 NENE
3.0 ACRES TOTAL

34-07539

CUSTER COUNTY FAIR BOARD
BOX 160
CHALLIS, ID 83226
Source: GROUNDWATER
Diversión Pt: SENE Sec 29 T 07N R 24E

Use: STOCKWATER (.050 CFS)
COMMERCIAL (.080 CFS)
Total Diversión: (.080 CFS)
Date Filed: 1/11/1990
In: T07N R24E S29 SENE

34-07540

GABERT, EUGENE H.
P O. BOX 206
MACKAY, ID 83251
Source: GROUNDWATER
Diversión Pt: SWNW Sec 15 T 08N R 21E

Use: DOMESTIC (.040 CFS)
Total Diversión: (.040 CFS)
Date Filed: 2/5/1990
In: T08N R21E S15 SWNW

The permit(s) will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 1501 Shoup Ave., Suite 100, Boise, Idaho 83402 on or before May 21, 1990.

R. Keith Higginson, Director
Sub: May 3 & 10, 1990.

MICROFILMED

January 10, 1992

EUGENE H GABERT
PO BOX 206
MACKAY ID 83251

RE: WATER RIGHT NO. 34-07540

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

RECORDED
JAN 15 1992

LICENSE REVIEW CHECKLIST

Permit No. 34-7540

Name/Address change? ok ☒

Priority date Advance? yes no ☒

Memo to advance
Order to reinstate needed? yes no ☒

Total cfs Limited by fee N/A

Limited by capacity ☒

Total volume Limited by flow

Chart checked for AF rate/ac N/A

Capacity Actual measurement checked

Theoretical checked ☒

If greater than permit, check for other rts

Source Changed? yes no ☒

If so, is memo needed to clarify?

P/D Verify with map ☒ permit ☒

More than one per 44? Remember remark

Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒ permit ☒

> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 44

Description of non-irrig uses ☒

Special overlap condition

Conditions -

Measuring device
W.Master control
Overlap
Water quality
Other

Dates/Misc. -

Water Dist
App Rec'd ☒
Proof Rec'd ☒

Comments/Changes to Examiner's Recommendations:

License 10-day 30-day

SC Date 10/23/91 Review time 5 min.

RECORDED
JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7540

1. Owner: Eugene H. Gabert Phone No. 588-2846

Current Address: P.O. Box 206, Mackay, Id 83251

2. Accompanied by: Paul Gabert EXAM. DATE: 9-24-1991

Address: 425 Madonna Twin Falls Id 83301 Phone No. 734-2534

Relationship to Permit Holder. Brother

3. Source: GROUNDWATER tributary to _____

R

OCT 21

B. OVERLAP REVIEW

1. Other water rights with same place of use: FOR IRRIGATION 34-00297/00298

Department of Water Resources

☐ Copies Attached

2. Other water rights with same point of diversion: NONE

☐ 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

NONE REQUIRED

Scale: 1" = _____

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

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

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

MICROFILMED

JAN 15 1992

System Description (continued)

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

well pump mainline to two domestic homes (1 doublewide trailer, 1-14' wide trailer)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNKNOWN	UNKNOWN	—	—	—

*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
			SW	NW	15	8N	2E	Carter	USGS Map; On site

6. **Place(s) of Use:**

Indicate Method of Determination _____

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	
8N	21E	15							30										

Do not use this space

MISSOURI

JAN 15 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

NONE

Assume: 30 psi, 40ft pumping depth, $\frac{3}{4}$ hp $Q = 0.04$ cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: NONE

2. Alternate Method for Checking Purposes.

Assume: $\frac{3}{4}$ hp, 30 psi, pumping depth = 40'
eff = 0.7

$$Q = \frac{hp(8.814)(\text{eff})}{Lft + (PSI \times 2.308)} = \frac{(\frac{3}{4})(8.814)(.7)}{40 + (30 \times 2.308)} = 0.04 \text{ cfs}$$

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) $\div$ 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 .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

Volume DOMESTIC = 1.2 cfs

JAN 15 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (1 unit)	1/1	12/31	0.04	1.2
Totals:			0.04	1.2

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 KEITH C WILSON
Signature Keith C Wilson
Certification Date _____
Field Report Preparation Date 10-3-1991

CONSULTANT SEAL

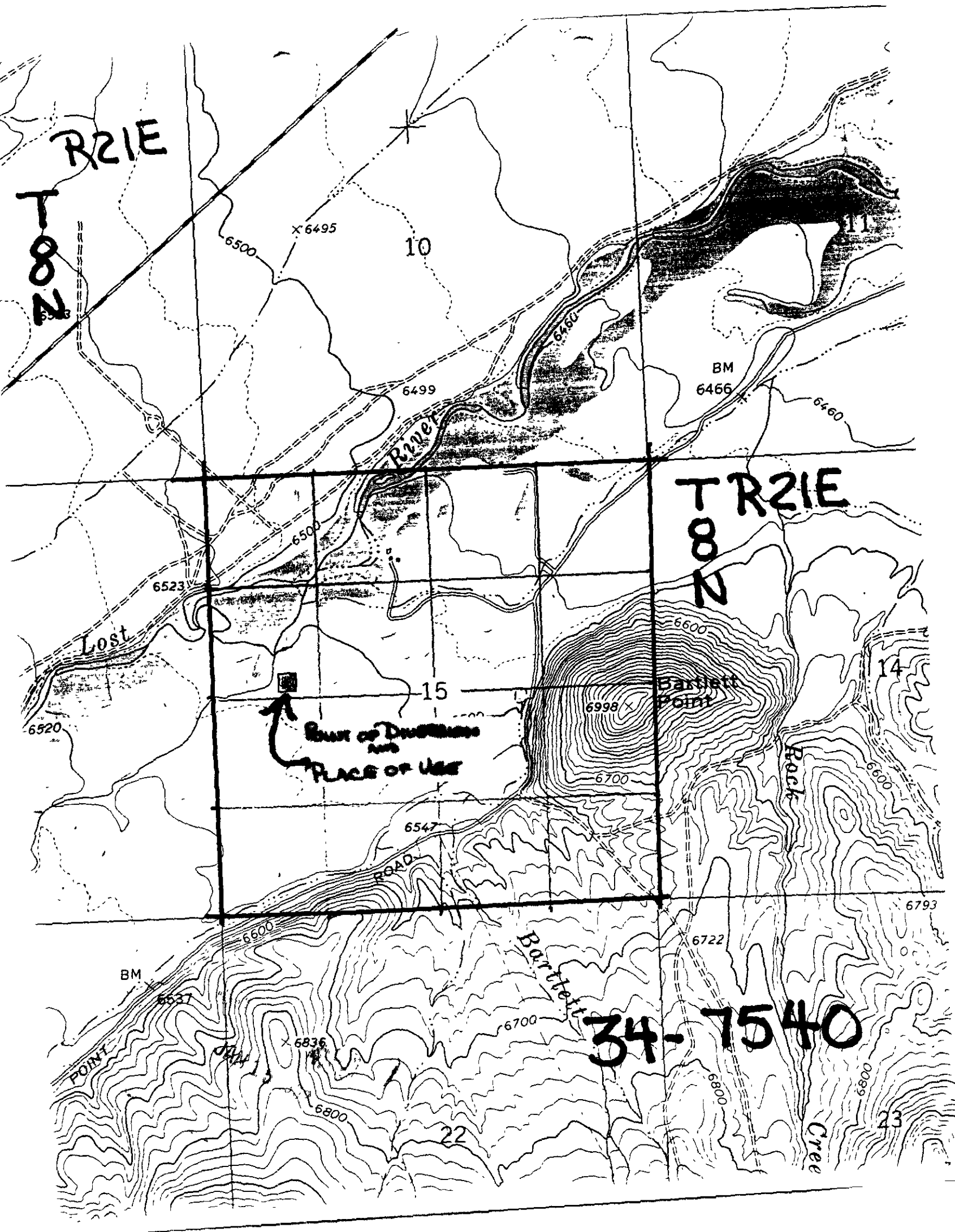
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAN 15

T 8 N
R 21 E

T 8 N
R 21 E

34-7540





well

34 7540

JAN 15 1992

July 9, 1991

EUGENE H. GABERT
P.O. BOX 206
MACKAY, ID 83251

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 34-07540

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

AUG 01 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 34-1540

Date 7-1-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
NA Drill permit req'd?
1981 ☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

- NO Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received NA _____
Date proof due _____ - _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

LB

RECEIVED
JUN 26 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

- 1 Permit No. 34-07540 Telephone No. (208)588-2846
- 2 Name(s) of Permit Holder(s): Eugene H. Habert
- 3 Post Office Address: P.O. Box 206 Mackay, Id. 83251
- 4 Source of Water: Well - (First well drilled 1973 Self 20 ft)
- a If ground water, well driller's name: Duthrie, Glenn Date drilled: 1981 40 ft,
6 in. casing
- b. Pump horsepower: 1/2 h Pressure (psi): 40 lbs. Dynamic pumping level (ft.): 15-20 ft.

5 Extent of Use:

Domestic 2 (No. of households) Irrigation 50x50 ft Garden (No. of acres)

Stockwater 10 Horses (No. and type of stock) Other _____

6 Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8 Fee ~~Enclosed~~ Paid \$ 25.00 by ch. 1-17-90 (See License Examination Fee Schedule)

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

Eugene Habert 588-2846
Name Telephone No.

Bartlett Point, 25 miles above Mackay.
Address

10 The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

6/21/91
Date

Eugene H. Habert
Signature (and title if on behalf of a company or organization)

RECEIVED

AUG 01 1991

138402
April 30, 1991

EUGENE H. GABERT
P.O. BOX 206
MACKAY, ID 83251

PROOF DUE NOTICE

RE: PERMIT NO. 34-07540

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner 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 which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable 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

AUG 01 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

EUGENE H. GABERT
P.O. BOX 206
MACKAY, ID 83251

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P34-07540

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUL 2 • 1990

Dist. for staffing 2-8-90

Submitted for advertising 3-21-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY PM DATE 3/20/90 APPLICATION NUMBER 34~7540
Eugene H. Robert
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
JUN 12 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No I... form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5-21-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 34
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 2-5-90 date fee
By HWS Date 6-11-90 complete

STATE OFFICE REVIEW P05, P23 P16 46

See below for additional information

By kw Date 6-21-90

ADDITIONAL INFORMATION

App. in TRUST Area-DCMI

01-May-1990

EUGENE H. GABERT
P.O. BOX 206
MACKAY, ID 83251

RE: Application for Permit No. 34-7540

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the CUSTER PUBLISHING CO. on MAY 3 & 10, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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JUL 23 1990

34-07540

GABERT, EUGENE H.
P.O. BOX 206
MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 15 T 08N R 21E

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 2/ 5/ 1990

In: T08N R21E S15 SWNW

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JUL 23 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 25, 1990

Eugene H. Gabert
P. O. Box 206
Mackay, Idaho 83251

RE: Application for Permit for domestic well

Dear Mr. Gabert,

This letter is in reference to the Application for Permit that you submitted for your house well. Before we can process your application, a couple of items need clarification.

You'll notice that I have included a photo-copy of your original application as well as two copies of a new handwritten application. One copy has been marked 'State Copy' and the other has been marked 'Personal Copy'. This new application is based on the information that you supplied in your original application. I have also included the instruction sheet for your reference.

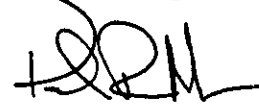
Apparently, there was a misunderstanding concerning the fee for submitting your Application for Permit. Water uses under 0.20 cubic feet per second require that a \$30.00 payment be included with the application. Unfortunately, only \$25.00 was submitted with your application. In order to process your application, we will need an additional \$5.00. Please refer to the back page of the enclosed instruction book for the fee schedule.

Turning to the 'State Copy' of the new application, please turn to the third page and make a mark on the map showing (as close as you can) where your home and well are. I have 'highlighted' the 40-acre tract that you indicate as the place of use.

Please check over each copy for any errors that might have been made. Then sign the 'State Copy' below the map in the space provided and return it with your check for the additional \$5.00. Be sure to mark the envelope "Attn: Paul Meyer", so I can route it properly.

I apologize for any misunderstanding concerning the fee structure. If you have any questions, feel free to give me a call at this office. The phone number is 525-7161.

Sincerely,



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Paul R. Meyer
WR Agent, Senior

JUL 23 1990

enc.