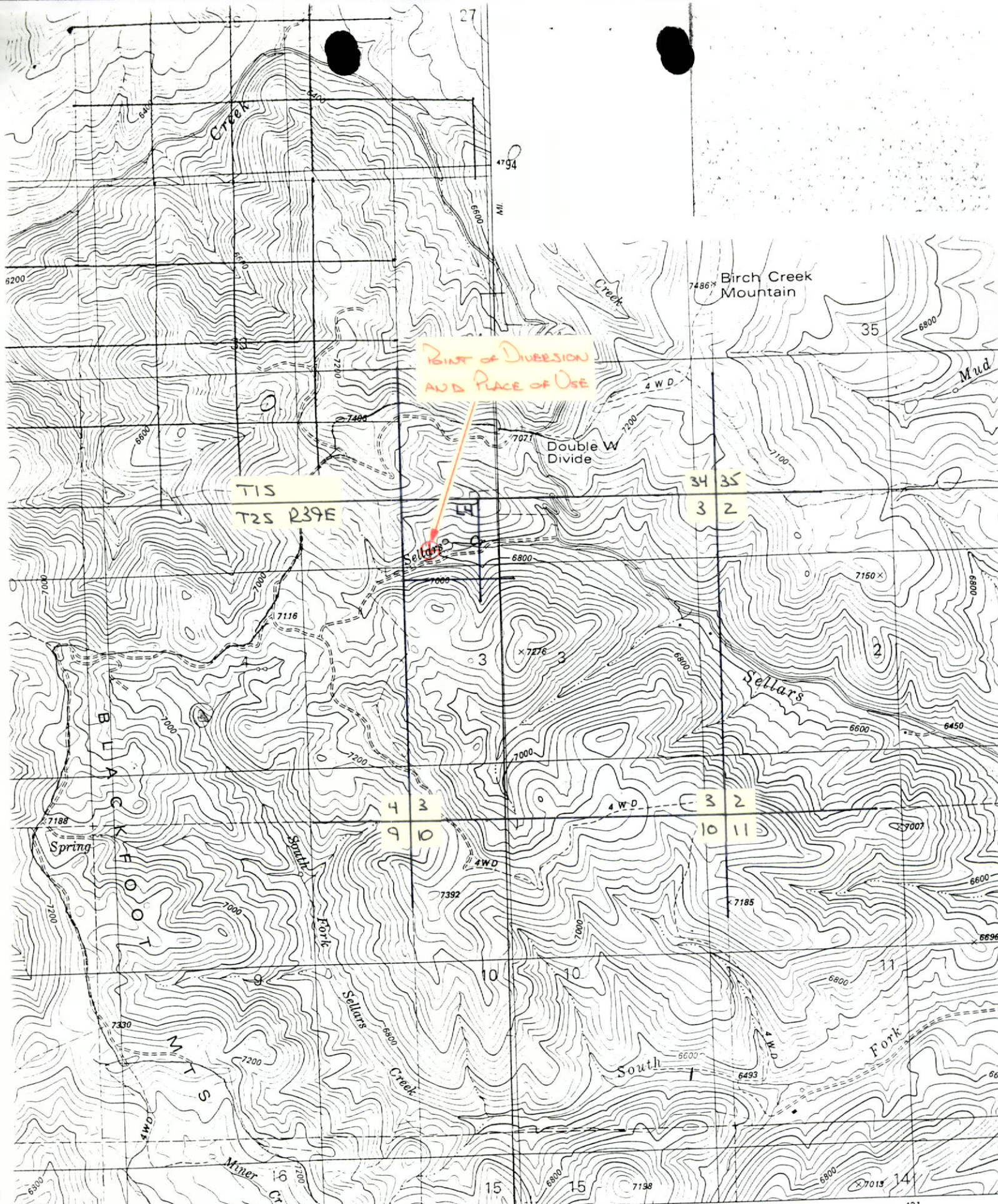




27
 428000mE
 111°52'30"

ROAD CLASSIFICATION

Primary highway, hard surface
 Light-duty road, hard or improved surface

580 000 FEET
 41
 Mapped, edited, and published by the Geological Survey
 Control by USGS and NOS/NOAA
 Topography by photogrammetric methods from aerial

MICROFILMED
 DEC 30 1998

Dept. of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

25-07664

BLACK, Herman
BLACK, Kae D.
138 N. Meridian
Blackfoot, Idaho 83221
Source: SPRING Tributary: SINKS
Diversion Pt.: Lot 4 (SWNWNW), Sec. 3, T.
02S, R. 39E, in Bingham County.
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 11/9/1998
In: Bingham County
T02S, R39E, S03, Lot 4 (NWNW)

25-07665

BLACK, Herman
BLACK, Kae D.
138 N. Meridian
Blackfoot, Idaho 83221
Source: SELLARS CREEK Tributary: WIL-
LOW CREEK

Diversion Pt: Lot 4 (SWNWNW), Sec. 3 T.
02S, R. 39E, in Bingham County
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.20 CFS) *should be 0.02 cfs*
Date Filed: 11/9/1998
In: Bingham County
T02S, R39E, S03, Lot 4 (NWNW)

NOT FATAL

12/16/98 cz.

Any protest against the proposed applica-
tion must be filed with the Department of
Water Resources, 900 N. Skyline Drive,
Suite A, Idaho Falls, Idaho, 83402, together
with a protest fee of \$25.00 on or before
DECEMBER 7, 1998 to be considered by
the Department in its decision to grant or
deny any part of the proposed application.
The protestant must also send a copy of the
protest to the application.

KARL J. DREHER
Director

(3964)
Pub.: 11/19, 26

RECEIVED

NOV 3 '0 1998

MICROFILMED

Department of Water Resources
Eastern Region

DEC 3 0 1998

Legals

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

SS

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator of The Morning News,
which is a daily newspaper of
general circulation, published each
day except Sunday at Blackfoot,
Bingham County, Idaho, said
newspaper having been so published
at Blackfoot, aforesaid for more than
one year past; that said newspaper
heretofore complied with all the
provisions of Chapter 154 of the
Sessions Laws of Idaho of 1911,
approved March 11, 1911, and duly
designated, pursuant to law, a
particular day of the week as the day
on which legal notices required by
law or by the order of any Court of
competent jurisdiction within the
State of Idaho shall be published to-
wit: of each week; that the notice
attached hereto and which is a part
of this affidavit and part of the proof
of publication was published in said
issue of said
newspaper 2 consecutive Weeks
the first publication having been
made on the 19th day of Nov
1998; and the last publication having
been made on the 26th day of Nov
1998; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

On this 26th day of Nov, in
the year of 1998, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements herein are true, and
acknowledged to me that he
executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004

Affidavit Processing Fee.....\$5.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 04 1999

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 25 29-07664 Telephone No. (208) 785-1265

2. Name(s) of Permit Holder(s): HERMAN OR KAE D BLACK

3. Mailing Address: 138 N MERIDIAN, BLACKFOOT ID 83221

4. Source of Water: SPRINGS If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____

b. OPTIONAL:
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): ____

Irrigation (No. of acres): ____ Other: ____

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR ____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No X

Has the measuring device been installed? Yes ____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No X

Has the measurement port been installed? Yes ____ or No X

8. Fee Enclosed: \$ 50⁰⁰/100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: KAE BLACK Telephone Number: (208) 785-1265

Address: 138 N MERIDIAN, BLACKFOOT ID 83221

10. The information given on this form 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.

Signature of permit holder: Kae Black

(include your title, if on behalf of company or organization)

DATE: 12-28-98

FEB 11 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07664

Proposed Priority: November 9, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that HERMAN BLACK

KAE D BLACK

138 N MERIDIAN

BLACKFOOT ID 83221

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

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

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNWNW), Sec. 3, Township 02S, Range 39E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02S 39E 3 Lot 4(NWNW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 2000.
2. Subject to all prior water rights.
3. Place of use is located within Lots 1-3, Blk. A, Spring Valley Subdivision.
4. Domestic use is for 1 home.

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

21st day of December, 1998.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED
DEC 30 1998

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DEC 14 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant HERMAN AND/OR KAE D BLACK Phone (208) 785-1265
Mailing address 138 N MERIDIAN, BLACKFOOT ID 83221
2. Source of water supply SPRINGS which is a tributary of SINKS
3. Location of point of diversion is Township 02S Range 39E Sec. 03 in the SW 1/4, NW 1/4, NW 1/4, Govt. Lot 4, B.M., BINGHAM County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | | |
|--|--|------------------------|
| Amount <u>0.02</u> for <u>DOMESTIC</u> | purposes from <u>1-1</u> to <u>12-31</u> | (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) | | |
| 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) 0.02 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source HAND-BUG CISTERN WITH PIPELINE TO HAND PUMP IN KITCHEN FOR DOMESTIC USE
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed 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. DOMESTIC USE FOR ONE HOME
- e. Other; describe fully. _____

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DEC 30 1998

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	39E	3					D												
							L-4												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. APPLICATION FOR PERMIT FOR DOMESTIC USE FROM SELLARS CREEK

11. a. Who owns the property at the point of diversion? APPLICANTS

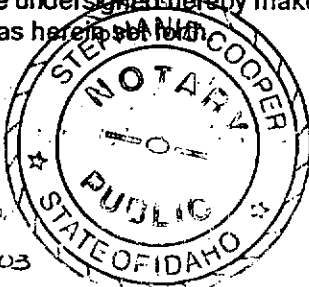
b. Who owns the land to be irrigated or place of use? APPLICANTS

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: SPRING VALLEY SUBDIVISION, BLOCK A, LOTS 1, 2 & 3
SYSTEM HAS BEEN IN PLACE SINCE 1976

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

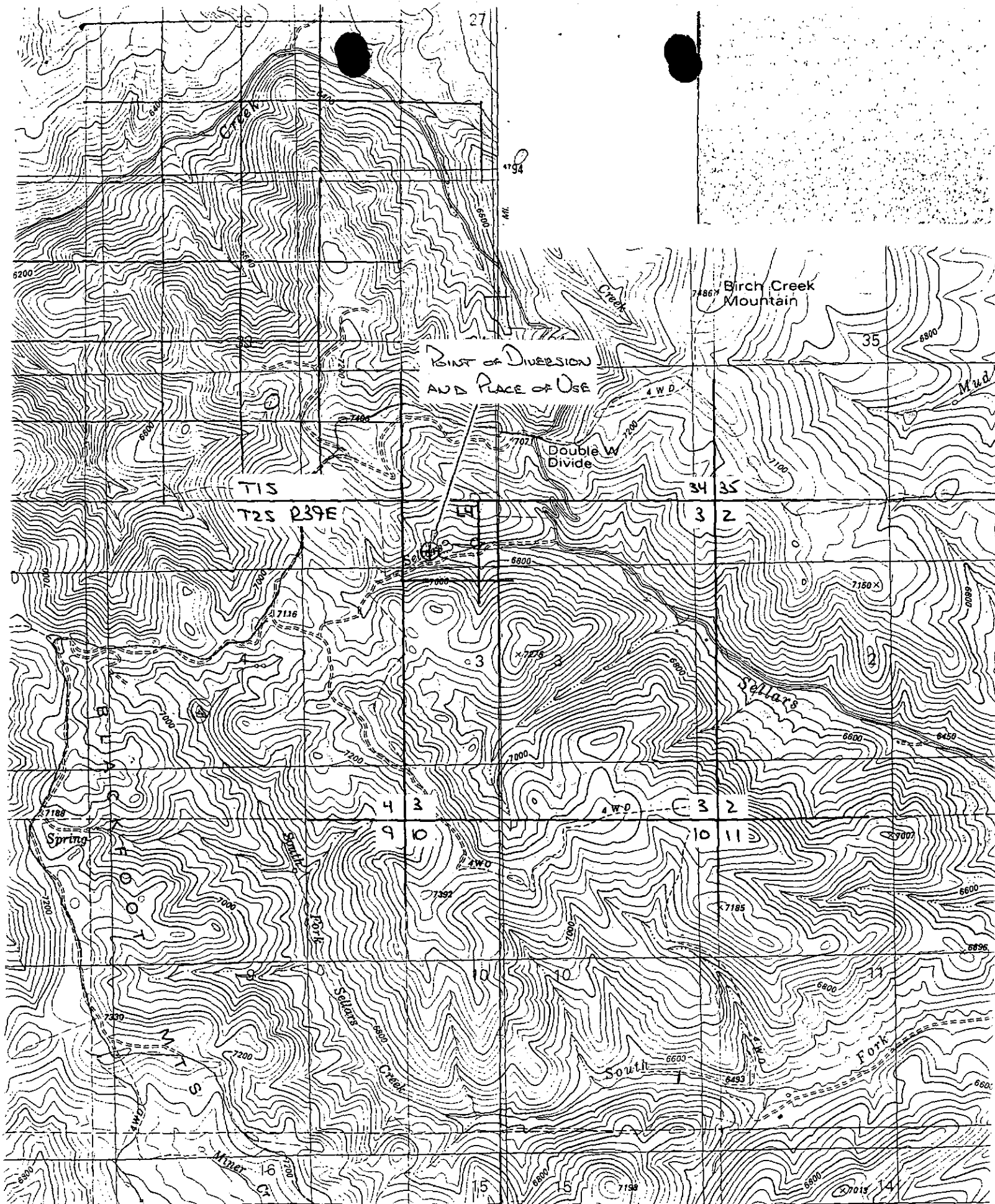
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as hereinafter set forth.



X Jaed Black
Signature of Applicant (and title, if applicant is a corporation) **MICROFILMED**

Received by DO Date 11-6-98 Time 12:32 PM Preliminary check by _____
Fee \$ 500.00 Received by HWS # E024609 Date 11-9-98
Publication prepared by SC Date 11/19/98 Published in Morning News
Publication approved SC Date 11/30/98

DEC 30 1998



27

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1981

280000E

111°52'30"

580 000 FEET

31

ROAD CLASSIFICATION

Primary highway,
hard surface

Light-duty road, hard or
improved surface

Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial

MICROFILMED
DEC 30 1998

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07664 Reviewed by fy Date 1-6-99

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom.

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
✓ Drilling permit required?
✓ Copy in the file? Drilling Permit No. _____
✓ Amount paid for permit _____ Correct?
✓ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
1 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 12-28-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 11, 1999

Herman and Kae Black
138 N Meridian
Blackfoot ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07664

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 1998

HERMAN BLACK
KAE D BLACK
138 N MERIDIAN
BLACKFOOT ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07664

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

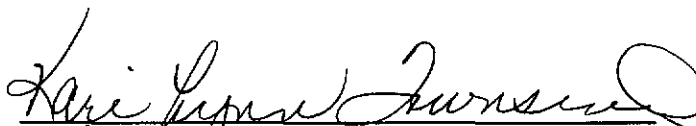
DEC 30 1998

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 25-07664

HERMAN BLACK
KAE D BLACK
138 N MERIDIAN
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

DEC 30 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindylon*No.: 25-07664 Name: Black Date: 12/16/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: ESRP Mor / GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED:

- YES / No; RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

- 1

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- D 501 (2) 560

BENEFICIAL USE DUE:

- 12/1/2000

COMMENTS:

- Same POW as 25-7665

RECEIVED

DEC 14 1998

Department of Water Resources

Dist. for staffing

Submitted for advertising

11-9-98

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

BLACK

INITIAL REVIEW BY HWS DATE 11-9-98 APPLICATION NO. 25-07664

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 signatory 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
☐ Yes ☐ No 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 _____

PROCESSING

☒ Yes ☒ No In 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 _____
☐ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 11-6-1998
By: 12-9-1998 Date: 12-9-1998
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City _____ Idaho Fish & Game _____ Irrigation Dist.
 _____ County _____ Idaho Health & Welfare _____ Canal Company
 _____ Reservations _____ Div. of Environment _____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

Dept. of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

25-07664

BLACK, Herman
BLACK, Kae D.
138 N. Meridian
Blackfoot, Idaho 83221
Source: SPRING Tributary: SINKS
Diversion Pt.: Lot 4 (SWNWNW), Sec. 3, T.
02S, R. 39E, in Bingham County.
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 11/9/1998
In: Bingham County
T02S, R39E, S03, Lot 4 (NWNW)

25-07665

BLACK, Herman
BLACK, Kae D.
138 N. Meridian
Blackfoot, Idaho 83221
Source: SELLARS CREEK Tributary: WIL-
LOW CREEK

Diversion Pt: Lot 4 (SWNWNW), Sec. 3 T.
02S, R. 39E, in Bingham County
Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS) *should be 0.02 cfs*
Date Filed: 11/9/1998
In: Bingham County
T02S, R39E, S03, Lot 4 (NWNW)

NOT FATAL

12/16/98 cz.

Any protest against the proposed applica-
tion must be filed with the Department of
Water Resources, 900 N. Skyline Drive,
Suite A, Idaho Falls, Idaho, 83402, together
with a protest fee of \$25.00 on or before
DECEMBER 7, 1998 to be considered by
the Department in its decision to grant or
deny any part of the proposed application.
The protestant must also send a copy of the
protest to the application.

KARL J. DREHER
Director

(3964)
Pub.: 11/19, 26

Legal's

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

SS

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator of The Morning News,
which is a daily newspaper of
general circulation, published each
day except Sunday at Blackfoot,
Bingham County, Idaho, said
newspaper having been so published
at Blackfoot, aforesaid for more than
one year past; that said newspaper
heretofore complied with all the
provisions of Chapter 154 of the
Sessions Laws of Idaho of 1911,
approved March 11, 1911, and duly
designated, pursuant to law, a
particular day of the week as the day
on which legal notices required by
law or by the order of any Court of
competent jurisdiction within the
State of Idaho shall be published to-
wit: of each week; that the notice
attached hereto and which is a part
of this affidavit and part of the proof
of publication was published in said
issue of said newspaper 2 consecutive Weeks
the first publication having been
made on the 19th day of Nov
1998; and the last publication having
been made on the 26th day of Nov
1998; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

Jacqueline Graham

On this 26th day of Nov, in
the year of 1998, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements made are true, and
acknowledged to me that he
executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004
Affidavit Processing Fee.....\$5.00

RECEIVED

NOV 30 1998

MICROFILMED

Department of Water Resources
Eastern Region

DEC 30 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1998

HERMAN AND/OR KAE D BLACK
138 N MERIDIAN
BLACKFOOT ID 83221

RE: Application for Permit #25-07664 and 25-07665

Dear Applicant:

This office is currently in the process of advertising the application in the The Morning News on November 19 and 26, 1998. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

DEC 30 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 10, 1998

Legal Notices Department
THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 7, 1998.

Yours truly,

Sharla Cox
Secretary

Encl.



MICROFILMED

DEC 30 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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25-07664

BLACK, HERMAN
BLACK, KAE D
138 N MERIDIAN
BLACKFOOT, ID 83221

Source: SPRING

Tributary: SINKS

Diversion Pt: LOT 4 (SWNWNW) Sec 3 T 02S R 39E in BINGHAM County.

Use: DOMESTIC	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 11/ 9/1998

In: BINGHAM County
T02S R39E S03 Lot 4 (NWNW)

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before DECEMBER 7, 1998. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 11/19/1998 & 11/26/1998

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DEC 30 1998