

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not. of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 18
and the last publication having been

made on Apr 25, 1990.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Robert Carlson

On this 27 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
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 ex-
ecuted the same.

Karen R. New
Notary Public for Idaho
Residing at Idaho
My commission expires: 10-23-94

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR
WATER RIGHT

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

25-07481

CARSTENS, JULIUS M. J.

319 N. 4500 E.

RIGBY, ID 83442

Source: GROUNDWATER

Diversion Pt: NESESE Sec 13 T 04N R

39E

Use: IRRIGATION (.080 CFS)

Total Diversion: (.080 CFS)

Date Filed: 12/22/ 1988

In: T04N R39E S13 SESE

4.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may 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,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MAY 7, 1990.

R. Keith Higginson, Director

Published in the Jefferson Star,
Rigby, Idaho, April 18 and 25, 1990.

MICROFILMED

JUL 15 1994



501
MICROFILMED
JUN 08 1999

#2814

(9717)

MAN
JONES

HELIN

(1)

4.2

HELIN

(1)

17.5

(2)

5.0

#2661

(1183)

HEL

(1)

13.5

HEL

(2)

13.2

6.2

T
4
N

R39E

R40E

13

POINT OF DIVERSION
AND
PLACE OF USE



(1)

11.8

HEL

(3)

4.6

HEL

(4)

18.5

HEL

(2)

6.5

(3)

9.8

(4)

5.4

(1)

1.6

13

18

25-07481

MICROFILMED

JUN 08 1999

24

19

B

APPROXIMATE LOCATION OF EAST LABELLE
GAGING STATION



PLACE OF USE

25-07481

MICROFILMED
JUN 08 1999



EAST LABELLE
GAGING STATION



EAST LABELLE
DIVERSION
FROM THE
DRY BED



↑
IRRIGATION
SYSTEM
FROM LABELLE
CANAL



PRIMARY IRRIGATION
SYSTEM

MICROFILMED
JUN 08 1999

25-07481

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 25-07481

Priority: December 22, 1988

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JULIUS M J CARSTENS

115 VALLEY TRAIL

SEDONA AZ 86351-7997

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 22, 1988; and has submitted Proof of Beneficial Use on May 29, 1992. An examination indicates that the works have a diversion capacity of 0.050 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>
IRRIGATION	04/01 to 10/31	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 13, Township 04N, Range 39E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	39E	13	SESE	1.4		1.4

Total number of acres irrigated: 1.4

CONDITIONS OF APPROVAL AND REMARKS

1. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 5.6 af at the field headgate for the lands above.

MICROFILMED

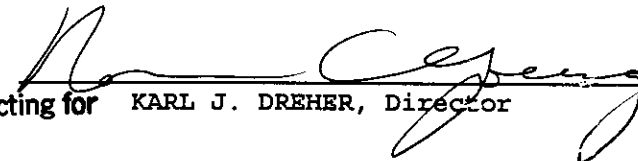
0 8 1999

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 25-07481

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 3RD day of JUNE, 1999.


Acting for KARL J. DREHER, Director

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JUN 08 1999

RECEIVED

JUN 15 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources **PROOF OF BENEFICIAL USE**

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. 25-07481 Telephone No. 208-538-7109
602-284-2392
Fax 011/506-
2. Name(s) of Permit Holder(s): Julius M. J. Carstens
3. Post Office Address: 319 N 4500 E Rigby Id 83442 41-01-22
4. Source of Water: Groundwater Asyuda SA Apartado 520
Costa Rica
Alajuela
Central America
- a. If ground water, well driller's name: Walker Pump Date drilled: 1978
- b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:
- Domestic _____ (No. of households) Irrigation 4 (No. of acres)
- Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted .08 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: \$ 50.00 (See License Examination Fee Schedule)

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

Permit Holder
 Name

Telephone No.

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.

29 May 1992
 Date

Julius M. J. Carstens **MICROFILMED**
 Signature (and title if on behalf of a company or organization)

JUN 24 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07481

Proposed Priority: December 22, 1988 Maximum Diversion Rate: 0.08 CFS

This is to certify, that JULIUS M. J. CARSTENS
319 N. 4500 E.
RIGBY, ID 83442

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESE Sec. 13, Township 04N, Range 39E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	39E	13	SESE	4		4

Total number of acres irrigated: 4

CONDITIONS/REMARKS:

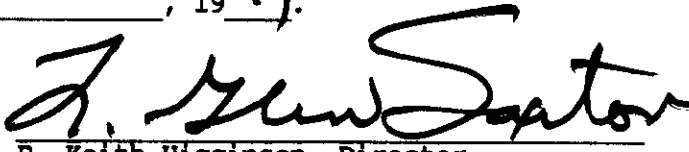
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

27th day of June, 1991.

MICROFILMED

JUL 15 1991.

for 
R. Keith Higginson, Director

257481

RECEIVED

DEC 22 1988

Department of Water Resources
Eastern District Office805 - 963-8074
208 - 538-7109
PhoneForm 202
8/85STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant JULIUS M. S. CARSTENS
Post office address 319 N. 4500E., RIGBY, ID. 83442
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 4N Range 39E B.M. JEFFERSON County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.08 for IRRIGATION purposes from 4/1 to 11/1 (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) 0.08 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EXISTING 65' WELL w/ 1HP
PUMP TO HOME $\frac{1}{2}$ IRR. SYSTEM.

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~~ EXISTING well diameter is 6" inches; ~~proposed~~ EXISTING depth of well is 65 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
21 years (minimum 1 year).

INDEXED

JUL 15 1991

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

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

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
4N	39E	13																4	4

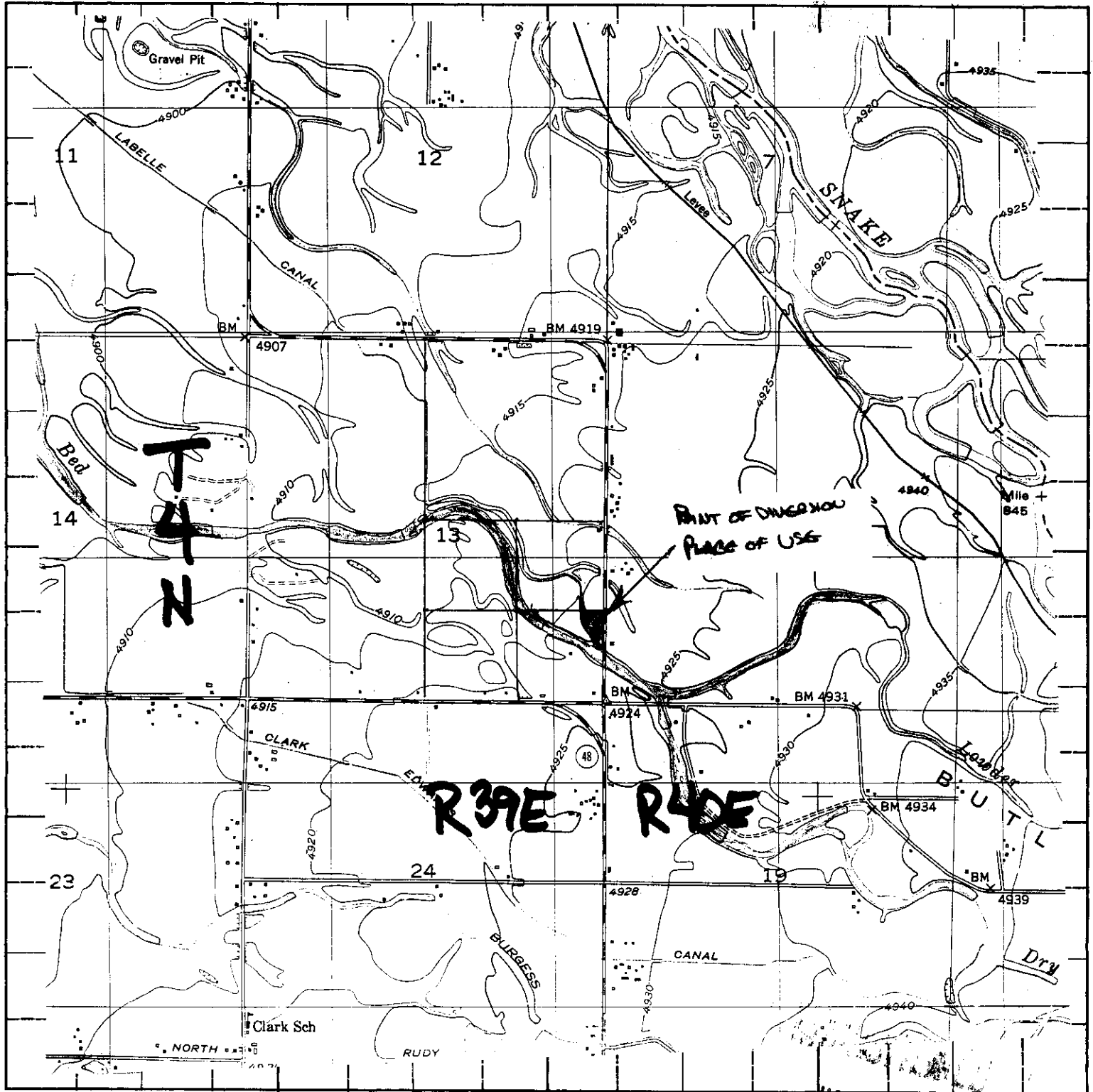
Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above. A25-11054
FILED FOR DOMESTIC USE

11. 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 arrangements enabling the applicant to make this filing. _____

12. Remarks: WELL HAS BEEN IN PLACE & USED FOR IRRIGATING 4 ACRES
SINCE APRIL, 1969. FILING MADE TO PROTECT WATER RIGHT.

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.

JUL 15 1931
Charles W. Carter
 (Applicant)

Added By ES 11-23-88

Received by HWS Date 12-22-88 Time 4:00 pm Preliminary check by _____
Fee \$ 30.00 Received by HWS # TE 005324 Date 12-22-88
Publication prepared by RB Date 7-19-88 7-19-88 26-90 Published in Jefferson Star
Publication approved (a) Date 5-10-90

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:

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JUL 15 1991

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not. of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 18
and the last publication having been

made on Apr 25, 1990.

Further, that said newspaper is one
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under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Robert Carlson

On this 27 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
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 ex-
ecuted the same.

Karen R. Tew

Notary Public for Idaho

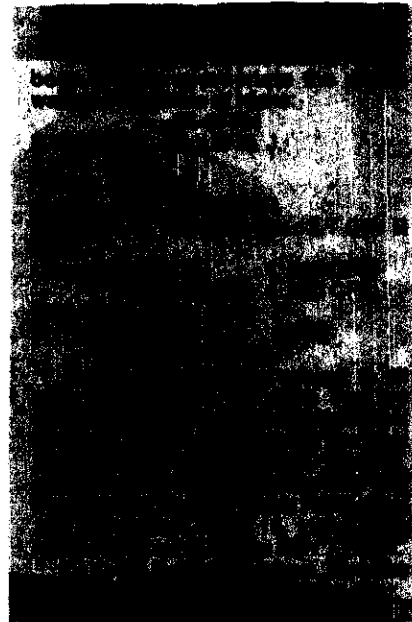
Residing at Rigby

My commission expires: 10-23-94

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office



RECORDED
JUL 15 1990



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

June 4, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JULIUS M J CARSTENS
115 VALLEY TRAIL
SEDONA AZ 86351-7997

RE: WATER RIGHT NO. 25-07481

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It 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 described in the enclosed information sheet.

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

Enclosure

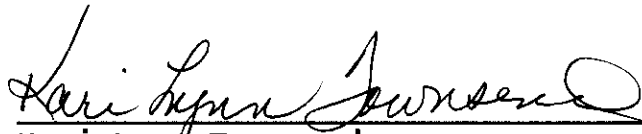
MICROFILMED
JUN 08 1999

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right 25-07481

JULIUS M J CARSTENS
115 VALLEY TRAIL
SEDONA AZ 86351-7997



Kari Lynn Townsend
Secretary

MICROFILMED
JUN 08 1999

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.

MICROFILMED

JUN 08 1999

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.

MEMORANDUM

TO: File 25-07481

FROM: Sharla

DATE: May 27, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 25-07481 are as follows:

H. RECOMMENDATIONS

Irrigation	4/1 – 10/31	0.04 cfs	5.6 afa
------------	-------------	----------	---------

The standard irrigation season for this area is 4/1 through 10/31.

Exam Date: September 2, 1998
Examiner: Keith Wilson

MICROFILMED
JUN 08 1999

LICENSE REVIEW CHECKLIST

PERMIT NO.

25-07481

DATE

5/27/99

REVIEWER: SHARLA

NAME

Change/OK

Address

OK

SOURCE

OK

Does change clarify orig. intended source? If no, Void permit

POINT OF DIV

OK

☐ Change (P39 /P47)

☐ Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

Overlaps:

Right(s):

File reviewed ☐ Profile reports printed ☐

PLACE OF USE

OK

☐ Change (P41/P47)

☐ Add (P41/P42)

Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s):

File reviewed ☐ Profile reports printed ☐

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .08 cfs

Fee limit .20 cfs \$50⁰⁰

Measured ✓ cfs

Theoretical .05 cfs

Recommended Total Div Rate .04 cfs

WATER USES

OK

Change (P46)

Irrig.

.04 cfs

1.4 x 4.0 af

Irrig -

overlap (R58-R61, R62-R65, R66-R69)

_____ cfs

_____ af

supp. gw (WB7/065/079)

_____ cfs

_____ af

overlap spec. combined fts (W35)

_____ cfs

_____ af

<1acre (W31)

_____ cfs

_____ af

Domestic

(W01/WB5/070/071/075)

TOTALS

.04 cfs

5.6 af

Power

(W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Wtr Quality (081/R07)

Flow rate .04 cfs X 214 days X 1.98 = 16.9 af

REMARKS

ADD'L CONDITIONS

☐ Watermaster Control WD# _____

☐ GW Measurement/Measuring Device

☐ Others Trust (052/R55 - remove 051)

Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo Season 4/1-10/31

Amend letters _____

25-11054 is
dom home
w/ lawn

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 27 1998
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 25-07481

1. Owner: Julius M.J. Carstens

Phone No. _____

Current Address: 115 Valley Trail, Sedona AZ 86351-7997

2. Accompanied by: KIM MADSEN

EXAM DATE: 9-2-1998

Address: 319N 4500E, Rigby ID 83442

Phone No. (208) 538-6076 (h)
(eve) 529-1350 ext 1315 (w)

Relationship to Permit Holder: Current Owner of Place of Use

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A25-11054

2. Other water rights with the same point of diversion: A25-11054

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS
AKA 319N, 4500E, RIGBY ID

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	SE	13	4N	39E	Jefferson	On site / USGS Quad

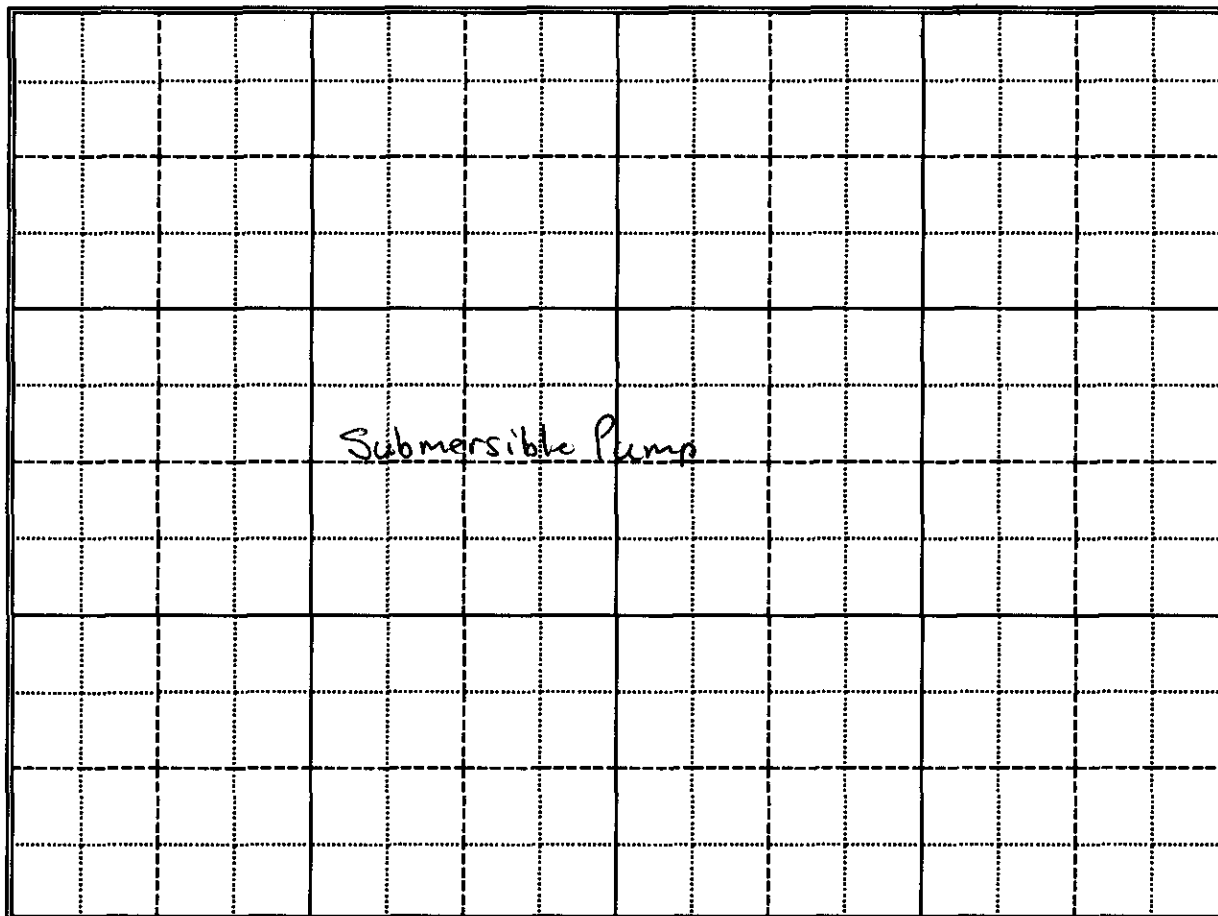
NO GOV LOTS
2. Place(s) of Use: AKA 319N 4500E, Rigby

Indicate Method of Determination ON SITE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	39E	13																~~1.4~~	~~1.4~~
																		1.4	1.4

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JUL 8 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1. Theoretical

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

2. Measurements: Theoretical

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E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to single Domestic Home & sprinkler lines

Not using @ time of Exam (at time of exam using Labelle Canal water
Diversion from Canal $\approx$ 45 ft downstream of rating System for Canal

PLACE OF USE $200' \times 300' = 60,000 \text{ ft}^2 \div 43,560 = 1.37 \text{ ac} \approx 1.4 \text{ ac}$

Well drilled some time ago

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 08 1999

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Theoretical

Assume 1hp, 35psi, 46' dynamic pump depth, 70% eff

$$Q = \frac{hp(8.814)(.70)}{Lift + (PSI \times 2.308)} = \frac{1(8.814)(.7)}{46' + (35 \times 2.308)} = \frac{6.1698}{126.78} = 0.0486 \text{ cfs}$$

$$Q_{LIMITED} \text{ TO } 0.03 \text{ cfs/ac } (0.03)(\overset{1.4}{\cancel{1.2}} \text{ ac}) = \overset{0.042 \text{ cfs}}{\cancel{0.036 \text{ cfs}}} = 0.04 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \overset{1.4}{\cancel{1.2}} \text{ af} \times \overset{5.6}{4} = \cancel{4.8} \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} (214) 1.9835 = 16.97$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \cancel{4.8 \text{ af}} \text{ } 5.6$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	0.04 cfs	~~4.8 af~~ 5.6
Totals:			0.04 cfs	5.6 afa ~~4.8 af~~

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

I. AUTHENTICATION

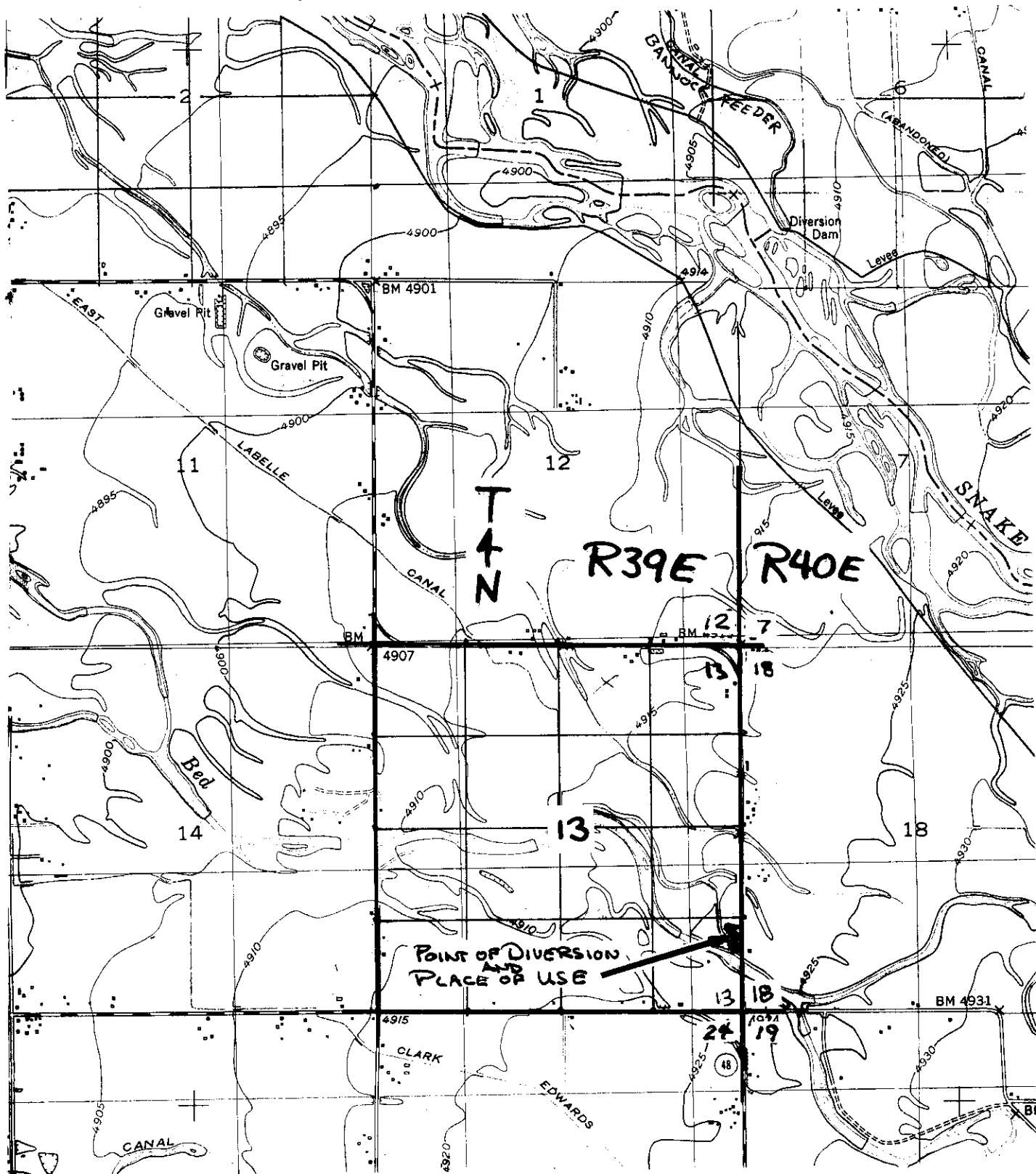
Field Examiner's Name KEITH C WILSON Date 9-2-1998

Reviewer _____ Date _____

SEAL

MICROFILMED

JUN 08 1999



25-07481
MICROFILMED
JUN 08 1999



#2814
(9717)

HEL
175

HEL
463

13

T
4
N

R39E

R40E

Point of Intersection
APC
P-100-100

①
11.8 HEL
③
4.6 HEL
④
18.5 HEL

②
6.5
③
9.8
④
5.4

25-07481

UNPROCESSED

24

19

B

APPROXIMATE LOCATION OF EAST LABELLE
GAGING STATION



PLACE OF USE

25-07481

MICROFILMED
JUN 08 1999



EAST LABELLE
GAGING STATION

EAST LABELLE
DIVERSION
FROM THE
DRY BED



↑
IRRIGATION
SYSTEM
FROM LABELLE
CANAL

PRIMARY IRRIGATION
SYSTEM

MICROFILMED
JUN 08 1999

25-07481

25-07481

June 18, 1992

JULIUS M. J. CARSTENS
319 N. 4500 E.
RIGBY ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07481

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 24 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07481

Reviewed by Klg

Date 6/5/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

yes Address same as permit?

Proof timely received?

Correct Uses?

If not, complete calculation below.

SOURCE OF WATER

Surface water source

✓ Ground water source

1978 NA 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

NA Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA

Date proof due _____ - _____

No. of days late _____ = _____

Priority Date _____ + _____

New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

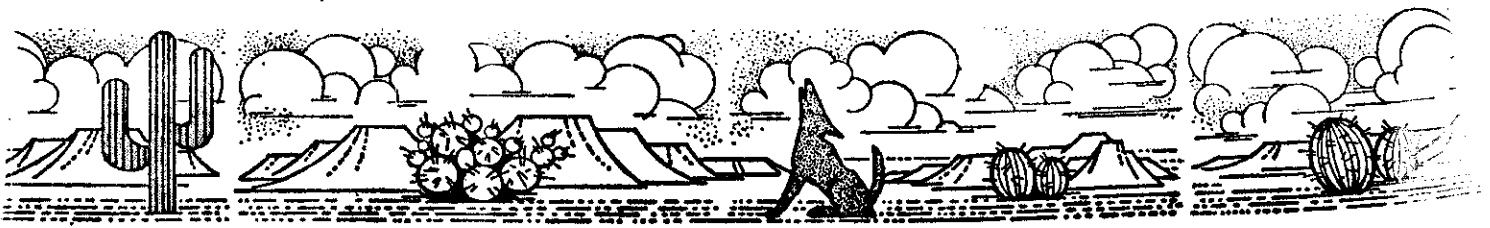
needs a \$50 license exam fee

proof acceptable

DATA ENTRY

New Address _____

Proof Made 5/29/92
6/18/92 Klg



Sedona AZ. 6-12-92

Ref: Permit No 25-07481

Dear Ms. Gustafson:

In regards To your Letter dated 6-5-92 I enclose The requested information, do hope That all is in order.

As indicated on The Form I listed Phone & Fax No, however it may not be easy To get hold of me because my Travels Take me out of The US, annually, more Than 7 months. I appreciate your special consideration on This matter and Thank you For your fine Service

Sincerely, *[Signature]*

RECEIVED
JUN 15 1992

Department of Water Resources

MICROFILMED

JUN 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 5, 1992

Julisu M. J. Carstens
319 North 4500 East
Rigby, ID 83442

Re: Permit No. 25-07481

Dear Permit Holder:

Returned is the Proof of Beneficial Use form submitted to this office. It indicates the total rate of water to be 0.08 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of 0.08 cfs is \$50. Note the back of the enclosed instruction sheet/fee schedule. Also, please indicate your current phone number so that our field examiner can locate you when they are ready to do the field exam.

Please return the proof and fee to me as soon as possible. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 24 1992

April 30, 1992

JULIUS M. J. CARSTENS
319 N. 4500 E.
RIGBY ID 83442

PROOF DUE NOTICE

RE: PERMIT NO. 25-07481

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, 1992. (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.

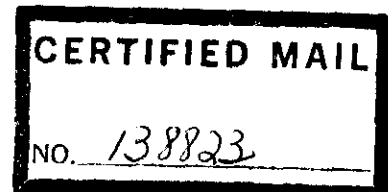
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JUN 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 3, 1991

JULIUS M. J. CARSTENS
319 N. 4500 E.
RIGBY, ID 83442

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07481

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.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust for the State of

MICROFILMED

JUL 15 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

15 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

FEB - 2 1990

Department of Water Resources

EASTERN REGION

Eastern District Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

24-Jan-1990

*Please Note my
Change of Address
Thank You*

RECEIVED

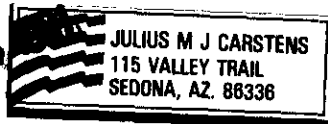
New

Winter Address:
P.O. Box 4882
Santa Barbara,
Ca. 93140

stems

93140

JUL 15



For Permit No. 25-7481

APPLICATION FOR PERMIT REVIEW

Application #: 25-7481
Date: 6-24-91

Reviewer: Pam Skaggs *CS*

✓ Existing:

No - 26A-P17
Complete in 1 year - P16

✓ Yes

✓ Proof not submitted - P16
Proof submitted - N/A

✓ Groundwater:

✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
✓ LT. 0.2 cfs - N/A

✓ Drilling Permit:

Approved w/permit - P99
✓ Not included - 046-P23 (All GW, even existing wells)

✓ Location:

✓ Water Districts - WD No. 01
Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)
✓ Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
✓ Swan Falls Flag - 7 (1, Blank or Other)
✓ Trust - 051-052-053-P74 (Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)
Ownership:
Non land owner - 004
Protested:
Agreement - 020

✓ Beneficial Use Due Date: - 07-01-1992
Other Conditions Recommended

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JUL 15 1991

Dist. for staffing _____

submitted for adv. _____

SCAN FALLS Hold
FILE

NOT TRUST - Probably
Provided Aquifer
TRUST AREA

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 12-23-88 APPLICATION NUMBER 25-7481
CARSTENS

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

RECEIVED
JUN 04 1991

Department of Water Resources

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAY 17 1990

Department of Water Resources

PROCESSING

☒ Yes ☒ No 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 2-19-90 5-7-90

☐ 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. 01-P05

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

☐ See below for additional information

Date of priority recommended 12-22-88

By HWS

Date 5-10-90

STATE OFFICE REVIEW P05

☐ See below for additional information

By _____

Date _____

ADDITIONAL INFORMATION

App. in TRUST area-

19-Apr-1990

Julius M.J. Carstens
319 N. 4500 E.
Rigby, ID 83442

RE: Application for Permit No. 25-7481

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 Jefferson Star on April 19 & 26, 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

MICROFILMED

JUL 15 1991

25-07481

CARSTENS, JULIUS M. J.
319 N. 4500 E.
RIGBY, ID 83442

Source: GROUNDWATER

Diversion Pt: NESESE Sec 13 T 04N R 39E

Use: IRRIGATION (.080 CFS)
Total Diversion: (.080 CFS)

Date Filed: 12/22/ 1988

In: T04N R39E S13 SESE

4.0 ACRES TOTAL

RECORDED

JUL 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted base 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 7, 1990.

R. Keith Higginson, Director

Published 4/18/1990 & 4/25/1990

RECEIVED
MAY 12 1990

JUL 15 1991

The Jefferson Star
P.O. Box 37
Rigby, ID 83442

RE: APPLICATION NO. 25-7481

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on February 1 & 8, 1990.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RITA BODELL
Secretary/Office Coordinator

MICROFILMED

JUL 15 1991

24-Jan-1990

Julius M. J. Carstens
P.O. Box 4882
Santa Barbara, CA 93140

RE: Application for Permit No. 25-7481

Dear Water Right Applicant:

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUL 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 23, 1990

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

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 FEBRUARY 19, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MAILED 15

JUL 15 1990

25-07481

CARSTENS, JULIUS M. J.
319 N. 4500 E.
RIGBY, ID 83442

Source: GROUNDWATER

Diversion Pt: NESESE Sec 13 T 04N R 39E

Use: IRRIGATION (.080 CFS)
Total Diversion: (.080 CFS)

Date Filed: 12/22/1988

In: T04N R39E S13 SESE

4.0 ACRES TOTAL

*Did not
publish*

RECORDED

JUL 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted base 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 19, 1990.

R. Keith Higginson, Director

Published 1/31/1990 & 2/07/1990

MICROFILMED

JUL 15 1991

P.O. Box 4882

Santa Barbara

Ca. 93140

Julius M. J. Carstens

Dec. 19th 1988.

Dear Mr. Verner: Thank You for
taking care of my request pertaining
to Water. I do appreciate your
fine work of having completed
my Application. I just returned
to the US and return the App
and Fee with hope that you
will have this matter taken
care of. Wishing You and
Your Loved Ones
Great Holidays
I remain Sincerely

MICROFILMED

JUL 15 1991

Julius M. J. Carstens

November 23, 1988

Mr. Julius M. J. Carstens
319 N. 4500 E.
Rigby, Idaho 83442

Dear Mr. Carstens:

Thank you for submitting the claim to your domestic well in Rigby. Please find enclosed a receipt for the filing fee. Note that the receipt indicates the claim number which has been assigned to your filing. Please reference this number in future correspondence if need be.

You indicate on the claim that the well is also used to irrigate approximately 4 acres. If this is correct you will need to file on this use of water to protect your right. The only process to protect the irrigation right is to file an Application for Permit. I have prepared an application using the information from your domestic claim. If you want to pursue this, please sign the application and return it to our office along with the required \$30.00 filing fee.

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

Sincerely;

Eric S. Verner
Sr. Water Resource Agent

Enclosures

RECEIVED

JUL 15 1991