

[illegible]

X James Vincent Nerd
(Applicant)

42 7121

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that James Vincent Herd, Route 2, Filer, Idaho, has on May 24, 1971, submitted Application No. 47-7121 for a permit to appropriate 0.04 cubic feet per second of water from a ground water source by means of well within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 11S, R. 16E, B.M., Twin Falls County, to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 11S, R. 16E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 21, 1971.

R. KEITH HIGGINSON
Director

Published in the Times-News,
Twin Falls, Idaho, on June 3 and
June 10, 1971.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 560

I, Carolynne Jennings being first duly sworn upon oath, depose and say that I am front clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated June 3, 19 71, and ending with the issue dated June 10, 19 71.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Carolynne Jennings
Subscribed and sworn to before me this 11th day of June, 19 71.

W. W. Wagon
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

47-7121

May 24, 1971

James V. Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

Returned herewith is your receipt No. 6495 in the amount of \$10.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

47 7121

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 47-7121 Priority June 2, 1971 Amount 0.02 cfs
(late proof)

THIS IS TO CERTIFY, that JAMES VINCENT HERD
of Filer, Idaho, has complied with the terms and conditions of Permit
No. 47-7121 issued pursuant to Application for Permit dated May 24, 1971,
and has submitted proof to the Department of Water Administration on August 10, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, Twp. 11 S, Rge. 16 E, B. M.

in the county of Twin Falls; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.2 acre feet per year ~~or~~

~~_____ acre feet per year~~

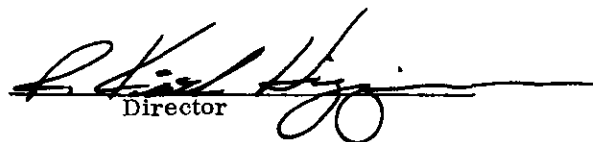
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S	16 E	14	X																

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3rd day of
January, 19 74.


Director

47 7121

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-7121)
IN THE NAME OF JAMES VINCENT HERD)

ORDER OF REINSTATEMENT

WHEREAS, on May 24, 1971, James Vincent Herd filed with the Department of Water Administration an application for permit to appropriate 0.04 cubic feet per second of water from a ground water source within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Twp. 11S, Rge. 16E, B.M., Twin Falls County, to be used for domestic and stock purposes; and,

WHEREAS, on July 13, 1971, the Department approved said application and issued Permit No. 47-7121 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before August 1, 1973; and,

WHEREAS, on June 1, 1973, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 7, 1973, the Department notified the permit holder that Permit No. 47-7121 had lapsed for failure to submit proof of beneficial use of water; and,

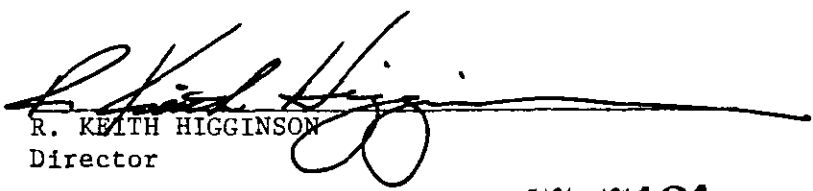
WHEREAS, on August 10, 1973, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-7121 be REINSTATED and the priority advanced to June 2, 1971.

Dated this 14 day of August, 1973.


R. KEITH HIGGINSON
Director

47 7121

Identification No. 47-7121
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

COPIES ISSUED FOR 02 REG. BY AP
COPIES PAGE NO. _____

APPLICATION FOR PERMIT

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

1. Name of applicant James Vincent Herd
post office address Route #2, Filer, Idaho 83328
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 11S
Range 16E B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
domestic farm on the Salmon Tract for Livestock and domestic well
irrigation from Salmon River

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 450 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 2,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 11S
Range 16E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
20 head

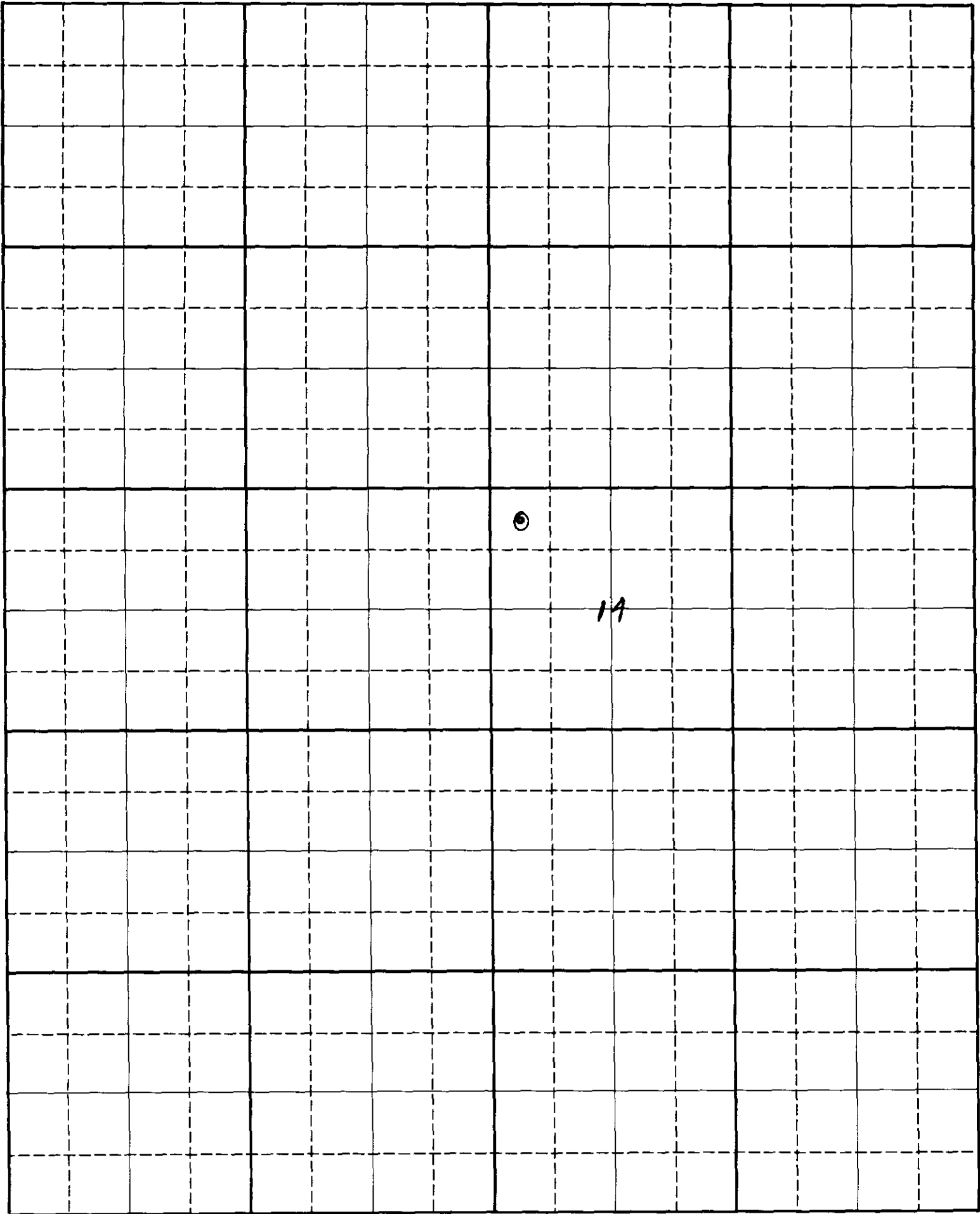
(4) Name of municipality to be served one, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____
livestock

47 7121

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

Have irrigation water 85 shares Salmon River Canal Co.

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



Scale: 2 inches equal 1 mile

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

James Vincent Neuf
(Applicant)

17 7121

47 7121

Received by ej Date 5/24/71 Time 8:00 A
Preliminary check by D Fee \$ 10⁰⁰
Receipted by ej Date 5-24-71
Publication prepared by ek Date 5-27-71
Published in Times News
Publication dates 6-3 and 6-10-71
Publication approved h Date 6-16-71
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by D Sept

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7121, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1973.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 13TH day of July, 1971.

R. Kent Higin
Director

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 560

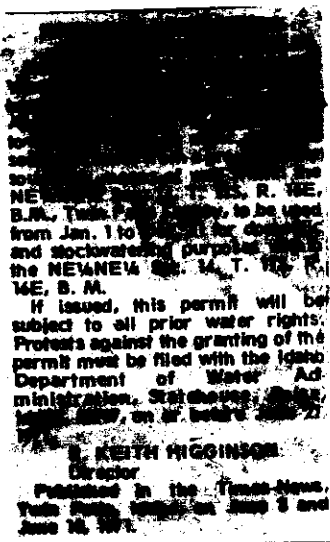
I, Carolynne Jennings being first duly sworn upon oath, depose and say that I am owner of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for three consecutive Thursdays, commencing with the issue dated June 3, 1971, and ending with the issue dated June 10, 1971.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Carolynne Jennings
Subscribed and sworn to before me this 11th day of June, 1971.

W. L. Anderson
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.



December 12, 1973

Re: Permit No. 47-7121

James Vincent Herd
Route 2
Filer, Idaho 83328

Dear Mr. Herd:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7121 and has found the following:

Quantity of water diverted: 0.02 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cfs

The maximum quantity diverted shall not exceed 1.2 acre feet per year.

Beneficial use: Domestic purposes within the NE1/4, Sec. 14,
Twp. 11 S. Rge. 16 E

Point of diversion: NE1/4, Sec. 14, Twp. 11 S. Rge. 16 E. B.M.

Priority date established: June 2, 1971 (late proof)

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

47 7121

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder James Vincent Herd 326-5021
Post office address Route #2, Filer, Idaho 83328 Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:
Amount 0.02 c.f.s. for domestic (1 house)
_____ AF/Annum (nature of use)
Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)
Amount 0.02 c.f.s. for stock (20 head)
_____ AF/Annum (nature of use)
Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)
Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
Other uses: _____

Permit No. 47-7121
Examination for b/u

4. Total amount to be appropriated:
Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:
Township 11S N/S, Range 16E E/W, B.M., Section 14, Subdivision NE 1/4 NE 1/4 Twin Falls
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Other Points of Diversions: _____

Description of diverting works: 1 1/2 hp Sears submersible pump at 380' depth in well with 1" discharge line. Well is 440' deep, 6" diameter, 24 1/4" casing(steel); water level:240'.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	16E	14	X																

TOTAL ACREAGE

17 7121

DATE OF EXAM 10-2-73

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q = .02 ^{c.f.s.} c.f.s. V = 1.2 ^{c.f.s.} c.f.s. AF/Ann. from Jan 1 to Dec 31
Domestic Q = .02 c.f.s. V = 1.2 ^{c.f.s.} c.f.s. AF/Ann. from Jan 1 to Dec 31
Livestock Q = c.f.s. V = 1.2 ^{c.f.s.} c.f.s. AF/Ann. from to

Is water co-mingled? yes no ✓

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

Exchange? yes no ✓

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

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

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

Total Q measured NA Method of measurement NA

Total Q recommended .02 c.f.s. Meter No. NA Type NA Condition NA

Total V recommended 1.2 ^{c.f.s.} ~~6~~ Ac Ft/ANN.

Recommended Amendments:

P.D. NA
Place of Use NA (No Livestock)
Other NA
None NA

MEASUREMENT CALCULATION:

^{c.f.s.} Q = .02 c.f.s.
V = 1.2 ^{c.f.s.} Ac Ft/ANN.
V = 1.2 ^{c.f.s.} Ac Ft/ANN.

SYSTEM DESCRIPTION:

Well, with a Sears Submersible Pump #12386 1/2 hp.

REMARKS:

Examiner's Signature Sandy Funderburg Date 10-17-73

Checked by K.O. Funderburg Date 11-7-73

Approved by Date

47 7121

Identification No. _____
Permit No. 47-7121

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
AUG 10 1973
Department of Water Administration

1. a) Name of Permit Holder JAMES VINCENT HERD
b) Post Office Address Route No. 2, Filer, Idaho 83328
2. Permit Number 47-7121
3. Date of Priority that you are prepared to establish MAY 24, 1971
4. a) Source from which water was appropriated GROUND WATER
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 14
Township 11 S., Range 16 EAST Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0.02 for Domestic purposes from JAN. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0.02 for Stock purposes from JAN. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.04 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Permit holder measured output of well after installation with Volumetric method.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1 1/2 Horsepower Sears Submersible pump at 380' depth in well with 1" discharge line. Well is 440' deep, 6" diameter; 24'-1/4" casing (Steel); water level 240'.
b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
c) Give well drillers name and address and date the well was completed
George Gailey, Driller No. 49, P.O. Box 347, Kimberly, Idaho. Well Completed January 14, 1972.

Exam typed 8/16/73 by ja

07 7121

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Stock and Domestic uses on NE 1/4 NE 1/4, S. 14, T. 11 S., R. 16 E. B. M., including lawn watering.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 S.	16 E.	14	1/2 A.																1/2 Acre

10. Remarks: LAWN WATERING should be considered part of of
permit holder's domestic water beneficial use.
 Total number of acres irrigated 1/2 acre.

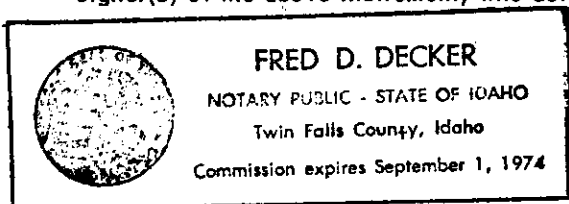
The above information is a true statement of the extent to which the above numbered permit has been developed.

June 18, 1973
 (Date)

James Vincent Heed
 (Signature)

State of Idaho)
 County of Twin Falls) ss.

On this 18th day of June, 1973, personally appeared before me the
 signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Fred D. Decker
 Notary Public residing at Twin Falls, Idaho

My commission expires 9-1-74

August 16, 1973

Re: Permit No. 47-7121

James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced to June 2, 1971.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

cc: Parry, Robertson, Daly & Larson

47 7121

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY (1913-1968)
BERT LARSON
C. G. MCINTYRE
JOHN R. COLEMAN
THOMAS G. NELSON
JOHN A. ROSHOLT
FRED D. DECKER
ROBERT C. PAINE

RECEIVED
AUG 19 1973
Department of Water Administration
Telephone (208) 733-3300

August 9, 1973

Mr. R. Keith Higginson
Director
Department of Water Administration
Statehouse-Annex 2
Boise, Idaho 83720

Re: James Vincent Herd, Permit No. 47-7121

Dear Mr. Higginson:

I have your letter of August 7, 1973, written to Mr. James Vincent Herd, route # 2, Filer, Idaho, regarding the lapse of permit No. 47-7121, because of failure to present proof of application of water to beneficial use within the appropriate time and advising him that the Department would reinstate the permit if reasonable cause is shown within sixty days of the date of the notice of lapsation.

As I recall, the proof of application of beneficial use was due August 1, 1973. I have enclosed the duly executed proof herewith.

Mr. Herd had prepared the proof of application of beneficial use on June 18, 1973, with my assistance at his home. I had taken the completed and signed proof of application of water to beneficial use to my office to apply my notary seal and stamp to the acknowledgment of Mr. Herd's execution of that document, and had taken the proof of the application of water to beneficial use home to give to Mr. Herd to mail.

I was unable to keep an appointment with Mr. Herd to deliver the proof for his mailing to the Department within a few days after June 18, 1973. After that the proof became mixed in other papers of mine at my home and I never got it mailed or delivered to Mr. Herd for mailing.

47 7121

PARRY, ROBERTSON, DAL' & LARSON

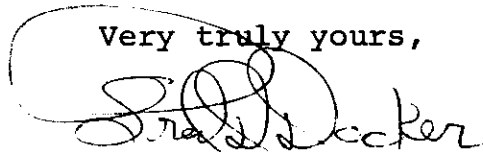
Mr. R. Keith Higginson
August 9, 1973
Page 2

It was entirely my fault the proof of application of water to beneficial use had not been mailed to you during the middle of June after it had been executed. I presume this recitation of the facts surrounding the execution and failure to mail this proof to your office is sufficient "reasonable cause" under Idaho Code §42-218a to allow you to reinstate the permit and, if the proof is adequate, issue the license for Mr. Herd's domestic water well.

If it is not, please let me know why it is not "reasonable cause" and what you would require.

Awaiting your reply, I am,

Very truly yours,



FRED D. DECKER

FDD:cs
cc: Mr. James Vincent Herd

47 7121

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 7, 1973

Re: Permit No. 47-7121

James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 47-7121 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon-a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

24538

1

2

INSURED NO.

DATE DELIVERED

6-4-23

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

47 71

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

47 7121

PS Form 3011 Nov. 1970 c85-16-81277-1

June 1, 1973

CERTIFIED MAIL

#24538

Re: Permit No. 47-7121

James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

One of the conditions of approval of your water Permit No. 47-7121 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

47 7121

July 14, 1971

Re: Permit No. 47-7121 - James Vincent Herd

James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

Enclosed is a copy of your approved Application for Permit No. 47-7121. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

47 7121

May 27, 1971

Re: Applications No. 45-7080 - Joe Savage & W.B. Savage Ranches
47-7119 - Ella Irene Graybeal
47-7120 - W. B. Savage Ranches
47-7121 - James Vincent Hard

Times News
P.O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (4)

Bill submitted 5-14-71 By LS

47 7121

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that James Vincent Herd, Route 2, Filer, Idaho,

has on May 24, 1971, submitted Application No. 47-7121

for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx~~
of water from a ground water source

by means of well

within the NE~~1~~NE~~4~~ Sec. 14, T. 11S, R. 16E, B.M., Twin Falls County,

to be used from Jan. 1 to Dec. 31

for domestic and stockwatering purposes

within the NE~~1~~NE~~4~~ Sec. 14, T. 11S, R. 16E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 21, 1971.

R. KEITH HIGGINSON
Director

Published in the Times News, Twin Falls, Idaho,

on June 3 and June 10, 1971.

47-7121

May 24, 1971

James V. Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

Returned herewith is your receipt No. 6495 in the amount of \$10.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

4. 7121

May 19, 1971

Mr. James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

We are returning your application for permit and personal check #92-163 in the amount of \$10.00. We find in reviewing this application that there are still several questions that need to be clarified before we can process it.

Under item #4 of the application, you have listed 0.2 cubic feet per second of water for domestic use. We wish to advise you that the maximum quantity that the Department could approve under normal conditions would be 0.03 cubic feet per second, per single family unit. We also note in further evaluating the application that you have an intended use for stock watering. This nature of use should also be included under item #4 of the application.

As you will note, we have re-typed the application, indicating the recommendations as previously set forth. Please sign the application in the exact manner as your signature appears under item #1, page one of the application.

Please return the application and we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosures

47 7121

May 6, 1971

Mr. James Vincent Herd
Route # 2
Filer, Idaho 83328

Dear Mr. Herd:

We are returning your application for permit and check #92-163 in the amount of \$10.00. We find in reviewing this application that it is incomplete.

Please note that item Nos. 4, 5, 6, 7 and 8, must be completed. You should also include a map on page three of the application and return it properly signed.

If you should have any questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: check #92-163
original application for permit

47 7121

May 19, 1971

Mr. James Vincent Herd
Route #2
Filer, Idaho 83328

Dear Mr. Herd:

We are returning your application for permit and personal check #92-163 in the amount of \$10.00. We find in reviewing this application that there are still several questions that need to be clarified before we can process it.

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As you will note, we have re-typed the application, indicating the recommendations as previously set forth. Please sign the application in the exact manner as your signature appears under item #1, page one of the application.

Please return the application and we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosures

47 7131

May 6, 1971

Mr. James Vincent Herd
Route # 2
Filer, Idaho 83328

Dear Mr. Herd:

We are returning your application for permit and check #92-163 in the amount of \$10.00. We find in reviewing this application that it is incomplete.

Please note that item Nos. 4, 5, 6, 7 and 8, must be completed. You should also include a map on page three of the application and return it properly signed.

If you should have any questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: check #92-163
original application for permit