

POOR ORIGINAL

License of Water Right No. 65-2895 Priority June 2, 1965 Amount 0.55 cfs

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at 0.55 cfs and	266.8 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

6N, Rge. 2W offed by plat. of plat. in the County of Gem

Description and location of place of use:																			Totals
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW½	SW¾	SE¼	NE¼	NW½	SW¾	SE¼	NE¼	NW½	SW¾	SE¼	NE¼	NW½	SW¾	SE¼	
6N	1W	6											5	6	24	10	24	17	89
6N	2W	1													38	10	24	17	89
Total number of acres irrigated																			100

Total number of acres irrigated 100

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 Witness the seal and signature of the Trustee, attested at Boise, Idaho, this 1 day of
 herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of August, 19 82

Director

MICROFILMED

OCT 18 1996

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

POOR ORIGINAL

1. Name of permit holder Charles Rekous & Delma C. Rekous
Post office address Rt. 2, Bl. 266-6, Emmett, ID Phone 365-2274
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Payette River & Gill Slough
(name spring, stream, etc.)

Tributary to permit list source as un. Slough tributary Payette

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for Irrig.
AF/Annum (nature of use)

Period of Use: from 3/15 to 11/15
(mo.-day) inclusive (mo.-day)

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

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

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

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

4. Other uses: _____

Max Rate of Diversion: _____ c.f.s. per second and annual volume _____ AF/Annum

Max Rate of Diversion 20 cubic feet per second and annual volume _____ AF/Annum

5. Location of Point(s) of Diversion:

Township 67N, Range 2W, E/W, B.M., Section 1, Subdivision SW 1/4, County Gem
Township _____, Range _____, E/W, B.M., Section _____, Subdivision 1/4, County _____
Township _____, Range _____, E/W, B.M., Section _____, Subdivision 1/4, County _____
Township _____, Range _____, E/W, B.M., Section _____, Subdivision 1/4, County _____

Other Points of Diversions: _____

Description of diverting works: 25 hp water & SPRINKLER SYSTEM

6. Lands to be irrigated or place of use. Measuring device required: yes ☐ no ☒

TWP	RANGE	SEC.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	TOTALS
TWP	RANGE	SEC.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	TOTALS
67N	2W	1			16.30	24.20	100
67N	2W	6			5.6		
67N	2W	1			38	74.0	24.17
						TOTAL 100.0	
						TOTAL ACREAGE	100

TOTAL ACREAGE

100

11/15/84 - J. J. Lambert

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OCT 18 1996

POOR ORIGINAL

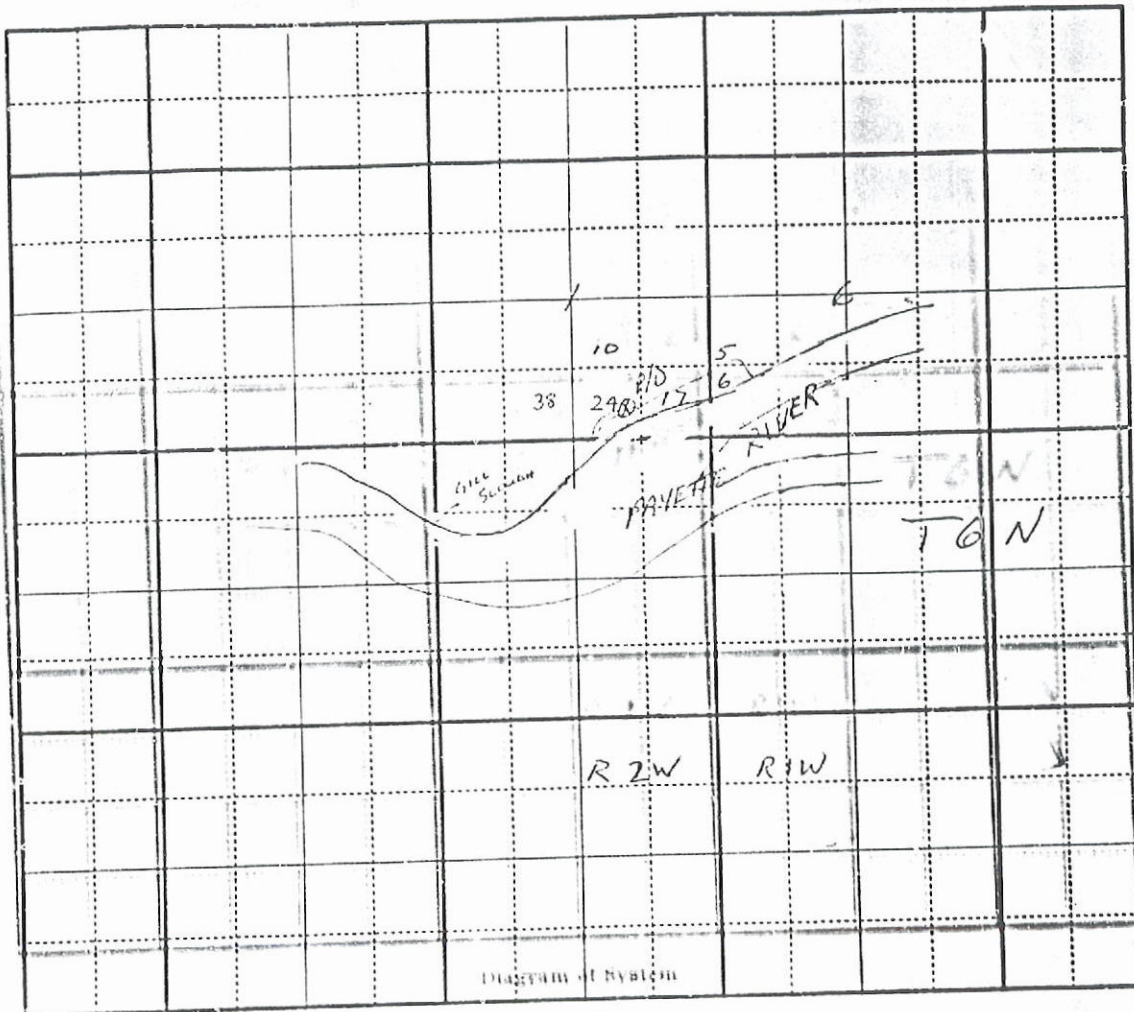


Diagram of System

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OCT 18 1996

POOR ORIGINAL

DATE OF EXAM 7/11/79

ACREAGE
Found 100
Recommended 100

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = .55 c.f.s. V = 266.81 AF/Ann. from 3/5 to 11/15
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ✓ E/W B.M. Sec. Sub. County

Name source:
Twp. N/S Rge E/W B.M. Sec. Sub. County

Name source exchanged with:
Exchange? yes no ✓ E/W B.M. Sec. Sub. County

Name source exchanged with:
Twp. N/S Rge E/W B.M. Sec. Sub. County

Point of injection:
Twp. N/S Rge E/W B.M. Sec. Sub. County

Point of exchange:
Twp. N/S Rge E/W B.M. Sec. Sub. County

Total Q recommended .55 cfs Meter No. Type Condition Good
Total Q measured .55 cfs Method of measurement 6.065" A. IN. IRR. PROBE

Total V recommended .55 cfs Meter No. Type Low / 13" Condition Good

Recommended Amendment 266.81 AF/Ann.
Total V recommended

Recommended Amendments:
Other:
P.D.
Place of Use SHOULD BE: TGN, R/W, S.E., NW 1/4, SW 1/4, TGN, R/W, S.E., SE 1/4, NW 1/4, SE 1/4, NW 1/4
Other:
None

MEASUREMENT CALCULATION:

2" / 1" = 6.065" PROBE TABLE SHOWS .55 cfs
60 - 9/32" #30 SPRINKLER SPACED @ 50 ft. @ 4.96 gpm = 0.66 cfs
V = .55 cfs (1.1) (2.45 gpm) = 266.81 AF/Ann.

SYSTEM DESCRIPTION:
3 HP PUMPS WATER PUMP INTO HOLDING TANK, THEN 25 HP PUMP
TO SPRINKLER SYSTEM, 1" OUTPUT #CW3216260

REMARKS:

REMARKS: AC WELL - 5/8" NOZZLE #30 R.B. @ 50 ft.
DECS RUN - 1" TO SPRINKLER AND CONNECTION WITH
1" PUMPS.

Examiner's Signature Date 7/11/79

Checked by DBS Charles W. Brown Date 2/4/80

Approved by Date 5/15/82

Checked by DBS Date 2/6/80

Approved by Date 5/18/82

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OCT 18 1996

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 65 - 1390 65 - 2360

AGENT Row H DATE 10-12-00

65 - 2895 65 - 1393A ← KIENTZ

REKOW NEW SPLIT = 65-1393B NO OVERLAP

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
WASTEWATER REKOW/WFAR	1390	6N	2W	01				12									33	7	25			
		6N	1W	06					5				5	7								94
WASTEWATER	2360	6N	2W	01														7	24	31		
1390 2360 COMBINED TOTAL																						94

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
GILL 5 PAY R (KIENTZ)	2895	6N	2W	01													38	10	24	18		*
		6N	1W	06									3	7								100
1390 + 2360 + 2895				01				12									38	33	10	24	25	142
				06					5				5	7							17	159

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
HAW CR	1393	6N	2W	01									13	8.5	39	1	15	18	15		95	*
REKOW																						TAX 1994 says KIENTZ
1393 x 2895				01									13	8.5	39	1	15	24	18.5		119	8.5 = 110.5
				06									3	7							10	120.5

SPLIT REKOW / PRESENT OWNER IS STANDLEY - HAWIT (FILED A CHANGE)

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

Row 2: Combined RMKS

- 1390 with 2360 TOTAL 122 ACRES = 94 ACRES
- 2895 with 1390 & 2360 = 159 ACRES
- 1393 with 2895 = 129 ACRES
- 1393A 120.5

1393 DOESN'T OVERLAP 1390 2360

* Stipulation Conflict for ownership

T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-02895
Prepared by:
RON HOWERTON
Modified: 4-4-01

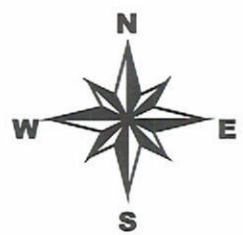
 Place of use

 POD

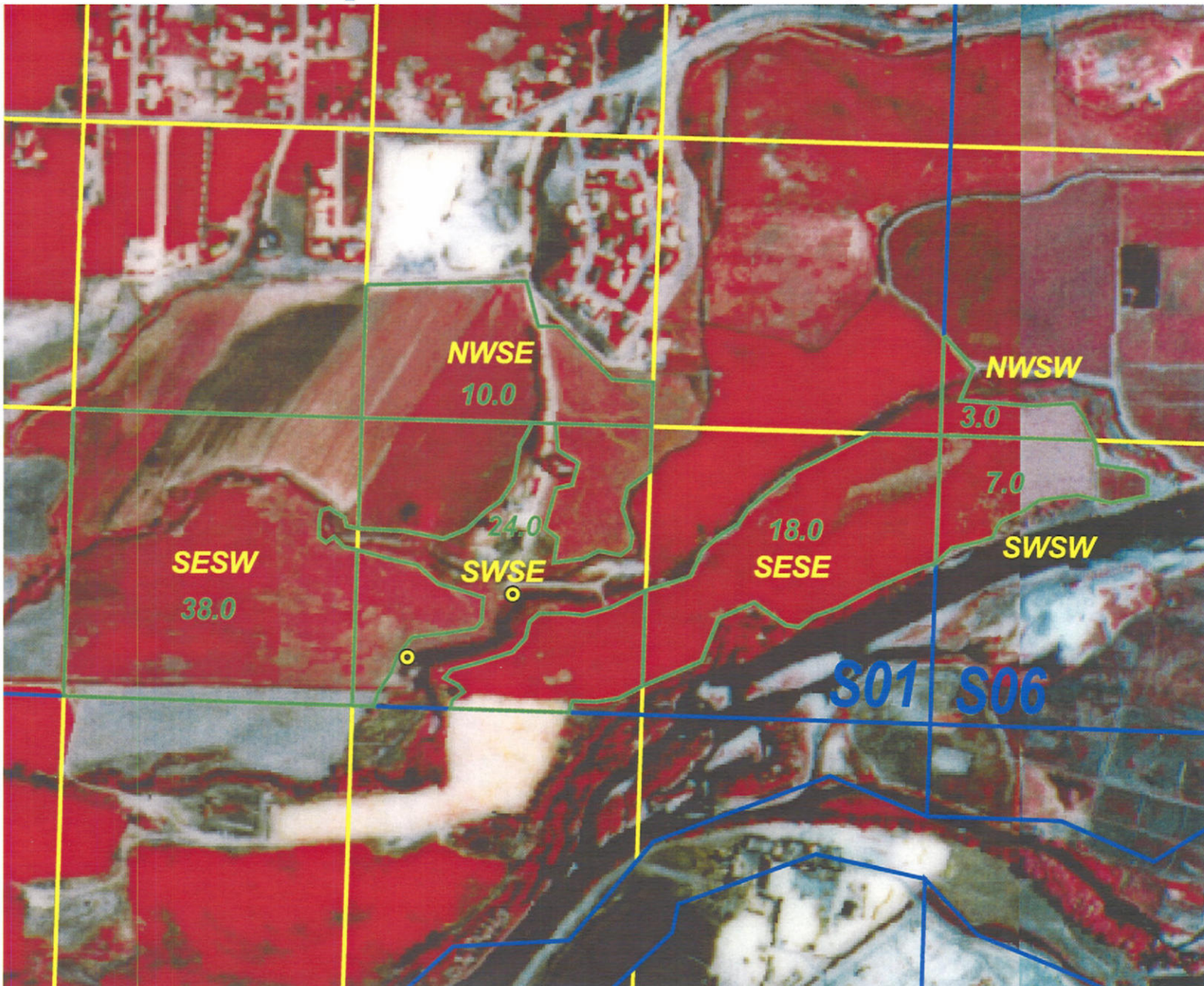
 SECTION

 1/4 1/4

100.0 Acres



1987 NAPP

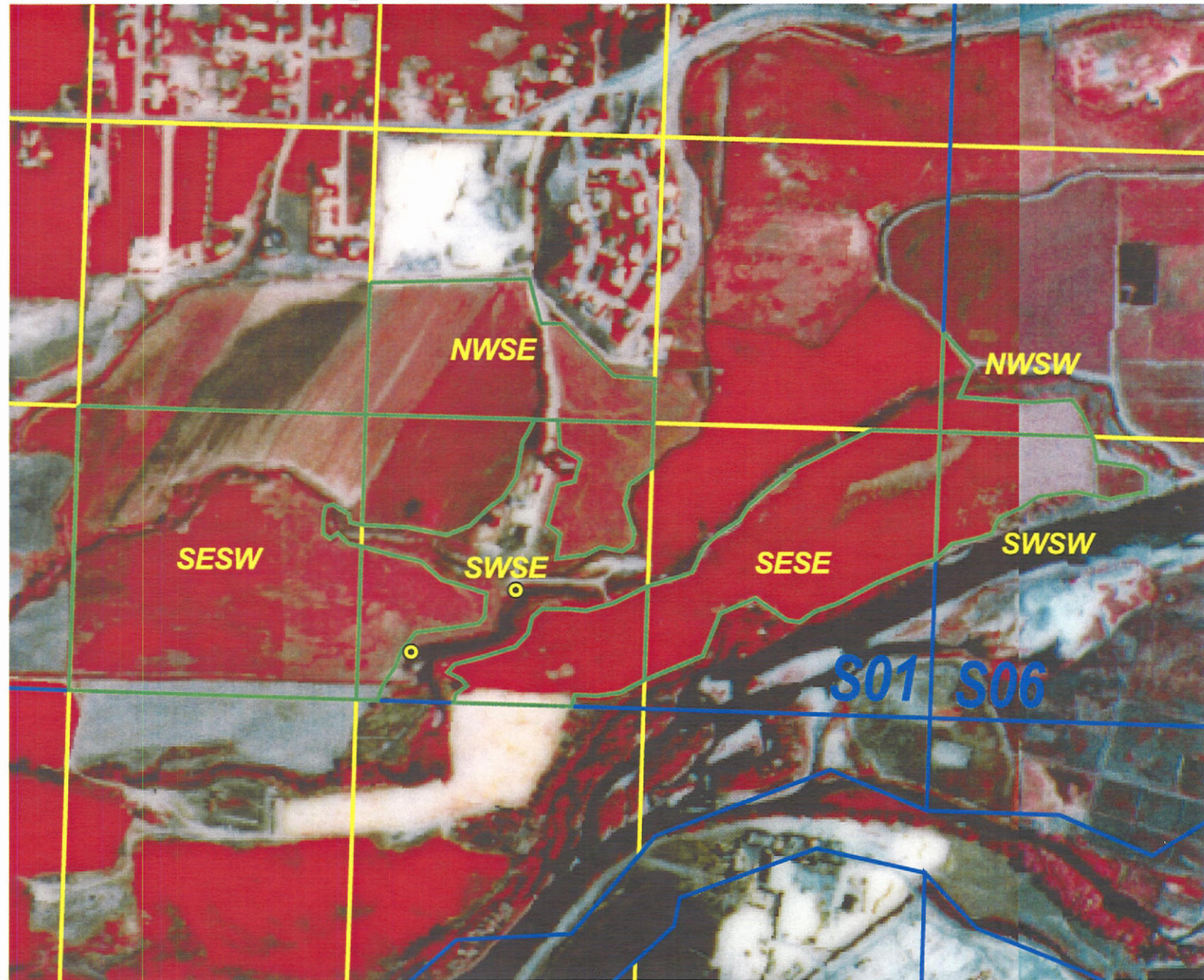
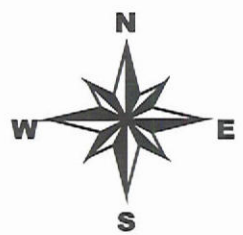


T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-02895
Prepared by:
RON HOWERTON
Modified: 4-4-01

-  Place of use
-  POD
-  SECTION
-  1/4 1/4



1987 NAPP

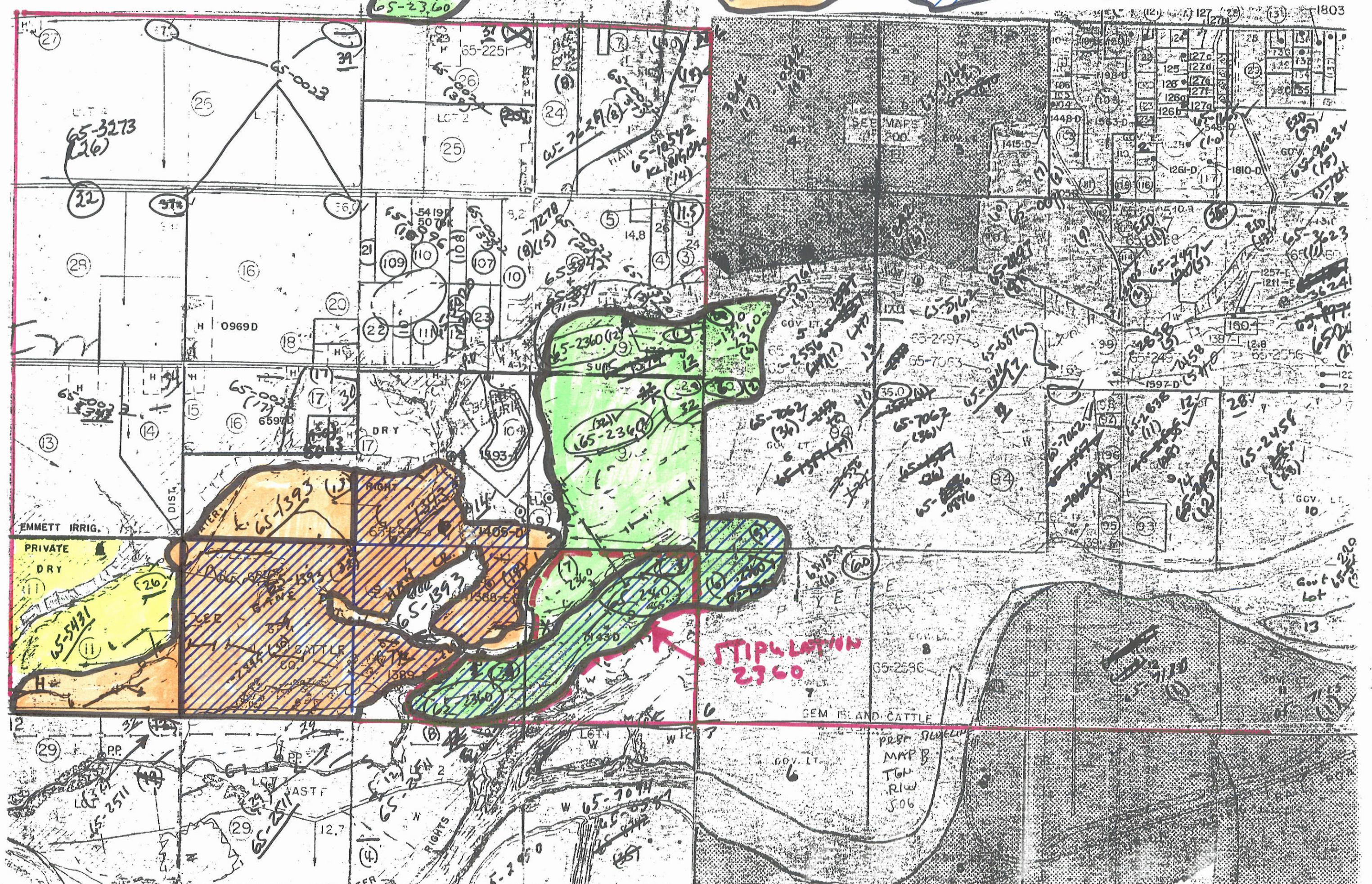


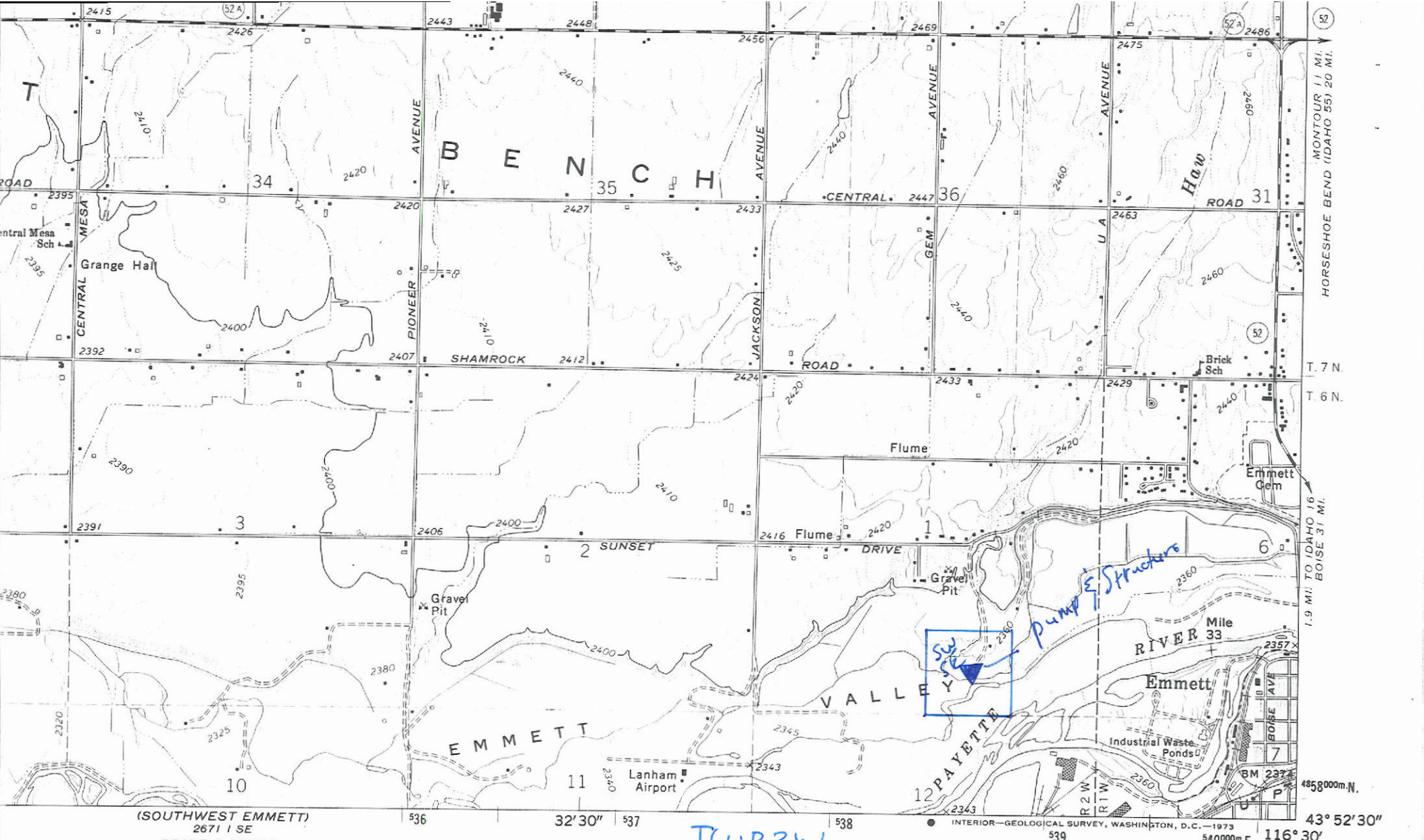
PRBA BLUELINE MAP A
T6N R2W S01

HAW CREEK
65-1393

65-2895

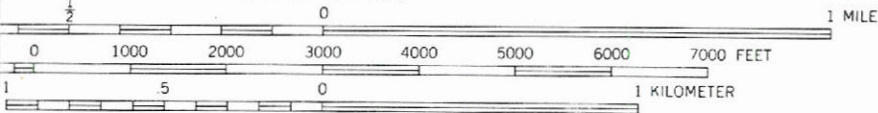
GILL Slough & Payotte River OVERLAPS





(SOUTHWEST EMMETT)
2671 1 SE

SCALE 1:24000



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

T6R2W
W6
1971 TOPO



QUADRANGLE LOCATION

ROAD CLASSIFICATION

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

Interstate Route U. S. Route State Route

65-2895

NORTHWEST EMMETT, IDAHO

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

(MONTGOMERY 1:62,500
277 IV

PL 2 R. 266-6 Emmett, I.D. 365-2274

Person to contact: _____
 Source of water supply: Groundwater ☐ Surface water ☒
 Name of stream or spring: Payson River
 (name, spring, stream, etc.)
 Major tributaries: Sagehen Creek

Trachymyrmex
collected 11.31.2006
un. Slough, triplets
triplets

Water will be used for the following purposes:

Amount 2.0 c.f.s. for Frig.
AFI/annum (nature of use)

Period of Use: from 3/15 to 4/15
(mo.-day) inclusive (mo.-day)

APR 7 1978
Department of Water Resources
Western Regional Office

for _____

D/4

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

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

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

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

Other uses: _____

4. Total amount to be appropriated: _____
 State of Division 20 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township	<u>C.N.</u>	N/S, Range	<u>2W</u>	EW, B.M., Section	<u>1</u>	Subdivision	<u>Sub</u>	<u>1/4</u>	<u>Se</u>	County
Township		N/S, Range		EW, B.M., Section		Subdivision		<u>1/4</u>		County
Township		N/S, Range		EW, B.M., Section		Subdivision		<u>1/4</u>		County

Other Points of Diversions: _____

Description of diverging works: 25 hp water & sprinkler system

Attention device required: ☒ no ☐ yes

6. *Lands to be irrigated or place of use.*

TIME	GRADE	SEC.	NORTH				EAST				NORTH				EAST			
			N100%	N200%	N300%	N400%	E100%	E200%	E300%	E400%	N100%	N200%	N300%	N400%	E100%	E200%	E300%	E400%
6:27 AM																		
6:28 AM																		
6:29 AM																		
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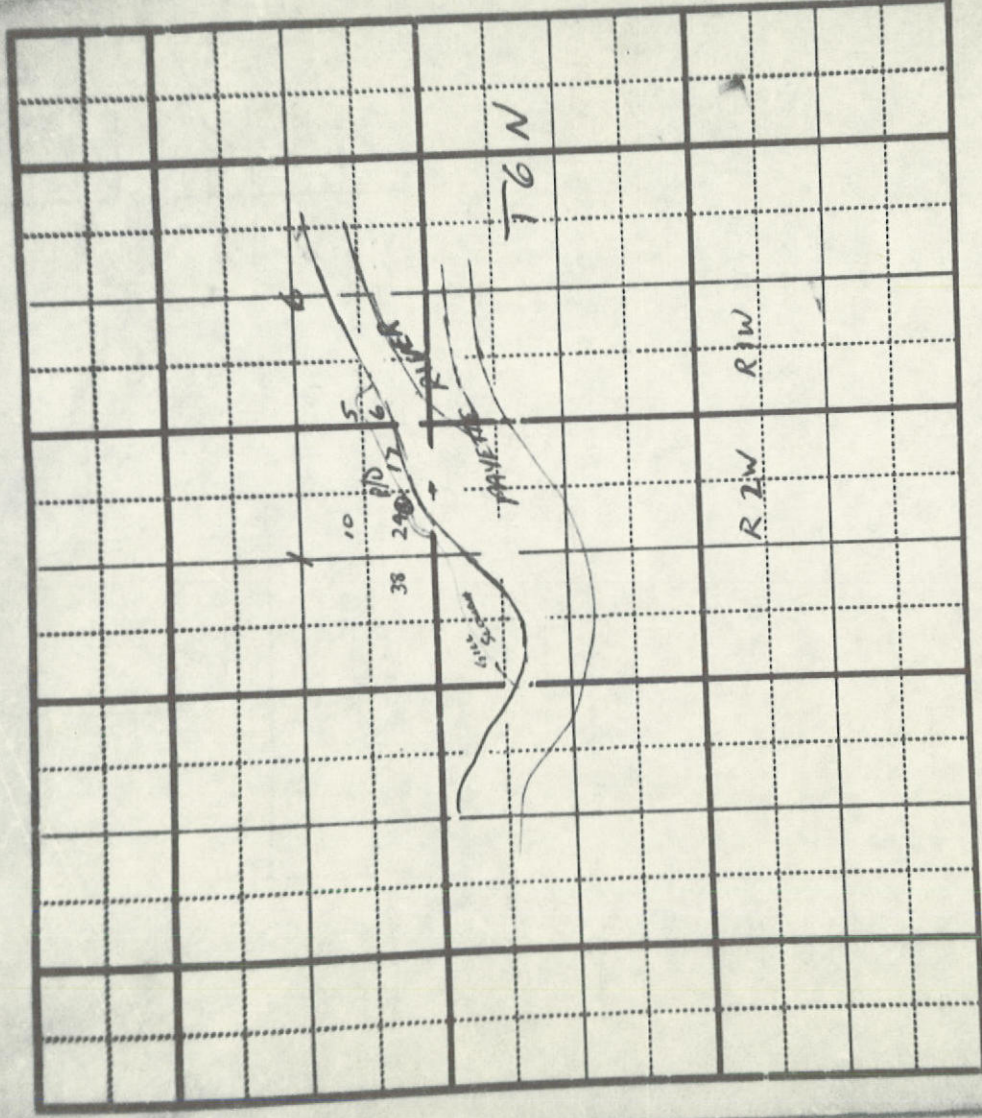


Diagram of System

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
PAYETTE RIVER
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

65-2895 Amended	
I.D. No.	Map No.
\$	Fee Paid
Receipt No.	

Notice is hereby given that Charles L. Rekow &/or Delma C.
(Name of Claimant)

Route 2, Box 266-6, Emmett, Idaho 83617
(Mailing Address) (Zip Code)

Telephone No.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)

6-2-1965

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Payette River and
Gill Slough tributary to Payette River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 2.0 Use Irrigation Period of Use From Jan. 3 To Dec. 23
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity 450 AFA Use Period of Use From 3-15 To 11-15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

(4) 2.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW Lot SE
Sec. 11, Twp. 6N, Rge. 24W, B.M., Gem County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump and sprinklers system

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>6N</u>	<u>2W</u>	<u>1</u>											<u>16</u>	<u>30</u>			<u>24</u>	<u>30</u>	<u>100</u>

Total no. of acres 100

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks: Re-diversion from Gill Slough in SWSE, Sec 1, T 6N, R 2W. (Sources for this right

Payette River and Gill Slough) Note that this land list will be changed when the permit is

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. licensed.

DRT ☐ B) Right decreed by court, cite title of case. (This right when combined with rights

65-1393, 65-2360 and 65-1390 shall provide no more

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

Department of Water Resources. Give No. than .02 cfs/acre nor 4.5 AFA/acre.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Charles L. Rekow
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Id

Organization

County of Ada

ss.

Seal

(Signature of Authorized Agent)

On this 23 day of Mar, in the year 1978 before me

a notary public, personally appeared Charles L. Rekow

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires Sept 10, 1980

Notary Public residing at Boise Id

DRT 9-10-78

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-02895**
Date Received: 2/5/90
Receipt No: X999999
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KARON S KIENITZ
Address: 3512 SUNSET DR
EMMETT ID

83617

Name: JOHN H KIENITZ
Address: 3512 SUNSET DR
EMMETT ID

83617

2. Date of Priority: JUN 2, 1965

3. Source: GILL SLOUGH
PAYETTE RIVER

Trib. to: PAYETTE RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	1	SW	SE			GEM

5. Description of diverting works:

CEMENT STRUCTURE; 3 HP LIFTER PUMP; 25 HP PRESSURE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.550		266.80

7. Total Quantity Appropriated is:

0.550 C.F.S. (and/or) 266.80 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	01W	6	NW	SW		IRR	5.0
			SW	SW		IRR	6.0
						Section Acres	11.0
	02W	1	SE	SW		IRR	38.0
			NW	SE		IRR	10.0
			SW	SE		IRR	24.0
			SE	SE		IRR	17.0
						Section Acres	89.0
						Total Acres	100.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02895

Date Received: 2-5-90

Receipt No: X999999

Received By: _____

RECEIVED

FEB 05 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: JOHN H. KIENITZ
Address: 3512 SUNSET DR.
EMMETT, ID

83617

Name: KARON S. KIENITZ
Address: 3512 SUNSET DR.
EMMETT, ID

83617

2. Date of Priority: JUN 02, 1965

3. Source: GILL SLOUGH
PAYETTE RIVER

Trib. to: PAYETTE RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	1	SW	SE			GEM

5. Description of diverting works: *Cement structure, 3 h.p. 11/2" pump*
25 h.p. pressure pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.550		266.80

7. Total Quantity Appropriated is:
0.550 C.F.S. (and/or)

266.80 A.F.A. ?

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02895

Page

1

Date: 01/19/90

MICROFILMED

OCT 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	6	NW	SW		IRR	5.0
			SW	SW		IRR	6.0
			Section Acres				11.0
	02W	1	SE	SW		IRR	38.0
			NW	SE		IRR	10.0
			SW	SE		IRR	24.0
			SE	SE		IRR	17.0
			Section Acres				89.0
			Total Acres				100.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks: *This right along with 3 others is used.*

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I We acknowledge that I We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John H. Kienitz Date: 2-1-90
Date:

State of Idaho)
County of Gem) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of February 19 90
Seal

Edward J. Tietman
Notary Public

Residing at Emmett, Idaho
My Commission Expires 6-5-93



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

TO: File No. 65-2895
FROM: David R. Tuthill *DRT*
DATE: March 23, 1978
RE: Regarding source of this right

Note that the permit lists the source for this right as unnamed slough. This slough is locally known as Gill Slough and has traditionally been fed by the Payette River, rather than being tributary to. Currently there is a headgate from the river into the slough which controls the flow.

In light of local delivery practices, it appears that the source name should always have been Payette River and Gill Slough, since the river supplies a large portion of the flow and the slough contributes through its tributary waste water supplies. Therefore, in changing the source on the license, I would recommend that no delay in date of priority occur.

MICROFILMED

OCT 18 1996

State of Idaho
Department of Water Resources

POOR ORIGINAL

WATER RIGHT LICENSE

License of Water Right No. 65-2895 Priority June 2, 1965 Amount 0.55 cfs

THIS IS TO CERTIFY that John H. &/or Karon S. Kienitz
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-2895 issued pursuant to Application for Permit dated June 2, 1965
and has submitted proof to the Department of Water Resources on March 23, 1978
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.55 cfs of water from Gill Slough & Payette River
tributary to Snake River, and that the permit holder has applied to a beneficial use and

established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	<u>0.55 cfs</u>	<u>266.8 acre feet</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.55 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
266.8 acre feet per year, said waters to be diverted within the SW 1/4, Section 1, Twp.

in the County of Gem

Description and location of place of use:		Section												Totals	
Twp.	Range	Sec.	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	Totals
6N	1W	6													11
6N	1W	6													17
6N	2W	1													89
Total number of acres irrigated															100

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

MICROFILMED
OCT 18 1996

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

POOR ORIGINAL

1. Name of permit holder CHARLES REKOW & DELMA C. REKOW
Post office address Rt. 2, Box 266-6, Emmett, ID Phone 365-2274
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Payette River & Willow Slough
(name spring, stream, etc.)
Tributary to Payette River 1st source as
un. Slough trib to Payette

3. Water will be used for the following purposes;

Amount 2.0 c.f.s. for Irrig.
AF/Annum (nature of use)

Period of Use: from 3/15 to 11/15
(mo.-day) inclusive (mo.-day)

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

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

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

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

4. Other uses: _____

4. Total amount to be appropriated: _____ AF/Annum

5. Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

Location of Point(s) of Diversion: _____
Township 62N N/S, Range 2W E/W, B.M., Section 1, Subdivision SW 1/4 & SE 1/4 County Gen
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ County _____

Other Points of Diversions: _____

Description of diverting works: 25 HP WATER & SPRINKLER SYSTEM

6. Lands to be irrigated or place of use. Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or, place of use.			NW 1/4				SW 1/4				SE 1/4				TOTAL				
TWP	RANGE	SEC	NE 1/4		NW 1/4		SW 1/4		SE 1/4		NE 1/4		NW 1/4		SW 1/4		SE 1/4		TOTALS
TWP	RANGE	SEC	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	TOTALS
62N	2W	1							16	30							24	20	100
62N	2W	6																	
62N	2W	1																	
62N	2W	6																	
62N	2W	1																	
62N	2W	6																	
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62N	2W	1																	
62N	2W	6																	
62N	2W	1																	

TOTAL ACREAGE 100

Monetary - \$100,000

MICROFILM

001-18

POOR ORIGINAL

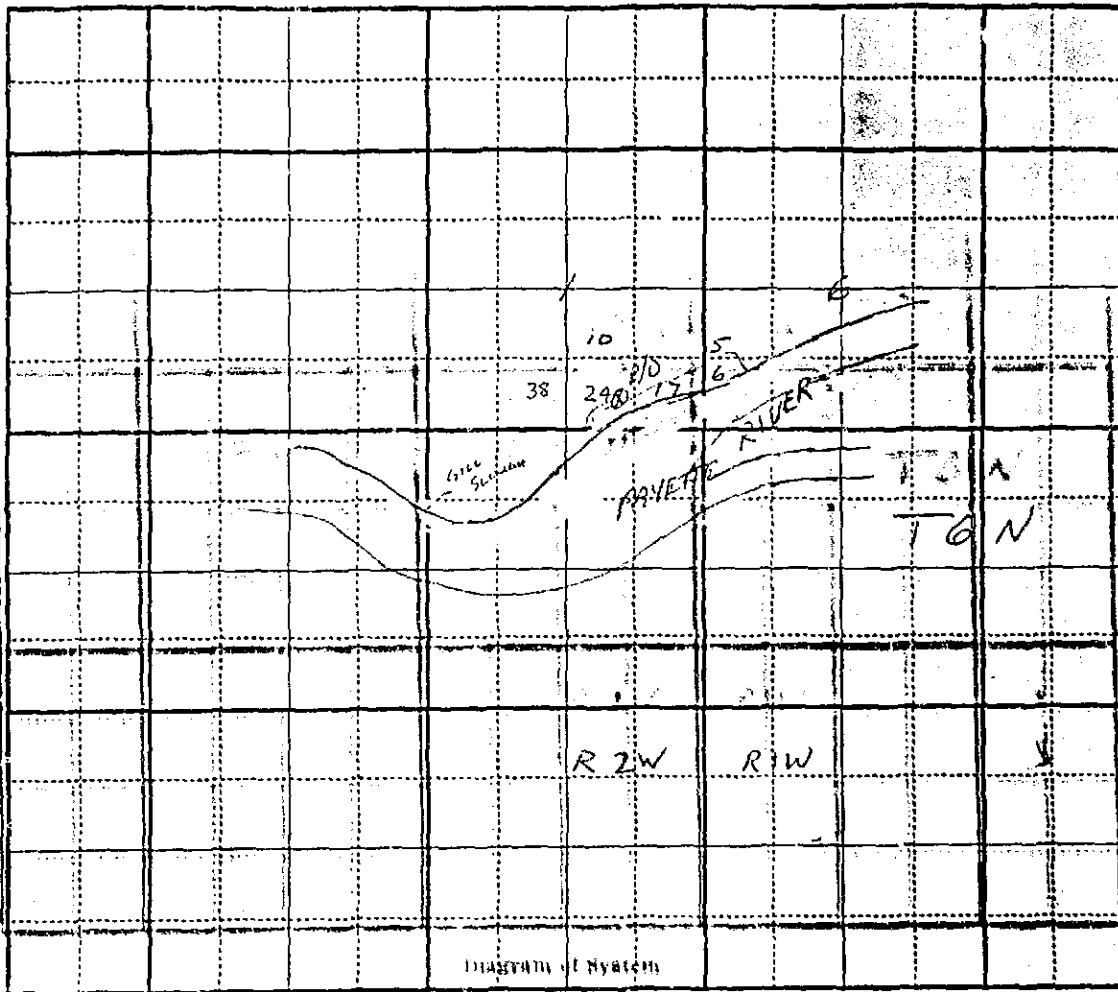


Diagram of System

Diagram of System

MICROFILM
OCT 18 1966

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02895

Date Received:

Receipt No: _____

Received By: _____

RECEIVED
FEB 03 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: JOHN H. KIENITZ
Address: 3512 SUNSET DR.
EMMETT, ID

83617

Name: KARON S. KIENITZ
Address: 3512 SUNSET DR.
EMMETT, ID

83617

2. Date of Priority: JUN 02, 1965

3. Source: GILL SLOUGH
PAYETTE RIVER

Trib. to: PAYETTE RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	02W	1	SW SE		GEM

5. Description of diverting works: *Cement structure, 3 h.p. 11/2" pump
25 h.p. pressure pump*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.550		266.80

7. Total Quantity Appropriated is:
0.550 C.F.S. (and/or)

266.80 A.F.A. ?

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02895

Page

1

Date: 01/19/90

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OCT 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	6	NW	SW		IRR	5.0
			SW	SW		IRR	6.0
						Section Acres	11.0
	02W	1	SE	SW		IRR	38.0
			NW	SE		IRR	10.0
			SW	SE		IRR	24.0
			SE	SE		IRR	17.0
						Section Acres	89.0
						Total Acres	100.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks: *This right along with 3 others is used,*

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I We acknowledge that I We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John H. Kienitz Date: 2-1-90
Date:

State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of February 19 90
Seal

Edward J. Hartman
Notary Public

Residing at Emmett, Idaho

My Commission Expires 6-5-93

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME KienitzCLAIM IDENT. NO. A65-02895DATE RECEIVED 2-5-90 RECEIPT # _____ FEE PAID \$ 7 FEE REQ'D \$ _____

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☐	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? If multiple domestic, is single ownership indicated? N/A	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☐	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? Exempt	☐	☐	

MICROFILMED*

OCT 18 1996

	YES	NO
23. Can this claim be data entered?	—	☒
24. Was claim modified?	—	—
Claimant is being notified of modifications:	—	—
25. Is this claim being rejected and returned to claimant?	☒	—
26. Was the claim returned to IDWR?	—	—
If no, has a refund been recommended?	—	—
27. Is the claim now complete?	—	—

Review completed by: hlt Date 2-13-95

Claim data entered by: _____ Date _____

Comments: Listed as permit in Payette. Licensed in 1982 - fees due. There
are charges in POD/POW since listing in Payette

Ni! I talked to Jan about this & determined that no fee is due because this right was a permit at time of decur. POW POW was changed as a result of normal licensing procedure, so no fee due.

Mr. Kieritz asked that we send him a letter to this effect. Would you do this? Thank you.

Linda

2-17

2/21/95

Left message for Mr. Kieritz to return claim for processing



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2895

NAME AND ADDRESS: JOHN H KIENITZ
KARON S KIENITZ
3512 SUNSET DR
EMMETT, ID 83617

SOURCE: GILL SLOUGH
PAYETTE RIVER

TRIBUTARY: PAYETTE RIVER
SNAKE RIVER

QUANTITY: 0.55 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-1390, 65-1393A
& 65-2360 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/02/1965

POINT OF DIVERSION: T06N R02W S1 SWSE Within GEM County
T06N R02W S1 SWSE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.55 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T06N R01W S6	NWSW	3	T06N R01W S6	SWSW	7
T06N R02W S1	SESW	38	T06N R02W S1	NWSE	10
T06N R02W S1	SWSE	24	T06N R02W S1	SESE	18

100 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 65-1390 & 65-2360 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 159 ACRES IN
A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 65-1393A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120.5 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 65-1390 65-2360

AGENT Ron H DATE 10-12-00 65-2895 65-1393A ← KIENTZ

REKOW NEW SPLIT = 65-1393B NO OVERLAP

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
WASTEWATER REKOW/WFAR	1390	6N	2W	01				12									33		7	25		
		6N	1W	06						5			5	7								94
WASTEWATER	2360	6N	2W	01															7	24	31	
1390 2360 COMBINED TOTAL																						94

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
WILLIS PRY R (KIENTZ)	2895	6N	2W	01													38		10	24	18	*
		6N	1W	06									3	7								100
1390 + 2360 + 2895				01				12									38	33	10	24	25	142
				06						5			5	7							17	159

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
HAW CR REKOW	1393	6N	2W	01									13	(8.5)	29	1	15	12	5		95	TAX 1994 says KIENTZ
	(minu)			(NEW SPLIT)																		
1393 x 2895				01				FROM OWNERSHIP CHANGE					13	(8.5)	9	1	15	24	18.5		119	8.5 = 110.5
				06									3	7							10	+29 = 120.5

SPLIT REKOW / Present owner IS STANDLEY - has not FILED A CHANGE

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

Row 2: Combined RMKS
 1390 with 2360 TOTAL 122 ACRES = 94 ACRES
 2895 with 1390 & 2360 = 159 ACRES
 1393 with 2895 = 129 ACRES
 1393A 120.5

• 1393 DOESN'T OVERLAP 1390 OR 2360
 * Stipulation Conflict FOR OWNERSHIP

PRBA STIPULATION

AJ5809NP
No. A65-02895

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/03/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KARON S KIENITZ	06/02/1965	IRRIGATION	03-15 11-15	0.550 CFS	266.80 AFA
C	JOHN H KIENITZ 3512 SUNSET DR EMMETT ID 83617					266.80 AFA
TOTAL DIVERSION:					0.550 CFS	

Water Source: GILL SLOUGH
PAYETTE RIVER

Tributary to: PAYETTE RIVER
SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T06N R02W S01

SWSE pump & structures

GEM County

Place of use Legal Description for: IRRIGATION

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POU County: GEM

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

QNT E28 Rmk: Limit to 0.02/acre
with 1390 & 2360
1393
Pou1 COMBINED Rmk 5:
C 18 (E11)
159 Acres with
1390 & 2360
129 Acres with
1393A
120.5

BECAUSE SPLIT
OWNERSHIP
SUBMITTED 4-4-01
LAND WAS CLAIMED
BY REKOW FOR
SPLIT HOWEVER
STANDOUT IS
PRESENT OWNER
PER 94 TAX
RECORDS

Objection Filed Date:

Stipulation
Conflict with
ownership
SEE ATTACHED
PAGE 10 of 11 & 11 of 11
However,
1994 TAX
SHOW KIENITZ
AS CURRENT OWNER

stip didn't
list AFA!

WAS NOT
DECREASED
because of
stipulation

CLAIM NO. 65 - 2895

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☐ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☐ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☐ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE- Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☐ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use New period of use New amount(s)
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☐ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS LOCATION of
CLARIFIED DIVERSION WORKS, LOCATION OF DIVERSION
STRUCTURE AND PUMP TO DIVERT CLARIFIES RIGHT.

CONDITIONS _____

Reviewer Ron H Date 4-4-01

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-2895

KARON S KIENITZ
3512 SUNSET DR
EMMETT ID 83617

JOHN H KIENITZ
3512 SUNSET DR
EMMETT ID 83617

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

ADD POINT OF DIVERSION IN
SW SE, S01, SEE MAP (CLARIFIES LOCATION OF pump structure)

2. Describe the changes you wish to make in the proposed recommendation:

ADD PSD

3. Give a brief explanation as to why you disagree with these portions:

LEFT OFF RECOMMENDATION MAP

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

4-4-01

SIGNATURE:

John H. Kienitz

Please print your name:

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-02895
Prepared by:
RON HOWERTON
Modified: 4-4-01

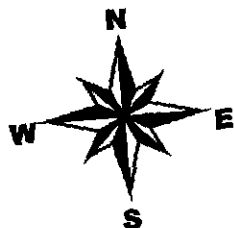
 Place of use

● POD

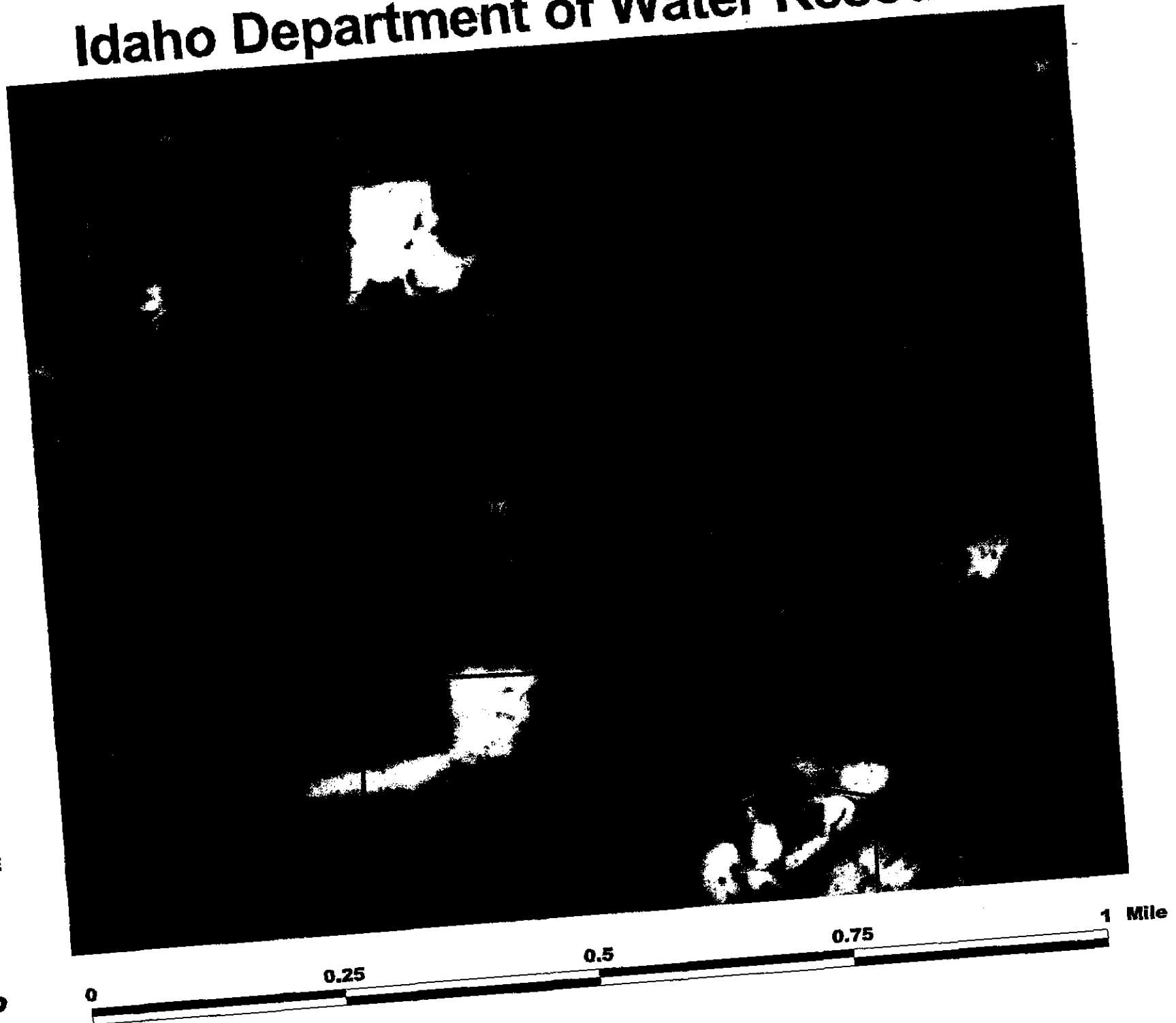
 SECTION

 1/4 1/4

100.0 Acres



1987 NAPP



T06N R02W
T06N R01W

Idaho Department of Water Resources

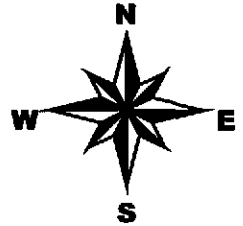
Claims: 65-02895
Prepared by:
RON HOWERTON
Modified: 4-4-01

 Place of use

● POD

 SECTION

 1/4 1/4



1987 NAPP



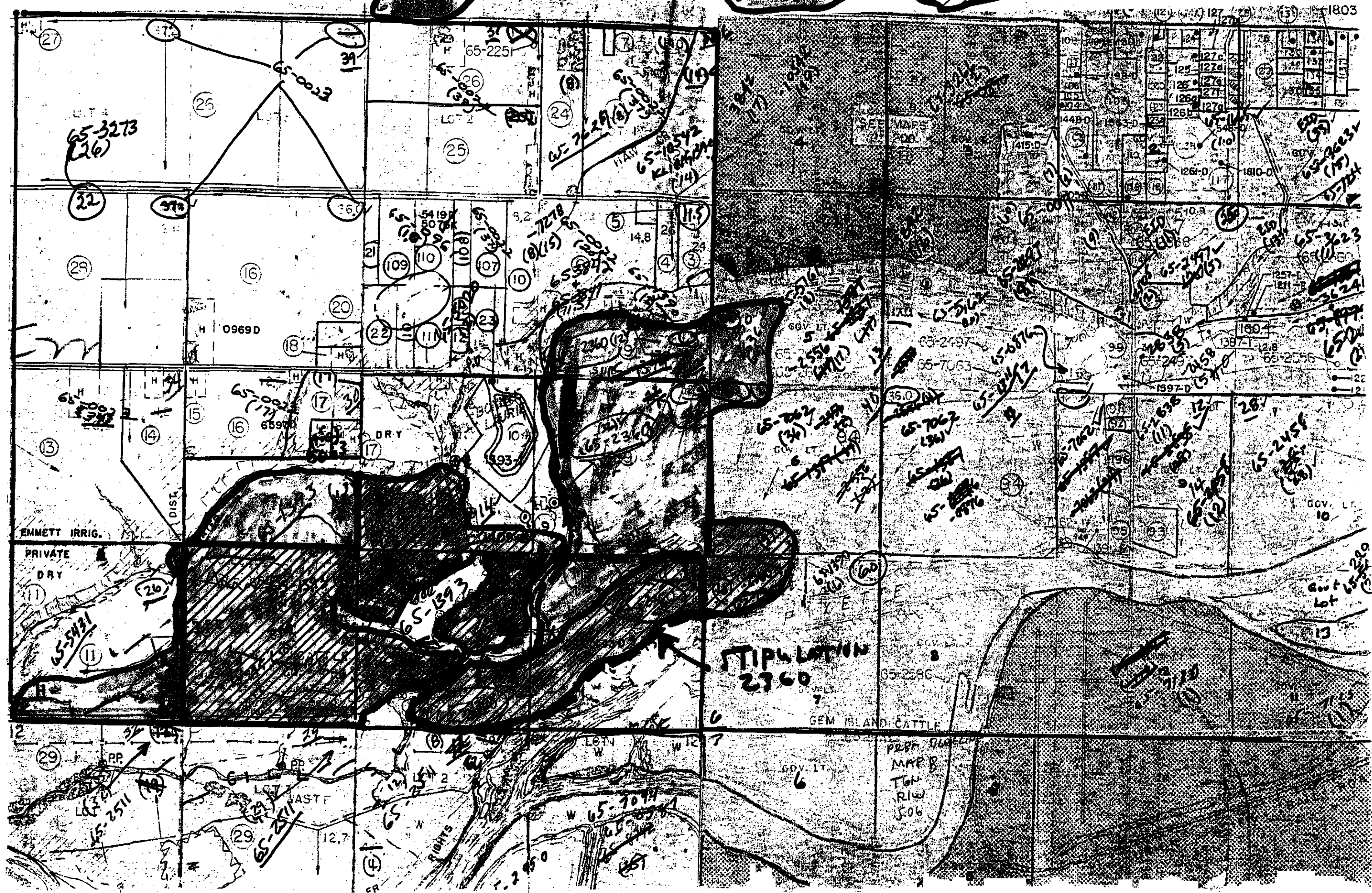
PRBA BLUELINE MAP A
T6N R2W S01

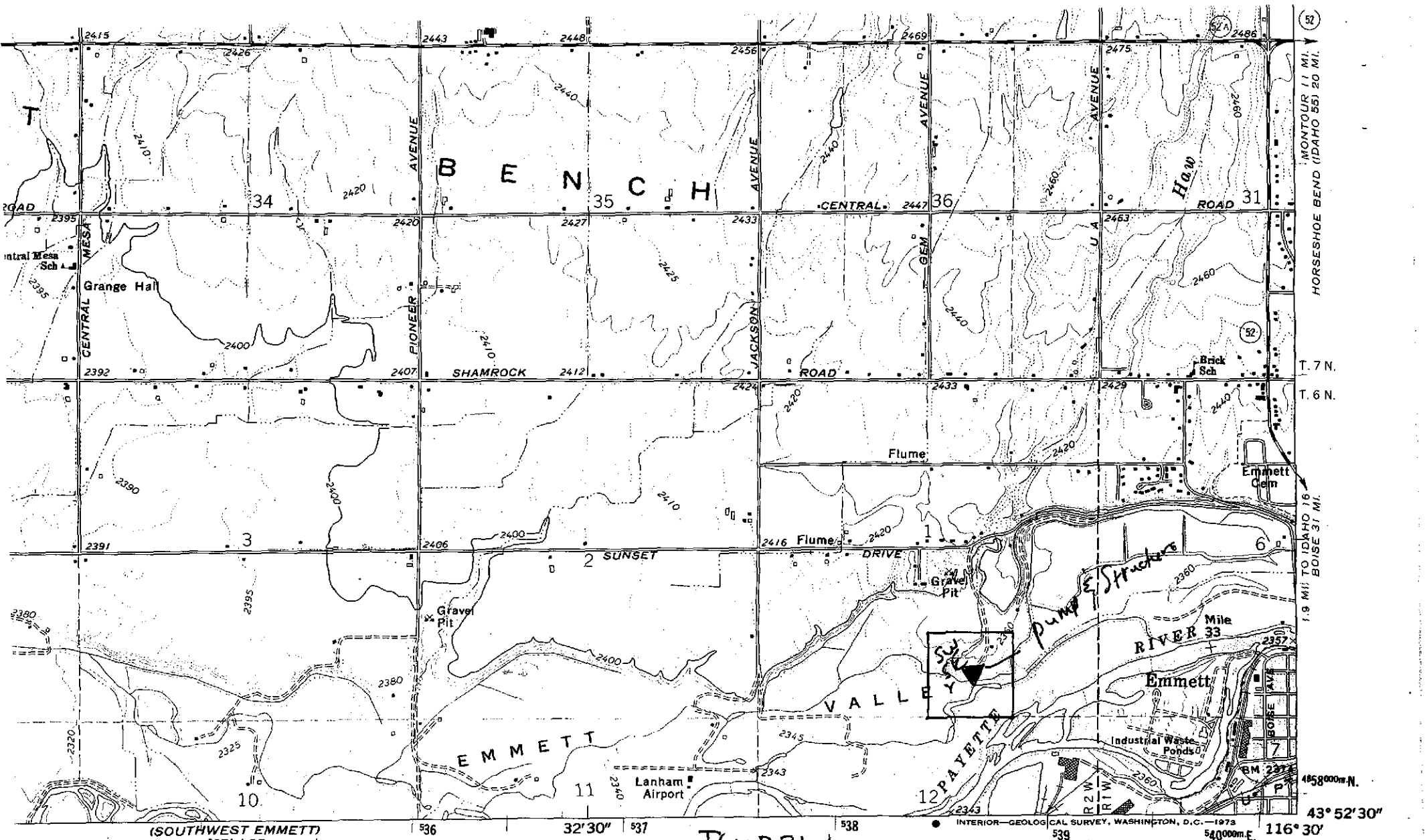
WATER WATER

HAW CREEK

65-2895

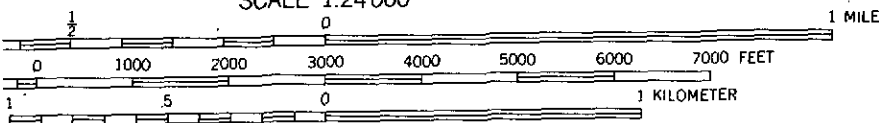
GILL Slough & Payette River OVERLAPS





(SOUTHWEST EMMETT)
2671 1 SE

SCALE 1:24 000



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



QUADRANGLE LOCATION

ROAD CLASSIFICATION

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

○ Interstate Route ◻ U. S. Route ○ State Route

65-2895

NORTHWEST EMMETT, IDAHO

N 43° 52' 30" E 116° 30' W

LISTING OF WATER RIGHTS

PAGE 7

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
-----------------	------------------	------------------	-----------	-----------------------	----------------------	-------------------

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

65-7062	Nebeker, Walter Nebeker, Josephine 809 Sunset Emmett, Idaho 83617 Point of Diversion: T6N R1W Sec. 6 Place of Use: T6N R1W Sec. 6	2-4-1969 Lot 9(NWSE) NESW(36) Lot 6(NWSW)(33) Lot 9(NWSE)(12)	Irrigation	3-15 11-15	1.62 CFS	License
---------	--	--	------------	------------	----------	---------

81 Acres Total

Other rights: 65-1387B

Remarks: This right when combined with right 65-1387B shall provide
no more than .02 cfs/acre.

65-2895	Kienitz, John H. Kienitz, Karon S. 3512 Sunset Dr. Emmett, Idaho 83617 Point of Diversion: T6N R2W Sec. 1 Place of Use: T6N R1W Sec. 6 T6N R2W Sec. 1	6-2-1965 SWSE Lot 6(NWSW)(5) SESW(38) NWSE(10)	Irrigation	3-15 11-15	.55 CFS	License
---------	---	---	------------	------------	---------	---------

100 Acres Total

Other rights: 65-1387A, 65-1393, 65-2360

Remarks: Sources for this right are Gill Slough tributary to Payette
River and Payette River tributary to Snake River. This right
when combined with rights 65-1387A, 65-1393, and 65-2360
shall provide no more than .02 cfs/acre.

LISTING OF WATER RIGHTS

PAGE 6

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
SOURCE: HAW CREEK		TRIBUTARY: PAYETTE RIVER				
65-1393	Rekow, Charles L. Rekow, Delma C. 1029 Lilac Dr. Emmett, Idaho 83617 Point of Diversion: T6N R2W Sec. 1 Place of use: T6N R2W Sec. 1	6-1-1890	Irrigation	3-15 11-15	1.90 CFS	Beneficial Use
		NWSE				
		NESW(13) NWSE(14)	SWSW(15) SWSE(18)	SESW(32) SESE(1)	NESE(2)	
95 Acres Total						
Other rights: 65-2895						
Remarks: This right when combined with right 65-2895 shall provide no more than .02 cfs/acre.						

NO. _____

FILED AT A.M.: _____ P.M.: _____

DATE: 5-15-90

THELMA R. KOLODZIEL, CLERK

BY: Loei Rambow, DEPUTY

32
JIM JONES
Attorney General

JOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources
Boise, Idaho 83720
Telephone: (208) 327-7920

RECEIVED
MAY 17 1990

65-02895

Department of Water Resources

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO)	
THE USE OF SURFACE AND GROUND)	ORDER AMENDING DECREE OF
WATER OF THE PAYETTE RIVER)	WATER RIGHTS PURSUANT TO
DRAINAGE.)	STIPULATION OF GOSLIN,
_____)	KIENITZ, NEBEKER, REKOW AND
	THE IDAHO DEPARTMENT OF
	WATER RESOURCES

The stipulation of R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter Nebeker and Josephine Nebeker, John H. Kienitz and Karon A. Kienitz, T. Edwin Goslin and Ida Goslin, and Charles L. Rekow and Delma C. Rekow has been filed with the court. Attached to that stipulation is a listing of water rights. Exhibit A attached to this order is the stipulation with the listing of water rights. Since identical stipulations were separately signed by the parties, the stipulation attached as Exhibit A shows only the signature of one of the parties, the Goslins.

The stipulation lists amendments to the decree of water

ORDER AMENDING DECREE OF WATER
RIGHTS PURSUANT TO STIPULATION - 1

rights for the Payette River Drainage Basin. The need for amendments was initially addressed by a motion pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure to correct an omission made by the Idaho Department of Water Resources. That motion was filed March 28, 1988 with the court. Additional corrections have been identified by the parties since that time. Now, by stipulation of the affected parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the decree of water rights for the Payette River Drainage Basin be amended as follows:

1. Water right 65-3842 is replaced by two new water rights known as 65-3842A and 65-3842B, as listed in Exhibit A.
2. Water right 65-2360 is replaced in part by a new water right, 65-1387A, listed in Exhibit A; the remaining portion of 65-2360 is shown as amended in Exhibit A.
3. Water right 65-1387B is a new water right listed in Exhibit A; 65-1387B was not previously listed in the water rights for the Payette River drainage basin.
4. Water right 65-2458 is replaced by a new water right, 65-11415, as listed in Exhibit A. Also, of nine acres originally listed with 65-2458, six acres are now shown with 65-2497 and three acres are shown with 65-2838, as listed in Exhibit A.
5. Water right 65-2497 is unchanged except for minor amendments listed in Exhibit A.
6. Water right 65-1390 is unchanged except for minor amendments listed in Exhibit A.
7. Water right 65-2838 as listed in Exhibit A is unchanged except for minor amendments.
8. Water right 65-1393 as listed in Exhibit A is unchanged except for minor amendments.
9. Water right 65-2895 is listed in Exhibit A as licensed subsequent to the filing of the proposed finding of water rights for the Payette River drainage basin.

10. Water right 65-7062 as listed in Exhibit A is unchanged except for minor amendments.

The specific changes accomplished by this Order are more fully set forth in the listing of the water rights accompanying the stipulation, all attached as Exhibit A and that exhibit is incorporated as if fully set forth herein. The exhibit comprises eleven pages.

DATED this 9th day of May, 1990.

JIM R. DOOLITTLE

JIM R. DOOLITTLE
District Judge

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-7920

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION ADDING, AMENDING,
WATER OF THE PAYETTE RIVER	)	AND DELETING RECOMMENDATIONS
DRAINAGE.	)	FOR GOSLIN, KIENITZ,
	)	NEBEKER AND REKOW
	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter and Josephine Nebeker, John H. and Karon S. Kienitz, T. Edwin and Ida Goslin, and Charles L. and Delma C. Rekow, enter into a stipulation resolving an oversight from the record before this court in the Payette Adjudication. This omission or oversight was initially addressed by a motion pursuant to Rule 60(a) filed with the court March 28, 1988.

As explained in the motion on file with the court, the land for which a claim was omitted by the oversight of the Idaho Department of Water Resources is presently farmed by Nebeker and Kienitz. Kienitz owns his land under a contract of sale from the Rekow.

Additional facts not contained in the original motion nor the affidavits which accompanied the motion are agreed to by the parties in this stipulation. Those facts include the following: the waste water rights which are affected by this stipulation are all for waste water from the Emmett Irrigation District. From a review of documents on file with the Idaho Department of Water Resources, the parties agree that the lands now owned or being purchased by Goslin, Nebeker, Rekow and Kienitz began irrigation with waste water (originating from the east side of Washington Street) in the 1920's. Specifically, it appears that the records of the Idaho Department of Water Resources support a priority date of April 1, 1926 for 65-1387A, 65-1387B, and 65-11415, and a priority date of 11-10-1929 for 65-2360. No other individuals are presently using this particular source of waste water. Goslin has two additional water rights (65-2838 and 65-2497) for waste water from this same area which have junior priority dates.

In the process of the negotiations leading to this stipulation, it became apparent that there were other clerical errors in rights for the same lands. Specifically, right 65-3842 originally decreed in the name of Beckman, is appurtenant to lands now owned by Rekow. Further, because part of the land under right 65-3842 is under contract of purchase with Kienitz, the right was split to 65-3842A and 65-3842B.

The changes to the water right claim numbers are reflected in the attached exhibit. Also, where these new claim numbers need to be listed as "Other Rights" where the land to which the

right is appurtenant is also covered by an additional water right, those changes are reflected in the exhibit.

There is a decreed licensed right, 65-2458, which is no longer in the listing of water rights accompanying this stipulation. Right 65-2458 was originally recommended for land that is now covered by 65-11415. The records in the license files at the Department of Water Resources provided evidence that the water use under 65-2458 arose earlier than the priority date indicated on the license. Thus, instead of licensed right 65-2458, beneficial use right 65-11415 is listed in the schedule accompanying this stipulation with a priority date of April 1, 1926. The rate of diversion for 65-11415 is 1.56 cfs, reflecting a clerical correction that only 78 acres can be irrigated from this diversion. Originally, 65-2458 listed a diversion rate of 1.74 cfs for 87 irrigated acres. The points of diversion and places of use are unchanged except for clerical corrections which are indicated.

An additional decreed licensed right 65-2360 is listed with reduced acreage in the attached schedule of rights. The records in the license files at the Department of Water Resources provided evidence that water use on some acres under 65-2360 began earlier than the date on the license. Therefore, 63 acres previously listed with 65-2360 are now listed with 65-1387A in the schedule of rights accompanying this stipulation.

DATED this 17th day of April, 198⁹⁰.

Josephine P. Beeman
JOSEPHYNE P. BEEMAN
Deputy Attorney General
Department of Water Resources

Water Nebeker

Josephine Nebeker

John H. Kienitz

Karon S. Kienitz

Edwin Goslin
Edwin Goslin

Ida M. Goslin
Ida Goslin

Charles L. Rekow

Delma C. Rekow

Water Right Number - 65-02895

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KIENITZ

JOHN H.

1 - 3512 SUNSET DR.

2 -

3 -

City- EMMETT

State- ID Zip- 83617

Phone -

KIENITZ

KARON S.

1 - 3512 SUNSET DR.

2 -

3 -

City- EMMETT

State- ID Zip- 83617

Phone -

*** O - ORIGINAL OWNER ***
GOSLIN

T. EDWIN

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
06/02/1965+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - +
GILL SLOUGH
PAYETTE RIVER+ - - - - Tributary - - - - +
PAYETTE RIVER
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	RFlg	County
06N	02W	1	SW SE		(45)	GEM

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		03/15	11/15	0.550	266.80	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.550 266.80

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	01W	6	NW SW		5.0	01	IRRIGATION	(45) GEM
06N	01W	6	SW SW		6.0	01	IRRIGATION	(45) GEM
06N	02W	1	SE SW		38.0	01	IRRIGATION	(45) GEM
06N	02W	1	NW SE		10.0	01	IRRIGATION	(45) GEM
06N	02W	1	SW SE		24.0	01	IRRIGATION	(45) GEM
06N	02W	1	SE SE		17.0	01	IRRIGATION	(45) GEM

Total Acres: 100.0

+ - - Diversion Means -

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Water right number - 65-02895

Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 10/13/82 04/30/88

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 65
Licensed Date - 10/13/1982	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		

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OCT 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 28, 1995

John H. and/or Karon S. Kienitz
3512 Sunset Drive
Emmett, Idaho 83617

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A65-02895

Dear Mr. and Mrs. Kienitz:

Enclosed please find a computer-generated copy of your Notice of Claim to a Water Right. This copy is for your files.

As we discussed on the telephone last week, no fee is due for the filing of this claim. I apologize for my error.

Please let me know if you have any questions or if we can be of further assistance. Thank you for your cooperation.

Respectfully,

Helen L. Thornton
Adjudication Staff

HHT:h
Enclosures

MICROFILMED
OCT 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

2-13-95

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[John or Karon Kienitz]
3512 Sunset Dr.
Emmett ID 83617
[]

Dear Claimant(s):

This office is presently processing the Notice of Claim(s) to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items checked below, we cannot continue to process this claim(s). We are returning this claim(s) to you to complete items required that were incomplete on your claim form. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** ~~Also enclosed is the receipt for the filing fee previously submitted with this claim(s).~~

☒ Fee - No fee received or inadequate fee received, fee due is \$150.00.
(Filing fees, based on use(s) of water, were due on all claims filed)

☐ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it is computed.

☐ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

☐ Item No. 3 - Source of Water

☐ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

☐ Item No. 6 - Uses of Water

☐ Item No. 9 - Non-Irrigation Uses

☐ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

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Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

✓ Other: Filing fee is calculated at \$50 flat fee plus \$1/acre.

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one was requested), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact our office listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any other claims, information or fees requested, if any, to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

John Thorne

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

HHT:h

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THAT THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

MICROFILMED

OCT 18 1996

State of Idaho
Department of Water Resources

RECEIVED
SEP 15 1982

WATER RIGHT LICENSE

Department of Water Resources
Western Regional Office

License of Water Right No. 65-2895 Priority June 2, 1965 Amount 0.55 cfs

THIS IS TO CERTIFY, that John H. &/or Karon S. Kienitz
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-2895 issued pursuant to Application for Permit dated June 2, 1965
and has submitted proof to the Department of Water Resources on March 23, 1978
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.55 cfs of water from Gill Slough & Payette River
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.55</u> cfs and	<u>266.8</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.55 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
266.8 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Twp.
6N, Rge. 2W in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	1W	6									5	6							11
6N	2W	1											38		10	24	17		89

Total number of acres irrigated 100

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

STATE OF IDAHO

LICENSING

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now JOHN H. &/OR KARON S. KIENITZ Phone 369-2753of (address) 3512 Sunset Dr., Emmett, ID 83617, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-2895, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount .55cfs for irrigation purposes from 3/15 to 11/15 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	1W	6									5	6							11
6N	2W	1											38		10	24	17		89

Total number of acres to be irrigated = 100

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

Show 40-acre subdivisions, townships, ranges and ditches.

The image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Each square is further divided into four smaller quadrants by dashed black lines. The grid consists of 10 columns and 8 rows of these primary squares. There are no margins or other markings on the page.

x John H. Kienitz
(Signature)

August 19 82

[Signature]

Director

D.M.

1. Name of person under Charles Release Delma C. Beckman
 Identification No. RA 2, B-266-6, Emmett, J.P. Date 3-5-77

Threats perpet list source as
un. Slough, tribe Passion

Period of Use from 3/15 to 4/15 (mo.-day) inclusive (mo.-day)

Other uses:

Max Rate of Discharge 2.0 cubic feet per second and annual volume AF Annular.

Other Points of Diversion:

Measuring device required: ☐ yes ☒ no

[illegible]

100

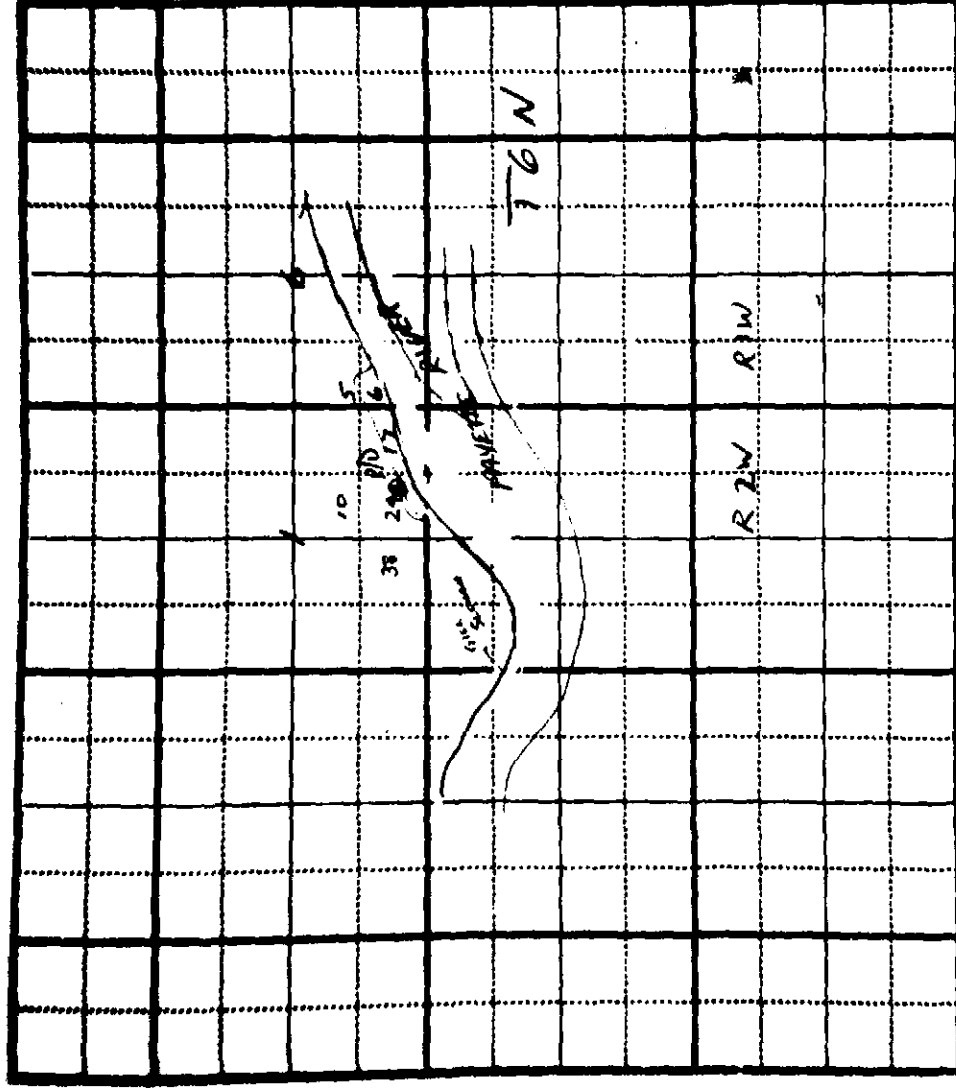
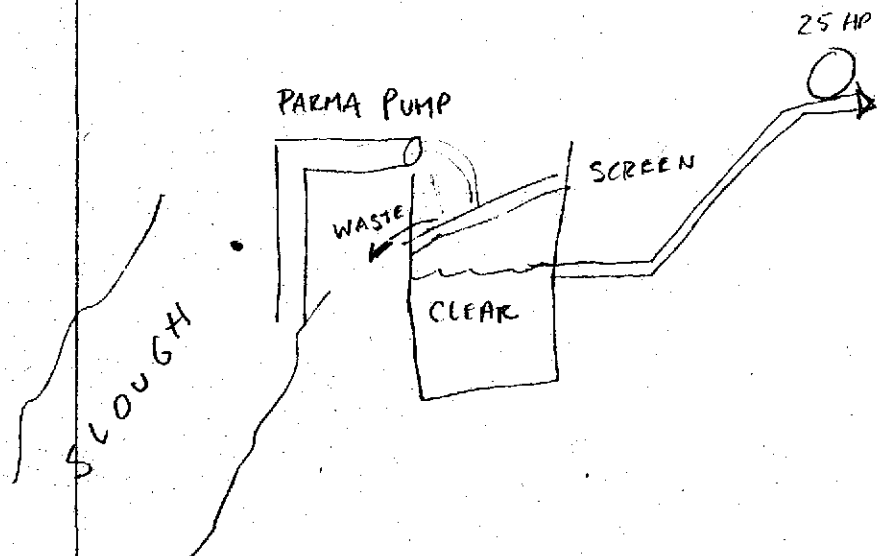


Diagram of System

CHARLES REKOW PUMP

40 HP $\Rightarrow$ 1.17 cfs

25 HP $\Rightarrow$.73 cfs



$$\frac{50 \frac{\text{Lb}}{\text{in}^2}}{62.4 \frac{\text{Lb}}{\text{ft}^3}} \times \frac{144 \text{ in}^2}{\text{ft}^2} = 115 \text{ ft pressure}$$

$$Q = \frac{8.8 \text{ HP } \varepsilon}{H} = \frac{8.8(25) \cdot 5}{115} = .96 \text{ cfs} \quad @ 50\% \varepsilon$$

$$\varepsilon = \frac{QH}{8.8 \text{ HP}} = \frac{1.17(115)}{8.8(40)} = \%38$$

HP = 40
for $\varepsilon = .5$, $Q = 1.17 \text{ cfs}$,
 $H = \frac{8.8 \text{ HP } \varepsilon}{Q} = 150 \text{ ft}$
PSI = 65.46

Measure Sprinkler head pressure ! & Amp Pressure

November 27, 1978

Re: 65-2895 Amended

Mr. Charles L. Rekow
Route 2, Box 266-6
Emmett, ID 83617

Dear Mr. Rekow,

Hello again from the Department of Water Resources. In reviewing some files I discovered that I had not responded formally to you regarding our measurement of your pump last July 28th. As you recall, we measured your 40 horsepower pump on that bright and sunny afternoon.

The output from the 40 horsepower pump was measured by the Collins Impact Tube as 1.2 CFS. It was our intent to possibly correlate this figure to your 25 horsepower pump and derive a rate of flow for licensing of that water right. However, using this ratio would indicate that the 25 horsepower pump would only produce .73 CFS. We could license your water right for this amount, but it is far less than the 2.0 CFS of the permit.

Therefore, I am recommending that we come out next spring when you are again using the 25 horsepower pump to measure that output to insure that your water right is licensed for the largest amount possible. Would you please inform the Department when that pump is under maximum production? You mentioned a desire to know the irrigation efficiency of the 40 horsepower system. The calculation appears on the attached page, and shows merely 42%. This low figure may be due to (1) higher than 50 psi sprinkler head pressure, (2) excessive pipe friction losses, or (3) efficiency pump is low.

We appreciated your hospitality in assisting us with the measurement of your 40 horsepower pump. I assume that you have received your other water rights and that they are in order. It appears upon reviewing your rights that you have sufficient water for your entire system and they are properly recorded. Please give me a call if you have any problems with this.

Sincerely,

DAVID R. TUTHILL, JR.
Payette Adjudication Supervisor

DRT:aje
Enclosure

CHARLES REKOW PUMP

40 HP

FLOW MEASUREMENT MADE JULY 28, 1978 = 1.17 cfs PER
COLLINS IMPACT TUBE

$$\epsilon_{\text{efficiency}} = \frac{QH}{8.8 \text{ HP}}$$

WHERE $Q = \text{cfs} = 1.17 \text{ cfs}$

$H = \text{HEAD} = \text{ft PER CALC}$

$\text{HP} = \text{HORSEPOWER} = 40$

$$H = H_{\text{PRESSURE}} + H_{\text{LIFT}}$$

$$H_{\text{PRESSURE @ 50 psi}} = \frac{50 \frac{\text{lb}}{\text{in}^2}}{62.4 \frac{\text{lb}}{\text{ft}^3}} \times \frac{144 \frac{\text{in}^2}{\text{ft}^2}}{\text{ft}^2} = 115.4 \text{ ft}$$

$$H_{\text{LIFT}} \approx 10 \text{ ft}$$

$$H = 115.4 + 10 \approx 125 \text{ ft}$$

$$\epsilon = \frac{(1.17)(125)}{40(8.8)} = .42 \Rightarrow \underline{\underline{42\%}}$$

INTER-DEPARTMENT MEMO

DATE April 12, 1978

FROM Dave Tuthill

TO 65-2895

SUBJECT Land List

Note that the land list on the proof is totally different from that on the permit.
Be sure to note this when typing the field report.

Det

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

TO: File No. 65-2895

FROM: David R. Tuthill DRT

DATE: March 23, 1978

RE: Regarding source of this right

Note that the permit lists the source for this right as unnamed slough. This slough is locally known as Gill Slough and has traditionally been fed by the Payette River, rather than being tributary to. Currently there is a headgate from the river into the slough which controls the flow.

In light of local delivery practices, it appears that the source name should always have been Payette River and Gill Slough, since the river supplies a large portion of the flow and the slough contributes through its tributary waste water supplies. Therefore, in changing the source on the license, I would recommend that no delay in date of priority occur.

March 22, 1978

RE: 65-2895

C Charles L. Rekow
Route 2, Box 266-6
Emmett, Idaho 83617

Dear Mr. Rekow:

O Enclosed please find the pink copy for right No. 65-2895 amended, to which we have added a land list. You will note that this land list does not reflect the lands being currently irrigated by this right, but rather reflects the lands on the permit. This is necessary because the land list cannot be formally changed until the right is licensed.

P Also enclosed is a copy of the completed proof of beneficial use form for this right. The land list on this form does indicate your current useage. One final item is necessary in filing this proof. You're required to submit to the office an aerial photograph of the lands irrigated. As you know, you can pick this up at the local ASCS office. Please mail this to our state office, 373 W. Franklin Street, Boise, Idaho 83720.

Y I checked on the file for the Bonnie Laura Subdivision. It was, in fact, filed by Callendars, and the name has subsequently been changed to that of Bonnie Laura Subdivision. No further filings is necessary on this right until the 1980 proof of beneficial use is due. 65-7143

I have forwarded to the state office necessary forms for the processing of your permit No. 65-2895, and all other claims to your rights for the adjudication procedure seems to be in order. It has been a pleasure working with you and I appreciate your assistance. I hope to see you in the meeting on these rights this summer.

Sincerely,

David R. Tuthill, Jr.
Wayette Adjudication Supervisor

DRT:alw
Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

RECEIVED

JUL 9 1976

Department of Water Resources

State of Idaho)

County of VALLEY)

Permit No. 32410/65-2895

Frank D. Callender / Pearl Kennedy of Cascade,
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 32410/65-2895.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 28, 1976, 1976.

That he has heretofore performed the following work described under said permit:

The entire pumping station located at diversion #2 (NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 20 Twp 13N R 4E Valley coun
, Ida.) has been completely done. So has the 6,800 feet of PVC pipe been laid. The
the entire system is completed except that listed below.

Cost to date of complete work-estimated at \$47,266 Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The main ditches leading out from the pipe outlet
are being completed this summer, or I should say we hope to complete them this summer.

Once they (the main ditches) are completed then the lateral and contour ditches
must still be built in order to bring water to all the land.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 28, 1978.

Hugh Kennedy

Frank D. Callender
(signature) *

Subscribed and sworn before me this 7 day of July, 1976.

seal

J. E. Campbell
Notary Public residing at
Cascade, Idaho 83611

My commission expires March 10 1979

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use under Permit No. 65-2895
be extended to July 1, 1978.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to
June 13, 1965, pursuant to Section 42-218a of the Idaho Code.

Witness my hand this 3 day of July, 1976.

A. Kenneth Dunn
A. KENNETH DUNN
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

67-2334
65-2895

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40563
PERMIT No. 32410
DISTRICT No.

Assigned to

*Simplex Cattle Co.
P.O. Box 2777 - Boise
Idaho*

1. Name of Applicant: T. Edwin Goslin
Rt. 2, Box 410

Postoffice address: Emmett

County: Gem

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
(b) Treasury stock:

- (c) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: two

cubic feet per second.

3. Source of water supply: Unnamed slough

which is a tributary of Payette River

4. Location of point of diversion: 3065

feet distant from the SW

corner of Section 1, T. 6 N, R. 2 W, B.M., and is in the SW 1/4

of section 1, T. 6 N, R. 2 W, B. M., County of Gem

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$6000.00

8. Kind of works: Sprinkler pump sump & pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is six additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

- 65-2895

Applicant.

Agent.

Corrected application received:

The number of this permit is 32410

Recorded in Book 113 Page 32410 Approved June 28, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before August 28, 1965 and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 28, 1967

The whole of said work to be completed on or before June 28, 1970

Beneficial use of water appropriated in accordance herewith, to be made on or before June 28, 1976

WITNESS My hand this 28th day of June, 1965

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____ ARNOLD WILLIAMS _____, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th

day of June, 19 ⁶⁵

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS By s/ ROBERT E. SMYLIE
PAULA L. FLETCHER Secretary of State. Governor.
Deputy Secretary of State

REMARKS:

i4.

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 $\frac{1}{4}$	
5 N	2 W	1										16	30				24	30	100
ASSIGNMENT																			
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriation of Public Waters of the State of Idaho, of Boise, Ada County, Idaho (Entire Permit) to Simplot Cattle Company, 2777, Boise, Idaho																			
															/s/ THOMAS E. GOSLIN Permit Holder				
															/s/ IDA M. GOSLIN Wife of Permit Holder				
State of Idaho) County of Gem)																			
On this 11th day of February, 1966, before me a Notary Public for the State of Idaho, residing at Emmett, Idaho, personally appeared before me, Thomas E. Goslin and Ida M. Goslin known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal, the day and year in the first above written.																			
My commission expires: July 20, 1969																			
															/s/ Louis Gorrone Notary Public Emmett, Idaho				

65-5431 U.S. 3842

65-1393 shall

This right when combined with rights 65-1393 shall
not provide more than .02 C55/Ae nor more than

4.5

ADJUDICATION DIVISION

REPORT OF EXAMINERS

Claim No. 65-13891. Name of Applicant... Frank D. Callender2. Priority... 6-2-19653. Source of Water... Payette River Slough

4. Determine Purpose and Quantity of Water Found Used:

(Quantity) (Dom., Irr., Stk. water, etc.) (Mo.-Day) (Mo.-Day)

1.218 Use Irrigation Period of Use From 4-1 To 10-31

..... Use Period of Use From To

..... Use Period of Use From To

5. Location of Point of Diversion: SW SE of Section 1Twp. 6N, Rge. 2W, County of GEM6. Describe Diversion Works: Pump in the slough with
a protective shed.

7. Describe Location of Use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2W	1											2.5	2.2			3.8	2.4	60.9

TWP. 6N RGE. 2W COUNTY GEM SCALE: 1" = 1 MILE

8. Purpose Other Than Irrigation:

9. Remarks: Power pole and shed covering the
2.0 hp. pump.
located SW behind a barn about 300'This examination was made on the 10 day of March, 1971.(Signed) William E. Lawton
Examiner.

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Charles F. Kelso, hereby assign to John H. or Karon S. Kien
of 3512 Sunset Dr. Emmett Idaho 83617
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 65-2895
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 21 day of July, 19 82.

Charles F. Kelso
Permit Holder

D. Collin Kelso
Spouse of Permit Holder

State of Idaho)
County of GEM) ss.

On this 21st day of JULY, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

Arlene D. de Cardona
Notary Public residing at
Emmett, Idaho

My commission expires:
Continuous

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
PAYETTE RIVER
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-2895 Amended	
I.D. No.	Map No.
\$	Fee Paid
Receipt No.	

Notice is hereby given that Charles L. Rekow &/or Delma C.
(Name of Claimant)

Route 2, Box 266-6, Emmett, Idaho 83617
(Mailing Address) (Zip Code)

Telephone No.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim are as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permitted use)
6-2-1965

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Payette River and
Gill Slough tributary to Payette River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.0 Use Irrigation Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 450 AFA Use Period of Use From 3-15 To 11-15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW
Sec. 11, Twp. 6N, Rge. 24W, B.M., Gem County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump and sprinklers system

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	2W	1											10	30			24	30	100

Total no. of acres 100

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remark (Re-diversion from Gill Slough in SWSE, Sec 1, T 6N, R 2W.) (Sources for this right are Payette River and Gill Slough.) Note that this land list will be changed when the permit is licensed.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. (This right when combined with rights 65-1393, 65-2360 and 65-1390 shall provide no more than .02 cfs/acre nor 4.5 AFA/acre.)

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

Organization

(Signature of Spouse)

State of Id

Organization

County of Ala

ss.

Seal

(Signature of Authorized Agent)

On this 23 day of Mar in the year 1978 before me
a notary public, personally appeared Charles L. Rekow

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires Sept 10, 1980

Notary Public residing at Boise

BR 9-10-78

Genoa

MAP NO.

WATER RIGHT

65-2895

~~65-1389~~

(Name of Claimant)

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) June 2, 1965

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Slough from Payette River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

SAFA Use 1-8 1.22 305 AF Period of Use From 4/1 3/15 To 10/31
(Domestic, irrigation, stock, etc.) (Both Dates Inclusive)
(Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 1.218 ~~7.18~~ Cubic Feet Per Second, or 275 ~~305~~ Acre Feet Per Annum, and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 1, Twp. 6N, Rge. 2W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. two pumps and headgate (25 hp) (high pressure)
and (5 hp parma water lift)

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres. ~~60.954~~

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____ 6

(7) Effluent, sewage waste, or return water from this use is discharged into Payette River by way of slough

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks Supplemental water Claim 4 of 10

ALSO,

→ (Re-Diversion from Gill Slough in SWSE, Sec. 1 T6N R2W.) SEE REMARK →

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

PERMIT

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Individual Frank J. Callender
(Signature of Claimant)

Laura P. Callande
(Signature of Subuser)

Organization

(Signature of Authorized Agent)

State of Idaho

County of Dallas

On this 15th day of October, in the year 1970, before me

a notary public, personally appeared Frank D. Colender, Lorea Colender
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they,
corporation, partnership or _____) executed the same. ✓ ✓ ✓ ✓

Notary Public residing at Casa de ILL

My commission expires _____

11-15-73
6-2 3117177

AKA

7-6-78 DET