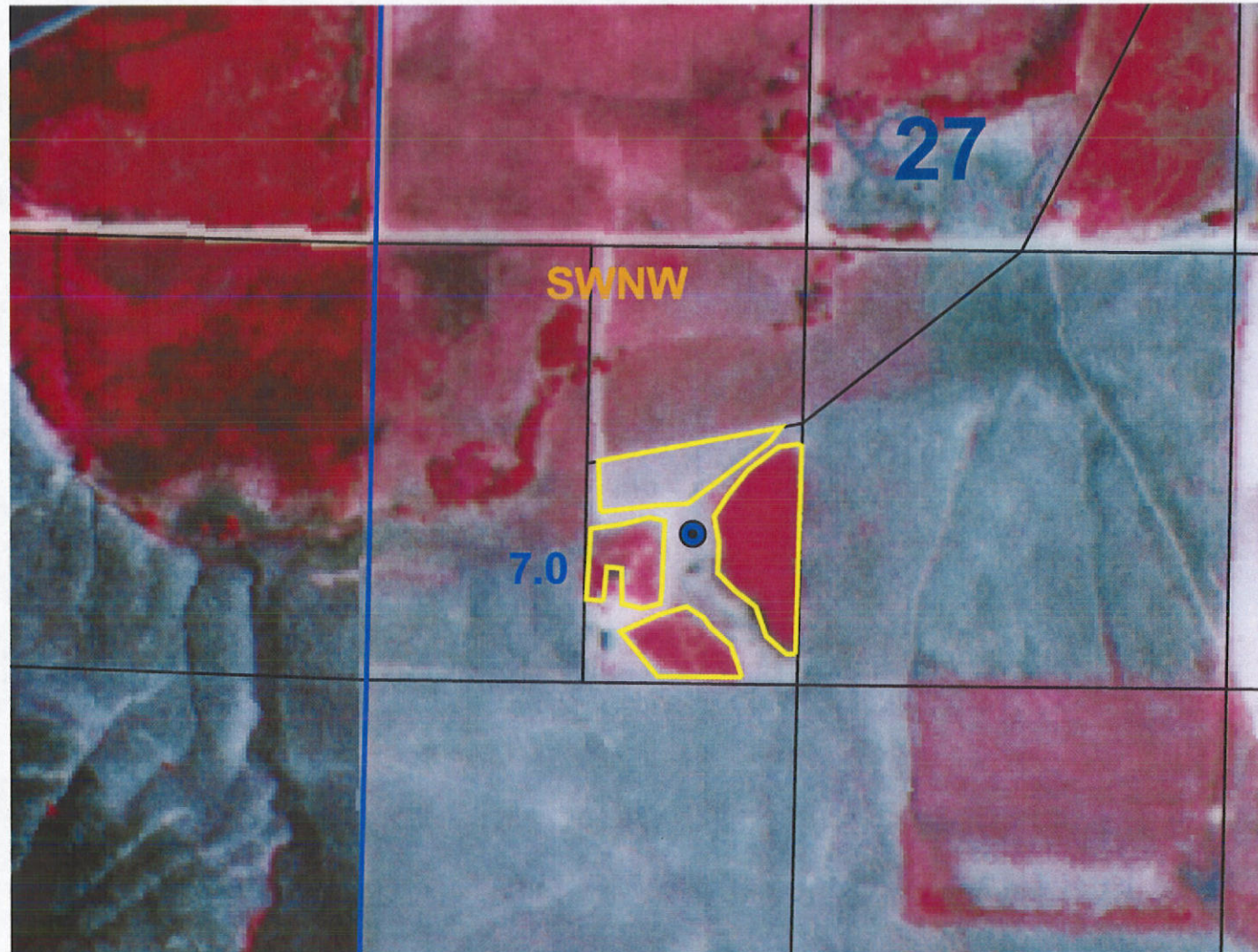
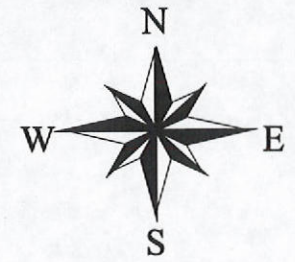


IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

OWNER (S): KELLAR, KARL &
MARJORIE

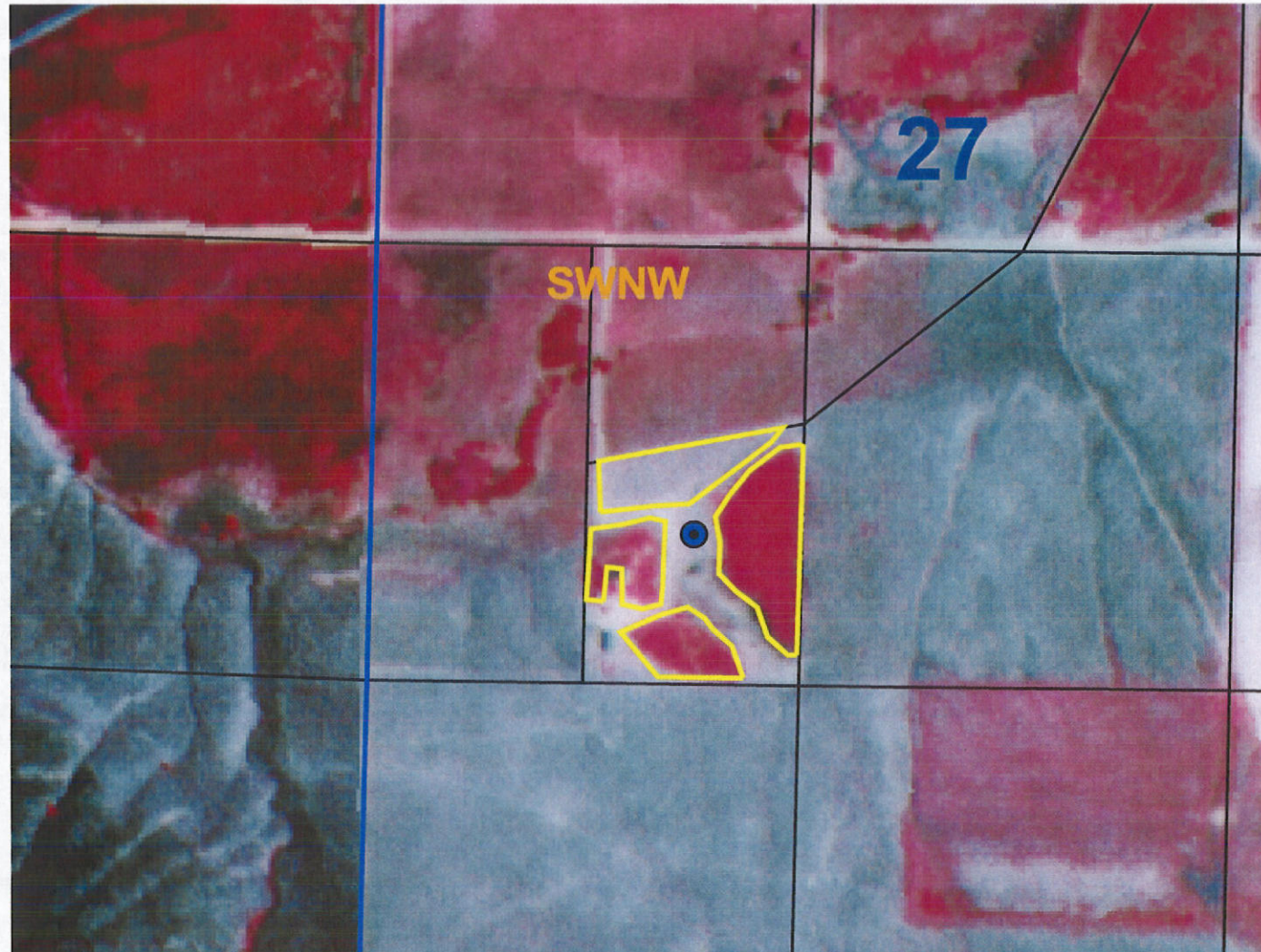
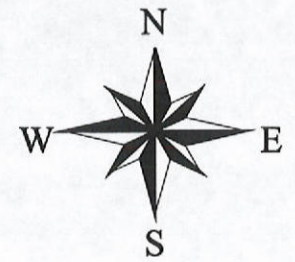
DATE: MAY 11, 2001

By: Mel Schulte

0. 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

OWNER (S): KELLAR, KARL &
MARJORIE

DATE: MAY 11, 2001

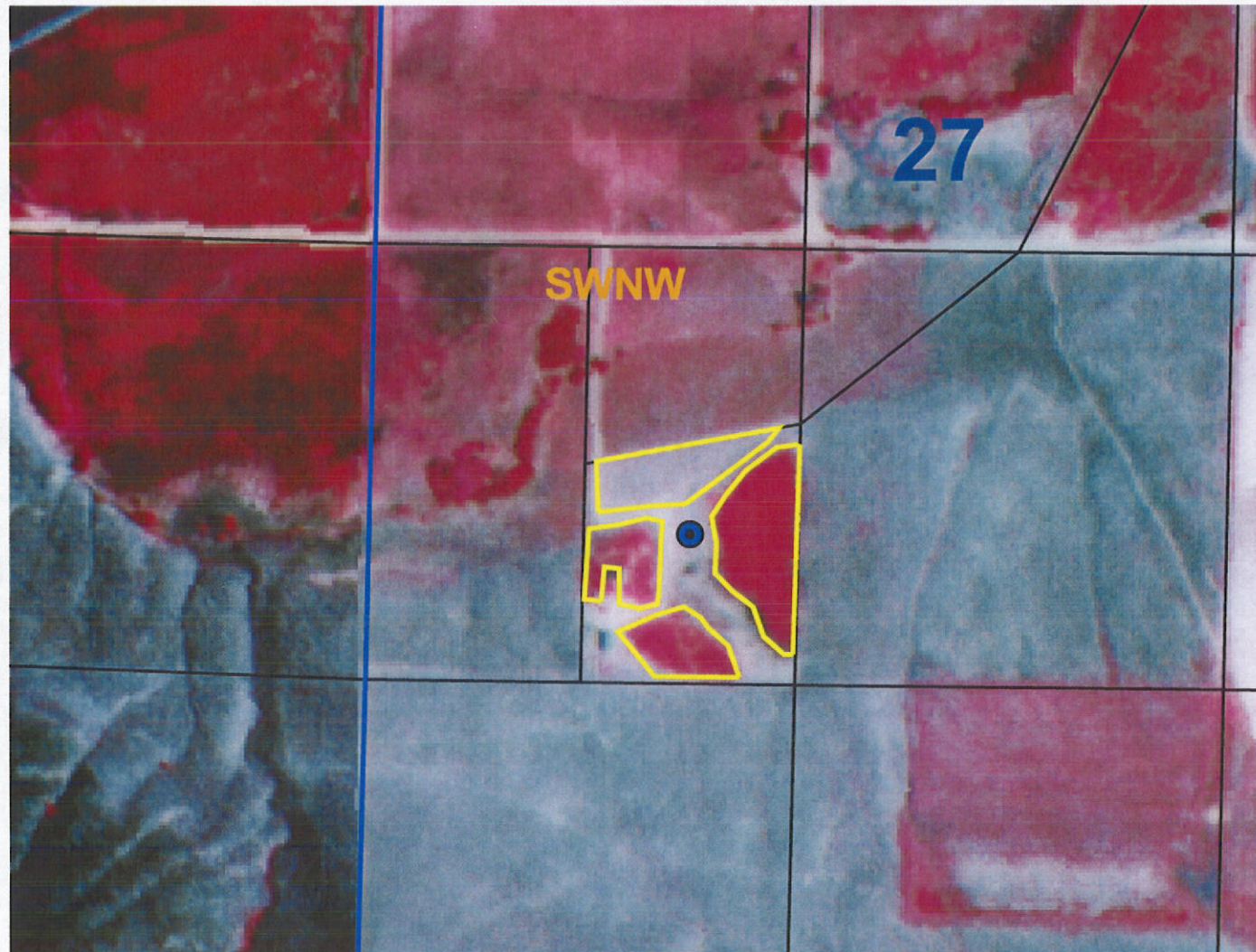
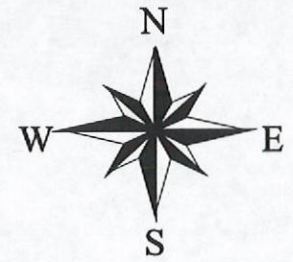
By: Mel Schulte

0 0.25 0.5 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

OWNER (S): KELLAR, KARL &
MARJORIE

DATE: MAY 11, 2001

By: Mel Schulte

0. 0.25 0.5 Miles



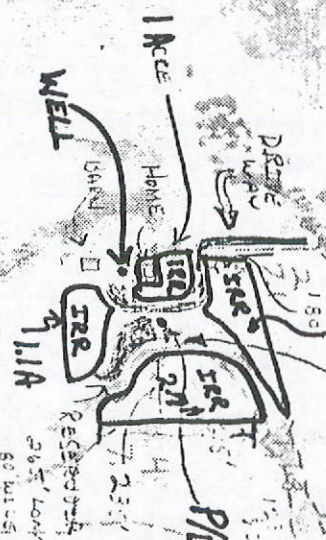
PERMIT 65-18093 INIT AKC
 T. R. S. 010
 P/D 7N 1E 27 SW/4W
 SCALE 8" = 1 MI
 PHOTO ID. _____

21 | 22
 28 | 27

17.6
per acre

T132

PICTURE
 LOCATION (ALL)



P/D FOR PUMPING
 WATER TO THE
 FIELDS

26.5' LONG
 60' WIDE

11.1A

HOME

DRIVE

1 ACCE

22-11

NOT TO SCALE

28 | 27



732 PERMIT 65-12094



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 65-12093
Date Received: 4-18-2001
Receipt No: W027603
Received By: *SK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KARL A KELLAR Phone:

and/or 9207 SHALEROCK RD
MONTOUR ID USA 83617

MARJORIE E KELLAR Phone:

9207 SHALEROCK RD
MONTOUR ID USA 83617

2. Date of Priority: 08/20/1981

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	01E	27	SW NW	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.14	31.5
IRRIGATION STORAGE	1/01	12/31		1.7
IRRIGATION FROM STORAGE	3/15	11/15		1.7
STOCKWATER	1/01	12/31	0.01	0.3

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 33.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	27	SW	NW	IRRIGATION	7
Section Acres						7
Total Acres						7

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? NO YES

13. Other Water Rights Used: GS-12094 used on a portion of same acres

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

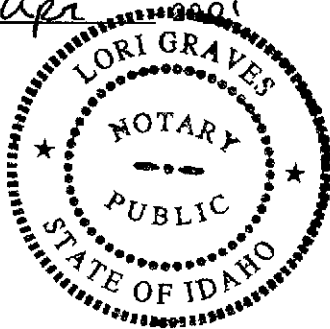
For Individuals:

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

Signature of Claimant(s): *Paula Kellan* Date: 4-18-01
Date:

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 18th
of Apr 2001 *Loi Beaver*



Notary Public
Residing at *Boise*
My commission Expires 6/18/04

05/14/2001

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

RIGHT NUMBER: 65-12093

NAME AND ADDRESS: KARL A KELLAR
MARJORIE E KELLAR
9207 SHALEROCK RD
MONTGOMERY, ID 83617

SOURCE: UNNAMED STREAM TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.15 CFS
33.5 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/20/1981

POINT OF DIVERSION: T07N R01E S27 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.14 CFS 31.50 AFY
IRRIGATION STORAGE	1-01 12-31	1.70 AFY
IRRIGATION FROM STORAGE	3-15 11-15	1.70 AFY
STOCKWATER	1-01 12-31	0.01 CFS 0.30 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T07N R01E S27 SWNW 7
IRRIGATION FROM STORAGE Use same as IRRIGATION STOCKWATER Use same as
IRRIGATION

7 ACRES TOTAL

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STOCKWATER, 25 HORSES AND RANGE CATTLE
SOURCE IS ALSO KNOWN AS STAGECOACH DRAW.

05/11/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 65-12093

Owner Type	Name and Address
Current Owner	KARL A KELLAR
Current Owner	MARJORIE E KELLAR
	9207 SHALEROCK RD
	MONTOUR, ID 83617

Priority Date: 08/20/1981
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
UNNAMED STREAM	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.14 CFS	31.5 AFA	
IRRIGATION STORAGE	1/01	12/31		1.7 AFA	
IRRIGATION FROM STORAGE	3/15	11/15		1.7 AFA	
STOCKWATER	1/01	12/31	0.01 CFS	0.3 AFA	
Total Diversion			0.15 CFS	33.5 AFA	

Location of Point(s) of Diversion:

UNNAMED STREAM	SWNW	Sec. 27	Township 07N	Range 01E	GEM County
----------------	------	---------	--------------	-----------	------------

Licensed Diversion Capacity: 0.2

IRRIGATION Use:
Acre Limit: 7

IRRIGATION STORAGE Use:
Acre Limit: 7

IRRIGATION FROM STORAGE Use:
Acre Limit: 7

Place(s) of use

Place of Use Legal Description: IRRIGATION	GEM County
--	------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	01E	27		SWNW	7									

Place of Use Legal Description: IRRIGATION FROM STORAGE same as IRRIGATION

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 7

Water Right 65-12093

C18 + N05 + N08 + E28 w 12094
Stockwater - 25 Hwt range
EXP-B01

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63
2. R32 This right when combined with all other rights shall provide no more than 02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

- 1 General Stockwater use is for 25 horses and range cattle.
Source is known locally as Stagecoach Draw.

Dates

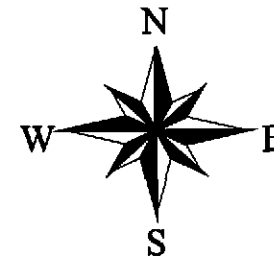
Licensed Date: 07/29/1992
Decreed Date:
Permit Proof Due Date: 5/1/83
Permit Proof Made Date: 4/29/83
Permit Approved Date: 5/24/78
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 02/13/1978
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

OWNER (S): KELLAR, KARL &
MARJORIE

DATE: MAY 11, 2001

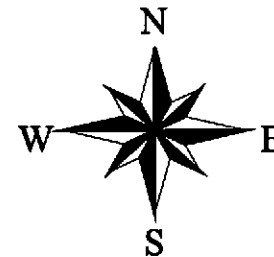
By: Mel Schulte

0. 0.25 0.5 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

—OWNER (S): KELLAR, KARL &
MARJORIE

DATE: MAY 11, 2001

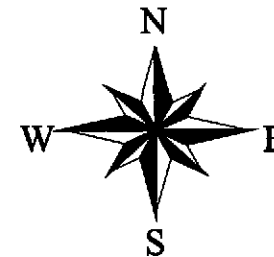
By: Mel Schulte

0. 0.25 0.5 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R01E, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-12093

OWNER (S): KELLAR, KARL &
MARJORIE

DATE: MAY 11, 2001

By: Mel Schulte

0 0.25 0.5 Miles



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12093

Department of Water Resources
Western Regional Office

Priority: August 20, 1981

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 33.5 AF

This is to certify, that MARJORIE E KELLAR
KARL A KELLAR

9207 SHALEROCK RD
MONTGOMERY ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 13, 1978; and has submitted Proof of Beneficial Use on April 29, 1983. An examination indicates that the works have a diversion capacity of .200 cfs of water from:

UNNAMED STREAM tributary to PAYETTE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.14 CFS	31.5 AF
IRRIGATION STORAGE	01/01 to 12/31		1.7 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		1.7 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.3 AF
	Totals	0.15 CFS	33.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 27, Township 07N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01E	27		SWNW 7		7

Total number of acres irrigated: 7

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

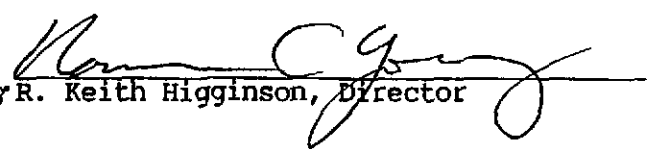
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12093

CONDITIONS/REMARKS:

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Stockwater use is for 25 horses and range cattle.
8. Source is known locally as Stagecoach Draw.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th
day of July, 19 72.


Acting for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

PERMIT NO: 65-12093
DATE EXAM
CONDUCTED: 6-27-90

1. OWNER LISTED ON PERMIT

Name: Marjorie E. and/or Karl A. Kellar
Address: 9207 Shalerock RD.
City, State: Montour, ID Zip 83617
Phone No. (208)584-3488

Name/Address Updated ☒

2. PERSON ACCOMPANYING EXAMINER

Name: Karl Kellar
Relationship to
Permit holder: Owner

3. SOURCE Unnamed stream TRIBUTARY TO Payette River

B. DOCUMENTS INCLUDED WITH THIS REPORT

- | | |
|---|--|
| 1. <u>1</u> Copy of U.S.G.S Quadrangle | 5. <u>1</u> Aerial Photo (if required) |
| 2. <u>4*</u> No. of Photo Pages Attached | 6. <u> </u> Overlap Sheet (form) |
| 3. <u> </u> Well Inspection Form | 7. <u> </u> Pump Efficiency form |
| 4. <u> </u> P/D Overlap Field Exams Copy | 8. <u> </u> Other |

* (photos for 65-12094 included with this report)

C. OVERLAP REVIEW

1. Water rights found within the same Q/Q but they have
a different owner and acres -- ☒
same owner but different
source and/or acres -- -- -- ☒

2. P/D overlap found. (same source only) Right Numbers. None

3. P/U overlap found. (permit acres only) Right Numbers.

Permit 65-12094 is for the same acres but the source is groundwater.

D. SYSTEM DESCRIPTION (General system description)

1. Diagram found on;

a. Aerial Photo	--	--	--	--	--	--	--	<u>x</u>
b. Hand Sketch	--	--	--	--	--	--	--	

2. Narrative

The system is a dike built in an unnamed stream locally known as Stagecoach Draw. The dike is slightly higher than 10 feet. The reservoir length is approximately 265 ft. and the width is approximately 80 ft. The outlet from the reservoir to the pump that supplies water to the P/U comes from near the bottom (approximately 10 ft below the spillway level.) The pump is set at the base of the dike and the main line from the pump is tied into the mainline from the well. The two lines are isolated via gate valves. A second mainline runs north (downhill to the northern most field) and can supply water from the reservoir via gravity. The reservoir was dry at exam time. Because the reservoir was dry the pump had been removed and placed in the barn (see photo of the pump.)

The P/U consists of four small plots. The largest, east of the reservoir, is approximately 2.7 acres. The next largest is 2 acres and lays north of the reservoir. The other two segments are approximately 1 acre apiece. One is the yard and an alfalfa patch surrounding the house. The other is south of the house, again 1 acre.

A maximum of 25 head of range cattle and/or horses are at times watered on this farm.

3. Overlap Analysis Narrative

There are no other rights using this reservoir or this drainage. The P/U is also irrigated via 65-12094 a groundwater right. The well system is tied into the same mainline system as this right, giving the permit holder the option to use either system as required.

E. FLOW MEASUREMENT DESCRIPTION

Well	Motor			Pump	
Id. #	Hp	Make	Serial #	Make	Discharge Dia.
	2	Century	139691	Berkeley	2 in.

1. Diagram (Indicate weir size/ditch size/pipe I.D. as applicable.

No measurement made therefore no sketch made.

RESERVOIR ACRE FOOT DETERMINATION.

The reservoir surface is considered as a triangular shaped pond 265' by 80'. The pump inlet runs from above the bottom of the reservoir to the pump. The distance from the inlet line to the bottom of the spillway is approximately 10'. The draw shape is V shaped but the volume for irrigation is calculated from the inlet pipe which gives a flat bottom to the reservoir (for calculation purposes.) I feel that a fair representation is to use a correction factor of 0.70 as this is a compromise between the two shapes.

Surface area in acres:

Reservoir capacity is:

$$\frac{265' \times 80(1/2)}{43,560} = 0.243 \text{ acres}$$

$$0.243 \text{ acres} \times 10 \text{ ft.} \times 0.70 = \underline{\underline{1.7 \text{ af}}}$$

2. Narrative (measurement conditions/sketch clarification/ flow calculations; include the results from any measurements.)

The seven total acres found are irrigated two different ways from this reservoir. Five acres via the pump and two acres via a gravity system.

For the pumping system, considerations are the pump is below the reservoir and therefore there is no lift to consider, it is a standard handline system operating at approximately 40 psi.

$$\frac{2\text{HP} \times 8.8 \times .7}{0 + (2.3 \times 40)} = \underline{\underline{0.134 \text{ cfs}}}$$

For the gravity system the mainline is a 1 & 1/2 in black plastic line with approximately 20' of drop for a 300' run. Per chart this gives 27.9 gpm.

$$\frac{27.9}{448.8} = \underline{\underline{0.062 \text{ cfs}}}$$

5 acres @ 0.134 cfs
2 acres @ 0.062 cfs
Total 0.196 cfs

This rate combined with the theoretical rate for the other five acres gives 0.196 cfs, or rounding up gives 0.20 cfs.

This rate is approximately 42% greater than the legal limit of 0.14 cfs for the found seven acres. Therefore I am recommending this permit to be licensed at the legal limit.

3. Alternate method for checking purposes

4. Measurement Equipment Used During Field Exam -- none --

5. Point of Diversion Legal Description

Ident. No.	Twp	Rng	Sec	1/4	1/4	1/4	Gov't Lot	County	Remarks and Method of Determination
------------	-----	-----	-----	-----	-----	-----	-----------	--------	-------------------------------------

7N	1E*	27		SW	NW			GEM	ORTHO PHOTO
----	-----	----	--	----	----	--	--	-----	-------------

P/D legal description modified -- |*|

F. PLACE OF USE (if acres, show acres recommended for the license)

TWP	RGE	SEC	NE				NW				SW				SE				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

7N	1E*	27																	7
----	-----	----	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	---

Amendment required to change acres to new Q-Qs -- -- |*|
(an asterisk indicates the Q/Q requiring an amendment)

G. VOLUME CALCULATIONS (for irrigation, use the acres and the diversion rate recommended for licensing)

1. Volume Calculations for irrigation

$$V(i.r.) = \frac{7}{\text{acres irrigated}} * \frac{4.5}{\text{irrigation requirement}} = 31.5 \text{ AFA}$$

$$\frac{0.14}{\text{diversion rate(cfs)}} * \frac{246}{\text{days in season}} * \frac{1.9835}{\text{factor}} = 68.3 \text{ AFA}$$

$$V = \text{The smaller of } V(i.r.) \text{ and } V(d.r.) = \underline{\underline{31.5 \text{ AFA}}}$$

2. Volume calculations for other uses

Reservoir volume calculated in section E.1. is -- -- 1.7 AF

Stockwater (25 head range cattle and/or horses)

From the chart for 25 head -- 0.02 cfs and 0.4 afa

H. RECOMMENDATIONS

1. Permit Summary

[illegible]

2. Found during field exam

Irrigation	--	--	--	--	--	--	7	Acres	0.20	Rate
Storage	--	--	--	--	--	--	1.7	A.Ft.		
Range stock							25	Head	Max	

3. Legal limit -- -- -- -- 7 * 0.02 cfs/acre = 0.14 cfs
Acres * Rate/acre = Rate

2. Recommended Amounts

Beneficial use	Period of Use		Q-- Rate of	V-- Annual		
	From	To	Diversion	Volume		
Irrigation	3-15	11-15	0.14	31.5		
Irr Storage	1-1	12-31	N/A	1.7		
Irr from Storage	3-15	11-15	N/A	1.7		
Stockwater	1-1	12-31	0.02	0.4		
	Totals		0.16	CFS	31.9	AFA

3. Recommended Amendments

Change P/D as reflected above	--	--	--	--	--	--	--	--	$\left[\frac{x}{x} \right]$
Change P/U as reflected above	--	--	--	--	--	--	--	--	$\left[\frac{x}{x} \right]$

I. AUTHENTICATION

Field Examiner's

name Kelly K. Christensen

Signature Kelly K. Kristensen

Field Report

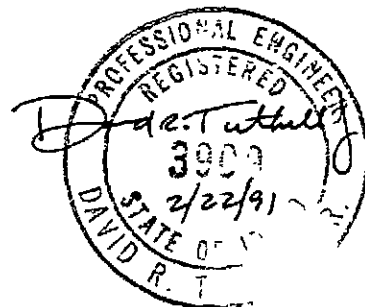
Preparation Date 07-16-90

Reviewed
by

Signature

Date _____

Certification Date



CONSULTANT SEAL

PERMIT 65-12093 INIT KXC

T. R. S. 0/0

P/D TN IE 27 SW/NW

SCALE 8" = 1 MF

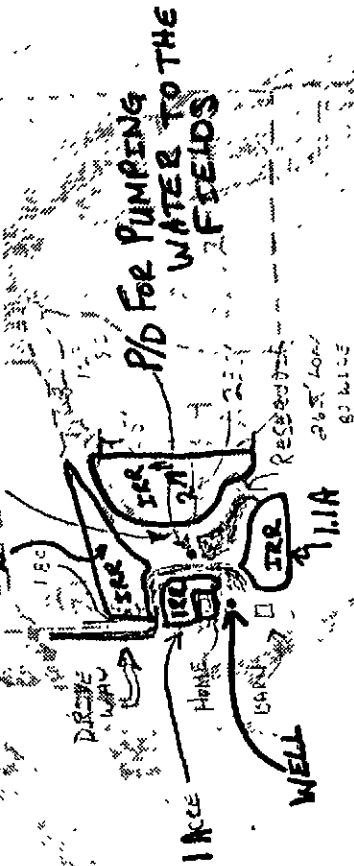
PHOTO ID. _____

176
per

T132

21	22
28	27

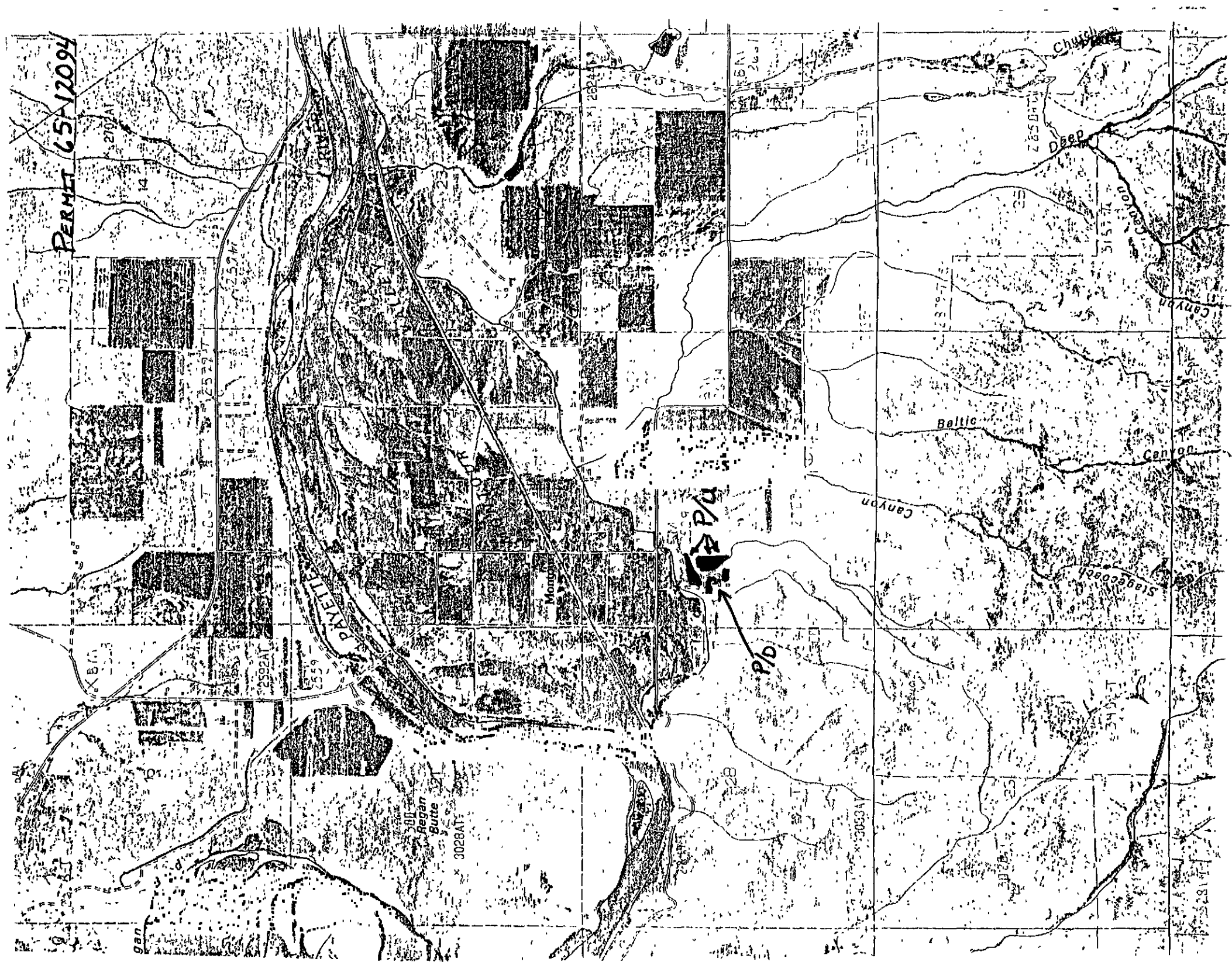
PICTURE LOCATION (ALL)



NOT TO SCALE

28 | 27

PERMIT 65-12094



PERMIT 65-12093 INIT KKC
P.T. R. S. 0/0
T. 27 N. W. 27 LOT 3 (III)
SCALE
PHOTO ID.

