

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07377

RECEIVED
NOV 16 2015
Department of Water Resources
Eastern Region

Date of Priority: January 18, 1983

Maximum Diversion Rate: 0.80 CFS

Maximum Diversion Volume: 351.6 AF

Comes now **EVAN O KOLLER**
12693 N 5800W

CORNISH UT 84320

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. 13-07377, and requests that the permit be changed as follows:

Source: UNNAMED DRAINS

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.80 CFS	339.6 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		12.0 AF
IRRIGATION STORAGE	01/01 to 12/31		12.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAINS	NE1/4SE1/4	Sec. 23, Twp 16S, Rge 38E, B.M.
FRANKLIN County		
UNNAMED DRAINS	SW1/4SW1/4	Sec. 24, Twp 16S, Rge 38E, B.M.
FRANKLIN County		

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 38E 23													22.0	28.0	31.0	38.0	117.0
16S 38E 25	31.1																31.1

Total Acres: 148.1

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 38E 23													22.0	28.0	31.0	38.0	117.0
16S 38E 25	31.1																31.1

Total Acres: 148.1

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APPLICATION FOR AMENDMENT

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PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 36E 23													X				
16S 36E 24											X						

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 16th day of October, 2005.

Judith K. Shaffer
(Signature) Trustee

State of Idaho
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FOR DEPARTMENT USE ONLY

Preliminary check by Blake Fee = \$100.00 Receipted by JB # E041447 Date 9/15/15

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 13-07377 with the following:

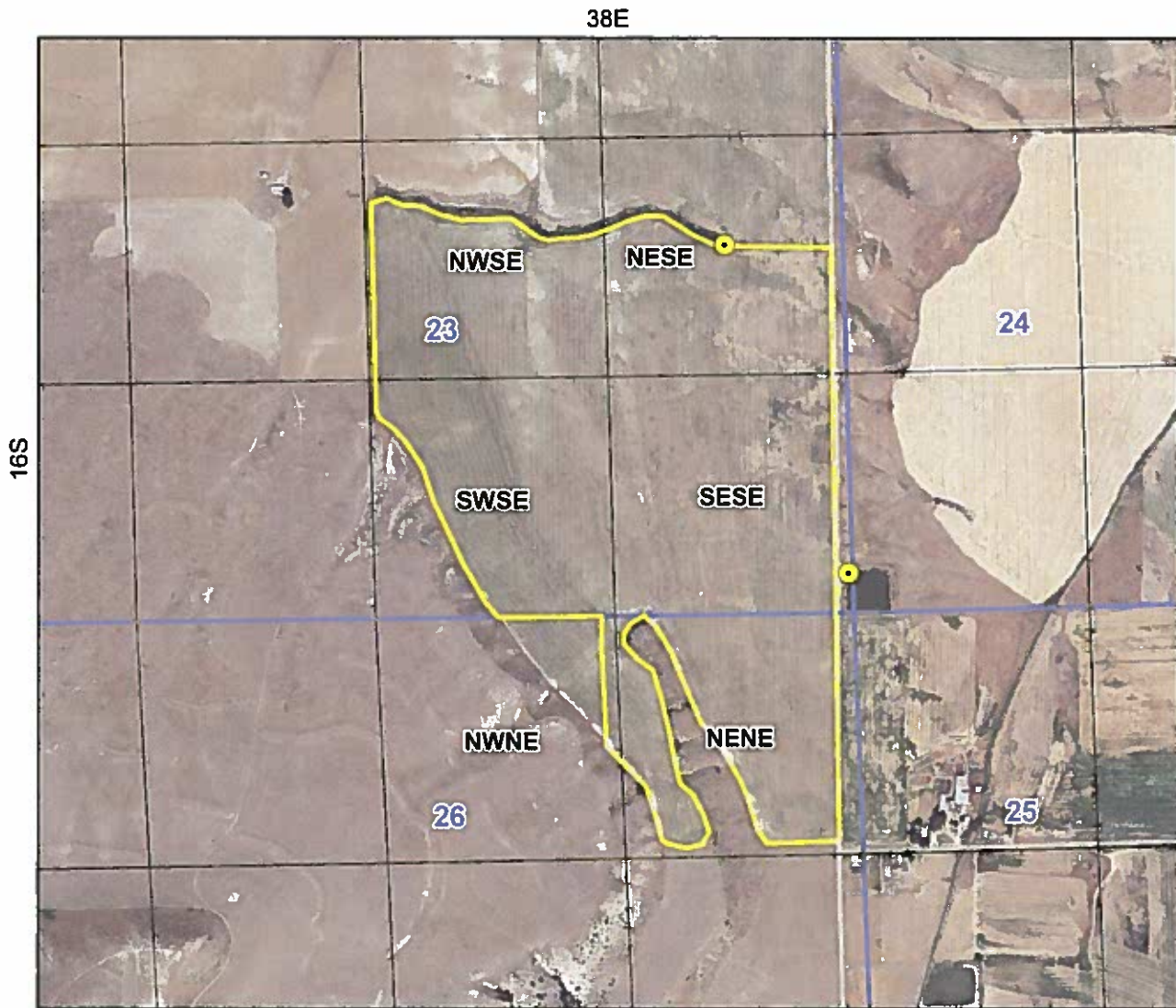
CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. The two (2) ponds established by the storage of water under this right shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 1.5 acre(s).
4. This right authorizes the storage of an annual total of 12.0 acre-feet, to be used for the initial filling or carryover storage of the pond(s) and for additional refills for irrigation from storage use.

Witness my hand this 23rd day of November, 2015.


GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Water Right License
13-7377

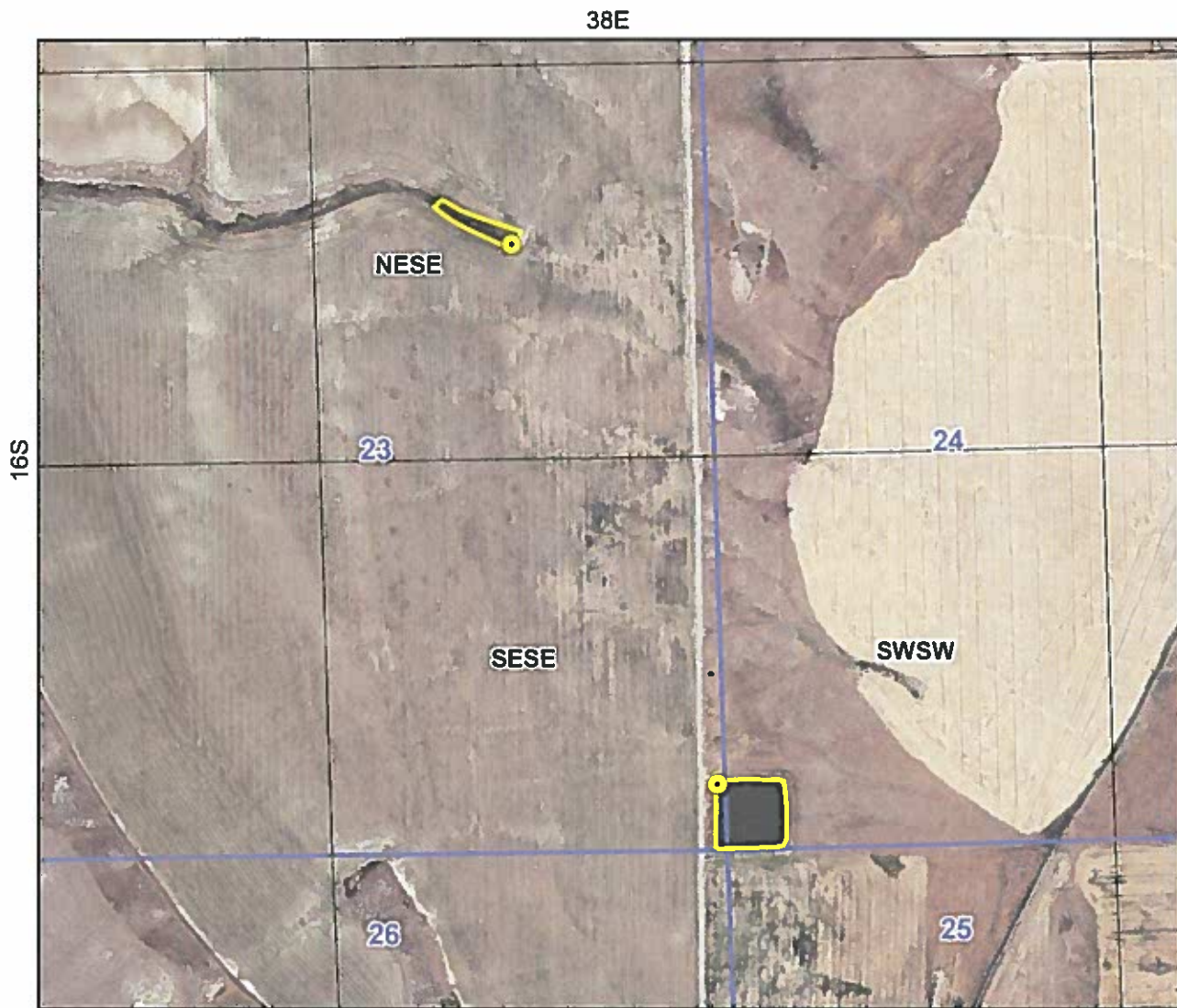


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



State of Idaho
Department of Water Resources
Water Right License
13-7377



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



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SEP 21 2015

Department of Water Resources
Eastern Region

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September 18, 2015

Blake Jordan
State of Idaho
Department of Water Resources
900 North Skyline drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Water Right Permit No. 13-07377

Dear Mr. Jordan,

This firm represents LuAnn K Shaffer as the named successor trustee of the Evan O. Koller Revocable Living Trust. It has come to our attention that the attached letter and other attached documents were sent to Evan O. Koller recently. Our client as trustee of the trust has made every reasonable effort to collect the mail addressed to Evan Koller. However, one of her siblings, Mark Koller, apparently got a hold of the letter and has been in contact with you. Part of the reason for this communication is to let you know that the only trustee of the above named trust is our client LuAnn K. Shaffer. The court in court case 143100098 on February 27, 2015 stated the following "LuAnn K. Shaffer will continue to act as Trustee of the Evan O. Koller Revocable Living Trust until further court order."

As such we are requesting that you turn over all previous communications regarding Water Right Permit No. 13-07377 so that we may ascertain the status of this matter. Also, from now forward we request that you only communicate directly with our client LuAnn K. Shaffer or our office regarding anything to do with Evan O. Koller or the trust. We appreciate your attention to this matter and look forward to working with you.

Sincerely,

DAINES, THOMAS & SMITH, LLP

M. Robert Smith
M. Robert Smith

MRS/mab