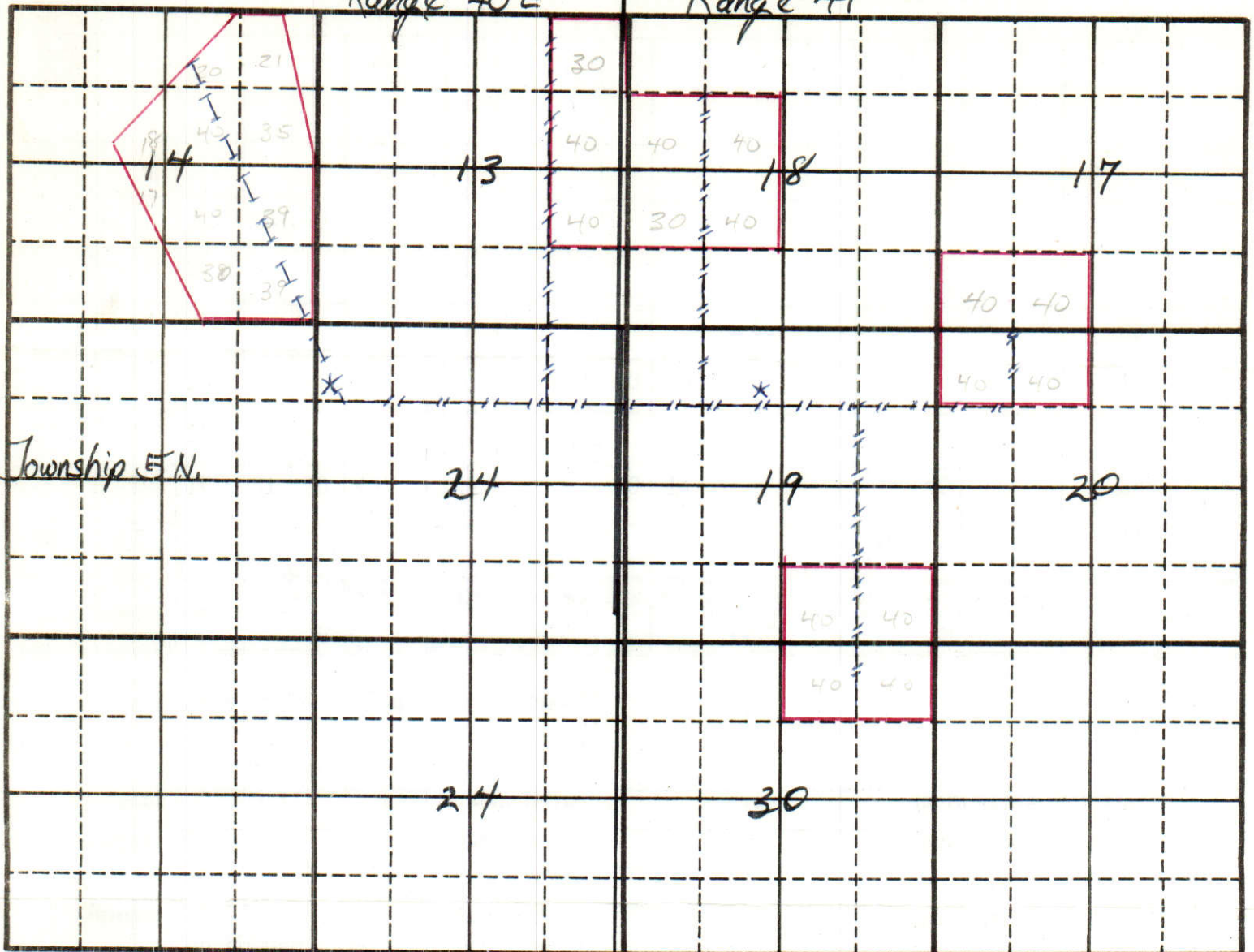


Range 40 E Range 41



That no one will be injured by such change, and that such change will be made at permit holders own risk.

x Frank Tarnus, Inc.
(signature)
By Frank R. Webster, Pres.

Chief, Operations Bureau

ok
jc

[illegible]

Bobby D. Fleener
Director
Chief, Operations Bureau

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Roger Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**Notice of Application for
Water Permit No. 22-7071**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on May 10, 1973
and the last publication having been made

on May 17, 1973

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Roger O. Porter

Subscribed to and sworn to before me

this May 18, 1973

John C. Porter
Notary Public.

(SEAL)

My commission expires 5-24-76

RECEIVED

MAY 23 1973

Department of Water Administration
Eastern District Office

mt NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Franko
Farms, Inc. Box 406, Rexburg, Idaho,
has on 4-25-73 submitted Application
No. 22-7071 for a permit to appropriate
20.18 cubic feet per second of water
from a ground-water source by means
of well and pump within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 5N, R. 40E;
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 5N, R. 41E,
B.M., Madison County approximately
6 miles SE of Rexburg; to be used
from Apr. 1 to Nov. 1 for the irrigation
of 1,009 acres within the NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13;
E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14;
SE $\frac{1}{4}$, Sec. 24, T. 5N, R. 40E; S $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 17; S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, T. 5N, R. 41E, B.M.
If issued, this permit will be
subject to all prior water rights.
protests against the granting of the
permit must be filed with the Idaho
Department of Water Administration,
240 South Holmes, Idaho Falls, Idaho,
83401 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

(Publ. May 10, 17, 1973)

22-7071

Rge. 40E

Rge. 41E

T
5
N

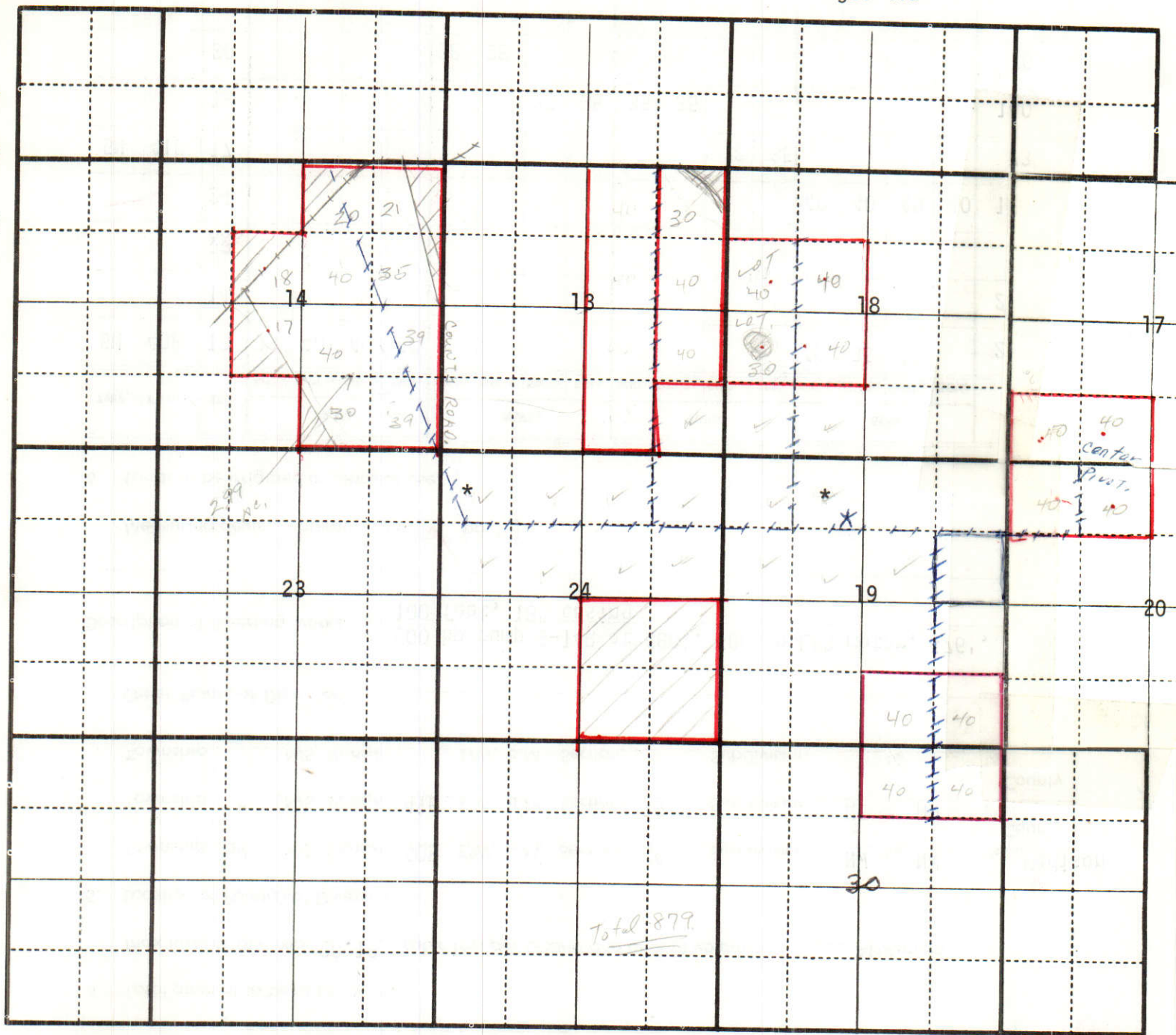
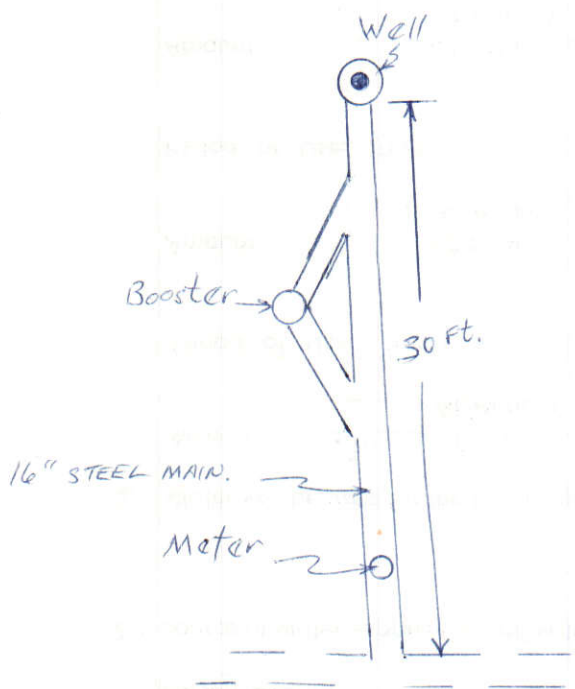


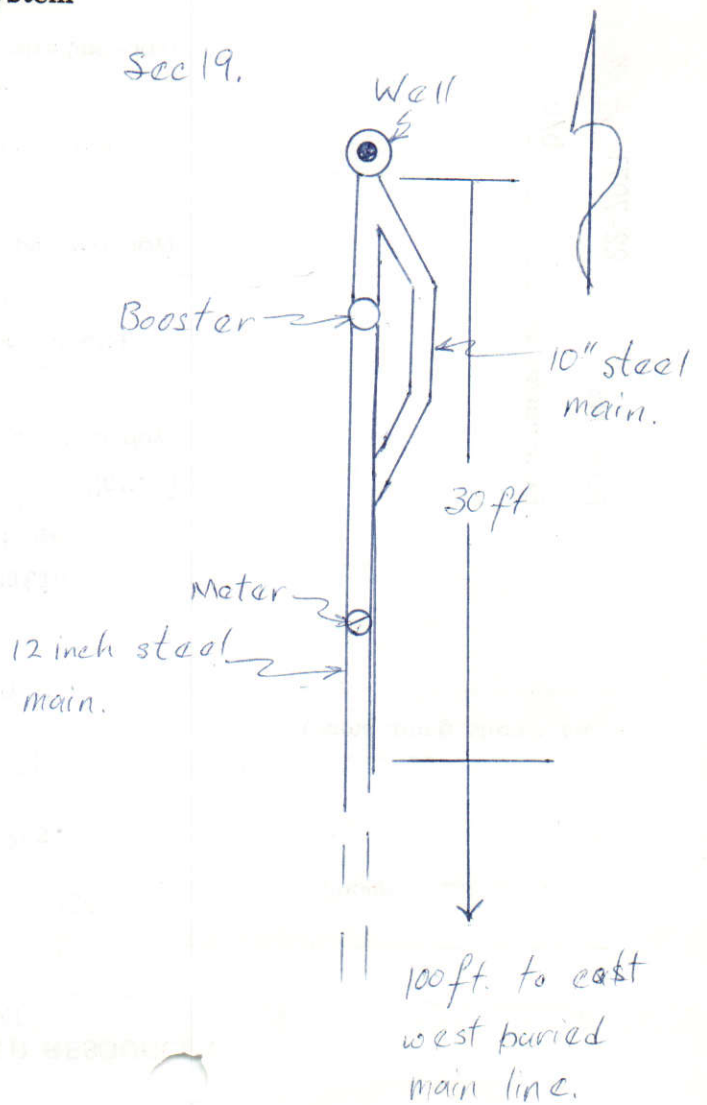
Diagram of System

Sec 24



EMC
9-19-11

Sec 19.



Franko farms incorporated

22-7071

RANGE COUNTY SCALE: 1" = 1 MILE

RANGE COUNTY SCALE: 1" = 1 MILE

31 32 33 34 35 36 31

32 33 34 35 36

6 5 4 3 2 1 6

5 4 3 2 1

7 8 9 10 11 12 7

8 9 10 11 12

18 17 16 15 13 18

17 16 15 14 13

19 20 21 22 23 24 19

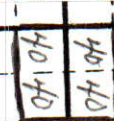
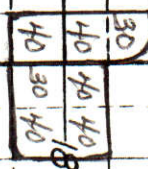
20 21 22 23 24

30 29 28 27 26 25 30

29 28 27 26 25

31 32 33 34 35 36 31

32 33 34 35 36



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7071 Priority April 25, 1973 Amount 13.35 cfs

THIS IS TO CERTIFY, that FRANKO FARMS, INC.
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7071 issued pursuant to Application for Permit dated April 25, 1973,
and has submitted proof to the Department of Water Resources on March 9, 1977,
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 13.35 cfs of water from a groundwater source,
tributary to _____, 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>April 1</u> to <u>November 1</u>	at <u>13.35</u> cfs and	<u>3077</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 13.35 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3077 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 5N,
Rge. 40E, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 5N, Rge. 41E in the County of Madison

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 $\frac{1}{4}$	

Total number of acres irrigated _____

The maximum combined rate of diversion from the well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 5N, Rge. 41E, shall not exceed 7.38 cfs under this License and License No. 22-2247

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 7 day of
November, 1978.

Director

MICROFILMED

Filing Fee: 0.00
Receipt # 1377

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 29 1977
Department of Water Resources
Eastern District Office

APPLICATION FOR AMENDMENT

Permit No. 22-7071

Comes now Franko Farms, Inc. of (address) Box 323, Rexburg, Idaho 83440, 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. 22-7071, and requests that the permit and permit map be changed as follows:

NO CHANGE

1. Point of diversion: 1/4 1/4, Sec. Twp. Rge., B.M., County of Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

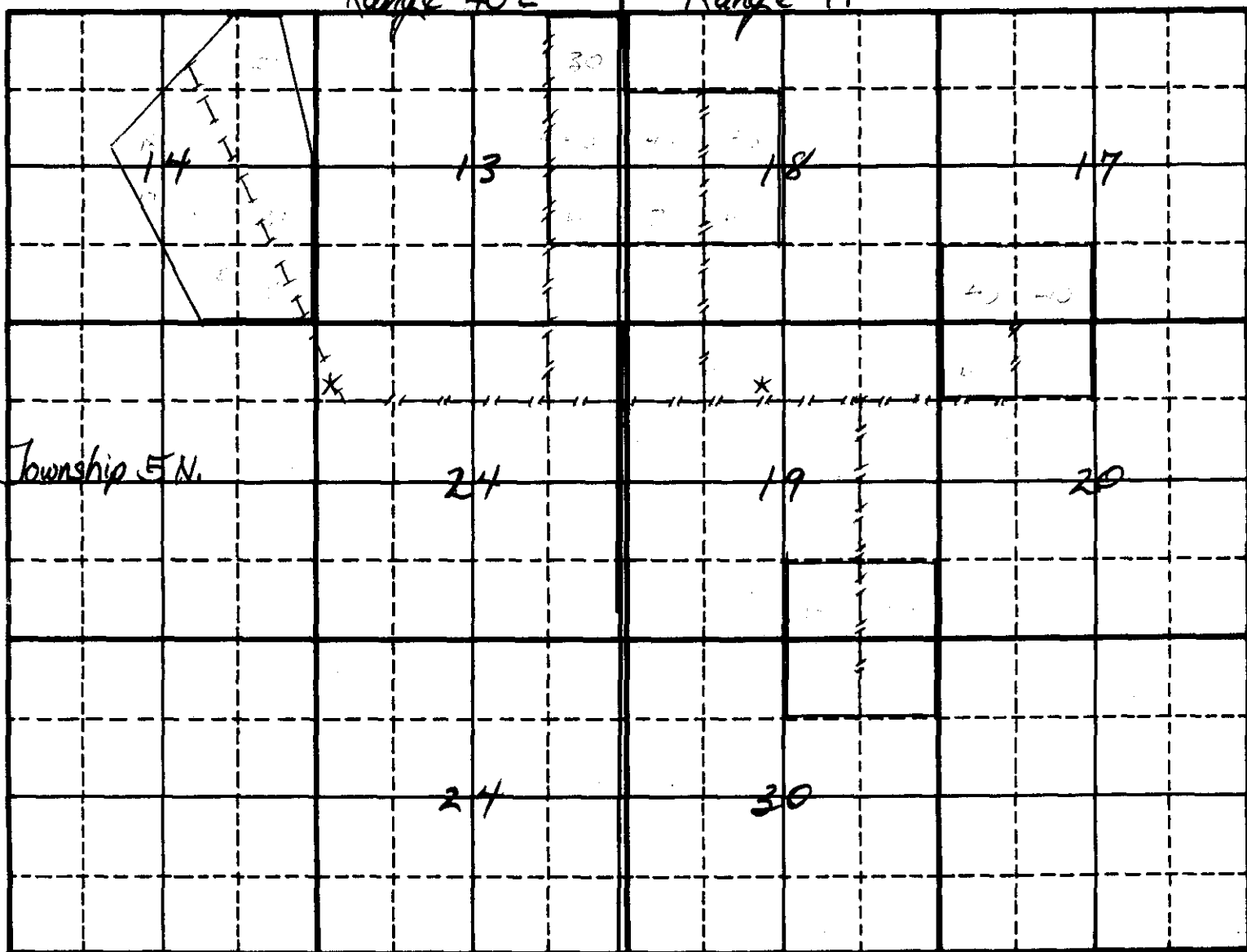
Amount for purposes from to (both dates inclusive)
Amount for purposes from to (both dates inclusive)
Amount for purposes from to (both dates inclusive)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	40E	13	30			40									40				110
		14	21	20	40	35				18	17				39	40	30	39	299
5N	41E	17											40	40					80
		18							40	40	40	30							150
		19															40	40	80
		20					40	40											80
		30	40	40															80

Total number of acres to be irrigated 879

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Rephing Lake, this 27 day of August, 19 77.

x Franko Jarnus, Inc.
(signature)
By Frank R. Webster, Pres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Chief, Operations Bureau

I, BOBBY D. FLEENOR, Director of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 22-7071.

Witness my hand this 6 day of September, 19 77.

Bobby D. Fleenor
Director

Chief, Operations Bureau

22 7071

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant FRANKO FARMS, INC.
 post office address c/o Mary Smith, Box 406, Rexburg, Idaho
2. Source of water supply ground water source which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 5 N.
 Range 40 E. B.M. Madison County; additional points of diversion if any: _____
circulating system with existing well located in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19,
T. 5 N., Range 41 E.B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 20.18 ^{for 5/3/73} ~~20.78~~ for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
^{20.18 for 5/3/73}
 a. ~~20.78~~ cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. pump well and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is five years.
 b. Estimated construction cost is \$100,000.00.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

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

22-7071

22-7071

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	40 E	13	30	40	40	40									40	35	40		265
5 N	40 E	14	20	20	40	40				20	10				40	40	30	35	295
5 N	40 E	23	~~20 10~~ 84 5/3/73																~~200~~ 84 5/3/73
5 N	40 E	24													40	40	40	40	160
5 N	41 E	17											38	35					73
5 N	41 E	18							35	35	35	35							140
5 N	41 E	20					38	38											76

Total number of acres to be irrigated

1009 84 5/3/73
~~1039~~

c. Describe any other water rights used for the same purposes None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant, J. Weldon Webster, Pauling Smith & Josephine H. Smith.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing lease

10. Remarks Plan to use circulating system with existing well and put booster on existing well if necessary.

See Attached Map.

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

(Applicant)
Frank R Webster
President.

22-7071

22-7071

Received by EB Date 25 April 73 Time 4:30 pmPreliminary check by EB Fee \$ 215 + \$5.00Received by EB Date 4-25-73Publication prepared by EB Date 5-03-73Published in Reburg Journal, ReburgPublication dates 5-10+17-73Publication approved NCY Date 5/29/73Priority reduced to 4-25-73 Reason SEC. 42-202DEPT. ERROR IN RECEIPTING INSUFFICIENTFILED FEE IN

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7071, and said application is hereby APPROVED.

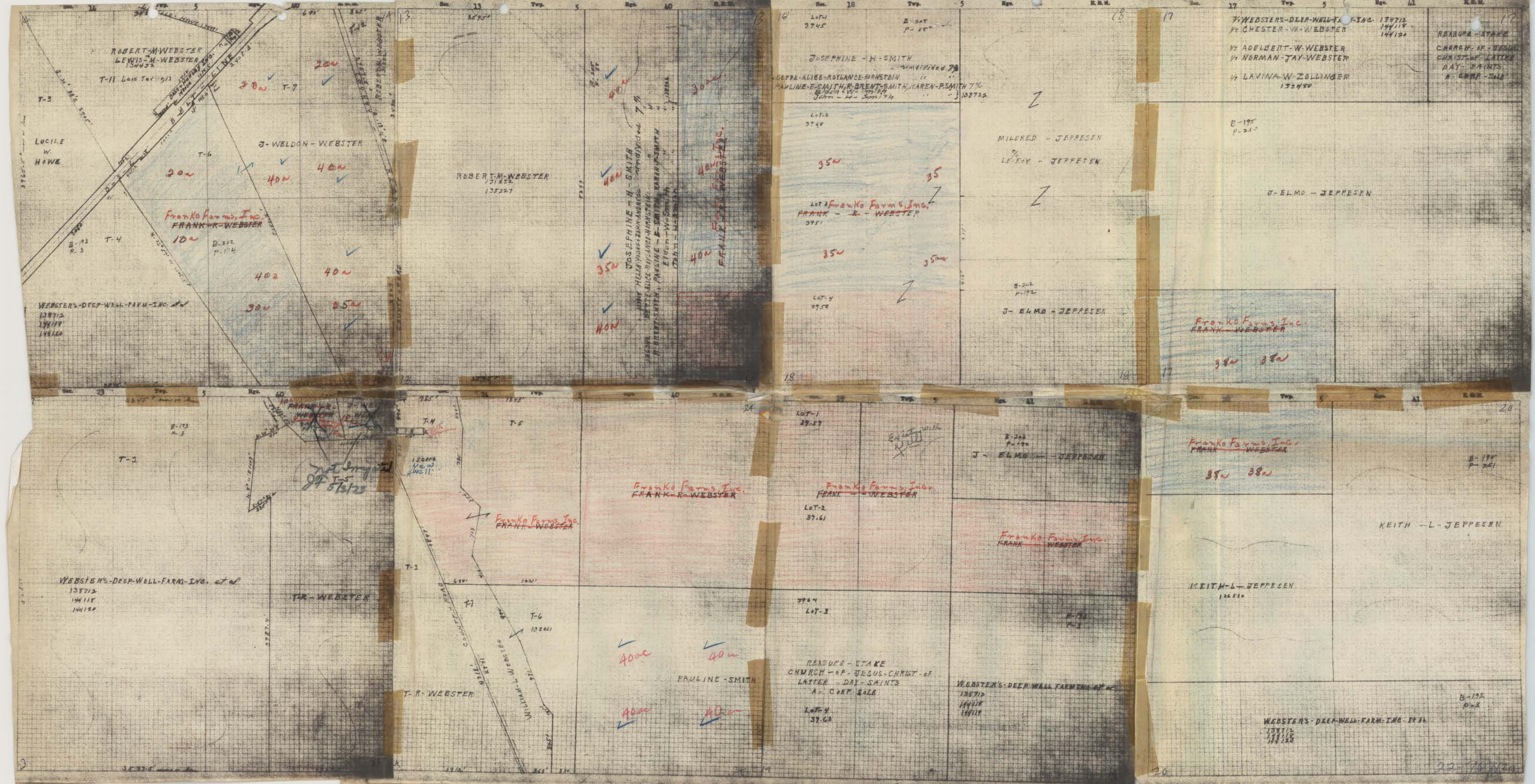
1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 4th day of June 19 73.

L. Keith Higin
Director



DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JF	4/27/73	Application No. _____ Name <u>Franko Farms Inc.</u>
(2)	JF	4/27/73	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use <u>Q measure</u> ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/L ☒ Place of Use ☒ Map ☒ Fee <u>\$25 - 20</u> <u>Q County</u> <u>#225</u> <u>OK NCY</u> <u>Free</u> <u>\$5 law</u> <u>for Q.</u> <u>5/24/73</u>
(3)	"	"	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	N/A		☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	JF	4/27/73	In form for advertising <u>Yes</u>
(6)	mk		Affidavit of Publication received <u>5-23-73</u>
(7)	mk		Final date for protests <u>5-29-73</u> Protests received: yes _____ no <u>X</u>
(8)	"		Date and Place of hearing <u>N/A</u> Decision reached at hearing <u>N/A</u>
(9)	N/A		Located within Water District No. _____
(10)	JF	4/27	Critical groundwater area: yes _____ no <u>✓</u>
(11)	"	"	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>Obs well at 5N40E1CCd1 shows no change Spring '70 to Spring '71</u> ☐ Increasing (comment) _____
(12)	JF	4/27	Comments: <u>Lapsed</u> <u>22-7040 covers E 1/2 S 14 T5N R40E. Lic #</u> <u>22-7040 covers E 1/2 S 23 T5N R 40E. I mark of</u> <u>East. District groundwater plate</u>
(13)	NCY	5/29/73	Action recommended: ☒ Approve ☐ Deny Priority <u>5/03/73</u> Reason for Reduction <u>fee</u> <u>See attached sheet for conditions of approval</u> <u>measuring</u> <u>device</u> <u>OK</u> No conditions for approval
(14)			District <u>E</u> Date <u>5/29/73</u> By <u>NCY</u> Title <u>O.E.</u>

22-7071

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

MAY 23 1973

Department of Water Administration
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Roger Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**Notice of Application for
Water Permit No. 22-7071**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on May 10, 1973
and the last publication having been made

on May 17, 1973.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Roger O. Porter

Subscribed to and sworn to before me

this May 18, 1973

John C. Porter
Notary Public.

(SEAL)

My commission expires 5-24-76



22-7071



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 8, 1978

Re: Permit No. 22-7071

Franko Farms, Inc.

Box 323

Rexburg, Idaho 83440

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER

Water Rights Supervisor

JG/kw

Enclosure

MICROFILMED

September 25, 1978

Re: Permit No. 22-7071

Franko Farms, Inc.
Box 323
Rexburg, ID 83440

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 22-7071 on September 19, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 13.35 cfs Source: groundwater

The maximum quantity diverted shall not exceed 3,077 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 5N, Rge. 41E; and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 5N, Rge. 40E, B. M.

Beneficial use: Irrigation of 879 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14; Twp. 5N, Rge. 40E; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30; Twp. 5N, Rge. 41E, B. M.

Priority date established: April 25, 1973

The maximum rate of diversion from the well located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 5N, Rge. 41E, shall not exceed 7.38 cfs for this license when combined with License No. 22-2247.

If you do not concur with these findings please contact this office within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

MAR 25 1977

1. Name of permit holder Franko Farms, Inc.
 Post office address Box 323, Rexburg, ID 83440
 Person to contact Bert Webster, Vice Pres.

Department of Water Resources
~~Phone~~ Eastern District Office

Phone _____

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

3. Water will be used for the following purposes:

Amount 20.18 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
 (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)

Other uses: _____

Permit No. 22-7071
 Examination for AMELDED
 b/u

4. Total amount to be appropriated:

Max Rate of Diversion 20.18 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5N N/S, Range 40E E/W, B.M., Section 24, Subdivision NW 1/4 NW 1/4, Madison County
 Township " N/S, Range 41E E/W, B.M., Section 19, Subdivision NE 1/4 NW 1/4, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: 600 hp pump 9-14R at 680', 600 hp L&B motor, 476', 20" casing
100 feet, 18" casing

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	40E	13	30	40	40	40									40	35	40		265
		14																	295
		23x																	
		24													40	40	40	40	160
5N	41E	17											38	35					73
		18							35	35	35	35							140
		20					38	38											76

TOTAL ACREAGE 1009

Rge. 40E

Rge. 41E

T
5
N

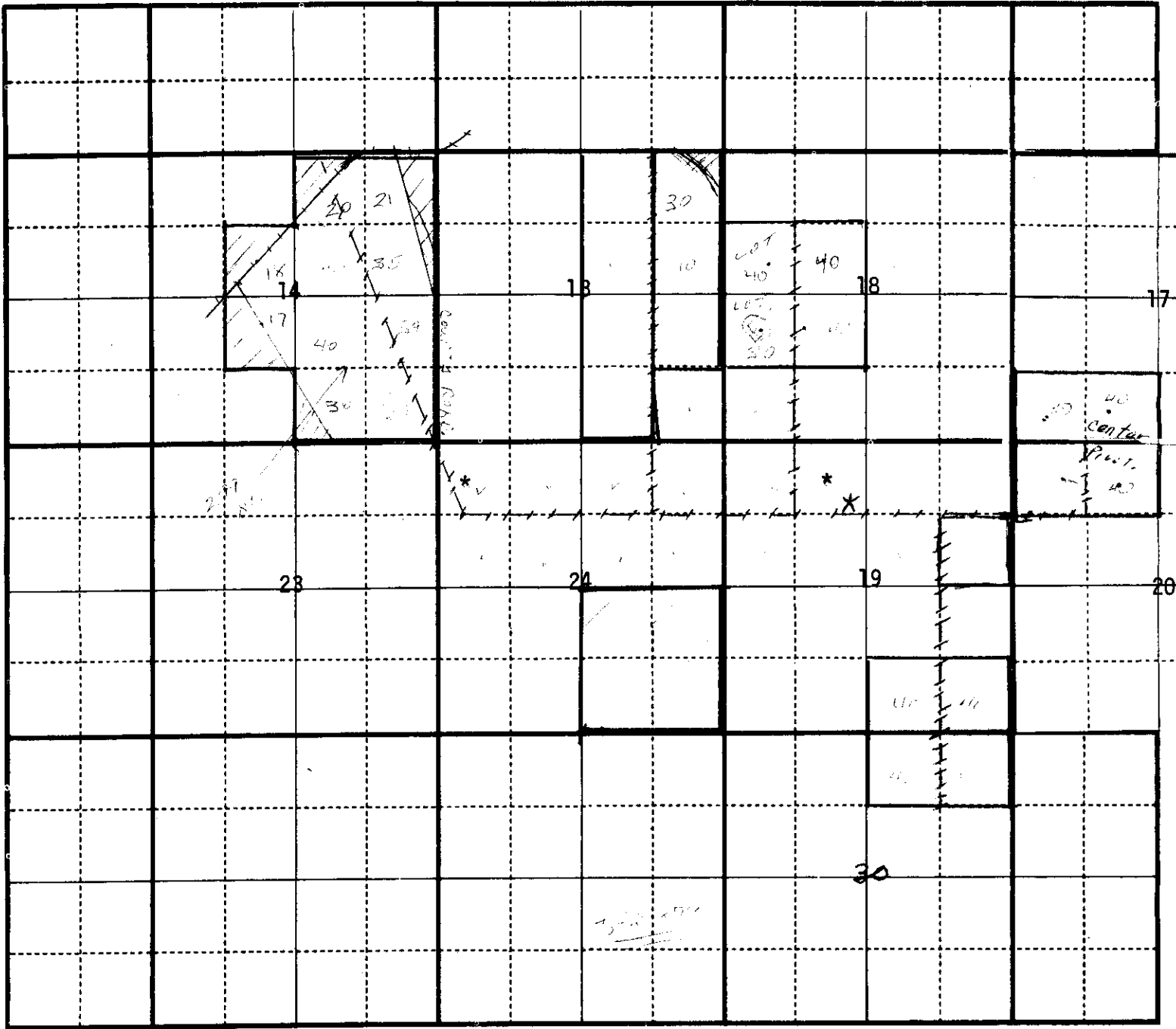
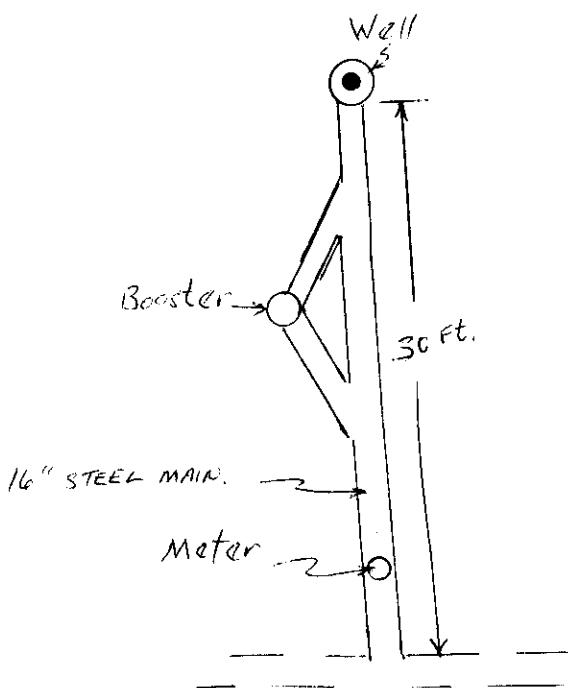


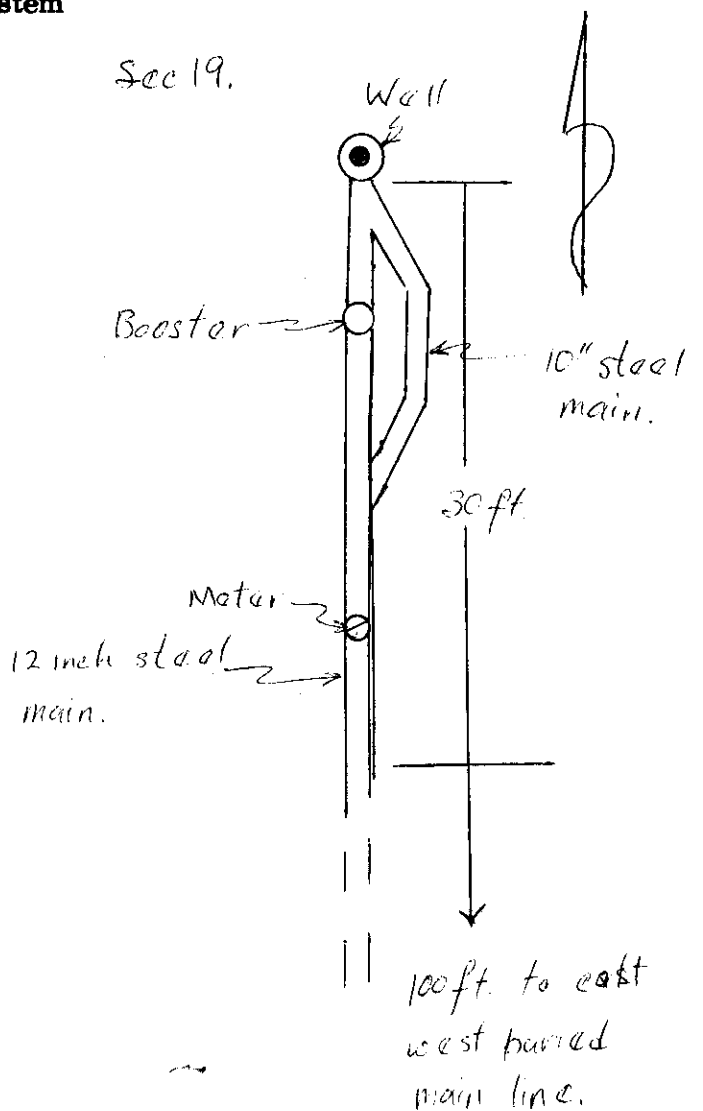
Diagram of System

Sec 24



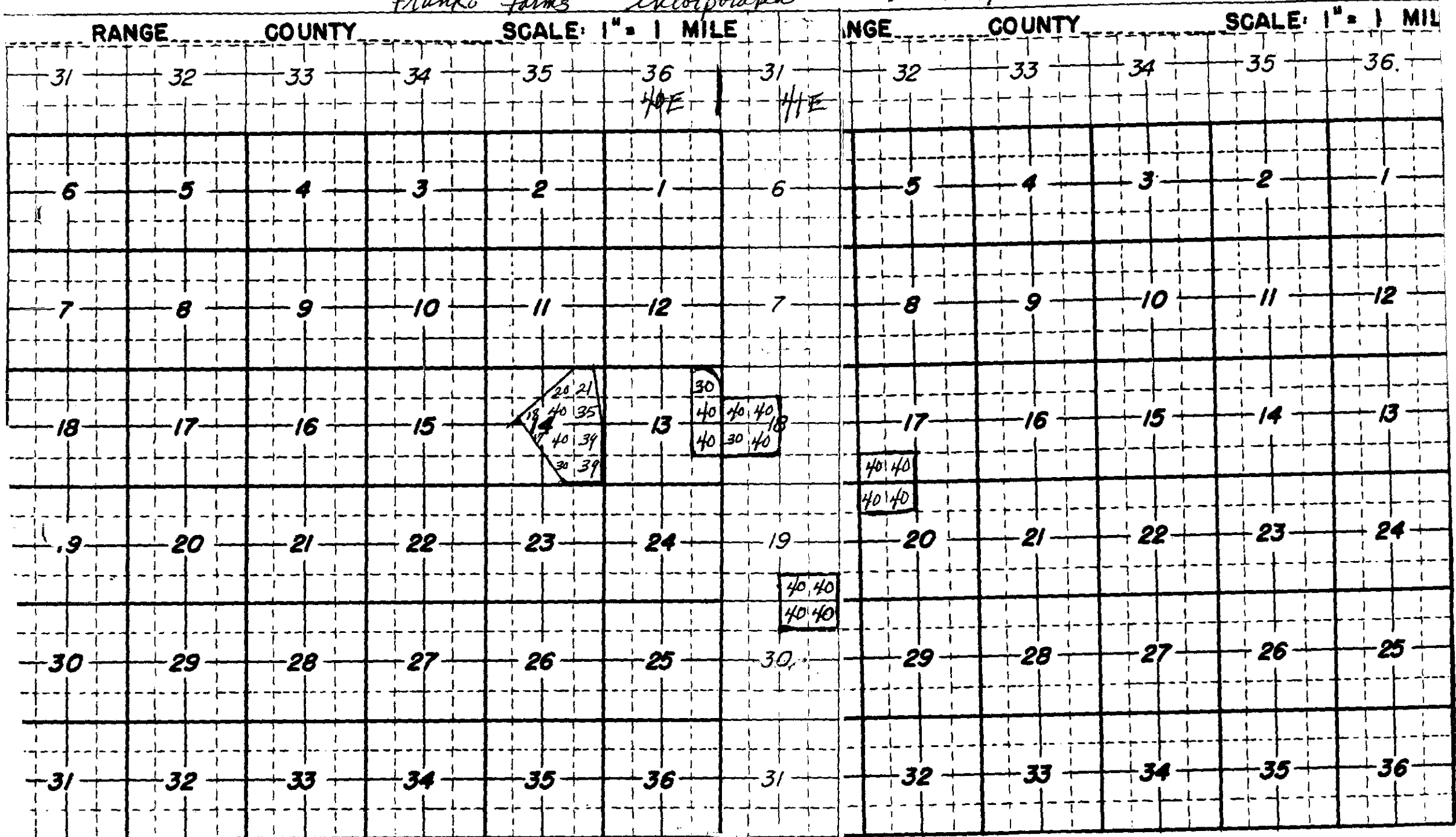
EMC
9-19-77

Sec 19.



Franko Farms incorporated

22-7071



DATE OF EXAM 9/17/66

ACREAGE
Found 879 ac
Recommended 879 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 13.35 c.f.s. V = 3076.5 AF/Ann. from April 1 to Nov. 1
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 X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 13.35 Method of measurement 1/2 LIKE METER

Total Q recommended 13.35 Meter No. 73-16-138 Type MC Condition STD

Total V recommended 3076.5 AF/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

Sec 24 - Direct reading ≈ 2600 gpm, Timed reading = $.01 \text{ hr} / 73.500 = 5.87 \text{ cfs}$
Sec 19 - Direct reading ≈ 3300 gpm, Timed reading = $.01 \text{ hr} / 59.800 = 7.38 \text{ cfs}$

$V = 3.5 \times 879 = 3076.5$ $13.35 \times 215 \times 1.9835 = 5693.14 \text{ AF/yr}$ OK 9-19-77

SYSTEM DESCRIPTION:

Sec 24 - 600 HP. G.E. Motor no I.D. plate w/ Layne & Bowler pump serial #300726;
200 HP. G.E. Booster motor, 3 phase, serial number J.5.3 926108 w/ Layne &
Bowler pump serial #300729.

Sec 19 - 700 HP. Westinghouse, 3 phase motor serial #15-75 w/ Layne & Bowler pump,
serial # D12216; 200 HP. G.E. 3 phase motor, serial # BNT 217190 w/ Layne &
Bowler pump serial # D12215. Pumps supply water for 20 $\frac{1}{4}$ mile hand lines w/

REMARKS: 1 1/4 nozzles & one 4 inch center pivot. Main circle 110" #12 G.V. 100 serial #540.
System described by Bart Webster - no photo coverage available.
Well in Sec 19 also located by L# 22-2247.
No measuring device on well in Sec 19. Meter installed 7/13/77.

Examiner's Signature Ernest M. Carlson Date 9-19-77

Checked by Anthony R. Kozlowski Date 9/22/77

Approved by _____ Date _____

September 7, 1977

Re: Permit No. 22-7071

Franko Farms, Inc.
Box 323
Rexburg, Idaho 83440

Gentlemen:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JAN GROVER
Supervisor, Water Rights

JG:JGR

Encl.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 20, 1977

RE: Permit No. 22-7071

Mr. Bart Webster
Box 323
Rexburg, Idaho 83440

Dear Mr. Webster:

On June 17, 1977, personnel from this office visited the well under your Permit No. 22-7071. This examination was to finalize the water permit and collect data required for the licensing of the well with the point of diversion located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 5N, R. 41E, B.M.

The examination indicated that the system may possibly not be operated as you stated in your proof of beneficial use. A measuring device approved by this Department has not been installed at the point of diversion. Because of this non-compliance where the measuring device is concerned, the priority date that you have established for this ground-water source may be in jeopardy.

This office will hold the field report until July 18, 1977. Prior to this date it is hoped a measuring device will have been purchased and/or installed and the Department notified of this action.

Compliance with the conditions on your permit is the only way a license can be issued pursuant to the Idaho Code for your water right development and the land included under the above referenced permit.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

ERNEST M. CARLSEN
Water Resource Agent

EMC:cw

March 25, 1977

Re: Permit No. 22-7071

Bart Webster, Vice Pres.
Franko Farms, Inc.
Box 323
Rexburg, Idaho 83440

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

RECEIVED

RECEIVED

MAR 10 1977

Identification No. _____

Department of Water Resources

Permit No. 22-7071

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAR 10 1977

Department of Water Resources

1. a) Name of Permit Holder Franko Farms Inc.
b) Post Office Address Box 323 Rexburg, Idaho 83440
2. Permit Number 22-7071
3. Date of Priority that you are prepared to establish 4-25-1973
4. a) Source from which water was appropriated Ground water source
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 24
Township 5N, Range 40 E Boise Meridian, Other points of diversion:
Circulating system with existing well located at NE 1/4 NW 1/4 Sec 19
T 5N R 41 E B M.
5. a) The amount of water and use to which the water has been applied:
Amount 20.18 for irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 20.18 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By Water Resources Board
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 600 HP Pump 9-14R @ 680', 600 HP L&B motor;
476'-20" casing, 100'-18" casing.

b) Describe the type and size of measuring device which you have installed at your point of diversion:
M^e Orimeter # 73 - 16 - 138 measuring area 14 X 01
installed on a 12" pipe at the source.

c) Give well driller's name and address and the date the well was completed:
Andrew Well Drilling, 1268 E. 17th St. Idaho Falls
Completed May 14, 1973
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
None

RECEIVED

3/24/77 j

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	40E	13	30	40	40	40									40	35	40		265
5N	40E	14	20	20	40	40				20	10				40	40	30	35	295
5N	40E	24													40	40	40	40	160
5N	41E	17											38	35					73
5N	41E	18							35	35	35	35							140
5N	41E	20					38	38											76

Total number of acres irrigated 1009

10. Remarks: _____

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

March 6 1977

(Date)

Burt H. Webster
(Signature)
Vice president - Franko Farms Inc

State of IDAHO)

County of ADAMSON) ss.

On this 6th day of MARCH, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Richard A. Smith

Notary Public residing at

REIDBURG, IDAHO

My commission expires LIFE

March 16, 1977

Re: Permit No. 22-7071

Franko Farms, Inc.
Box 323
Rexburg, Idaho 83440

Gentlemen:

We are in receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. However, in reviewing your affidavit, you do not indicate that you have installed the measuring device as required by the condition of approval of your permit.

We cannot process your proof unless you have installed the measuring device of a type approved by this Department. Therefore, we are herewith returning your proof affidavit.

We are enclosing a list of the types of measuring devices approved by this office. Also note that the proof affidavit must be signed by Frank Webster or an elected official of the company or a general partner of a partnership.

If you have any questions, please feel free to contact us.

Sincerely,

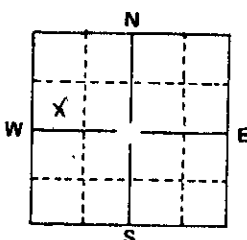
BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Encls.

MICROFILMED

Sketch map location must agree with written location.



22-7071

10.

Work started January 24, 1973 finished May 14, 1973

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Andrew Well Drilling Contractors 5
Driller's or Firm's Name Number

1260 East 17th Street Idaho Falls, Idaho 83401
Address

Howard H. Andrew 6/9/73
Signed By Date

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

June 7, 1973

Re: Permit No. 22-7071

Franko Farms, Inc.
c/o Mary Smith
Box 406
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 22-7071. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

22-7071

May 3, 1973

Re: Application No. 22-7071 - Franko Farms, Inc.

Rexburg Journal
23 South 1st East
Rexburg, ID 83440

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

JOHN R. FERREBAUER
Water Resource Examiner

Bill submitted 5-23-73 by mt

JRF:BA
Enc: Legal notice

22-7071

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Franko Farms, Inc., Box 406, Rexburg, Idaho,

has on 4-25-73 submitted Application No. 22-7071

for a permit to appropriate 20.18 cubic feet per second ~~XXXXXXFEETXXXXXX~~

of water from a ground-water source

by means of well and pump

within the NW¹/₄, Sec. 24, T. 5N, R. 40E; NE¹/₄NW¹/₄, Sec. 19, T. 5N, R. 41E, B.M.,
Madison County, approximately 6 miles SE of Rexburg;

to be used from Apr. 1 to Nov. 1

for the irrigation of 1,009 acres

within the NE¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄, Sec. 13; E¹/₄, SE¹/₄NW¹/₄, NE¹/₄SW¹/₄, Sec. 14; SE¹/₄, Sec.
24, T. 5N, R. 40E; S¹/₂SW¹/₄, Sec. 17; S¹/₂NW¹/₄, N¹/₂SW¹/₄, Sec. 18; N¹/₂NW¹/₄, Sec. 20, T. 5N,
R. 41E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
May 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Rexburg Journal, Rexburg, Idaho

on May 10 and May 17, 1973.

22-7071

24

INTER-DEPARTMENT MEMO — 1

DATE May 3, 1973

FROM JOHN FEREBAUER

TO FILE

SUBJECT APPLICATION FOR PERMIT NO. 22-7071

Telephone conversation with Attorney Smith representing applicant ~~of~~ this date indicated applicant agreed to reduce acreage in the NE $\frac{1}{4}$, Sec. 23, Twp. 5N, Rge. 40E, by 30 acres.

Also, applicant agreed to reduce flow correspondingly .02 c.f.s. for 30 acres for .6 c.f.s. reduction from 20.78 c.f.s. to 20.18 c.f.s.


SIGNATURE

22-7071

May 3, 1973

Ms. Mary Smith, Attorney
Smith & Hancock
30 South 2nd West
Rexburg, ID 83440

Dear Ms. Smith:

Attached herewith is departmental receipt No. 7180 in the amount of \$5.00 the the additional filing fee required for the application you submitted on behalf of Franko Farms, Inc.

Very truly yours,

JOHN R. FERREBAUER
Water Resource Examiner

JRF:BA

Attachment

22-7071

SMITH & HANCOCK

Attorneys at Law

Mary Smith
J. D. Hancock

30 SOUTH 2ND WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5493

May 1, 1973

Dear Mr. Ferebauer,

Thanks for calling me re Franko
Farms, Inc. Am enclosing the
additional \$5.00.

Mary Smith

RECEIVED

MAY 3 1973

Department of Water Administration
Eastern District Office

22-7071

April 30, 1973

RE: Franko Farms Applications

Mrs. Mary Smith
Attorney at Law
Box 406
Rexburg, Idaho 83440

Dear Mrs. Smith:

Pursuant to our telephone conversation on Friday, April 27, 1973, our analysis of the above referenced application has yielded two problems with it.

The application claims a rate of diversion over the entire acreage of 20.78 c.f.s. on 1039 acres or .02 c.f.s. per acre. Under the provisions of Chapter 2, Section 42-202, Idaho Code, this is the maximum amount allowable for irrigation in Idaho. In searching our ground water plats I find the following approved permits with places of use in the East one-half, of Sec. 23, Twp. 5N, Rge. 40E: 22-7040 in the name of T. R. Webster, and 22-2182 in the name of T. R. Webster. I note the latest application for Franko Farms Inc. lists a place of use in the E½, Sec. 23, Twp. 5N, Rge. 40E, of 30 acres. This will place the proposed rate of diversion in excess of .02 c.f.s. per acre on this parcel.

As we discussed on the telephone, the application is \$5.00 deficient in the filing fee for 20.78 c.f.s.

The Department must have some justification for a rate of diversion in excess of .02 c.f.s. per acre. I will hold the application until Friday, May 4, before advertising it, should you desire to make any changes in the application. Should you require further assistance on this matter, please feel free to contact the Idaho Falls, Office.

Very truly yours,

JOHN R. ERREBAUER
Water Resource Examiner

JRF:cw

22-7071