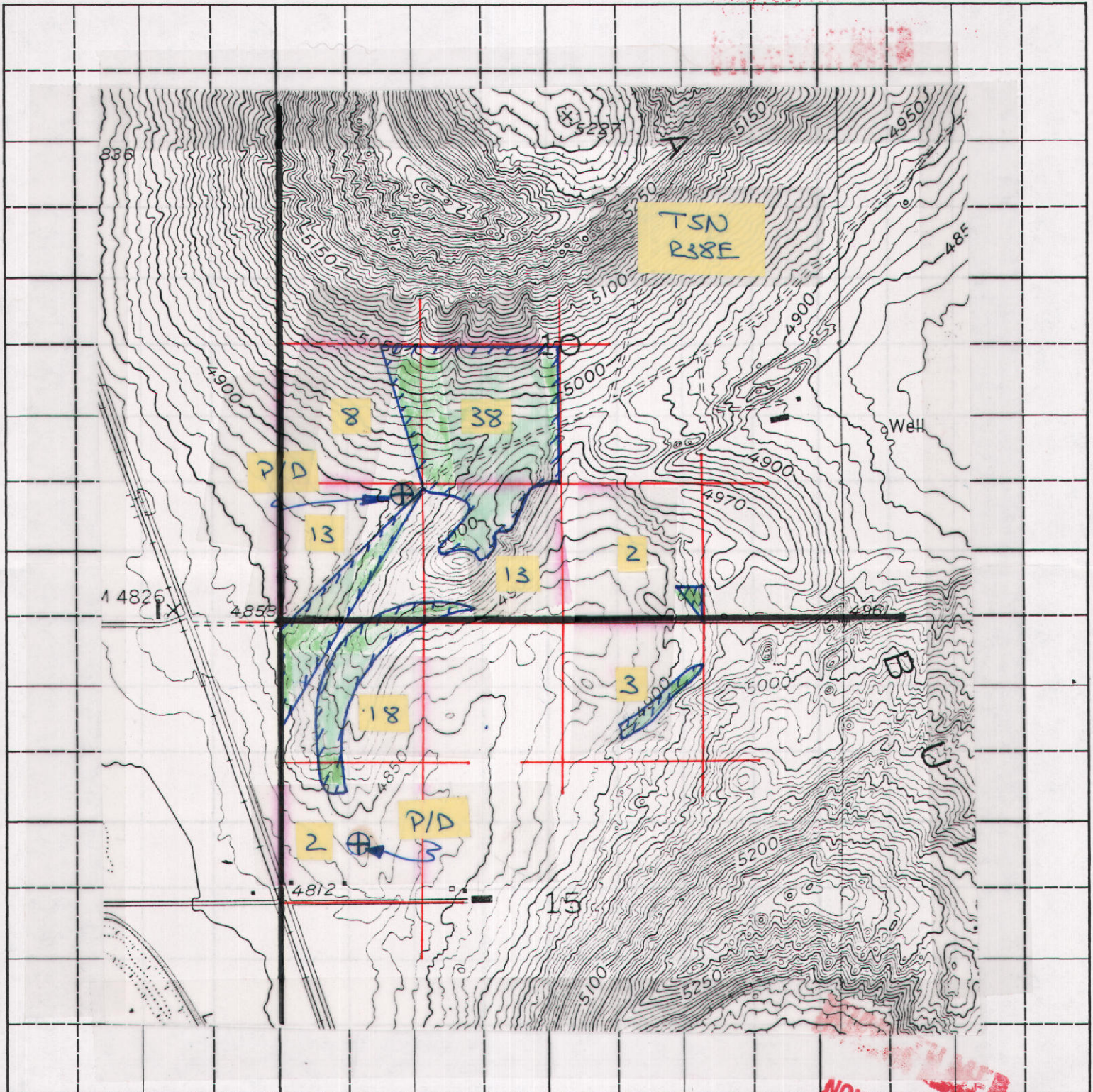


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

James D. Fisher
(Applicant)

NOV 15 1991



UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRES

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

To
JESS D KEELER
DELLA KEELER
3627 E 960 N
MENAN ID 83434

RETURNED TO
SENDER
UNDELIVERABLE AS ADDRESSED—
NO FORWARDING ORDER ON FILE

WR 35-8951
mail returned
no listing in phone book.
Kari Lynn
1.14.02

Jeff found listing in
Yakos for Darko trees.
Mail resent on 1.15.02
Kari Lynn
1.14.02

MICROFILMED
JAN 24 2002

RECEIVED

JAN 14 2002

Department of Water Resources

Jess Keeler
6972 ^{E. Foothill Rd} W 81st N
Idaho Falls, ID 83401
528-6698
6972 E. Foothill Rd
83401

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	35 8951	JESS D KEELER, DELLA KEELER,	GROUND WATER	05N38E10									38	8	13	13			2		74
Rec	35 2488	SCHREINER FARMS LLC,	GROUND WATER	05N38E10									0.5			14		1.5	27		43
Rec	35 2922	SCHREINER FARMS LLC,	GROUND WATER	05N38E10									0.5			14		1.5	27		43
Rec	35 4073B	SCHREINER FARMS LLC,	GROUND WATER	05N38E10										32	21						53
Right	21 2169	SAMUEL ALVIN BATES,	GROUND WATER	05N38E10				7									15			10	32
Right	35 2922	THELMA BATES,	GROUND WATER	05N38E10									0.5			14		1	27		42.5
Right	35 4073B	DELLA KEELER, JESS D KEELER,	GROUND WATER	05N38E10										32	21						53
Right	35 8951	JESS D KEELER, DELLA KEELER,	GROUND WATER	05N38E10									31	8	11	13			3		66

↑ ↑ ↑ ↑

NO
OL

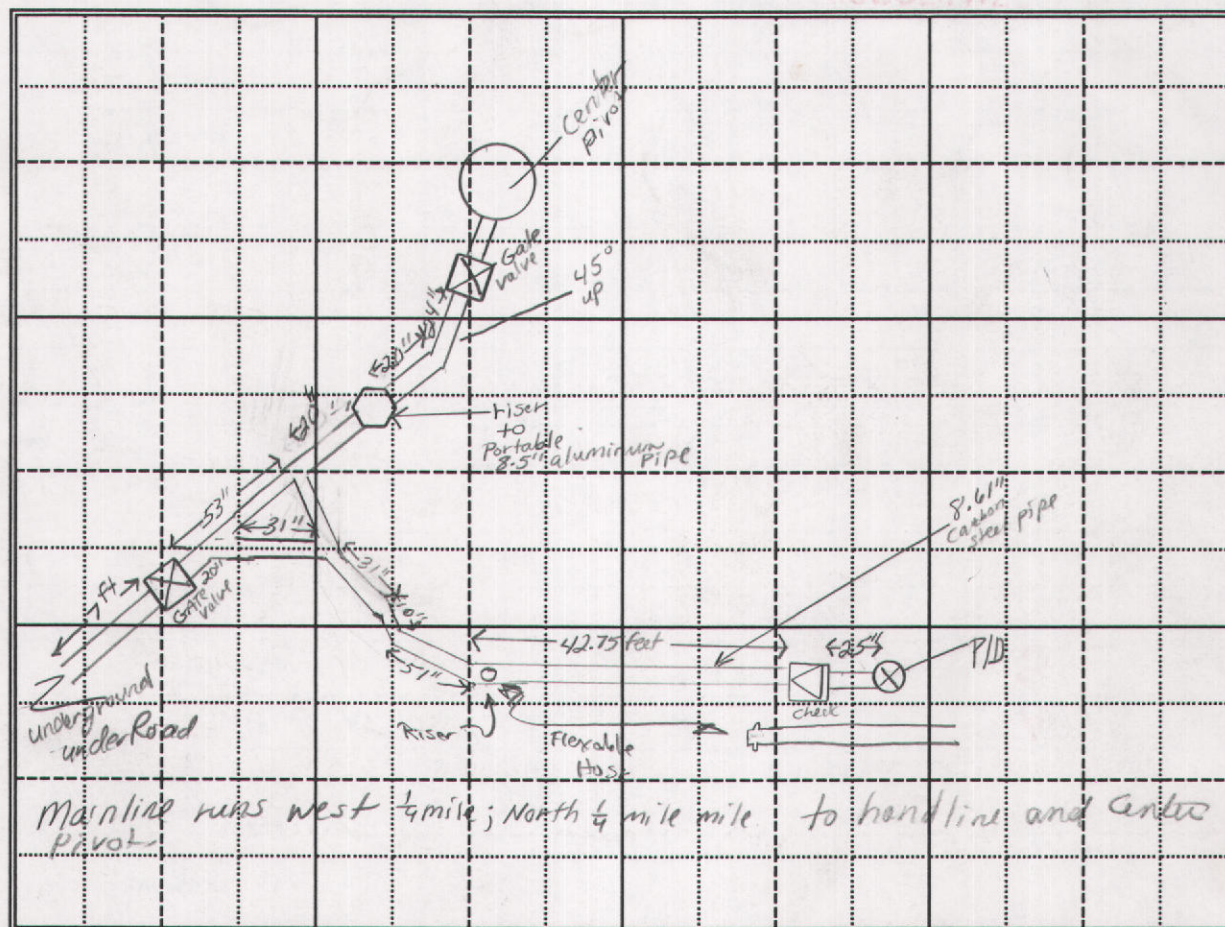
**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	35 8951	JESS D KEELER, DELLA KEELER,	GROUND WATER	05N38E15		3				18	2										23
Rec	35 2488	SCHREINER FARMS LLC,	GROUND WATER	05N38E15		26	8		40	16	20	38									148
Rec	35 2922	SCHREINER FARMS LLC,	GROUND WATER	05N38E15		26	8		40	16	20	38									148
Rec	35 4274	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 4274	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 4275	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 4275	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 4275A	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 8657	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 8657	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Rec	35 8657A	ADEN GUNDERSON,	GROUND WATER	05N38E15										31	31	13					75
Right	35 2488	SAMUEL ALVIN BATES,	GROUND WATER	05N38E15		30	5		40		20	37									132
Right	35 2922	THELMA BATES,	GROUND WATER	05N38E15		26	8		40	16	20	38									148
Right	35 4274	AFTON GUNDERSON, ADEN GUNDERSON,	GROUND WATER	05N38E15										30	20	20					70
Right	35 4275A	ADEN GUNDERSON, AFTON GUNDERSON,	GROUND WATER	05N38E15										7	20						27
Right	35 8657A	AFTON GUNDERSON, ADEN GUNDERSON,	GROUND WATER	05N38E15										3.5	3.5						7
Right	35 8951	JESS D KEELER, DELLA KEELER,	GROUND WATER	05N38E15						6	1										7
Right	1 61	FARMERS FRIEND CANAL CO,	SNAKE RIVER	05N38E15																	0

↑ ↑

NO OK

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 1	General Electric	200	JMJ922106	Layne, Bowler	2379C
# 2	General Electric	125	GKJ717108	Ingersoll Rand	—

*Code to correspond with No. on map and aerial photo

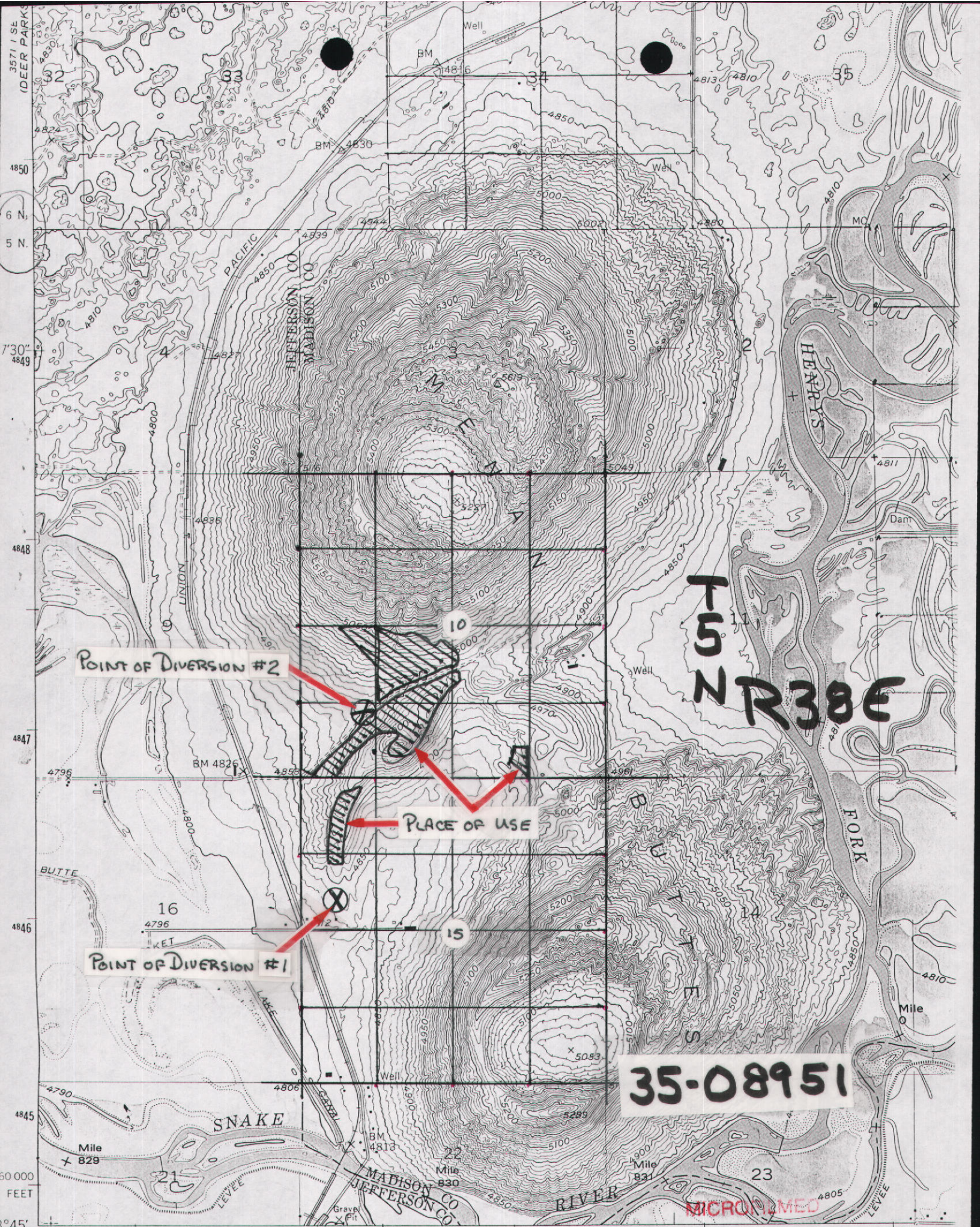
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic #1 well	Sonic	Polysonic	TF-P	ID 199743 S/N 26863	-	-
Polysonic #2 well	"	"	"	"		

2. Measurements: Polysonic avg. 4 readings well #1 - 3.607 CFS (high 3.643)
 Polysonic avg. 4 readings well #2 - 2.385 CFS (high 2.389)
 Pressure gauge (0-60 PSI) —

MICROFILMED



POINT OF DIVERSION #2

PLACE OF USE

POINT OF DIVERSION #1

T5 NR38E

35-08951

MICRONAMED

JAN 09 2002

R38E

SEC
10

R38E

T5N

5.5

1306
T-967

PD #2

77.7
1. HEL

9 10
16 15

399
8 HEL

2.8
7 HEL

R38E

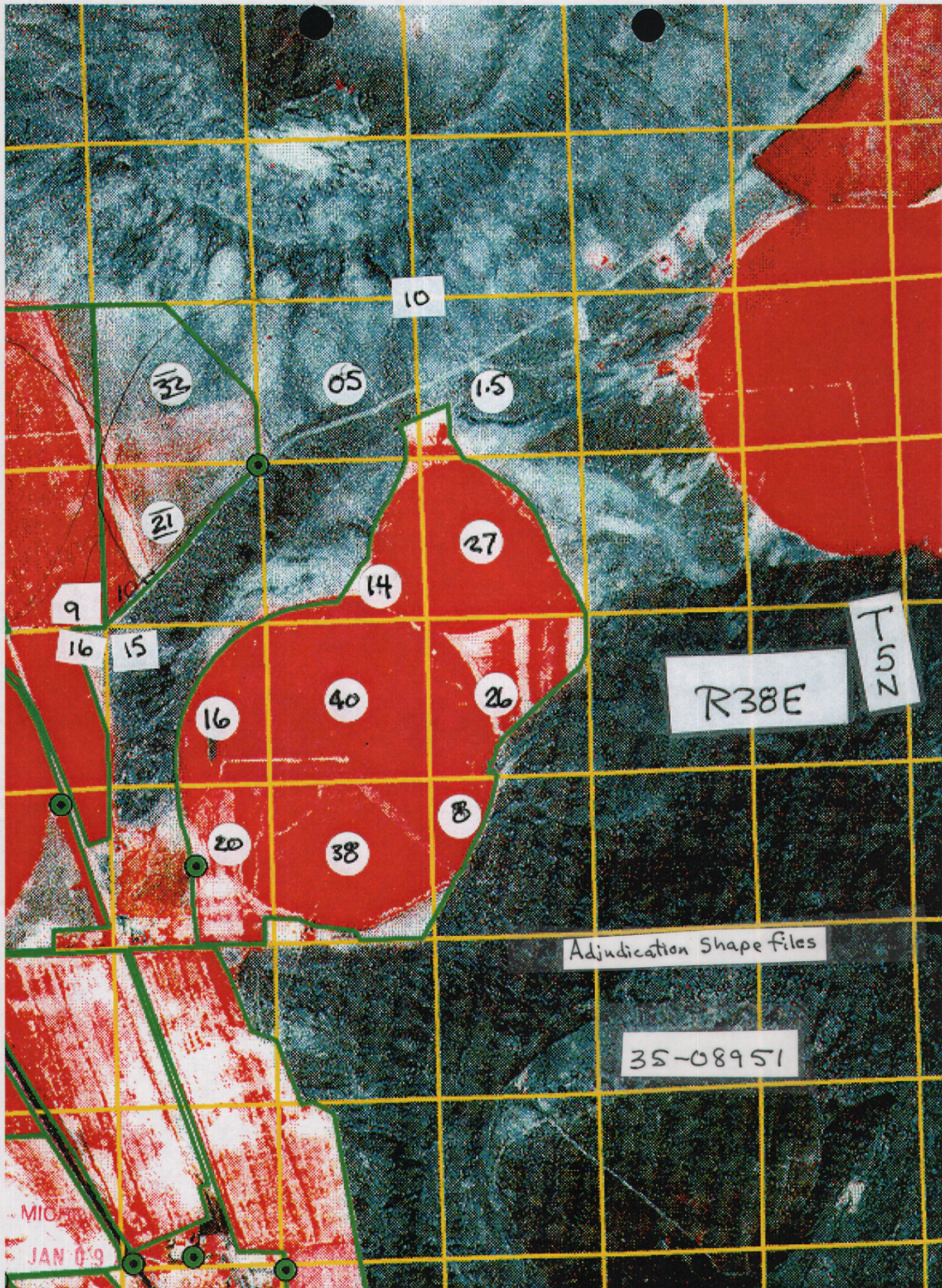
35-08951

P.D. #12

MICROFILMED

NOV 09 2002

SEP 6 1998



RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

FEB 27 2002

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
35-08951					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 25⁰⁰
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

SCHREINER FARMS - IDAHO, L.L.C.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address:

105 E 8th

City, State and ZIP Code:

OLYMPIA, WASH 98501

New Telephone Number:

(360) 943 7300

5. Date you acquired the property

Dec 17, 1997

MICROFILMED

MAR 27 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

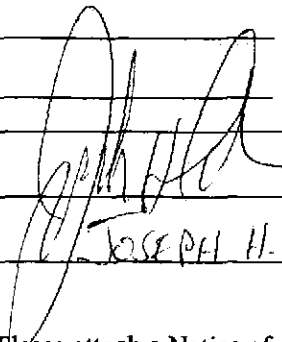
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


JOSEPH H. SCHREUER
Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>gman</u>	Date <u>2/27/02</u>	Fee <u>\$25.00</u>
Received by <u>gman</u>	Date <u>2/27/02</u>	Receipt No. <u>0040240</u>
Processed by _____	AJ Date _____	WR _____ Date _____

MICROFILMED
MAR 27 2002

WARRANTY DEED

State of Idaho 269635
County of Madison) SS

For Value Received Jess Douglas Keeler and Della Keeler, husband and wife

I hereby certify that the within instrument was
filed DEC. 23 1997
19 at 1630 M., and
recorded on Film

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Schreiner Farms - Idaho, L.L.C.

whose address is: c/o 105 East 8th, Olympia, WA 98501

269635

Fee 3.20
by BETH B. REESE, Recorder
At the request of
First American Title Company

Hereinafter called the Grantee, the following described premises situated in Madison County, Idaho, to-wit:

TRACT 1:

Part of the Southwest Quarter of Section 10, Township 5 North, Range 38 East of the Boise Meridian described as follows:

Beginning at a point that is North 72.32 feet along the Section line from the Southwest corner of said Section 10 and running thence North 2584.25 feet along said section line to the West Quarter corner of said Section 10; thence North 89°59'43" East 2159.03 feet along the North line of the Southwest Quarter of said Section 10 to the boundary of Menan Butte Estates, Division No. 1, Madison County, Idaho; thence along said boundary of Menan Butte Estates the following six (6) courses; (1) South 25°58'58" East 456.75 feet; thence (2) South 14°49'20" East 386.82 feet; thence (3) South 68°11'00" West 624.24 feet to a point of curve with a radius of 2570.84 feet and a chord that bears South 54°03'02" West 1255.43 feet; thence (4) to the left along said curve 1268.25 feet through a central angle of 28°15'55" to a point of reverse curve with a radius of 7402.49 feet and a chord that bears South 43°58'15" West 1046.24 feet; thence (5) to the right along said curve 1047.12 feet through a central angle of 8°06'17" to a point of compound curve with a radius of 372.30 feet and a chord that bears South 60°09'48" West 156.60 feet; thence (6) to the right along said curve 157.78 feet through a central angle of 24°16'53" to the point of beginning.

TOGETHER WITH Idaho Department of Water Resources License Numbers A35-02488, A35-02922 and A35-04073B and Idaho Department of Water Resources Permit Number 35-08951

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

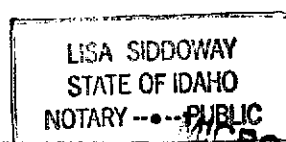
Dated: December 17, 1997


 Jess Douglas Keeler


 Della Keeler

 STATE OF IDAHO)
) : SS
 COUNTY OF MADISON)

On This 23rd day of December, in the year 1997, before me, a Notary Public in and for said State, personally appeared Jess Douglas Keeler and Della Keeler, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.


 Notary Public of Idaho
 Residing at Rexburg, Idaho
 Commission Expires 11-19-99
MICROFILMED
MAR 27 2002

WARRANTY DEED

For Value Received **Jess Douglas Keeler and Della Keeler, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Schreiner Farms - Idaho, L.L.C.

whose address is: **c/o 105 East 8th, Olympia, WA 98501**

Hereinafter called the Grantee, the following described premises situated in **Madison County, Idaho**, to-wit:

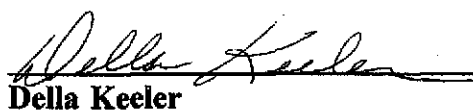
SEE ATTACHED SCHEDULE "A"

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

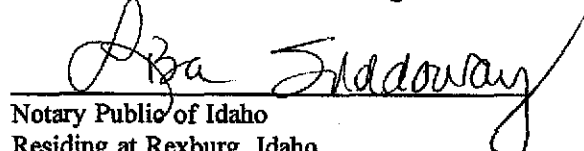
Dated: **December 19, 1997**


Jess Douglas Keeler


Della Keeler

STATE OF IDAHO)
) : ss
 COUNTY OF MADISON)

On This 23rd day of December, in the year 1997, before me, a Notary Public in and for said State, personally appeared Jess Douglas Keeler and Della Keeler, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.


 Notary Public of Idaho
 Residing at Rexburg, Idaho
 Commission Expires 11-19-99

LISA SIDDOWAY
 STATE OF IDAHO
 NOTARY --- PUBLIC

MICROFILMED

269636
 State of Idaho
 County of Madison) ss
 I hereby certify that the within instrument was
 filed **DEC 23 1997**
 at **1632** M., and
 recorded on Film
 Fee **6.00**
 by **BETH B. REESE**, Recorder
 Deputy
 At the request of
First American Title Company

MICROFILMED
MAR 27 2002

SCHEDULE "A"

TRACT 2:

Beginning at a point that is North 89°42'46" East 250.00 feet along the North Section line from the Northwest corner of Section 15, Township 5 North, Range 38 East of the Boise Meridian and running thence North 89°42'46" East 617.00 feet along the South line of Lot 3, Block 1 of Menan Butte Estates Division No. 1; thence North 43°45'40" East 880.61 feet along the most Easterly line of said Menan Butte Estates Division No. 1; thence South 74°23'21" East 113.25 feet; thence North 56°05'32" East 590.25 feet to the most Westerly line of Lot 7, Block 1 of said Division No. 1; thence along the most Easterly line of said Division No. 1 the following three (3) courses: (1) South 41°17'17" East 97.50 feet; thence (2) North 26°18'41" East 528.51 feet; thence (3) North 89°53'05" East 286.18 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 10, Township 5 North, Range 38 East of the Boise Meridian; thence North 89°57'53" East 1329.89 feet to the Northeast corner of said Southwest Quarter of the Southeast Quarter (SW1/4SE1/4); thence South 00°10'25" East 1321.02 feet to the North line of said Section 15 also being the Southeast corner of said Southwest Quarter of the Southeast Quarter (SW1/4SE1/4); thence South 89°42'46" West 11.67 feet along North line of Section 15 to an existing fence line; thence along the existing fence line the following three (3) courses: (1) South 00°05'04" West 456.63 feet; thence (2) South 44°42'31" West 817.52 feet; thence (3) South 28°06'46" West 1818.75 feet to the South line of the Northwest Quarter of said Section 15; thence North 74°02'59" West 964.33 feet; thence West 972.00 feet to the East line of Instrument No. 128896; thence North 845.00 feet along the East line to the Northeast Corner of Instrument No. 230575; thence West 650.00 feet along the North line of said Instrument No. 230575 to the West line of said Section 15; thence North 110.67 feet along said West line of Section 15 to the Southwest corner of Lot 1, Block 1 of said Menan Butte Estates Division No. 1; thence East 250.00 feet to the Southeast corner of said Lot 1, Block 1; thence North 1402.43 feet along the East line of Lots 1 and 2, Block 1 of said Division No. 1 to the point of beginning.

EXCEPTING THEREFROM: The existing County road right-of-way along the West side of the property.

TOGETHER WITH an easement for ingress and egress described as follows: Commencing at the West Quarter corner of Section 15, Township 5 North, Range 38 East of the Boise Meridian, and running thence North 50.00 feet; thence East 650.00 feet to the East line of Instrument No. 128896; thence along said East line North 215.00 feet; thence East 25.00 feet; thence South 265.00 feet to the South line of the Northwest Quarter (NW1/4) of said Section 15; thence West 675.00 feet along the said North line to the point of beginning.

ALSO TOGETHER WITH THE THREE (3) FOLLOWING EXISTING ACCESS EASEMENTS AS DISCLOSED ON THE MENAN BUTTE ESTATES SUBDIVISION PLAT, DIVISION NO. 1, RECORDED NOVEMBER 14, 1995, INSTRUMENT NO. 258615, AS FOLLOWS:

- (1) A 30 FOOT WIDE ACCESS EASEMENT ACROSS THE EAST BOUNDARY OF LOT 8, BLOCK 1 OF MENAN BUTTE ESTATES SUBDIVISION, DIVISION NO. 1, MADISON COUNTY, IDAHO, AS PER THE RECORDED PLAT THEREOF.
- (2) A 30 FOOT WIDE ACCESS EASEMENT ACROSS THE NORTHEASTERLY BOUNDARY OF LOT 5, BLOCK 1 OF MENAN BUTTE ESTATES SUBDIVISION, DIVISION NO. 1, MADISON COUNTY, IDAHO, AS PER THE RECORDED PLAT THEREOF.
- (3) A 60 FOOT WIDE EASEMENT ACROSS THE SOUTHWESTERLY CORNER OF LOT 3, BLOCK 1 OF MENAN BUTTE ESTATES SUBDIVISION, DIVISION NO. 1, MADISON COUNTY, IDAHO, AS PER THE RECORDED PLAT THEREOF.

TOGETHER WITH Idaho Department of Water Resources License Numbers A35-02488, A35-02922 and A35-04073B and Idaho Department of Water Resources Permit Number 35-08951

MICROFILMED

MAR 27 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08951

Priority: July 29, 1991

Maximum Diversion Rate: 1.46 CFS
Maximum Diversion Volume: 292.0 AF

It is hereby certified that JESS D KEELER or DELLA KEELER
3627 E 960 N
MENAN ID 83434 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 29, 1991; and has
submitted Proof of Beneficial Use on August 05, 1993. An examination indicates that the works have a
diversion capacity of 6.00 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

1.46 CFS

**ANNUAL
DIVERSION VOLUME**

292.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp 5N, Rge 38E, B.M. MADISON County

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 5N, Rge 38E, B.M. MADISON 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	
05N 38E 10									31.0	8.0	11.0	13.0			3.0		66.0
05N 38E 15					6.0	1.0											7.0

Total Acres: 73

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Right 35-04073B is also diverted through the point of diversion located in NESWSW, Sec. 10, T05N, R38E. Rights 35-02488 and 35-02922 are also diverted through the point of diversion located in SESWNW, Sec. 15, T05N, R38E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4TH day of January, 2002.

MICROFILMED

Acting for

KARL J. DREHER
Director

JAN 09 2002

RECEIPT C. 042195
7.9.98
RECEIVED

State of Idaho

JAN 16 1998

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

EASTERN IDAHO AGRICULTURAL
CREDIT ASSOCIATION, hereby assigns to Jess Douglas Keeler and Della Keeler,
husband and wife
of 3617 East 960 North, Menan, Idaho 83434
Address

All my right, title, and interest in and to Permit No. 35-08951
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. 35-08951 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) Point of Diversion is Twp 5N,
R38E Sec. 10 & 15 in Madison County, Idaho. Place of Use is Twp 5N, R38E Sec. 10 NESW
38.0 ac; NWSW 8.0 ac; SWSW 13.0 ac; SESW 13.0 ac; SWSE 2.0 ac; Section 15: NNE 3.0 ac;
NNW 18.0 ac; SWNW 2.0 ac. Diversion Rate is 1.940 & CFS 1.940

Made this 13th day of January, 19 98.

EASTERN IDAHO AGRICULTURAL CREDIT ASSOCIATION

By: Marc Fannesbeck

Permit Holder Marc Fannesbeck, Branch Manager

STATE OF IDAHO

County of Madison

}
}ss.
{

On this 13th day of January, 1998, before me, the undersigned, a Notary Public in and for the State of Idaho,
personally appeared Marc Fannesbeck, known to me to be the Branch Manager, of the corporation that executed the
instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that
such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this
certificate first above written.

Carmen Dan Mark

Notary Public for the State of Idaho
Residing at St. Anthony
My Commission Expires: 5-10-2000

MICROFILMED

JUL 31 1998

* This is a full assignment of this permit J.S 4/10/98

State of Idaho

Department of Water Resources

* FULL ASSIGNMENT OF PERMIT

RECEIVED

APR 22 1996

Department of Water Resources

We K, Jess Douglas Keeler and Della Keeler, husband and wife, hereby assign to EASTERN IDAHO AGRICULTURAL CREDIT ASSN.
of P.O. Box 985, Blackfoot, Idaho 83221

Address

All ~~my~~ ^{our} right, title, and interest in and to Permit No. 35-08951
to appropriate the public waters of the State of Idaho.

* ~~The following described portion of ^{our} right, title, and interest in and to Permit No. 35-08951 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)~~

97 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ Sec. 10, Twp. 5N, R38E; and NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp. 5N, R38E.

Made this 17 day of April, 1996.

Jess Douglas Keeler
Permit Holder

Della Keeler
Spouse of Permit Holder

State of Idaho)
County of Madison) ss

On this 17th day of April, 1996, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Steve Trenchard

Notary Public residing at

Rigby

seal

My commission expires:

4/27/2001

MICROFILMED

APR 29 1996

* This is a full assignment of permit ownership JJ. 4/25/96

RECEIVED

AUG 05 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 125.00

Date 8-5-93

Receipt No. 6028298

Receipt by JW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08951 Telephone No. 754-4138
2. Name(s) of Permit Holder(s): Della Keeler, Jess D. Keeler
3. Mailing Address: 3627 E. 960 N. ; Menan, Id 83434
4. Source of Water: Well

If GROUNDWATER, Well Driller's Name: Inter-mountain Drilling, Lava, Idaho Date Drilled: 3/18/91
unknown 1954

OPTIONAL:

Pump horsepower: 125 Pressure (psi): 120 Dynamic pumping level (ft.): 120

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 97 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.94 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Doug Keeler Telephone No. 754-4138

Address 3627 E. 960 N. ; Menan, Id, 83434

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

Date Aug 3, 93

Signature (and title, if on behalf of a company or organization) Jess D. Keeler

OCT 19 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08951

Proposed Priority: July 29, 1991

Maximum Diversion Rate:

1.94 CFS

This is to certify, that **DELLA KEELER**
JESS D KEELER
3627 E 960 N
MENAN ID 83434

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

1.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 15, Township 05N, Range 38E
SWSW Sec. 10, Township 05N, Range 38E
MADISON 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>
05N	38E	10	NESW 38	NWSW 8	SWSW 13	
			SESW 13	SWSE 2		74
	15		NWNE 3	NWNW 18	SWNW 2	23

Total number of acres irrigated: 97

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

NOV 15 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 35-08951

CONDITIONS/REMARKS:

8. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

8th day of October, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

NOV 15 1991

\$65⁰⁰

35 8951

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant JESS D. OR DELLA KEELER Phone (208) 754-4138
Post office address 3627 E. 960 N., MENAN, ID 83434
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____
Sec. 10 Township 5N Range 38E B.M. MADISON County; additional
points of diversion if any: SW 1/4 NW 1/4 Sec. 15, T5N, R38E
4. Water will be used for the following purposes:
Amount 1.94 for IRRIGATION purposes from 4-1 to 11-1 (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)
5. Total quantity to be appropriated is (a) 1.94 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELLS (2) AND PUMPS TO
SPRINKLER SYSTEM FOR IRRIGATION

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 14", 16" inches; proposed depth of well is 230', 110' feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

NOV 15 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
SN	38E	10									38	8	13	13			2		74
		15		3				18	2										23

Total number of acres to be irrigated 97

10. Describe any other water rights used for the same purposes as described above. _____

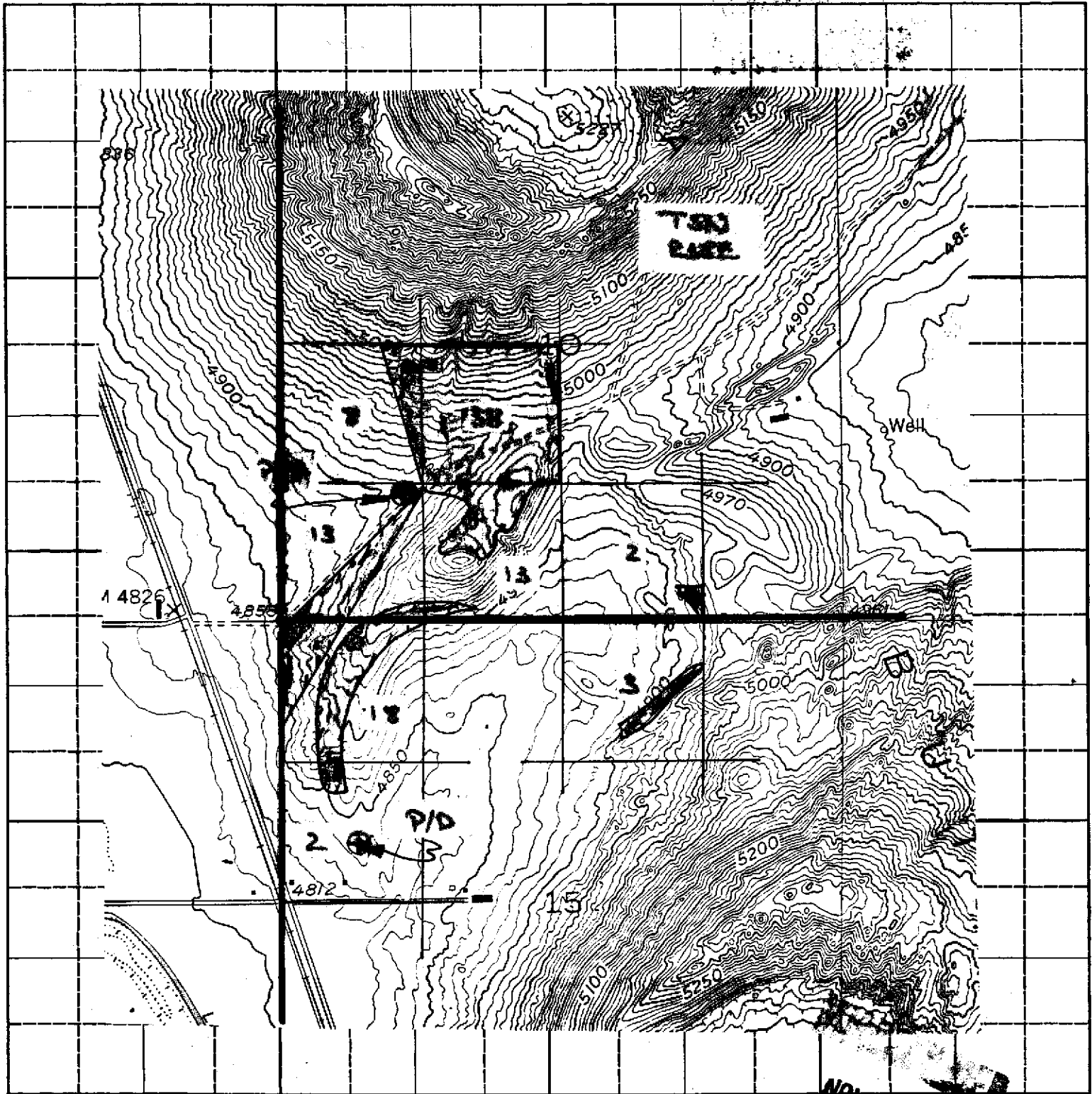
SHARED P/D's WITH 35-02488, 35-02922, 35-040738 (T3771)

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

12. Remarks: _____

NOV 15 1991

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by OW Date 7-29-91 Time 12:38 Preliminary check by _____
Fee \$ 65⁰⁰ Received by HWS # EO16383 Date 7-29-91
Publication prepared by RB Date 8-15-91 Published in Rexburg Standard Jrnl
Publication approved OW Date 9-19-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECORDED

NOV 15 1991.

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 4 1991

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being Department of Water Resources
first duly sworn, depose and say, that Eastern District Office
am the printer of THE STANDARD-JOURNAL,
a semi-weekly newspaper printed and
published semi-weekly at Rexburg,
Madison County, Idaho; and I do solemnly
swear that the

NOTICE OF APPLICANT 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 having been made on
AUGUST 15, 1991 and the last
publication having been made on
AUGUST 22, 1991

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 subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy eight
consecutive weeks prior to the first
publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 23TH day of AUGUST in
the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me
to be the person whose name subscribed
to the within instrument, and being by
me first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Stephen L. Hard
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF APPLICANT
FOR TRUST WATER PERMIT

35-08951

KEELER, JESS D.

KEELER, DELLA

3627 E. 960 N.

Menan, ID 83434

Source: GROUNDWATER

Diversion Pt: SWSW Sec 10 T 05N R
38E SWNW Sec 15 T 05N R 38E

Use: IRRIGATION (1,940 CFS) Total
Diversion: (1,940 CFS)

Date Filed: 7/29/1991

In: T05N R38E S10 NESW NWSW
SWSW SESW SWSE S15 NWNE NWNW
SWNW 97.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,

Suite 15, Idaho Falls, Idaho 83402 on or
before SEPTEMBER 2, 1991.

R. KEITH HIGGINSON

Director

Publ. Aug. 15 and 22, 1991J.

RECEIVED
NOV 15 1991



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

March 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SCHREINER FARMS-IDAHO LLC
105 E 8TH
OLYMPIA WA 98501

RE: Change of Ownership for Water Right 35-8951

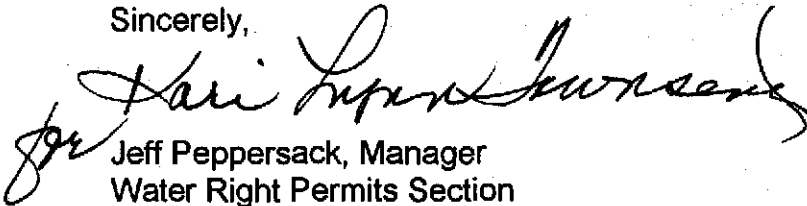
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAR 27 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 31 2002

Department of Water Resources

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): 35-08951

[] Name(s): JESS D KEELER DELLA KEELER

[] Old Mailing Address: 3627 E 960 N

MENAN ID 83434

[] New Mailing Address: 6972 E FOOTHILL RD

IDAHO FALLS ID 83401

Telephone Number: (208) 528 - 6698

[] Signature(s) of Owner(s) *Jess D. Keeler*

Della Keeler

(Include your title if on behalf of company or organization)

Date: _____ **MICROFILMED**

FEB 04 2002

*Database updated
Keri Lynn
1.31.02*

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0088
(208) 327-7900

JESS D. KEELER
DELLA KEELER
6972 W 81st N
IDAHO FALLS, ID 83401

WR 35-8951
Phoned + left message
Keri Lynn
1.22.02

Della Keeler called back
to advise correct mailing
address is:

6972 E. Fairhill Rd
Idaho Falls Id 83401
Mail present on 1.23.02
Keri Lynn
1.22.02

RECORDED

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0088

(208) 327-7900

JESS D. KEELER

DELLA KEELER

3627 E 960 N

MENAN ID 83434

WR 35-8951

Mail returned.
No listing in phone book.
Kari Lynn
1.14.02

Jeff found listing in
Yakima for Darko trees.

Mail resent on 1.15.02
Kari Lynn
1.14.02

RECEIVED

JAN 14 2002

Department of Water Resources

Jess Keeler
6972 ~~E. Foothill Rd~~
Idaho Falls, ID 83401

528-6698

6972 E. Foothill Rd
83401



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 7, 2002

JESS D KEELER
DELLA KEELER
3627 E 960 N
MENAN ID 83434

RE: License No. 35-8951 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JAN 09 2002

CERTIFICATE OF MAILING

I hereby certify that on January 7, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8951

**JESS D KEELER
DELLA KEELER
3627 E 960 N
MENAN ID 83434**


Kari Lynn Townsend
Secretary

**MICROFILMED
JAN 09 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

JAN 09 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No. 35-8951

Date: 1-2-2002 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

P/U
Overlaps: Right(s): none
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.94 cfs
Fee Limit 2.0 cfs
Measured 4.0 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1.46

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.46 cfs 292 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 1.46 cfs 292 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

1.46 cfs x 1.9835 x 214 days = 619.7 af (vs) 7.3 acres x 4.0 (FHR) = 292.0 af

Remarks: R55, W36 (4073B) & W36 (2488 * 2922)
3.0 (con)

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
Other _____
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? No - not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

$$\begin{array}{r} \text{Capacity} = 6.0 \text{ cps} \\ - 1.02 \text{ (4073B)} \\ \hline 4.98 \end{array}$$

$$\begin{array}{r} - 2.64 \text{ (2488)} \\ 2.34 \\ - 1.18 \text{ (2922)} \\ \hline 1.16 \text{ remaining} \end{array} \left. \vphantom{\begin{array}{r} - 2.64 \text{ (2488)} \\ 2.34 \\ - 1.18 \text{ (2922)} \end{array}} \right\} \begin{array}{l} \text{limited} \\ \text{to } 3.14 \end{array}$$

$$\begin{array}{r} 6.0 \\ - 1.02 \text{ (4073B)} \\ \hline 4.98 \\ - 3.14 \text{ (2488 + 2922)} \\ \hline 1.84 \text{ remaining} \end{array}$$

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SE	NW SE	SW SE	SE SE	Total
																	74
																	43
																	43
																	53
																	32
																	42.5
																	53
																	80

↑ ↑ ↑ ↑ ↑

NO

[illegible]

↑
↑

20/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-4073B V1

WATER RIGHT NUMBER: 35-4073B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SAMUEL ALVIN BATES
Original Owner	LORENZO, ID LAYNE HARRIS PO BOX 63 NEWDALE, ID 83436 (208)458-4936
Current Owner	SCHREINER FARMS LLC C/O 105 E 8TH OLYMPIA, WA 98501 (360)754-6339

*per SRBA:
1/2/02
Ready for PD*

Priority Date: 06/25/1960

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.020 CFS	212.00 AF
	<u>Total Diversion:</u>	1.020 CFS	212.00 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4SW1/4 Sec. 10, Twp 05N, Rge 38E, B.M.
MADISON 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	
05N	38E	10											32.0	21.0					53.0

Total Acres: 53

Conditions of Approval:Remarks:

MICROFILMED
JAN 03 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 35-4073B V1

Comments:

1. DCARLSON 2/17/1993 COPIED FROM REMARKS
Comment: IRRIGATION OF LAND WAS ORIGINALLY IDENTIFIED UNDER CLAIM 35-4073 FROM A DIFFERENT WELL. WHEN WE PURCHASED THE PROPERTY WE EXPENDED A PORTABLE MAINLINE TO PROVIDE WATER FROM THE WELL LISTED AS THE POINT OF DIVERSION. THE PRIORITY DATE IS BASED ON STATEMENTS CONTAINED IN THE ABOVE CLAIM.
2. JHOAGLAN 2/19/1998 OWNERSHIP CHANGE
Comment: CHANGED OWNERSHIP PER REQUEST
3. AJU10-DS 2/26/1998 CONDITION H02/H03 UPDATE
Comment: CONDITION CODES H02 AND H03 ADDED IF NOT ALREADY PART OF RECORD.
4. AJU21-DS 5/12/1998 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) H02 H03
5. AJU10-DS 6/15/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU
6. AJU21-DS 2/19/1999 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) A07

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED

JAN 09 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2488 V1

WATER RIGHT NUMBER: 35-2488 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LAYNE HARRIS PO BOX 63 NEWDALE, ID 83436 (208)458-4936
Current Owner	SCHREINER FARMS LLC C/O 105 E 8TH OLYMPIA, WA 98501 (360)754-6339
Original Owner	SAMUEL ALVIN BATES LORENZO, ID

Ready for PD

Priority Date: 01/10/1957

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.640 CFS	
	<u>Total Diversion:</u>	2.640 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4NW1/4 Sec. 15, Twp 05N, Rge 38E, B.M.
MADISON 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	
05N	38E	10									.5			14.0		1.5	27.0		43.0
05N	38E	15	26.0	8.0			40.0	16.0	20.0	38.0									148.0

Total Acres: 191

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

MICROFILMED

JAN 09 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2488 V1

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 35-02922 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 132 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. Explanatory RIGHT NO. 35-02922 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 35-02922 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.14 CFS AND IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 764 AF.

Comments:

1. DCARLSON 2/17/1993 COPIED FROM REMARKS
Comment: *** RIGHT INITIALLY ISSUED WRONG BASIN NUMBER. THIS RIGHT WAS FILED UNDER CLAIM A22-11063. *** THE PREVIOUS NOTATION IS IN ERROR. THE ORIGINAL RIGHT WAS ISSUED THE PROPER BASIN. 7-23-1991 PRM *** SEE A22-11063 RENUMBERED TO REFLECT CORRECT BASIN 7/29/91 SC.
2. JHOAGLAN 2/19/1998 OWNERSHIP CHANGE
Comment: CHANGED OWNERSHIP PER REQUEST
3. AJU10-DS 2/26/1998 CONDITION H02/H03 UPDATE
Comment: CONDITION CODES H02 AND H03 ADDED IF NOT ALREADY PART OF RECORD.
4. AJU21-DS 5/12/1998 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) H02 H03
5. AJU10-DS 6/15/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU
6. AJU21-DS 2/19/1999 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) A07

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

MICROFILMED

JAN 09 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2922 V1

WATER RIGHT NUMBER: 35-2922 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SAMUEL ALVIN BATES
Original Owner	LORENZO, ID LAYNE HARRIS PO BOX 63 NEWDALE, ID 83436 (208)458-4936
Current Owner	SCHREINER FARMS LLC C/O 105 E 8TH OLYMPIA, WA 98501 (360)754-6339

Ready for PD

Priority Date: 04/07/1958

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.180 CFS	
<u>Total Diversion:</u>		1.180 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4NW1/4 Sec. 15, Twp 05N, Rge 38E, B.M.
MADISON 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	
05N	38E	10									.5			14.0		1.5	27.0		43.0
05N	38E	15		26.0	8.0		40.0	16.0	20.0	38.0									148.0

Total Acres: 191

Conditions of Approval:Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 35-02488 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.

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JAN 09 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2922 V1

2. Explanatory RIGHT NO. 35-02488 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 35-02488 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.14 CFS AND IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 764 AF.

Comments:

1. DCARLSON 2/17/1993 COPIED FROM REMARKS
Comment: *** RIGHT WAS INITIALLY ISSUED WRONG BASIN. THIS RIGHT HAS BEEN CLAIMED UNDER A22-11068. *** THE PREVIOUS NOTATION IS IN ERROR. THE ORIGINAL RIGHT WAS PLACED IN THE PROPER BASIN. 7-23-1991 PRM
2. CARLSEN 11/30/1993 CHANGED STAGE
Comment: SOMEHOW THE STAGE WAS CODED AS PERMIT. CHECKING WR5 SHOWS THE ST AGE IS A LICENSE. CHANGED THE STAGE ON THE CLAIM TO CORRESPOND T O THE WATER RIGHT DATA BASE.
3. JHOAGLAN 2/19/1998 OWNERSHIP CHANGE
Comment: CHANGED OWNERSHIP PER REQUEST
4. AJU10-DS 2/26/1998 CONDITION H02/H03 UPDATE
Comment: CONDITION CODES H02 AND H03 ADDED IF NOT ALREADY PART OF RECORD.
5. AJU21-DS 5/12/1998 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) H02 H03
6. AJU10-DS 6/15/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU
7. AJU21-DS 2/19/1999 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) A07

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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JAN 09 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL - 6 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8951

1. Owner: Della and Jess Keeler

Phone No. 754-4138

Current Address: 3627 E. 960 N Menan, ID 83434

2. Accompanied by: Mr Keeler

EXAM DATE: 2 JUL 96

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 35-02488, -02902 + -04033

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1			SW	NW	15	05N	38E	Madison	on site A
#2			SW	SW	10	05N	38E	Madison	on site B

2. Place(s) of Use:

Indicate Method of Determination on site

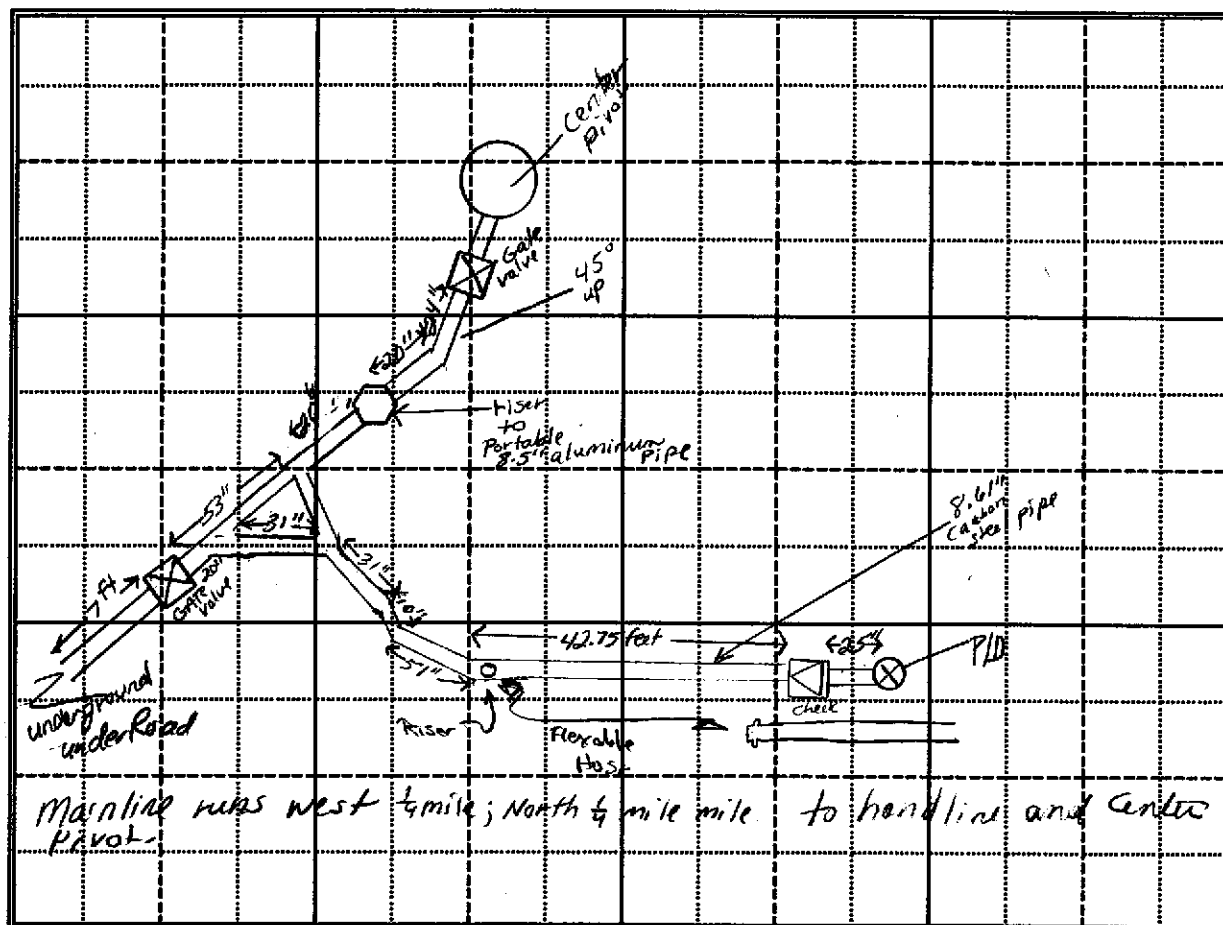
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	10									31	8	11	13			3		66
05N	38E	15						6	1										7
																	Total		73

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Well #2



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for Irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	General Electric	200	JMJ922106	Layne, Bowler	2379C
#2	General Electric	125	GKJ717108	Ingersoll Rand	—

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic #1 well	Sonic	Polysonic	TF-P	ID 149743 S/N 26863	-	-
Polysonic #2 well	"	"	"	"		

2. Measurements: Polysonic avg. 4 readings well #1 - 3.607 CFS (high 3.643)
 Polysonic avg. 4 readings well #2 - 2.385 CFS (high 2.389)
 Pressure gauge (0-60 PSI) -

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E. NARRATIVE/REMARKS/COMMENTS

Mr. Keeler is actually irrigating 360 acres with well/pump #1 and well/pump #2. There are other permits in place for the same wells. This permit requests 1.94 CFS for 97 acres. With the entire system operating, #1 was averaging 3.607 CFS and #2 was averaging 2.385 CFS. He is running 3 center pivots and handlines. (2 $\frac{1}{4}$ mile handlines)

Pressure reading on handlines — 68 PSI $\frac{5}{32}$ " nozzle.

* Well #1 ① Mainline runs northeast to center pivot — $\frac{3}{4}$ of a mile from pump to center pivot.

② Mainline runs south $\frac{1}{4}$ of a mile to driveway.

③ Mainline runs north $\frac{1}{4}$ of a mile to corner of field.

3 $\frac{1}{4}$ mile center pivots.

Well #2 ① Mainline runs west $\frac{1}{4}$ mile:

② Mainline runs north $\frac{1}{4}$ mile.

Ypts: NWNE 3 acres in Section 15 and SWSE 2 acres in Section 10 seem to be the same piece of property according to Mr. Keeler. See Aerial Photo.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{LIMITED TO } 0.02 \text{ cfs/acre}} = 73 \text{ ac} \times 0.02 \text{ cfs/acre} = 1.46 \text{ cfs}$$

$$Q = 1.46 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 73 (4) = 292 \text{ afa}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.46(214)1.9835 = 424.5$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 292.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.46 cfs	292.0 afa
Totals:			1.46 cfs	292.0 afa

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

I. AUTHENTICATION

Field Examiner's Name

Keith C Wilson 6/30/1999
KEITH C WILSON

Date 2 JUL 96

Reviewer

Date

MICROFILMED
SEAL
JAN 09 2002

Well
#



Aerial Photo Attached
(required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well # 1	General Electric	200	JMTJ922106	Layne & Bowler	2379C.

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
					MICROFILMED	
					JAN 09 2002	

2. Measurements: $Q_{\#1} = 3.61 \text{ cfs}$

35-0895

Well #2

ANALYSING SIGNAL (1)
0.68

SETUP NO. 1

PIPE O.D. 8.610 IN

PIPE WALL THICKNESS 0.179 IN

PIPE I.D. 8.252 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.129 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.330 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING U

TRANSDUCER SPACING 6.706 IN

FLOW 2.383 CFS
NET 326443X1 GAL

FLOW 2.389 CFS
NET 327940X1 GAL

FLOW 2.381 CFS
NET 329510X1 GAL

FLOW 2.387 CFS
NET 331166X1 GAL

35-8951

Well #1

SETUP NO. 1

PIPE O.D. 12.000 IN

PIPE WALL THICKNESS 0.141 IN

PIPE I.D. 11.718 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.129 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.330 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING U

TRANSDUCER SPACING 9.593 IN

FLOW 3.608 CFS
NET 4.818 F/S

FLOW 3.607 CFS
NET 642349X1 GAL

FLOW 3.570 CFS
NET 645692X1 GAL

FLOW 3.643 CFS
NET 648308X1 GAL

35-8951

35-08951

Flow Measurement
Tape.

35- 8951

$$Q_{TOTAL} = 6.00 \text{ cfs}$$

(Well #1) 35-02488 + 35-02922 = 191 ac

(Well #2) 35-04073 B = 53ac

(Well #12) 35-08951 = 73ac

Total acres = 317ac

$$\text{RATE/ACRE} = 6.00 \text{ cfs} / 317 \text{ ac} = 0.018927 \text{ cfs/ac}$$

THIS PERMIT (35-08951) DOES NOT INCLUDE LICENSED/DEERED LAND

$$\therefore Q_{35-08951} = \text{Acres found (73ac)} \times \text{System Rate/ac (0.01892 cfs/ac)}$$

$$= 73 a_c \times 0.018927 \text{ cfs}/a_c = 1.38 \text{ cfs}$$

NOTE: Wells #1 & #2 Licensed/Decreed to 3.14cfs + 1.02cfs = 4.16cfs

Total Capacity Wells #1 & #2 = 6.00 cfs

REMAINING DIVERSION RATE TO LICENSE = $6.00\text{cfs} - 4.16\text{cfs} = 1.84\text{cfs}$

$$R_{\text{out}}/a_c = 1.84 \text{ cfs} / 73 a_c = 0.0252 \text{ cfs}/a_c > 0.02 \text{ cfs}/a_c$$

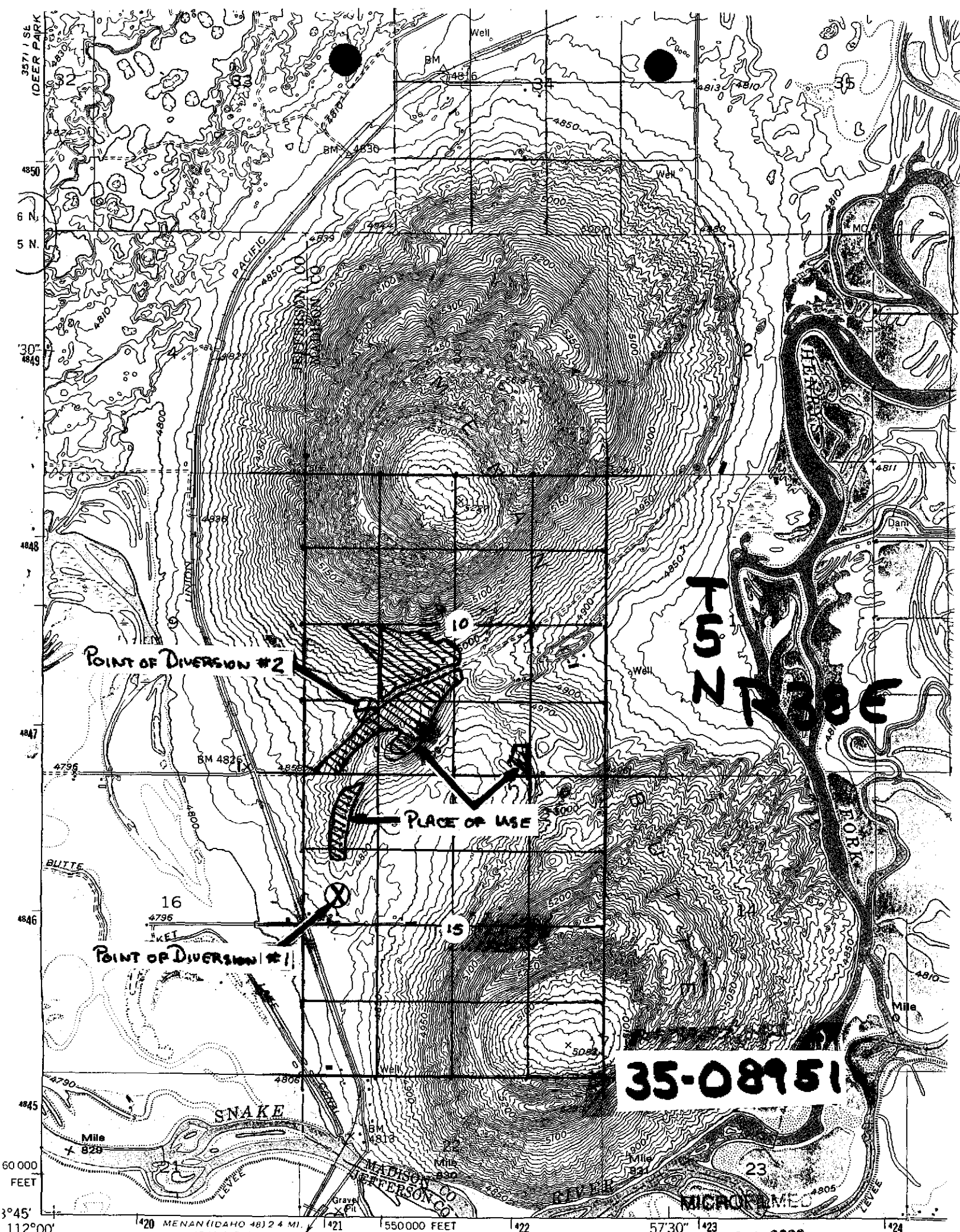
LIMIT 35-08951 TO 0.02cfy/a

$$Q = 73ac \times 0.02 \frac{cf}{ac} = 1.46 cfs$$

35-08951

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JAN 09 2002



+

1306
T-967

PD#2

77.7
1. HCL

399
8 HCL

10

33

65

15

21

27

9

14

16

15

16

40

26

20

38

8

R38E

TSN

Adindication Shape files

35-08951

MIC
JAN 0 9



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JESS DOUGLAS KEELER
DELLA KEELER
3617 E 960 N
MENAN ID 83434

RE: ASSIGNMENT OF PERMIT 35-08951

Dear Mr. & Mrs. Keeler:

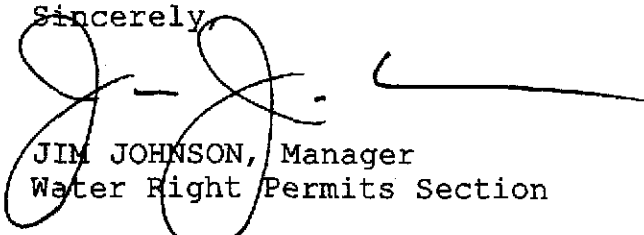
We acknowledge receipt of the correspondence changing ownership of the above referenced permit to you. Our computer records have been modified to reflect this change in ownership. A computer generated report is enclosed for your information.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

RECEIVED

JUL 31 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JESS DOUGLAS KEELER
DELLA KEELER
3617 E 960 N
MENAN ID 83434

RE: Assignment of Permit 35-08951

Dear Mr. & Mrs. Keeler

This letter is a follow-up to my letter of April 22, 1998 (copy enclosed). To date, we have not received the \$25.00 filing fee that is required to process an Assignment of Permit.

If no Assignment of Permit is received the water right will be licensed in the name of the current right holder. In this case that is Eastern Idaho Agricultural Credit Association.

In addition, all correspondence will be sent to the current right holder.

If you still wish to have the ownership of this permit changed into your names, please forward the required \$25.00 filing fee and we will complete the processing.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

/k

Enclosure

cc: Eastern Idaho Agricultural Credit Association

NOTED

JUL 31 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JESS DOUGLAS KEELER
DELLA KEELER
3617 E 960 N
MENAN ID 83434

RE: Assignment of Permit 35-08951

Dear Mr. & Mrs. Keeler:

We are in receipt of the Assignment of Permit form changing ownership of the above-mentioned permit to you. It appears that the required \$25.00 filing fee was not sent with the form. (A copy of our standard assignment form is enclosed for your reference).

Please forward the \$25.00 filing fee at your earliest convenience and kindly reference the permit number on your remittance. Receipt of this fee will enable us to complete the assignment transaction for you.

If you have any questions regarding this matter you may telephone me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

/k

Enclosure

ENCLOSURE

JUL 31 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 24, 1996

EASTERN IDAHO AGRICULTURAL CREDIT ASSN
PO BOX 985
BLACKFOOT ID 83221

RE: Permit No. 35-08951

Dear Permit Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

MICROFILMED

APR 29 1996

September 24, 1993

DELLA KEELER
JESS D KEELER
3627 E 960 N
MENAN ID 83434

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08951

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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OCT 19 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08951 Reviewed by Klg Date 8/6/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?
datac Copy in the file? Drilling Permit No. 35-93-E-0090-000
no Amount paid for permit yes Correct?
datac Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
125 Amount Submitted
yes Correct?

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

per phone - look under permit 35-04073 -
actually some water is pumped from 2 wells
one drilled in 1954 one in 1991

proof acceptable

DATA ENTRY

New Address

Proof Made 8/5/93

needs a flow
8/24/93
Klg

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
35-93-E-0090-000	0	JESS KEELER 3627 E. 960 N. MENAN, ID 83434 (208) 754-4138	05N	38E	10	SW SW		MADISON

Subdivision Location and Description:

Subdivision Name:

Well Site Address:

City, State:

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 16 In.

Proposed Depth: 250 Ft.

Well Use Comments:

Driller License No: 0106

Firm Name: INTERMOUNTAIN DRILLING

Official: CHARLES M FRANDSEN

Permit Status: Permit

Verbal Issue Date:

Date Received: 08/25/1993

Date Approved: 09/10/1993

Proposed Start Date: 09/02/1993

Extension Date:

Extension Expiration:

Receipt No.

C028436

Receipt Date

08/25/1993

Fee

\$ 200.00

Specific Conditions:

Permit Remarks: Well was drilled in March of 1991. An after the fact drilling permit was obtained in 1993 when the permit holder attempted to file proof of beneficial use.

WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-93-E-0090-000

Water Right No: 35-08951

Injection Permit No:

Nature of Work: NEW WELL

Construction Method:

Number of Monitor Wells:

Casing Diameter: In.

Depth of Casing: Ft.

Total Depth: Ft.

Screen Installed?

Static Water Level: Ft.

Temperature: F.

Production Rate: GPM

Actual Start Date:

Well Finish Date:

Log Received Date:

Certification Date:

Field Inspection Date:

Inspector:

Well Log Remarks:

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WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Jess D. Keeler
Address 3627 E 960N MENAN IDAHO
Drilling Permit No. 2
Water Right Permit No. 35-04073

7. WATER LEVEL

Static water level 143 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 60 °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Well diameter increase
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____Discharge G.P.M. 10 Pumping Level 143 Hours Pumped 10

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Test
- ☐
- Municipal
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

4. METHOD DRILLED

- ☐
- Rotary
- ☐
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☒
- Cable
- ☐
- Dug
- ☐
- Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>150</u> inches	<u>16</u> inches	<u>1</u> feet	<u>19</u> feet
<u>250</u> inches	<u>14</u> inches	<u>1</u> feet	<u>219</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☐ Knife ☒ Torch ☐ GunSize of perforation 12 inches by 4 inches

Number	From	To
<u>54</u> perforations	<u>140</u> feet	<u>200</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout☐ Bentonite ☒ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

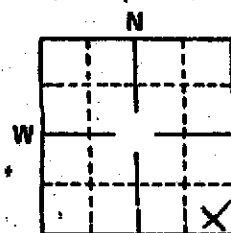
Weld

☐ Cemented between strataDescribe access port 2" PIPE

10.

Work started 2-18-91 finished 3-18-91

6. LOCATION OF WELL

Sketch map location must agree with written location 03-1-9 1993

Subdivision Name _____

Lot No. _____ Block No. _____

County MADISONSE 1/4, SE 1/4 Sec. 9, T. 5 N ☒ S ☐ R. 38 E ☒ W ☐

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Ante-Mt. Drilling Firm No. 106Address LAVA IDAHO Date 3-20-91Signed by (Firm Official) Charles Franklin

and

(Operator) Charles Franklin



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 20, 1993

Della and Jess Keeler
3627 E 960 N
Menan, ID 83434

Re: Permit No. 35-08951

Dear Permit Holder:

On August 19, 1993, the Department corresponded with you and explained the need to obtain a drilling permit for the well drilled in connection with the above referenced permit in 1991. During a subsequent phone conversation you asked that check water right no. 35-04073, which I have done. It also indicates that a drilling permit was not obtained prior to the drilling of the well in 1991.

Therefore, in order to be in compliance with your water right permit, it is necessary for you to do so at this point. Once again, I am enclosing a drilling permit application form. Please complete the form and submit it DIRECTLY TO ME along with the \$200 application fee. Your response, along with the form and fee must be received within 20 days of the date of this mailing.

Once you have complied with all the conditions of your water right permit by obtaining a drilling permit, the Department will continue with the analysis of the proof of beneficial use and eventual license to a water right.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 19, 1993

Della and Jess Keeler
3527 e 960 N
Menan, ID 83434

Re: Permit No. 35-08951

Dear ~~Don~~: *Permit Holder*:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before the opening of your well began. Though you have submitted a copy of a well log, it does not contain the drilling permit number. Furthermore, the legal description on the well log does not match the legal description on the water right.

Therefore, in order to be in compliance with the conditions of your water right, you must apply for a drilling permit at this time. I have enclosed a drilling permit application for your convenience. Please complete the form and return it DIRECTLY TO ME along with a \$200 filing fee. Your response, with the form and fee attached, should be received within 30 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECORDED

OCT 19 1993

Aug, 16, 1993

Karen L. Gustafson,

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AUG 18 1993

Department of Water Resources

Enclosed please find a copy
of the Well Drillers Report of the well
drilled in 1991.

Thank you

Della Keeler

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OCT 19 1993

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 9, 1993

Jess D and Della Keeler
3627 E 960 N
Menan, ID 83434

Re: Permit No. 35-08951

Dear Ben:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate drilling permits which should have been applied for before the opening of your wells began. We have also been unable to locate a well logs which should have been submitted by your well driller 30 days after completion of the construction of your wells. Your water right permit indicates that there are to be two points of diversion (two wells).

If you have a drilling permits or a copy of the well logs, please provide this office with a copy of each. If you do not have a copy of the well logs, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 30 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

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OCT 19 1993

July 31, 1993

DELLA KEELER
JESS D KEELER
3627 E 960 N
MENAN ID 83434

PROOF DUE NOTICE

RE: PERMIT NO. 35-08951

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

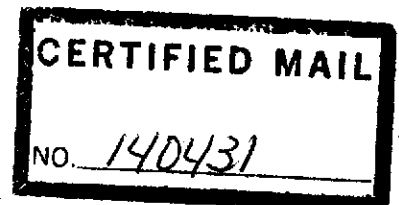
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 15, 1991

DELLA KEELER
JESS D KEELER
3627 E 960 N
MENAN ID 83434

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08951

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as

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NOV 15 1991

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

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MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: Permit No. 35-8951/Trust Water Processing

DATE: 10-7-91

The above permit is a trust water filing which was sent to the state office for final review and processing.

Review of a 1980 NHAP aerial photo and 1976 orthophoto does not confirm that the land under this application was irrigated at either of those times. There is no information in the file or on the application that suggests there has been any prior development. Without further evidence of development prior to October, 1984, I recommend counting all of the acreage under this filing as trust acreage. Final processing of the application is recommended. Trust water conditions are applicable.

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APPLICATION FOR PERMIT REVIEW

Application #: 35-8951
Date: 10-02-91

Reviewer: Pam Skaggs *PS*

✓Existing:
 ✓No - 26A-P17
 Complete in 1 year - P16
 Yes
 Proof not submitted - P16
 Proof submitted - N/A
 ✓Groundwater:
 ✓GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
 LT. 0.2 cfs - N/A
 ✓Drilling Permit:
 Approved w/permit - P99
 Not included - 046-P23 (All GW, even existing wells)
 ✓Location:
 ✓Water Districts - WD No. 01
 Surface water - 005, 005-01H-P01 (LT.2 w/pump)
 005-01J-P08 (GT.2)
 ✓Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - 7 (1, Blank or Other)
 ✓Trust - 051-052-053-P74 (Consumptive Uses)
 Non Trust - 048-049
 River Basins:
 (Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
 Use:
 Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A or 010, 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec. & Aesthetic - 027(Non-Consumptive)
 Domestic - 021(restriated areas)
 Ownership:
 Non land owner - 004
 Protested:
 Agreement - 020

NOV 15 1991

✓Beneficial Use Due Date: - 10-01-1993
 Other Conditions Recommended Route to T. Lake for Trust Water Review

near
 No TRAP box per 1980 photo

This is a Trustwater
area applic. + adv. must so
state.

Dist. for staffing: 30-Jul-1991
Submitted for advertising:

Form No. 202a

4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY ACW DATE 7-30-91
APPLICANT NAME: JESS D OR DELLA KEELER

APPLICATION NO. 35-8951

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
Yes ☐ No ☐ Field check required
Field check by _____
Yes ☐ No ☐ Field report attached
Yes ☐ No ☐ Critical groundwater area
Yes ☐ No ☐ Groundwater management area
Yes ☐ No ☐ Send dam safety information
Yes ☐ No ☐ Send power requirement letter
Yes ☐ No ☐ Send fish farm requirement letter
Yes ☐ No ☐ Power residency affidavit
Yes ☐ No ☐ Power efficiency form
☒ Yes ☐ No ☐ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes ☒ No ☐ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

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SEP 23 1991

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☒ Other Tim Bulger & Rodelt, Robt. & Tucker

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 9-2-91
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations, attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 7-29-91
By HWS Date 9-19-91

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Condition: 016

LOCAL PUBLIC INTEREST

Comments received from

<u>City</u>	<u>Idaho Fish & Game</u>	<u>Irrigation District</u>
<u>County</u>	<u>Idaho Health & Welfare</u>	<u>Canal Company</u>
<u>Reservations</u>	<u>Division of Environment</u>	<u>Other</u>

Project impacts/implications report

COMMENTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Aug-1991

JESS D OR DELLA KEELER
3627 E 960 N
MENAN ID 83434

RE: Application No. 35-8951

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Rexburg Standard-Journal on August 15 & 22, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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NOV 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 7, 1991

THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 2, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

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NOTICE OF APPLICATION FOR TRUST WATER PERMIT

35-08951

KEELER, JESS D.
KEELER, DELLA
3627 E. 960 N.
MENAN, ID 83434

Source: GROUNDWATER

Diversion Pt: SWSW Sec 10 T 05N R 38E
 SWNW Sec 15 T 05N R 38E

Use: IRRIGATION (1.940 CFS)
 Total Diversion: (1.940 CFS)

Date Filed: 7/29/ 1991

In: T05N R38E S10	NESW	NWSW	SWSW	SESW
	SWSE			
S15	NWNE	NWNW	SWNW	

97.0 ACRES TOTAL

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NOV 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 2, 1991.

R. Keith Higginson, Director

Published 8/15/1991 & 8/22/1991



NOV 15 1991

Mr. Keller

35-08951

754-4138

35-0403WR