

# State of Idaho License and Certificate of Water Right

Water License No. G-27611

Amount 2.02 c.f.s.

Water District No. \_\_\_\_\_

Priority October 20, 1958

THIS IS TO CERTIFY that ELSIE FERN SCHRITTER of American Falls, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated October 20, 1958; that Permit No. G-27611 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.02 second feet, was issued thereunder on July 23, 1964, showing that said works were completed on the 24th day of October, 1963; and that on the 24th day of October, 1963

ELSIE FERN SCHRITTER of American Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well a tributary of subterranean flow, for the purpose of irrigation under Use Permit No. G-27611 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7885, on the 23 day of July, 1964;

The right hereby confirmed dates from October 20, 1958;

The Point of Diversion is located

In the SE 1/4 NE 1/4, Sec. 15, Tp. 6 S., R. 30 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.02 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                       | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|----------------------------------------|-------------------------------|------------------------------|
| 6 S. | 30 E. | 15   | N. NE 1/4                              | 80                            | 80                           |
|      |       |      | SE 1/4                                 | 40                            | 35                           |
|      |       |      | SE 1/4                                 | 40                            | 35                           |
|      |       |      | Total number of acres to be irrigated: |                               | 150                          |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of July, 1964

RALPH W. THOMAS  
Deputy State Reclamation Engineer.

(SEAL)

# State of Idaho License and Certificate of Water Right

Water License No. C-27610

Amount 1.82 c.f.s.

Water District No. \_\_\_\_\_

Priority October 20, 1958

THIS IS TO CERTIFY that ELSIE FERN SCHRITTER  
of American Falls, Idaho made application for a permit to appropriate the  
public waters of the State of Idaho, dated October 20, 1958; that Permit No. C-27610  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.82 second feet, was issued thereunder on July 23, 1964, showing that said works  
were completed on the 24th day of October, 1963; and that on the 24th  
day of October, 1963

ELSIE FERN SCHRITTER

of American Falls, State of Idaho made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
a tributary of Subterranean flow for the purpose of irrigation  
under Use Permit No. C-27610 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
12 of Licenses at page 7884, on the 23 day of July, 1964;

The right hereby confirmed dates from October 20, 1958;

The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 15, Tp. 6 S, R. 30 E, B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 1.82 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                       | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|----------------------------------------|----------------------------------|---------------------------------|
| 6 S. | 30 E. | 15   | N 1/4 NW 1/4                           | 80                               | 80                              |
|      |       |      | SW 1/4 NW 1/4                          | 40                               | 35                              |
|      |       |      | SE 1/4 NW 1/4                          | 40                               | 35                              |
|      |       |      | Total number of acres to be irrigated: |                                  | 150                             |

MICROFILMED  
JUL 24 1990

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
23rd day of July, 1964

RALPH W. THOMAS  
Deputy State Reclamation Engineer.

(SEAL)

Idaho Dept. of Water Resources  
Place of Use Comparison Report

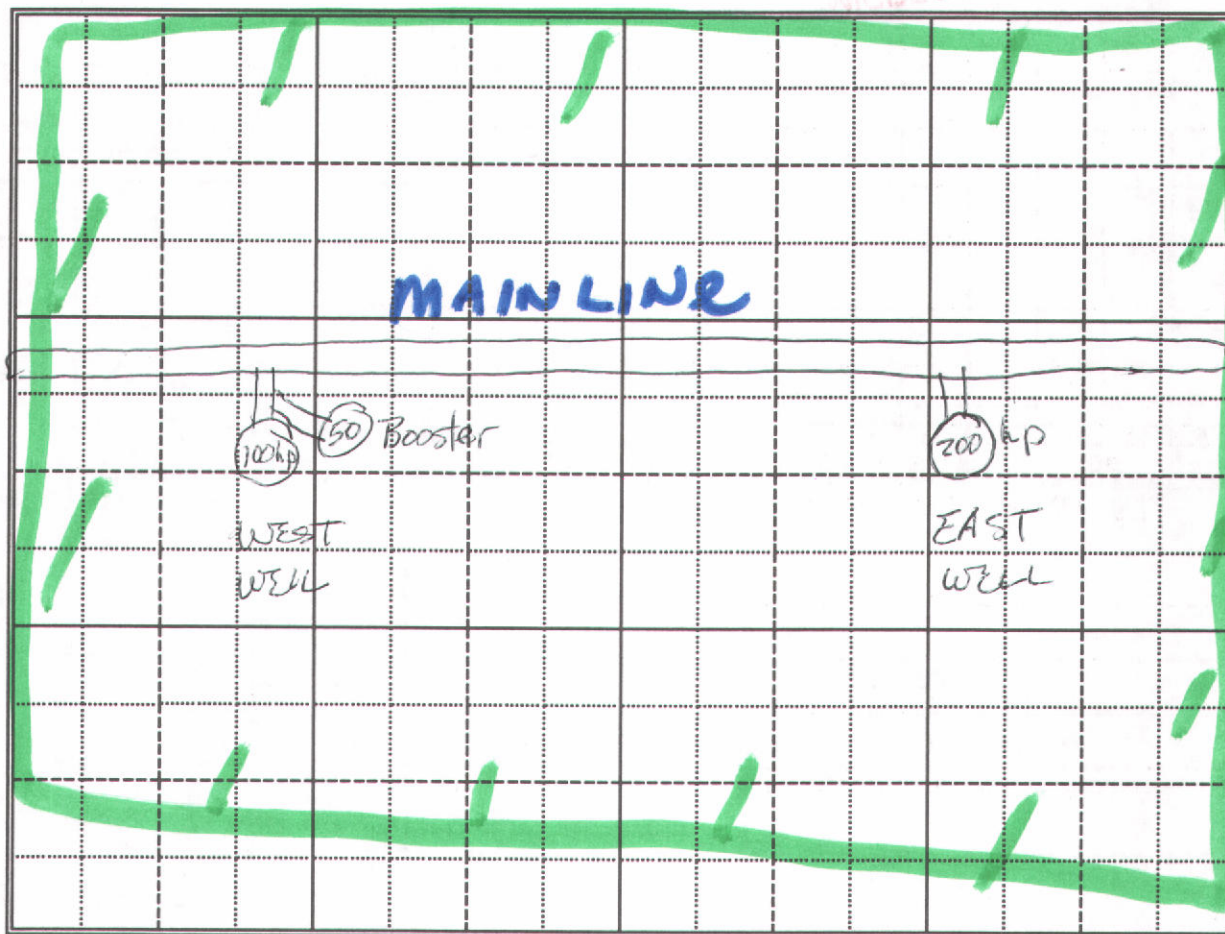
| Type   | WR #     | Owner                                                          | Source                | TRS | NE | ENE | NNE | SWNE | SENE | NENW | NNW | SWNW | SENW | NESW | NWSW | SSW | SESE | SESE | Total     |
|--------|----------|----------------------------------------------------------------|-----------------------|-----|----|-----|-----|------|------|------|-----|------|------|------|------|-----|------|------|-----------|
| Rec    | 35 12228 | MELVIN SCHRITTER,                                              | GROUND WATER 06S30E15 |     | 37 | 38  | 39  | 35   | 37   | 37   | 37  | 38   | 39   |      |      |     |      |      | 300       |
| Right  | 35 8881  | MELVIN SCHRITTER, ROBERTA SCHRITTER,                           | GROUND WATER 06S30E15 |     | 37 | 38  | 39  | 35   | 37   | 37   | 37  | 38   | 39   |      |      |     |      |      | 300       |
| Permit | 35 8881  | MELVIN SCHRITTER, ROBERTA SCHRITTER,                           | GROUND WATER 06S30E15 |     | 40 | 40  | 35  | 35   | 40   | 40   | 40  | 35   | 35   |      |      |     |      |      | 300       |
| Right  | 35 2549  | ELSIE FERN SCHRITTER,                                          | GROUND WATER 06S30E15 |     | 40 | 40  | 35  | 35   |      |      |     |      |      |      |      |     |      |      | 150       |
| Rec    | 35 12912 | MARILYN DUFFIN, VERN R DUFFIN,                                 | GROUND WATER 06S30E15 |     |    |     |     |      |      |      |     |      |      |      |      |     |      |      | 78        |
| Right  | 35 2495  | RICHARD W SCHELSKE, IRIS SCHELSKE,                             | GROUND WATER 06S30E15 |     |    |     |     |      |      |      |     |      |      |      |      |     |      |      | 155       |
| Right  | 35 2548  | ELSIE FERN SCHRITTER,                                          | GROUND WATER 06S30E15 |     |    |     |     |      |      |      |     |      |      |      |      |     |      |      | 150       |
| Right  | 35 7853A | EWALD A FUNK, PEARL S FUNK, ELIZABETH MALAND, PEGGY M SIMPSON, | GROUND WATER 06S30E15 |     |    |     |     |      |      |      |     |      |      |      |      |     |      |      | 27.5 52.5 |
| Right  | 35 7853B | EWALD A FUNK, PEARL S FUNK, ELIZABETH MALAND, PEGGY M SIMPSON, | GROUND WATER 06S30E15 |     |    |     |     |      |      |      |     |      |      |      |      |     |      |      | 78        |

claimed  
under # 12228  
under 35-12228

$$\begin{aligned} \text{capacity} &= 5.43 \text{ cfs} \\ \text{decree } 12228 &= 3.84 \\ \hline &= 1.59 \text{ left} \end{aligned}$$

$300 \times 0.02 = 6.00 \text{ cfs}$  - not enough capacity  
allow 1.59 cfs for Rt. 35-8881

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 |
|---------------------------------------|------------|-------|------------------|----------------|-----------------------------------|
| A0006040                              | YASKAWA    | 200   | 0071802203       | LAMINE BOWER   |                                   |
| A0006041                              | US Motors  | 100hp | 1169418          |                |                                   |
| Booster                               | Marathon   | 50hp  |                  | Cornell pumper |                                   |

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

#### D. FLOW MEASUREMENTS

1.

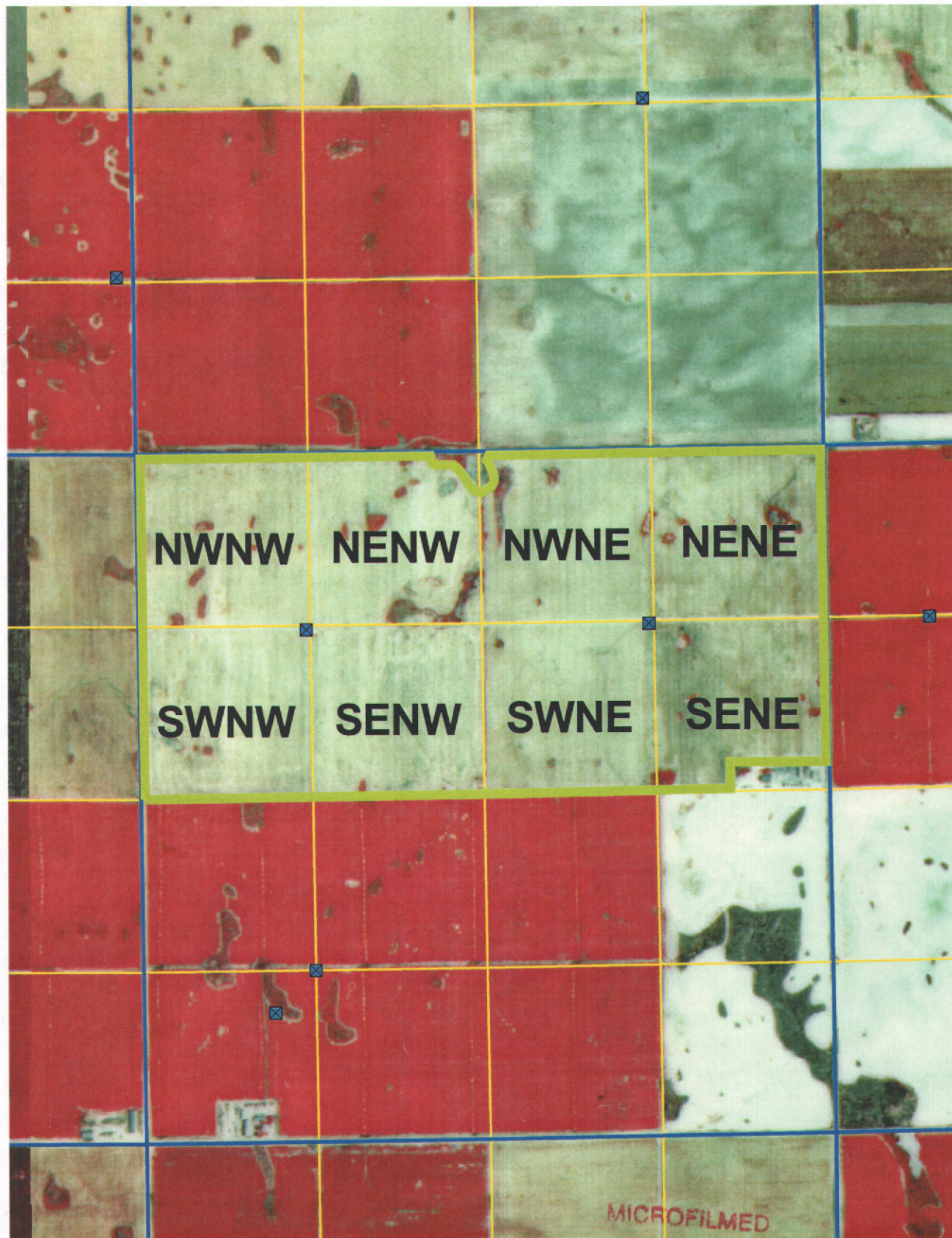
| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| SONIC METER           |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: 1265.5 gpm (Eastwell) Idaho Power  
1169.8 gpm (Westwell) Nesbitt (1997)

$$\frac{2435.3}{448.83} = 5.43$$

FILED  
J 2002

35-8881



1111 1 0 2002

RECEIVED

JAN 21 2003

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

Department of Water Resources

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 |
|--------------------|---------------------------|-------------------------------------|--------------------|---------------------------|-------|
| 35-07942           |                           | <input checked="" type="checkbox"/> |                    |                           |       |
| 35-08884           |                           | <input checked="" type="checkbox"/> |                    |                           |       |
| 35-08881           |                           | <input checked="" type="checkbox"/> |                    |                           |       |
| 35-17228           |                           | <input checked="" type="checkbox"/> |                    |                           |       |
|                    |                           |                                     |                    |                           |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

Melvin Schritter

4. New Owner/Claimant(s)

Will Rowe ~~Farm~~ or AWA Rowe

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

2524 Highway 39

City, State and ZIP Code

American Falls, ID 83211

New Telephone Number

(208) 226-2052

5. Date you acquired the property

3-1-02

*See file 35-7942 for support data*

RECEIVED

JAN 14 2003

Department of Water Resources  
 Eastern Region

MICROFILMED

JAN 14 2003

**8.** *N/A*

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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

**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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      | _____                                                        |

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

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 J.C. Date 1-15-03 Fee \$100 -  
 Received by J.C. Date 1-15-03 Receipt No. 6028437  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

MICROFILMED

MAR 11 2003

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 35-08881

Priority: March 09, 1990

Maximum Diversion Rate: 1.59 CFS

It is hereby certified that MELVIN SCHRITTER Or ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS ID 83211 have complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated March 09, 1990; and have  
submitted Proof of Beneficial Use on February 08, 1991. An examination indicates that the works have  
a diversion capacity of 5.43 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**

1.59 CFS

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 15, Twp 06S, Rge 30E, B.M., BINGHAM County

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 15, Twp 06S, Rge 30E, B.M., BINGHAM 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 |        |
| 06S | 30E | 15  | 37.0 | 38.0 | 39.0 | 35.0 | 37.0 | 37.0 | 38.0 | 39.0 |    |    |    |    |    |    |    |    | 300.0  |

Total Acres: 300

**CONDITIONS OF APPROVAL**

1. Right 35-12228 is also diverted through the points of diversion described above.
2. Rights 35-12228 and 35-08881 when combined shall not exceed a total annual maximum diversion volume of 1200.0 af at the field headgate, and the irrigation of 300 acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
4. 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.
5. 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.

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 20 day of July, 2002.

Acting for

KARL J. DREHER  
Director

MICROFILMED

JUL 13 2002

RECEIVED  
FEB 07 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED  
SEP 5 1990

Department of Water Resources PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35 - 08881 Telephone No. 226-5962

Name(s) of Permit Holder(s): MELVIN & ROBERTA SCHITTER

Post Office Address: 345 JEFFERSON, AM. FALLS, IDAHO 83211

Source of Water: groundwater

If ground water, well driller's name: George Vollmer, AM. FALLS Date drilled: 4/1/58

Extent of Use:  
Domestic \_\_\_\_\_ (No. of households) Irrigation 300 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted 2.16 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: 4/1/58

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Fee Enclosed: \$ already paid (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

BRIAN Schitter 397-4108  
Name Telephone No.

Route #1 Box 88, Aberdeen, Idaho 83212  
Address

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.

9-2-90 Melvin Schitter  
Date Signature (and title if on behalf of a company or organization)

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

NO. 35-08881

Proposed Priority: March 9, 1990      Maximum Diversion Rate: 2.16 CFS

This is to certify, that **MELVIN SCHRITTER**  
**ROBERTA SCHRITTER**  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|            |                |          |
|------------|----------------|----------|
| IRRIGATION | 04/01 to 11/01 | 2.16 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION:

|      |                                  |
|------|----------------------------------|
| SWNE | Sec. 15, Township 06S, Range 30E |
| SWNW | Sec. 15, Township 06S, Range 30E |
|      | BINGHAM 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 06S        | 30E        | 15         | NENE 40      | NWNE 40      | SWNE 35      |              |
|            |            |            | SENE 35      | NENW 40      | NWNW 40      |              |
|            |            |            | SWNW 35      | SENW 35      |              | 300          |

Total number of acres irrigated: 300

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Any license issued by IDWR pursuant to the permit 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.
5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

**RECORDED**  
JUL 20 1990

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

NO. 35-08881

CONDITIONS/REMARKS:

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

13<sup>th</sup> day of July, 1990.

*J. Keith Higginson*  
for R. Keith Higginson, Director

MICROFILMED

JUL 20 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Melvin Schritter or Roberta Schritter Phone (208) 226-5962

Post office address 345 Jefferson, American Falls, Idaho 83211

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_

Sec. 15 Township 06 South Range 30 East B.M. Bingham County; additional

points of diversion if any: SW NE Sec 15 T6S R30E

4. Water will be used for the following purposes:

Amount 2.16 for Irrigation purposes from 1 April to 1 November (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) 2.16 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well and pump to a sprinkler system.

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~~ <sup>Existing</sup> well diameter is 20" inches; ~~proposed~~ <sup>Existing</sup> depth of well is 280'-320' 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 <sup>proposed</sup> beneficial use is

5 years (minimum 1 year).

JUL 23 1990

10. Describe any other water rights used for the same purposes as described above. 35-02548, 35-02549

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

Total number of acres to be irrigated 300

[illegible]

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

a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_

b. Stockwatering; list number and kind of livestock. \_\_\_\_\_

c. Municipal; show name of municipality. \_\_\_\_\_

d. Domestic; show number of households. \_\_\_\_\_

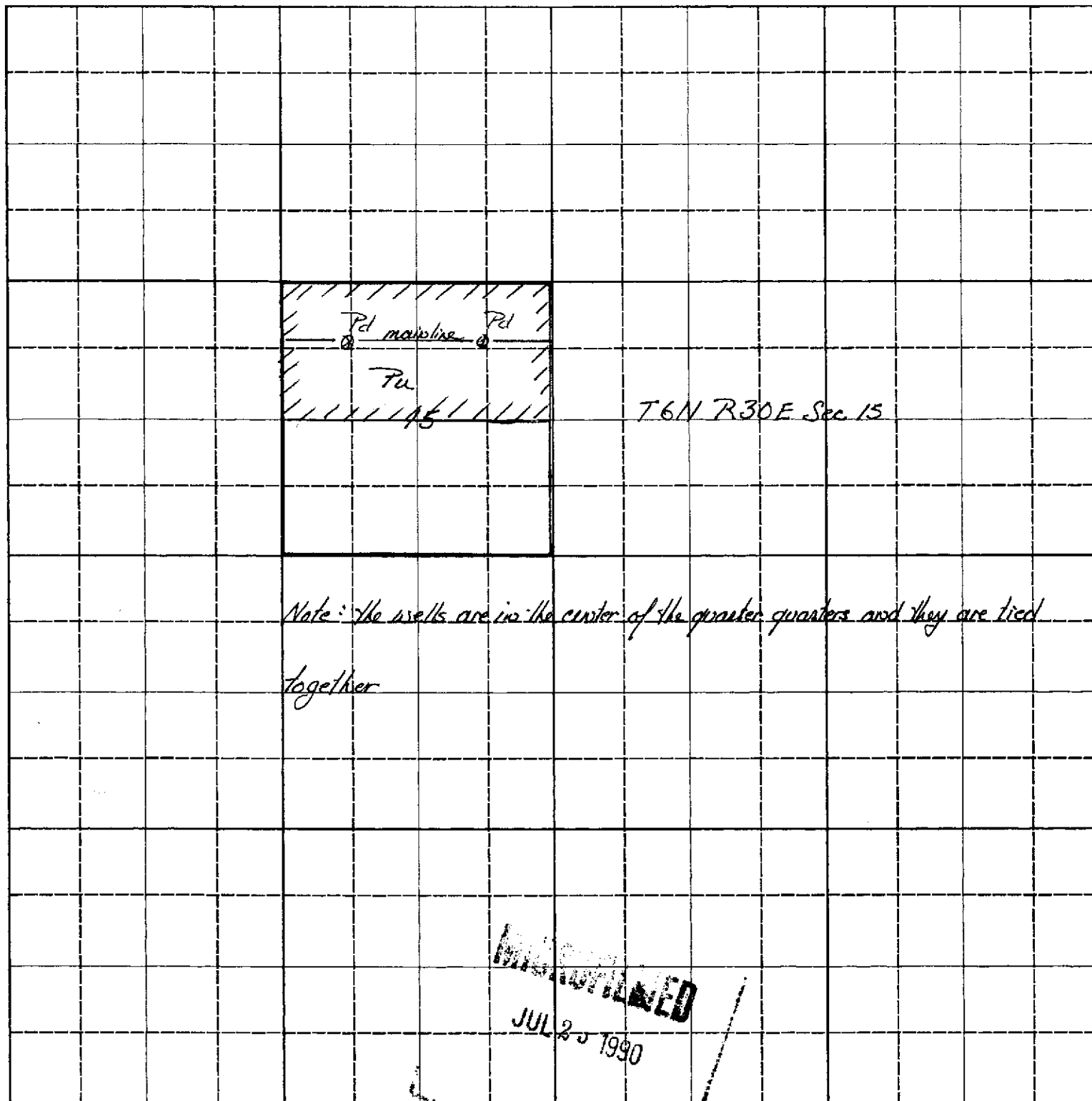
e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

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

b. 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.

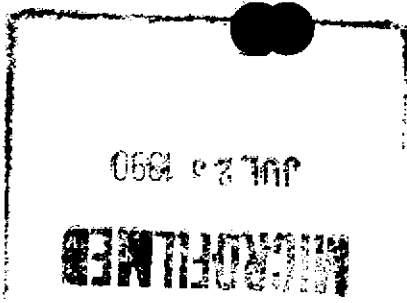
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Melvin Schutte  
(Applicant)



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: \_\_\_\_\_

Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by *CLJ* Date *6-02-89* Time *11:30A* Preliminary check by *9 mar 90* Fee \$ *85* Received by *RB* Date *5-31-90* Published in *Evening News* Publication prepared by *RB* Date *6-5-90* Publication approved by *RB* Date *6-5-90*

[illegible]

Magnum 1100

100-44361-100

1. The first of these is the fact that the Government has not been able to secure the necessary cooperation of the private sector in the development of the country's infrastructure. This is particularly true in the case of the transport sector, where the Government has been unable to attract the necessary investment from the private sector. This has resulted in a situation where the Government is unable to meet the demand for transport services, which is a major constraint on the country's economic growth.

1. The first part of the document is a letter from the President of the United States to the President of the Senate, dated January 1, 1901. The letter is signed by William McKinley and is addressed to Charles McNary. The letter is a copy of a letter that was sent to the President of the Senate by the President of the United States.

and that the "plan" to "use" of "arms" "for" "the" "purpose" of "defending" "ourselves" "with" "the" "use" of "arms" "and" "other" "property" "belonging" "to" "the" "State" "Government" "and" "other" "persons" "is" "not" "a" "crime" "under" "the" "Constitution" "of" "the" "United" "States" "and" "the" "laws" "of" "the" "State" "of" "California".

10-11-68  
10-12-68  
10-13-68  
10-14-68  
10-15-68  
10-16-68  
10-17-68  
10-18-68  
10-19-68  
10-20-68  
10-21-68  
10-22-68  
10-23-68  
10-24-68  
10-25-68  
10-26-68  
10-27-68  
10-28-68  
10-29-68  
10-30-68  
10-31-68  
11-1-68  
11-2-68  
11-3-68  
11-4-68  
11-5-68  
11-6-68  
11-7-68  
11-8-68  
11-9-68  
11-10-68  
11-11-68  
11-12-68  
11-13-68  
11-14-68  
11-15-68  
11-16-68  
11-17-68  
11-18-68  
11-19-68  
11-20-68  
11-21-68  
11-22-68  
11-23-68  
11-24-68  
11-25-68  
11-26-68  
11-27-68  
11-28-68  
11-29-68  
11-30-68  
12-1-68  
12-2-68  
12-3-68  
12-4-68  
12-5-68  
12-6-68  
12-7-68  
12-8-68  
12-9-68  
12-10-68  
12-11-68  
12-12-68  
12-13-68  
12-14-68  
12-15-68  
12-16-68  
12-17-68  
12-18-68  
12-19-68  
12-20-68  
12-21-68  
12-22-68  
12-23-68  
12-24-68  
12-25-68  
12-26-68  
12-27-68  
12-28-68  
12-29-68  
12-30-68  
12-31-68  
1969  
1-1-69  
1-2-69  
1-3-69  
1-4-69  
1-5-69  
1-6-69  
1-7-69  
1-8-69  
1-9-69  
1-10-69  
1-11-69  
1-12-69  
1-13-69  
1-14-69  
1-15-69  
1-16-69  
1-17-69  
1-18-69  
1-19-69  
1-20-69  
1-21-69  
1-22-69  
1-23-69  
1-24-69  
1-25-69  
1-26-69  
1-27-69  
1-28-69  
1-29-69  
1-30-69  
1-31-69  
2-1-69  
2-2-69  
2-3-69  
2-4-69  
2-5-69  
2-6-69  
2-7-69  
2-8-69  
2-9-69  
2-10-69  
2-11-69  
2-12-69  
2-13-69  
2-14-69  
2-15-69  
2-16-69  
2-17-69  
2-18-69  
2-19-69  
2-20-69  
2-21-69  
2-22-69  
2-23-69  
2-24-69  
2-25-69  
2-26-69  
2-27-69  
2-28-69  
2-29-69  
2-30-69  
3-1-69  
3-2-69  
3-3-69  
3-4-69  
3-5-69  
3-6-69  
3-7-69  
3-8-69  
3-9-69  
3-10-69  
3-11-69  
3-12-69  
3-13-69  
3-14-69  
3-15-69  
3-16-69  
3-17-69  
3-18-69  
3-19-69  
3-20-69  
3-21-69  
3-22-69  
3-23-69  
3-24-69  
3-25-69  
3-26-69  
3-27-69  
3-28-69  
3-29-69  
3-30-69  
3-31-69  
4-1-69  
4-2-69  
4-3-69  
4-4-69  
4-5-69  
4-6-69  
4-7-69  
4-8-69  
4-9-69  
4-10-69  
4-11-69  
4-12-69  
4-13-69  
4-14-69  
4-15-69  
4-16-69  
4-17-69  
4-18-69  
4-19-69  
4-20-69  
4-21-69  
4-22-69  
4-23-69  
4-24-69  
4-25-69  
4-26-69  
4-27-69  
4-28-69  
4-29-69  
4-30-69  
4-31-69  
5-1-69  
5-2-69  
5-3-69  
5-4-69  
5-5-69  
5-6-69  
5-7-69  
5-8-69  
5-9-69  
5-10-69  
5-11-69  
5-12-69  
5-13-69  
5-14-69  
5-15-69  
5-16-69  
5-17-69  
5-18-69  
5-19-69  
5-20-69  
5-21-69  
5-22-69  
5-23-69  
5-24-69  
5-25-69  
5-26-69  
5-27-69  
5-28-69  
5-29-69  
5-30-69  
5-31-69  
6-1-69  
6-2-69  
6-3-69  
6-4-69  
6-5-69  
6-6-69  
6-7-69  
6-8-69  
6-9-69  
6-10-69  
6-11-69  
6-12-69  
6-13-69  
6-14-69  
6-15-69  
6-16-69  
6-17-69  
6-18-69  
6-19-69  
6-20-69  
6-21-69  
6-22-69  
6-23-69  
6-24-69  
6-25-69  
6-26-69  
6-27-69  
6-28-69  
6-29-69  
6-30-69  
6-31-69  
7-1-69  
7-2-69  
7-3-69  
7-4-69  
7-5-69  
7-6-69  
7-7-69  
7-8-69  
7-9-69  
7-10-69  
7-11-69  
7-12-69  
7-13-69  
7-14-69  
7-15-69  
7-16-69  
7-17-69  
7-18-69  
7-19-69  
7-20-69  
7-21-69  
7-22-69  
7-23-69  
7-24-69  
7-25-69  
7-26-69  
7-27-69  
7-28-69  
7-29-69  
7-30-69  
7-31-69  
8-1-69  
8-2-69  
8-3-69  
8-4-69  
8-5-69  
8-6-69  
8-7-69  
8-8-69  
8-9-69  
8-10-69  
8-11-69  
8-12-69  
8-13-69  
8-14-69  
8-15-69  
8-16-69  
8-17-69  
8-18-69  
8-19-69  
8-20-69  
8-21-69  
8-22-69  
8-23-69  
8-24-69  
8-25-69  
8-26-69  
8-27-69  
8-28-69  
8-29-69  
8-30-69  
8-31-69  
9-1-69  
9-2-69  
9-3-69  
9-4-69  
9-5-69  
9-6-69  
9-7-69  
9-8-69  
9-9-69  
9-10-69  
9-11-69  
9-12-69  
9-13-69  
9-14-69  
9-15-69  
9-16-69  
9-17-69  
9-18-69  
9-19-69  
9-20-69  
9-21-69  
9-22-69  
9-23-69  
9-24-69  
9-25-69  
9-26-69  
9-27-69  
9-28-69  
9-29-69  
9-30-69  
9-31-69  
10-1-69  
10-2-69  
10-3-69  
10-4-69  
10-5-69  
10-6-69  
10-7-69  
10-8-69  
10-9-69  
10-10-69  
10-11-69  
10-12-69  
10-13-69  
10-14-69  
10-15-69  
10-16-69  
10-17-69  
10-18-69  
10-19-69  
10-20-69  
10-21-69  
10-22-69  
10-23-69  
10-24-69  
10-25-69  
10-26-69  
10-27-69  
10-28-69  
10-29-69  
10-30-69  
10-31-69  
11-1-69  
11-2-69  
11-3-69  
11-4-69  
11-5-69  
11-6-69  
11-7-69  
11-8-69  
11-9-69  
11-10-69  
11-11-69  
11-12-69  
11-13-69  
11-14-69  
11-15-69  
11-16-69  
11-17-69  
11-18-69  
11-19-69  
11-20-69  
11-21-69  
11-22-69  
11-23-69  
11-24-69  
11-25-69  
11-26-69  
11-27-69  
11-28-69  
11-29-69  
11-30-69  
12-1-69  
12-2-69  
12-3-69  
12-4-69  
12-5-69  
12-6-69  
12-7-69  
12-8-69  
12-9-69  
12-10-69  
12-11-69  
12-12-69  
12-13-69  
12-14-69  
12-15-69  
12-16-69  
12-17-69  
12-18-69  
12-19-69  
12-20-69  
12-21-69  
12-22-69  
12-23-69  
12-24-69  
12-25-69  
12-26-69  
12-27-69  
12-28-69  
12

[illegible]

Received 12 November 2003; accepted 12 November 2003

| Year | Soil | Moisture, Date, Direction | No. Acres<br>Permitted to be Irrigated | No. Acres<br>Actually Irrigated |
|------|------|---------------------------|----------------------------------------|---------------------------------|
| 1900 |      |                           | 50                                     | 50                              |
| 1901 |      |                           | 50                                     | 50                              |
| 1902 |      |                           | 50                                     | 50                              |
| 1903 |      |                           | 50                                     | 50                              |
| 1904 |      |                           | 50                                     | 50                              |
| 1905 |      |                           | 50                                     | 50                              |
| 1906 |      |                           | 50                                     | 50                              |
| 1907 |      |                           | 50                                     | 50                              |
| 1908 |      |                           | 50                                     | 50                              |
| 1909 |      |                           | 50                                     | 50                              |
| 1910 |      |                           | 50                                     | 50                              |
| 1911 |      |                           | 50                                     | 50                              |
| 1912 |      |                           | 50                                     | 50                              |
| 1913 |      |                           | 50                                     | 50                              |
| 1914 |      |                           | 50                                     | 50                              |
| 1915 |      |                           | 50                                     | 50                              |
| 1916 |      |                           | 50                                     | 50                              |
| 1917 |      |                           | 50                                     | 50                              |
| 1918 |      |                           | 50                                     | 50                              |
| 1919 |      |                           | 50                                     | 50                              |
| 1920 |      |                           | 50                                     | 50                              |
| 1921 |      |                           | 50                                     | 50                              |
| 1922 |      |                           | 50                                     | 50                              |
| 1923 |      |                           | 50                                     | 50                              |
| 1924 |      |                           | 50                                     | 50                              |
| 1925 |      |                           | 50                                     | 50                              |
| 1926 |      |                           | 50                                     | 50                              |
| 1927 |      |                           | 50                                     | 50                              |
| 1928 |      |                           | 50                                     | 50                              |
| 1929 |      |                           | 50                                     | 50                              |
| 1930 |      |                           | 50                                     | 50                              |
| 1931 |      |                           | 50                                     | 50                              |
| 1932 |      |                           | 50                                     | 50                              |
| 1933 |      |                           | 50                                     | 50                              |
| 1934 |      |                           | 50                                     | 50                              |
| 1935 |      |                           | 50                                     | 50                              |
| 1936 |      |                           | 50                                     | 50                              |
| 1937 |      |                           | 50                                     | 50                              |
| 1938 |      |                           | 50                                     | 50                              |
| 1939 |      |                           | 50                                     | 50                              |
| 1940 |      |                           | 50                                     | 50                              |
| 1941 |      |                           | 50                                     | 50                              |
| 1942 |      |                           | 50                                     | 50                              |
| 1943 |      |                           | 50                                     | 50                              |
| 1944 |      |                           | 50                                     | 50                              |
| 1945 |      |                           | 50                                     | 50                              |
| 1946 |      |                           | 50                                     | 50                              |
| 1947 |      |                           | 50                                     | 50                              |
| 1948 |      |                           | 50                                     | 50                              |
| 1949 |      |                           | 50                                     | 50                              |
| 1950 |      |                           | 50                                     | 50                              |
| 1951 |      |                           | 50                                     | 50                              |
| 1952 |      |                           | 50                                     | 50                              |
| 1953 |      |                           | 50                                     | 50                              |
| 1954 |      |                           | 50                                     | 50                              |
| 1955 |      |                           | 50                                     | 50                              |
| 1956 |      |                           | 50                                     | 50                              |
| 1957 |      |                           | 50                                     | 50                              |
| 1958 |      |                           | 50                                     | 50                              |
| 1959 |      |                           | 50                                     | 50                              |
| 1960 |      |                           | 50                                     | 50                              |
| 1961 |      |                           | 50                                     | 50                              |
| 1962 |      |                           | 50                                     | 50                              |
| 1963 |      |                           | 50                                     | 50                              |
| 1964 |      |                           | 50                                     | 50                              |
| 1965 |      |                           | 50                                     | 50                              |
| 1966 |      |                           | 50                                     | 50                              |
| 1967 |      |                           | 50                                     | 50                              |
| 1968 |      |                           | 50                                     | 50                              |
| 1969 |      |                           | 50                                     | 50                              |
| 1970 |      |                           | 50                                     | 50                              |
| 1971 |      |                           | 50                                     | 50                              |
| 1972 |      |                           | 50                                     | 50                              |
| 1973 |      |                           | 50                                     | 50                              |
| 1974 |      |                           | 50                                     | 50                              |
| 1975 |      |                           | 50                                     | 50                              |
| 1976 |      |                           | 50                                     | 50                              |
| 1977 |      |                           | 50                                     | 50                              |
| 1978 |      |                           | 50                                     | 50                              |
| 1979 |      |                           | 50                                     | 50                              |
| 1980 |      |                           | 50                                     | 50                              |
| 1981 |      |                           | 50                                     | 50                              |
| 1982 |      |                           | 50                                     | 50                              |
| 1983 |      |                           | 50                                     | 50                              |
| 1984 |      |                           | 50                                     | 50                              |
| 1985 |      |                           | 50                                     | 50                              |
| 1986 |      |                           | 50                                     | 50                              |
| 1987 |      |                           | 50                                     | 50                              |
| 1988 |      |                           | 50                                     | 50                              |
| 1989 |      |                           | 50                                     | 50                              |
| 1990 |      |                           | 50                                     | 50                              |
| 1991 |      |                           | 50                                     | 50                              |
| 1992 |      |                           | 50                                     | 50                              |
| 1993 |      |                           | 50                                     | 50                              |

and, under the act, the Federal Government is authorized to purchase or lease land for the purpose of establishing a national monument, provided the land is owned by the United States.

10-10-68

State Reclamation Engineer

RECEIVED

MAY 10 1990

Department of Water Resources  
Eastern District Office

DEPT. OF WATER RESOURCES  
150 Shoup Ave., Suite 15  
Idaho Falls, Id. 83402  
(208) 525-7161

NOTICE OF APPLICATION  
FOR WATER RIGHT

The following application(s) have been filed  
to appropriate the public waters of the State of  
Idaho:

27-07493

JENSEN, Ambrose  
JENSEN, Marian  
27 E. 200 N.  
Blackfoot, Idaho 83221  
Source: GROUNDWATER  
Diversion Pt: NWNE, Sec. 30, T. 02S, R.  
36E.  
Use: IRRIGATION (1.200 CFS).  
Total Diversion: (1.200 CFS).  
Date Filed: 2/27/1990.  
In: T02S, R36E, S30, NWNE, NENW.  
60.0 ACRES TOTAL.

35-08881

SCHRITTER, Melvin  
SCHRITTER, Roberta  
345 Jefferson  
American Falls, Id. 83211  
Source: GROUNDWATER  
Diversion Pt: SWNE, Sec. 15, T. 06S, R.  
30E.  
SWNW Sec. 15, T. 06S, R. 30E.  
Use: IRRIGATION (2.160 CFS).  
Total Diversion: (2.160 CFS).  
Date Filed: 3/9/1990.  
In: T06S, R30E, S15, NENE, NWNE,  
SWNE, SENE, NENW, NWNW, SWNW,  
SENW.  
300.0 ACRES TOTAL.

The permit(s) will be subject to all prior  
water rights. Protests may be submitted bas-  
ed 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  
1990.

R. KEITH HIGGINSON  
Director

(775)  
Pub.: 5/3, 10

AFFIDAVIT of PUBLICATION

County of Bingham )

State of Idaho ) ss

I, Ted Townsend do  
solemnly

swear that I am the Publisher of  
The Morning News which is a daily newspaper of  
general circulation published each day except Sunday  
at Blackfoot, Bingham County, Idaho, said newspaper  
having been so published at Blackfoot, aforesaid for  
more than one year past; that said newspaper  
heretofore complied with all the provisions of Chapter  
154 of the Sessions Laws of Idaho of 1933, approved  
March 11, 1933, and duly designated, pursuant to law,  
a particular day of the week as the day on which legal  
notices required by law or by the order of any Court of  
competent jurisdiction within the State of  
Idaho shall be published to-wit: of each week; that the  
notice attached hereto and which is a part of this af-  
fidavit and part of the proof of publication was  
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the  
3rd day of May, 1990;

and the last publication having been made on the  
10th day of May, 1990;  
that said notice was published in the regular and entire  
issue of every number of the paper as aforesaid during  
the period and time of publication, and that notice was  
published in the newspaper and not in a supplement.

On this 15th day of May, in  
the year 1990 before me a Notary Public of said State,  
personally appeared

Ted Townsend  
known or identified to me to be the person whose  
name is 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 ex-  
ecuted the same.

Wayne D. Taylor  
Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
November 10, 1994

Affidavit Processing Fee ..... \$5.00

NOT RECORDED

JUL 23 1990



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

January 22, 2003

WILL ROWE  
AWA ROWE  
2524 HWY 39  
AMERICAN FALLS ID 83211

RE: Change of Ownership for Water Rights 35-7942, 35-8881, 35-8884 & 35-12228

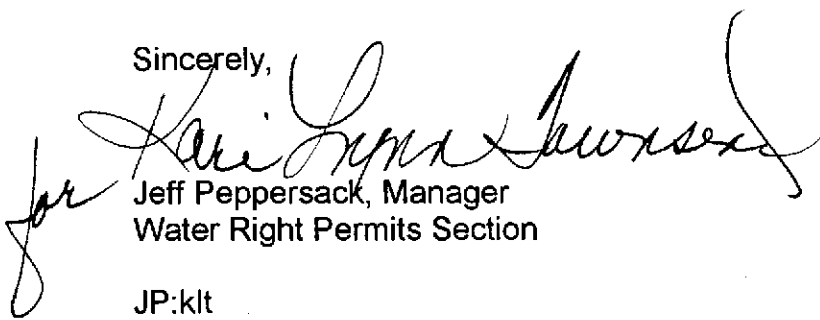
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

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

Enclosures

MICROFILMED

MAR 11 2003



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 5, 2002

MELVIN SCHRITTER  
ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS ID 83211

RE: License No. 35-8881 - 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,

for Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

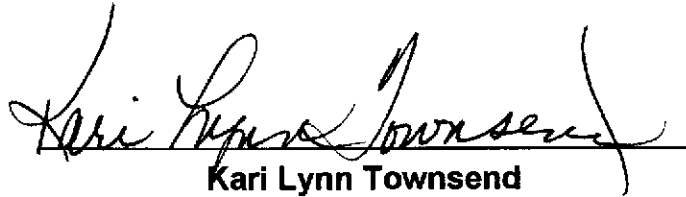
MICROFILMED  
JUL 10 2002

## CERTIFICATE OF SERVICE

I hereby certify that on July 5, 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. 35-8881

MELVIN SCHRITTER  
ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS ID 83211

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
JUL 10 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).

### 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. 35-8881

Date: 6-25-02 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)

Overlaps: Right(s): 35-12228

File reviewed OK Profile reports printed OK

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

Rate of Diversion:

Permitted rate 2.16 cfs  
Fee Limit 3.0 cfs  
Measured 5.43 cfs  
Theoretical OK cfs

Recommended Total Diversion Rate 1.59

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.59 cfs \* af  
Stockwater OK cfs OK af  
Domestic OK cfs OK af  
OK cfs OK af  
OK cfs OK af  
Total 1.59 cfs \* af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

sl 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

1.59 cfs x 1.9835 x 214 days = 674.9 af (vs) 300 acres x 4.0 (FHR) = 1200 af

Remarks:

R04, R55, W36, W35 (vol, acres)

Additional Conditions 120

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

no

If yes, explain why below.

SRBA Claim? NO

Adjust memo OK

Amend Letters

P87, S06

Second Amendment Notice

S06

*\* all decreed under 35-12228*

*5.43 cap  
3.84 decreed  
1.59 left*

| Type  | WR #     | Owner                                                          | Source                  | TRS | NE | ENE | NNE | WNE | SWNE | ENE | ENW | NNW | SWNW | SENW | NESW | NWSW | WSW | SSW | NESE | NWSE | SWSE | SESE Total |
|-------|----------|----------------------------------------------------------------|-------------------------|-----|----|-----|-----|-----|------|-----|-----|-----|------|------|------|------|-----|-----|------|------|------|------------|
| Right | 35 6881  | MELVIN SCHRITTER, ROBERTA SCHRITTER                            | GROUND WATER (DSSJUE16) |     | 37 | 38  | 39  | 35  |      |     |     | 37  | 38   | 39   |      |      |     |     |      |      |      | 300        |
| Right | 35 2548  | ELSIE FERN SCHRITTER                                           | GROUND WATER (DSSJUE16) |     | 40 | 40  | 35  | 35  |      |     |     | 40  | 40   | 35   |      |      |     |     |      |      |      | 300        |
| Right | 35 2549  | ELSIE FERN SCHRITTER                                           | GROUND WATER (DSSJUE16) |     | 40 | 40  | 35  | 35  |      |     |     | 40  | 40   | 35   |      |      |     |     |      |      |      | 150        |
| Right | 35 2485  | RICHARD W SCHELSKE, IRIS SCHELSKE                              | GROUND WATER (DSSJUE16) |     |    |     |     |     |      |     |     | 40  | 40   | 35   |      | 39   |     |     |      |      |      | 78         |
| Right | 35 7853A | IEWALD A FUNK, PEARL S FUNK, ELIZABETH MALAND, PEGGY M SIMPSON | GROUND WATER (DSSJUE16) |     |    |     |     |     |      |     |     | 40  | 40   | 35   |      |      |     |     |      |      |      | 150        |
| Right | 35 7853B | IEWALD A FUNK, PEARL S FUNK, ELIZABETH MALAND, PEGGY M SIMPSON | GROUND WATER (DSSJUE16) |     |    |     |     |     |      |     |     |     |      |      |      |      |     |     | 28   |      | 27.5 | 52.5       |
|       |          |                                                                |                         |     |    |     |     |     |      |     |     |     |      |      |      |      |     |     | 39   | 39   |      | 78         |

claimed  
under # 35-12228

capacity = 5.43 cfs  
decrease 12228 = 3.84  
1.59 left

300 x 0.02 = 6.00 cfs - not enough capacity  
allow 1.59 cfs for Rt. 35-8881

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

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 35-12228

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

FEB 15 2002

By \_\_\_\_\_  
Clerk  
Deputy Clerk

NAME AND ADDRESS: MELVIN SCHITTER  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 3.84 CFS  
1200.00 APY

PRIORITY DATE: 10/20/1958

POINT OF DIVERSION: T06S R30E S15 NESWNE Within Bingham County  
NESWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 3.84 CFS<br>1200.00 APY |

| PLACE OF USE: | Irrigation        | Within Bingham County                            |
|---------------|-------------------|--------------------------------------------------|
|               | T06S R30E S15     | NWNE 38.0<br>SENE 35.0<br>NWNW 37.0<br>SENW 39.0 |
|               | 300.0 Acres Total |                                                  |

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance  
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

MICROFILMED

JUL 10 2002

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 35-12228 File Number: 02065

PAGE 1  
Feb-15-2002

35-2548 → 35-12228  
35-2549 →

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

APR 10 2002

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 35-8881

1. Owner: Melvin Schritter & Roberta Phone No. \_\_\_\_\_

Current Address: 345 Jefferson, American Falls, Id 83211

2. Accompanied by: NONE EXAM DATE: 4/3/2002

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: GW tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 35-12228

2. Other water rights with the same point of diversion: 35-12228

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|---------|---------------------------------|
|           |           | NE  | SW  | NE  | 15   | 6S   | 30E  | Bingham | TAG 000 6040 / FE               |
|           |           | NE  | SW  | NW  | 15   | 6S   | 30E  | Bingham | TAG 000 6041 / FE               |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

**2. Place(s) of Use:**

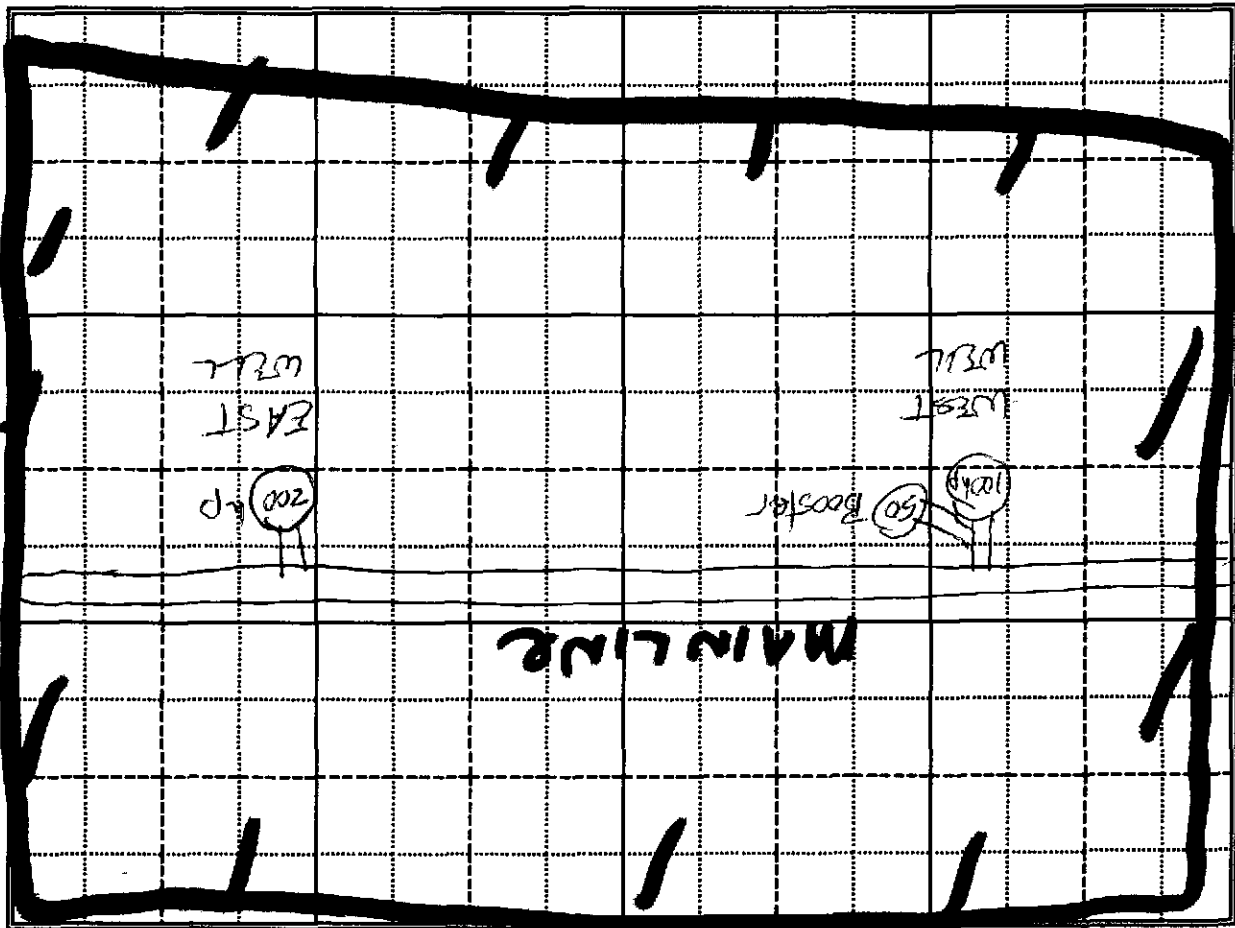
Indicate Method of Determination Adj. claim CYR

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 6S  | 30E | 15  | 37 | 38 | 39 | 35 | 37 | 37 | 38 | 39 |    |    |    |    |    |    |    |    | 300 AC |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 300 AC |

MICROFILMED

APR 10 2002

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 (if 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 |
|---------------------------------------|------------|-------|------------------|--------------|-----------------------------------|
| A0006040                              | Yaskawa    | 200   | 0071807203       | LAYNE BOWER  |                                   |
| A0006041                              | US Motors  | 100hp | 1169418          |              |                                   |
| Booster                               | Marathon   | 50hp  |                  | Cornell pump |                                   |

\*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 |
|-----------------------|------|------|-----------|------------|------|-------------|
| Sonic Meter           |      |      |           |            |      |             |

2. Measurements:

1265.5 gpm (Eastwell) 1169.8 gpm (Westwell) Idaho Power Q Mesbitt (1997)

$$2435.2 = 5.43 \times 448.83$$

E. NARRATIVE/REMARKS/COMMENTS

two wells into common MAINLINE

CMB USE

Measured CFS 5.43

WITH 35-12228 3.84 CFS 300 AC 1200 AF/A

this permit 1.58 CFS 300 AC

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

MICROFILMED

JUL 18 2002

**Measured Method:**

*Zonic Water*

$$= \frac{2435.3 \text{ gpm}}{448.83 \text{ gpm}} = 5.43 \text{ cfs}$$

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 300 \times 4 = 1200 \text{ AF/A}$$

$$V_{or} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.58(2.14)(1.9835) = 6.75 \text{ AF/A}$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{or} = 6.75 \text{ AF/A}$$

## 2. Volume Calculations for Other Uses:

35-8881

CMB 35-12228  $\rightarrow$  5.43 OFS 300AC 1200 AF/H

## H. RECOMMENDATIONS

### 1. Recommended Amounts

## Beneficial Use

Tr

**From**

01

### Rate of Diversion

Q (cts)

1,594

1.59 CFS

Annual Volume

(b)(7)(D)

675 AF/H

**Totals:**

1.50 5.1

675 A#17

## 2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

|       |                                     |
|-------|-------------------------------------|
| None  | <input checked="" type="checkbox"/> |
| Other | <input type="checkbox"/>            |

## I. AUTHENTICATION

## Review

Field Examiner's Name

Date \_\_\_\_\_

DAVE CARLSON Date 4/3/2002

Date \_\_\_\_\_

4-5-02

SEAL  
MICROFILMED

35-8881



JUL 10 2012

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: Permit NO. 35-8881 & 35-8884/Trust Water Processing

DATE: 9-24-91

---

The above permits were approved in 1990 as trust water filings but no documentation concerning trust review was found in the file.

Both permits are supplemental filings which appropriate an additional rate of diversion over existing licensed rights appurtenant to the same land. Acreage under the filings is not counted as trust acreage.

MICROFILMED

JUL 19 2002

February 26, 1991

MELVIN SCHRITTER  
ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08881

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.

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

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAR 18 1991

ANALYSIS SHEET  
for  
PROOF OF BENEFICIAL USE

Permit No. 35-8881

Date 2-21-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?  
☒ Address same as permit? If no, prepare data entry form.  
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source  
☒ Ground water source  
NO Drill permit req'd?  
Copy in file? Drill permit no. \_\_\_\_\_  
1980 ☒ Well log in file?  
☒ Amt paid for drilling permit? \_\_\_\_\_ Correct?

LICENSE EXAMINATION FEE

- ☒ Required?  
150.00 ~~100.00~~ Amount submitted?  
☒ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?  
☒ Installed?  
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*Proof acceptable*

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

|           |   |  |
|-----------|---|--|
| <u>NA</u> |   |  |
|           | - |  |
|           | = |  |
|           | + |  |
|           | = |  |

*LB*

# Cavaness & Boomer

BEN CAVANESS  
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW  
P.O. Box 70 — 376 Roosevelt  
American Falls, Idaho 83211

February 6, 1991

Telephone  
(208) 226-2562  
Fax (208) 226-2578

Rita I. Fleck  
Dept. of Water Resources  
Statehouse Mail  
Boise, ID 83720

Re: Permit Nos. 35-08881 and 35-08884  
Melvin Schritter

Dear Ms. Fleck:

Enclosed are the originals of the two proof of beneficial use forms along with the check from Mr. and Mrs. Schritter for \$275, regarding the above referenced.

If you will require anything further, please let me know.

Very truly yours,

Ben Cavaness

BC:mh

Encl.

cc: Brian Schritter  
Melvin Schritter

Sorry, my letter of February 5 crossed in the mail with your checks. Thank you for getting it to me.

RECEIVED

MAR 18 1991

January 16, 1991

BEN CAVANESS  
CAVANESS AND BOOMER  
P O BOX 70  
AMERICAN FALLS ID 83211

Dear Mr. Cavaness:

Re: Permit Nos. 35-08881 and 35-08884

Your letter to Gary Spackman dated September 4, 1990 has been forwarded to me for response.

Returned are the proof of beneficial use form submitted for Melvin and Roberta Schritter for the above referenced permits. Before the department can accept the proofs for the rate of diversion indicated, license exam fees are required. A fee is required for all permits with a diversion rate greater than 0.04 cfs on which proof is being submitted prior to conducting the field inspection. The fee helps defer the cost of conducting the field inspection and is authorized under Sec. 42-221, Idaho Code.

Enclosed is an instruction sheet/fee schedule. Note that the fees vary depending on the rate of diversion. For Permit Nos. 35-08881 and 35-08884 the fees are \$150 and \$125, respectively.

If you have any questions, please contact me.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosures

**MICROFILMED**

MAR 18 1991

# Cavaness & Boomer

BEN CAVANESS  
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW  
P.O. Box 70 — 376 Roosevelt  
American Falls, Idaho 83211

Telephone  
(208) 226-2562

September 4, 1990

Gary Spackman, Supervisor  
Water Right Permits Section  
Department of Water Resources  
Statehouse  
Boise, ID 83720

Re: Permit No. P35-08881 and P35-08884

Dear Gary:

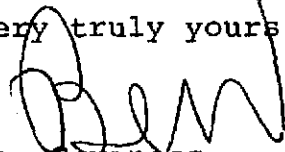
It is my understanding that you have been "proselytizing" local farmers to convince me that you are not "a bad guy". I had a lot of fun talking about you with Ron Funk and I couldn't miss one more chance to give you a little shot. After I told him about the "off the cuff" situation, he had a good laugh and did "missionary" me to be a little nicer to you.

I am enclosing the originals of the Commencement of Works and the Proof of Beneficial Use forms that you earlier forwarded to Melvin and Roberta Schritter on the above referenced permits. These were for supplemental water that they had been applying but do not have a license for.

They have already paid their adjudication fees so I do not believe that they owe any additional fees, but if you believe they do, please notify me and I will secure those fees for you.

If you have any problems or questions, please advise.

Very truly yours,



Ben Cavaness

BC:mh  
Encl.

MAR 18 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SEP 5 1990

COMMENCEMENT OF WORKS

Permit No. 35-08881 Department of Water Resources

Name(s) of Permit Holder(s): MELVIN SCHRIFFER

Post Office Address: 345 JEFFERSON

RM. FALLS FALLS, IDAHO 83211 Tel. No. 226-5962

☐ I hereby certify that construction of diversion works for the above referenced permit began on 4/1/58 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:  
\_\_\_\_\_  
\_\_\_\_\_

\*Note: A financing difficulty is not an acceptable reason.

9-2-90 Date

Melvin Schriber Signature of Permit Holder

PLACE  
STAMP  
HERE



RECEIVED

APR 11 1967

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

S T A T E   O F   I D A H O

DEPARTMENT OF WATER RESOURCES

---

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
July 13, 1990

MELVIN SCHRITTER  
ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

PERMIT APPROVAL NOTICE

RE: PERMIT NO.      P35-08881

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you

**RECEIVED**

JUL 24 1990

commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

RECEIVED  
MAY 10 1967

ALL 3-4-67

Dist. for staffing 7-6-89 RB  
Submitted for advertising 3-28-90 HLT

Form No. 202a  
4/37

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Melvin Schmitter  
TRUST water  
Exempt - Do advertise

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn DATE 18 Aug 89 APPLICATION NUMBER 35~8881

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.) 35-02548 / 02549
- ☒ Overlapping point of diversion
  - ☐ Yes ☒ No Field check required
  - ☐ 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

Date Requested

**RECEIVED**  
**JUN 25 1990**

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

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 5-21-90  
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☒ No Recommendations attached  
☐ Yes ☒ No Measuring device required  
☒ Yes ☒ No Access port required Flow Task Force Memo  
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01-P05  
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 3-9-90

By HCS

Date 6-20-90

STATE OFFICE REVIEW

P05, P23

P17

46 51 52 53 26

See below for additional information

By KW

Date 7-3-90

ADDITIONAL INFORMATION

Rule 4, 5, 6 info wanted as previous license case ground  
App. in TRUST Area - use trust  
conditions per Tim  
Allow 3 yes. to complete development

01-May-1990

MELVIN OR ROBERTA SCHRITTER  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

RE: Application for Permit No. 35-8881

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 the MORNING NEWS on MAY 3 & 10, 1990. 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  
Water Rights Supervisor

HWJ/rb

MAILED

JUL 23 1990

35-08881

SCHRITTER, MELVIN  
SCHRITTER, ROBERTA  
345 JEFFERSON  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt:               SWNE       Sec 15 T 06S R 30E  
                              SWNW       Sec 15 T 06S R 30E

Use: IRRIGATION                       ( 2.160 CFS)  
      Total Diversion: ( 2.160 CFS)

Date Filed: 3/ 9/ 1990

|                   |      |      |      |      |
|-------------------|------|------|------|------|
| In: T06S R30E S15 | NENE | NWNE | SWNE | SENE |
|                   | NENW | NWNW | SWNW | SENW |

300.0 ACRES TOTAL

RECORDED

JUL 20 1990