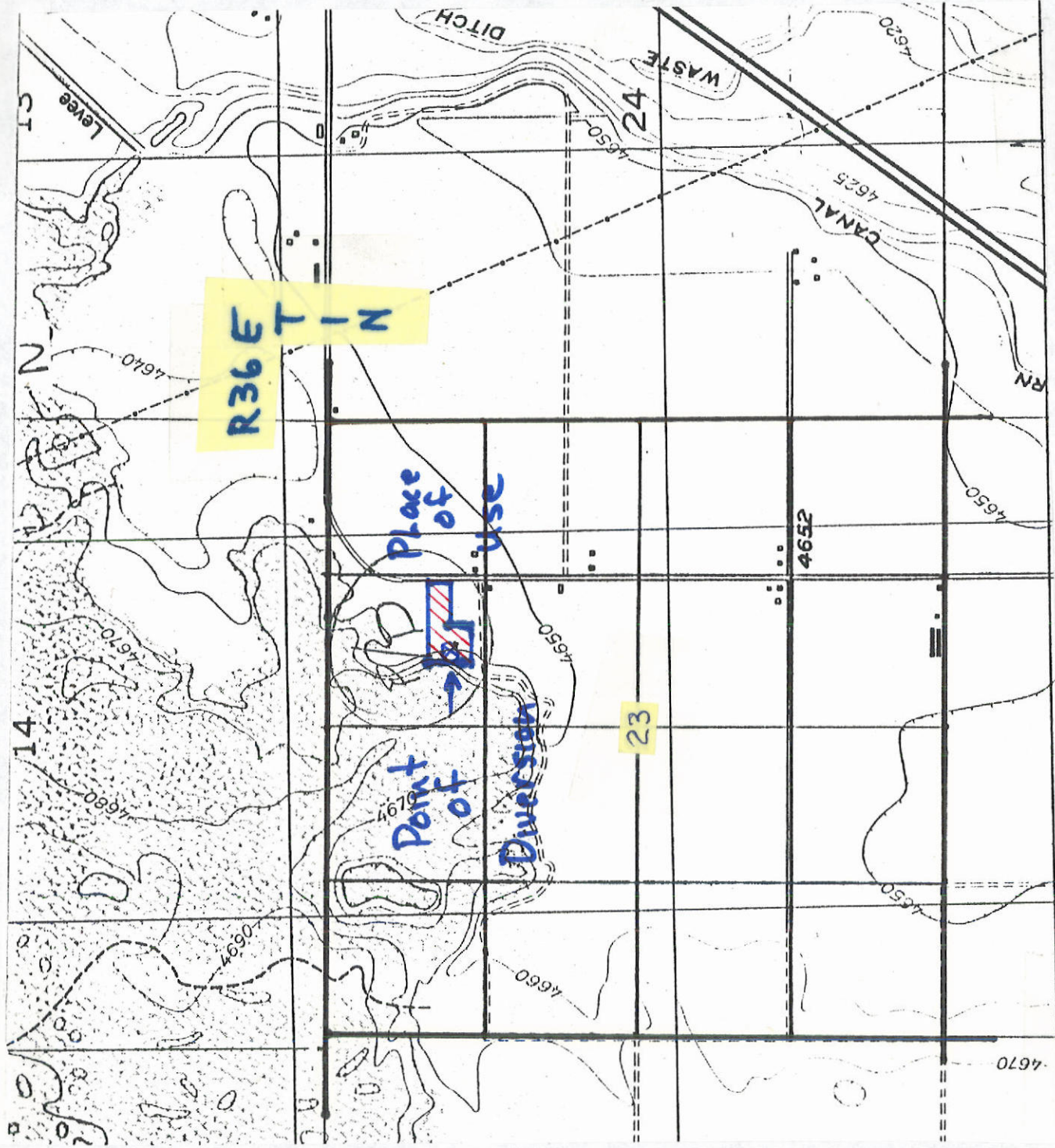




RECORDED

JAN 26 1993

35-8155



35-8155



Storage
tank

35-8155

JAN 26 1993

35-8155

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08155

Priority: June 9, 1983

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 13.3 AF

This is to certify, that ROYCE L BROOKSHIER
ANNA R BROOKSHIER

1474 N 475 E
SHELLEY ID 83274

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 9, 1983; and has submitted Proof of Beneficial Use on March 23, 1990. An examination indicates that the works have a diversion capacity of .070 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.07 CFS	12.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
	Totals	0.07 CFS	13.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 23, Township 01N, Range 36E
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>
01N	36E	23	NWNE	3		3

Total number of acres irrigated: 3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

JAN 26 1993

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

WATER RIGHT NO. 35-08155

CONDITIONS/REMARKS:

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14TH
day of JANUARY, 1993.

Acting for R. Keith Higginson, Director

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant ROYCE L. AND/OR ANNA R. BROOKSHIER Phone 357-7730
Post office address RT 1 Bx 332A SHELLEY ID 83274

2. Source of water supply GROUND WATER which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 1N

Range 36E B.M. BINGHAM County, additional points of diversion if any: _____

NONE *Change as per tele-con with A. Brookshier 6-13-83 HWJ

4. Water will be used for the following purposes:
0.06*

Amount .08 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .08 for IRRIGATION purposes from APR 1 to NOV 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 for STOCKWATER purposes from JAN 1 to DEC 31 (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:
0.15 *

a. 0.17 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WATER WELL, DRILLED
& CASED BY LICENSED DRILLER, WITH SUBMERSIBLE
PUMP

b. Height of storage dam NONE feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 1N
Range 36E B.M.

(2) Amount of power to be generated: NONE horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 2 COWS, 100 CHICKENS,
2 GOATS, 6 HORSES, 12 SHEEP (134 GAL/DAY)

(4) Name of municipality to be served NONE, or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe: NONE

MICROFILMED
JUN 12 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	36E	23		4															4

Total number of acres to be irrigated 4

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

NONE

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

b. Who owns the land to be irrigated or place of use APPLICANT

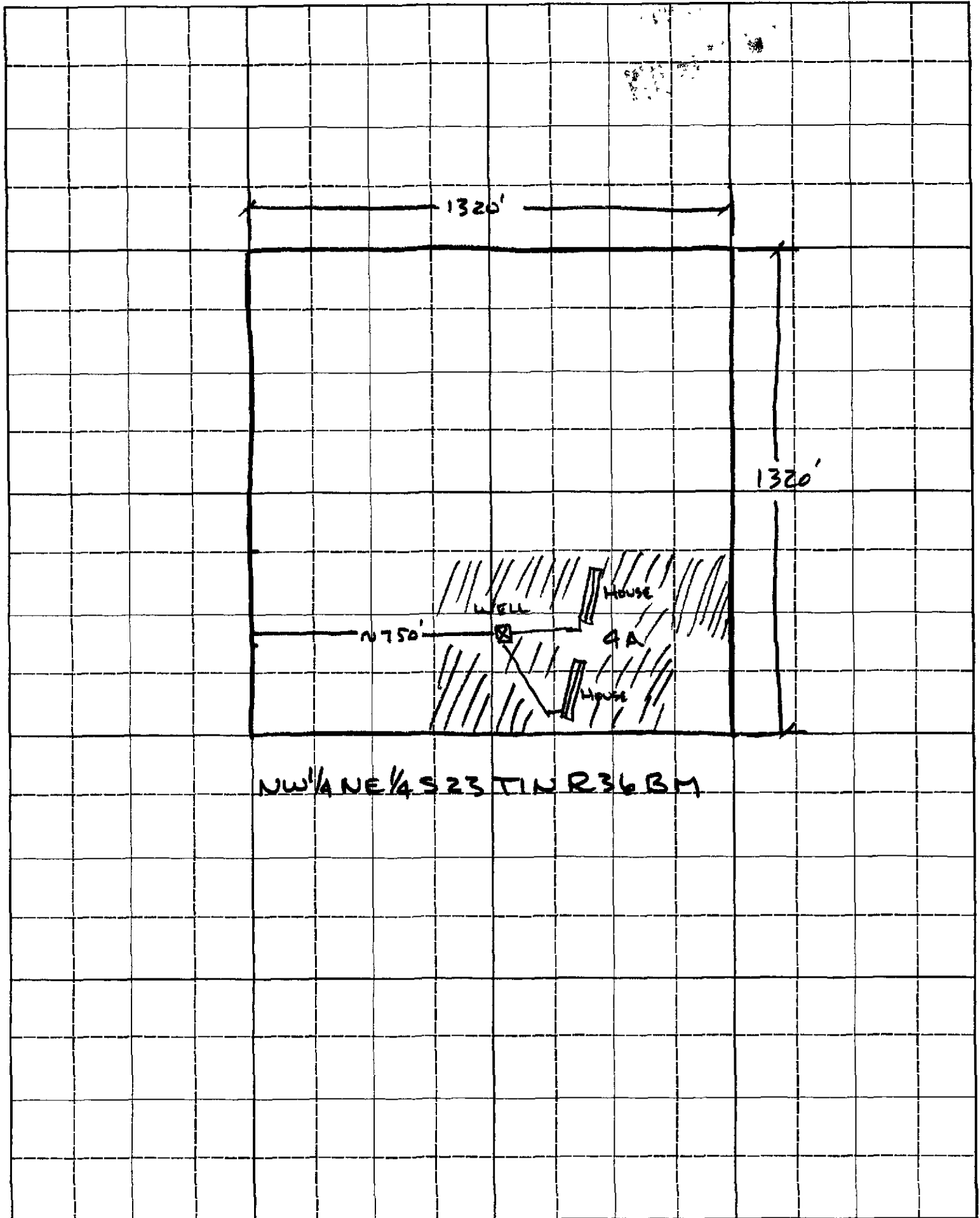
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing NONE

10. Remarks THE WATER SYSTEM, DESCRIBED HEREIN, HAS BEEN IN BENEFICIAL USE SINCE SEPTEMBER, 1976.

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JUN 12 1988

11. 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.

4 INCHES = 1 M.

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.

MICROFILMED

JUN 12 1989

Gayer & Brookshire

(Applicant)

8 JUNE 83

Received by BP Date 6/9/83 Time 10:20am
Preliminary check by HWS Fee \$ 30.00
Receipted by BP Date 6/9/83 # 30827
Publication prepared by OW Date 9-25-85
Published in Blackfoot News
Publication dates 10/13 + 10/15/85
Publication approved OW Date 11-01-85
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWS

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. 35-8155, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 90.
- 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. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.06 cfs.
The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 19th day of April, 1989.

J. M. Saxton

MICROFILMED
JUN 12 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho

35-8155

BROOKSHIER, Royce L
& or ANNA R
Rt 1, Box 332A
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed 06/09/1983
Diversion Pt NWNE, Sec 23, T 01N, R 36E
Use IRRIGATION (0 08 CFS)
STOCKWATER (0 01 CFS)
DOMESTIC (0 06 CFS)
In NWNE, Sec 23, T 01N, R 36E, for 4
ACRES.

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, 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 October 21, 1985

KEN DUNN, Director

(8810)
Pub 10-3, 10

34

AFFIDAVIT of PUBLICATION

County of Bingham

I, Catherine C. Brown

solemnly

swear that I am the Office Manager 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: Thurs of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 3rd day of October, 19 85

and the last publication having been made on the 10th day of October, 19 85; 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.

Catherine C. Brown

Subscribed and sworn to before me this 23rd

day of October, 19 85

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988



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

January 19, 1993

ROYCE L BROOKSHIER
ANNA R BROOKSHIER
1474 N 475 E
SHELLEY ID 83274

RE: WATER RIGHT NO. 35-08155

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 26 1993

LICENSE REVIEW CHECKLIST

Permit # 35-08155

Date 01-07-93
C38

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u> ✓ </u>	Address Change?
PRIORITY DATE	<u> </u>	<u> ✓ </u>	Advance? <u> </u>
	<u> </u>	<u> ✓ </u>	Memo to Advance <u> </u>
	<u> </u>	<u> ✓ </u>	Order to Reinstate Needed? <u> </u>
TOTAL CFS	<u> </u>	<u> ✓ </u>	Incorrect Fee for rate recommended?
	<u> NA </u>	<u> - </u>	Disagree with Actual Measurement?
			<u>3x.03 .07 cfs (IRR) .06 cfs (DOM) .01 cfs (STOCK)</u>
	<u> </u>	<u> ✓ </u>	Disagree with Theoretical? <u> </u>
	<u> ✓ </u>	<u> </u>	Limited by Capacity? <u>.07</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same/Reduced 1 Day</u> Season Recommended
	<u> </u>	<u> ✓ </u>	Disagree with Examiner's Calculations?
			<u>3x4.0 = 12 afa (IRR) 1.2 afa (DOM) .1 afa (STOCK)</u>
	<u> </u>	<u> ✓ </u>	Limited by Flow? <u>.07x214x1.9835=29.7 > 12</u>
SOURCE	<u> </u>	<u> ✓ </u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u> ✓ </u>	<u>Intended</u> source <u> </u>
	<u> </u>	<u> ✓ </u>	Notice of Intent to Void. <u> </u>
P/D	<u> </u>		Verify with Map
	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>		Verify with Map
	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u> ✓ </u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u> ✓ </u>	Multiple P/Ds in 1/4 1/4?
	<u> ✓ </u>	<u> </u>	Non-Irr. Uses <u>DOM/2 Homes</u> <u>STOCK/Mixed Stock</u>
	<u> </u>	<u> ✓ </u>	Special Overlap Condition <u> </u>
	<u> </u>	<u> ✓ </u>	Other <u> </u>
CONDITIONS	<u> </u>	<u> ✓ </u>	Measuring Device
	<u> </u>	<u> ✓ </u>	W/Master Control
	<u>B31</u>	<u> </u>	Overlap
	<u> </u>	<u> ✓ </u>	Water Quality
			DATES/MISC
			<u> </u> <u> ✓ </u> Water Dist.
			<u> </u> <u> ✓ </u> App Rec'd
			<u> </u> <u> ✓ </u> Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced Rate, acres, season</u>		
	<u>STOCK = 134 gpd or .15 afa (Permit) Allow .13 per FE</u>		
	<u>No STOCK Description</u>		
License	<u> ✓ </u>	<u>10-Day</u>	15-Day <u> </u> Special Correspondence <u> </u>

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROYCE L BROOKSHIER	06/09/1983	IRRIGATION	04-01 10-31	0.07 CFS	12.0 AFA
C	ANNA R BROOKSHIER		STOCKWATER	01-01 12-31	0.01 CFS	0.1 AFA
	1474 N 475 E		DOMESTIC	01-01 12-31	0.06 CFS	1.2 AFA
	SHELLEY ID 83274					
	(208) 357-7730					
TOTAL DIVERSION:					0.07 CFS	13.3 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.07 CFS

Point(s) of Diversion: T01N R36E S23 NW NE

Place of use Legal Description for: IRRIGATION

																	NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	:	SUM		
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	:	---		
01N	36E	23	:			03						:									:						:			:	3.0			
																											TOTAL ACRES			3.0				

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BINGHAM

Non-Irrigation Uses: ~~S/VARIABLE AMT., D/2 HOMES~~

Other Water Rights with Same Point(s) of Diversion and Source:
35-08155

Other Water Rights Listing Overlapping Place(s) of use:
01-000352 35-08155 35-08870

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Remarks: Domestic use is for 2 homes.

WR0749NP
No. L35-08155

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 01/08/93
PAGE: 2

=====

Dates:	App. Received:	06/09/1983	Priority Date:	06/09/1983
	Proof Due Date:	05/01/1990	Proof Made Date:	03/23/1990
	Exam Made Date:	06/13/1991	Exam Sent to S.O.:	12/22/1992
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 01/08/93 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 31 1992

Department of Water Resources

A. GENERAL INFORMATION

1 Owner Royce L. AND/OR ANNA R. Brookshier Permit No. 35-8155
Current Address 1474 N 475E SHELLEY, ID. 83274 Phone No. 357-7730
2 Accompanied by. Royce Brookshier EXAM. DATE: 06/13/91
Address: Same Phone No. Same
Relationship to Permit Holder Holder
3 Source: groundwater tributary to _____

B. OVERLAP REVIEW

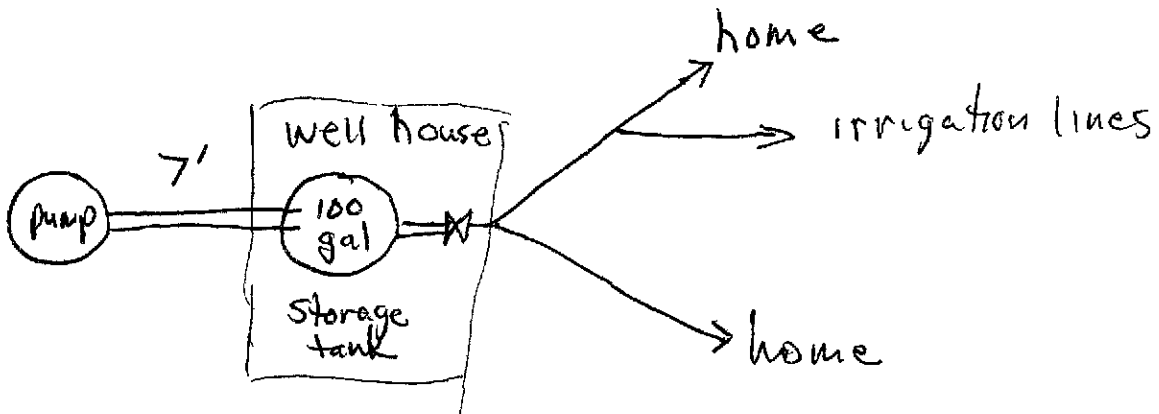
1. Other water rights with same place of use: None

☐ Copies Attached
2. Other water rights with same point of diversion: None

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = N/A

2. ☒ Copy of U.S.G.S. 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 or more)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

JAN 26 1993

System Description (continued)

3 **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, 3HP pump, 2 Domestic homes, and ~3 acres land,
1 1/4" line, 16 sprinklers

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	STA-RITE	3	188		1 3/4" discharge

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	23	1N	36E		USGA QUAD, on site inspection

6 **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	36E	23		3															
				0/5															

Do not use this space

JAN 26 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
well probe	Olympic	ACTAT	500			
Theoretical calculations						

2. Measurements:

operating press 46-65 psi installed gage
 well casing 6" ID
 water level 133'8" (static ≠ dynamic)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{(3 \text{ Hp})(8.814)(.7)}{(133.75 \text{ ft}) + (65 \text{ psi})(2.308)} = .0652 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$= .07 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ acres} \times 4 \text{ af} = 12 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.075 \times 214 \times 1.9835 = 29.7 \text{ af}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 12 \text{ af}$$

2. Volume Calculations for Other Uses:

2 hours @ 0.6 af/hour = 1.2 af
 (Irrigated lawn figure into
 Irrigation component)

MAINTENANCE

JAN 26 1993

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	0.07	12
DOMESTIC	1/1	12/31	0.06	1.20
Stock	1/1	12/31	0.01	0.13
Totals:			0.07	13.3 afa

☐ 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

Field Examiner's Name ALAN W PARIS
Signature Alan W Paris
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAN 26 1993

$$Q = \frac{(3HP)(8.814)(.7)}{[(133.75ft) + (65psi)(2.308)]}$$

$$= 0.0652 \text{ cfs}$$

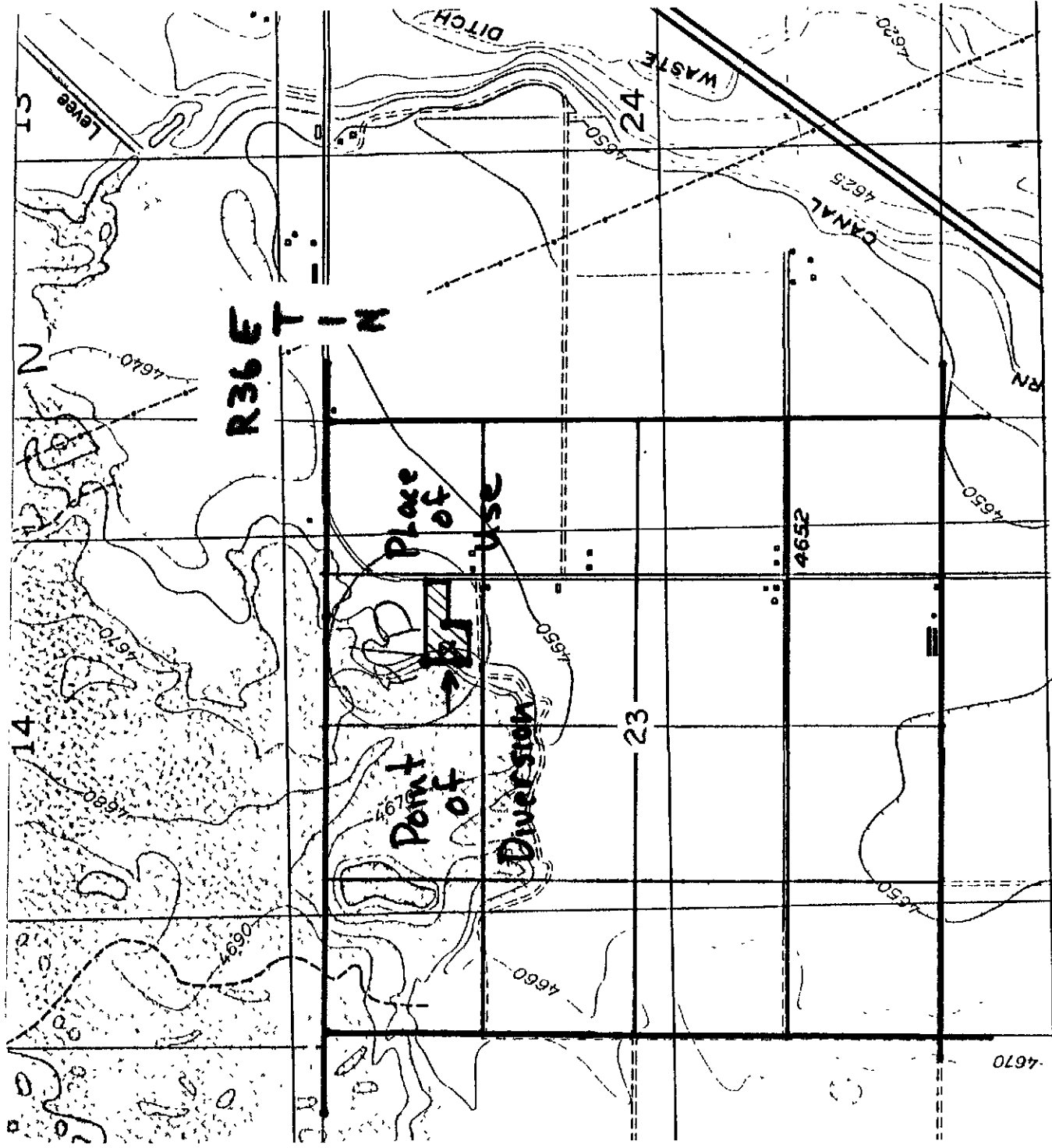
$$= 0.07 \text{ cfs}$$

PROPERTY MAP

JAN 26 1993

35-8155

JAN 26 1993



JAN 26 1993

35-8155



JAN 26 1993

35-8155

April 18, 1990

ROYCE L. BROOKSHIER
ANNA R. BROOKSHIER
RT. 1 BOX 332A
SHELLEY, ID 83274

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08155

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

MICROFILMED

APR 19 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8155

Date: 4-18-90

General Considerations:

4 Name same as permit
4 Signature the same as permit holder
4 Address change _____ If yes, prepare a data entry
4 Proof received timely _____
_____ Reinstated

Source of Water:

4 Surface water
4 Groundwater
_____ 1. well log in file
_____ 2. drilling permit
4 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

4 Rate of diversion appropriate for uses
4 Is rate or volume and fee appropriate?
4 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

4 Is a measuring device or access port required?
4 Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
MAR 23 1990For Office Use Only
Amt of Fee \$ 50.00
Date 3-26-90
Receipt No 2015919
Received by JG

STATE OF IDAHO

Department of Water Resources

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. 35-08155 Telephone No. 357-7730Name(s) of Permit Holder(s): ROYCE L. AND ANNA R. BROOKSHIERPost Office Address: 1474 N. 475E. SHELLEY ID 83274Source of Water: GROUNDIf ground water, well driller's name: IRU KENDLE Date drilled: 18 AUG 1976Extent of Use:
Domestic 2 (No. of households) Irrigation 24 (No. of acres)
Stockwater SEE PERMIT (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 0.15 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1 SEPT 1976

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 ☐ NoFee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Name PERMIT HOLDER ABOVE Telephone No. _____

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

MICROFILMED

APR 19 1990

Date 20 MAR 1990Signature (and title if on behalf of a company or organization) Royce L. Brookshier

138209

~~138209~~

February 28, 1990

ROYCE L. BROOKSHIER
ANNA R. BROOKSHIER
RT. 1 BOX 332A
SHELLEY, ID 83274

PROOF DUE NOTICE

RE: PERMIT NO. 35-08155

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 May 1, 1990. (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,

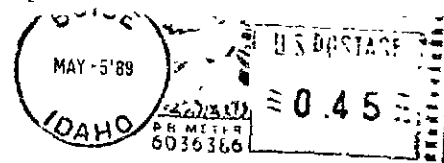
Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 1 1990

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



JUN 12 1989

RECEIVED



RECEIVED
MAY 09 1989

Department of Water Resources

Royce & Anna Brookshier
Rt. 1, Box 332A
Shelley, ID 83274

5/12
PM
Recent

send to:
1474 N. 475E.
Shelley

kw
5/9/89

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 12 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

APPLICATION NUMBER: 35 8155

CHECK

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests. 10-21-85
☐ Yes ☒ No Protests received If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW

- ☒ Affidavit of publication received Date 10-28-85
☒ Application published correctly If not, record action taken _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05
6-9-1983 Date of priority recommended.
Special conditions of approval or cover letter. App. in NONTRUST area-

By: HWJ
STATE OFFICE REVIEW. P05, P23 P16

Date: 3-17-89

☐ See attached sheet for more information.

Bv: kw

Date: 4/10/89

MAR 20 1989

Department of Water Resources

January 30, 1989

ROYCE L. OR ANNA R. BROOKSHIER
1474 N. 475 E.
SHELLEY, ID 83274

RE: APPLICATION FOR PERMIT NO. 35-8155

Dear Applicant:

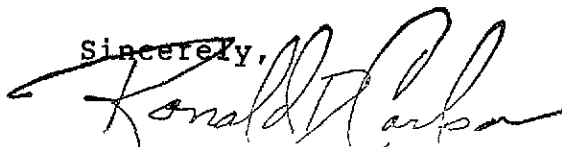
The department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the department requests the information described below.

From the department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

In order to process the application, the application needs to be readvertised in compliance with Water Appropriation Rule 4,2,2,1. Please submit the readvertisement fee in the amount of \$20 within 30 days or the department will void the application pursuant to Water Appropriation Rule 4,2,2,4.

Please feel free to contact the department if you have questions.

Sincerely,



Ronald D. Carlson
REGIONAL MANAGER

MicroFILMED
JUN 12 1989



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

January 23, 1989

ROYCE L. or ANNA R. BROOKSHIER
RT. 1, BOX 332A 1494 N. 495 E.
SHELLEY, ID 83274

RE: APPLICATION FOR PERMIT NO. 35-8155

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Ronald D. Carlson
REGIONAL MANAGER

RDC/rb

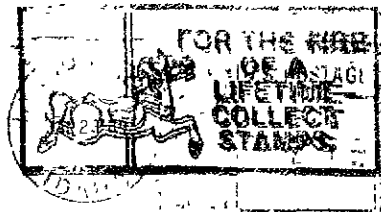
RECEIVED

JUN 12 1989

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

JUN 12 1989

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NOT TABLE AS A PRECED



January 23, 1989

ROYCE L. or ANNA R. BROOKSHIER
RT. 1, BOX 332A
SHELLEY, ID 83274

RE: APPLICATION FOR PERMIT NO. 35-8155

Dear Applicant:

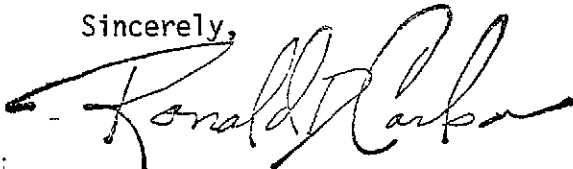
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Sincerely,



Ronald D. Carlson
REGIONAL MANAGER

RDC/rb

MICROFILMED

JUN 12 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 23, 1985

The Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

RE: Applications for Permits Numbers: 25-7360 LDS Church,
35-8018 William D. Thompson, 35-8058 Charles Shackelford,
35-8059 Charles Shackelford, 35-8061 Bill L. Doig, 35-8155 Royce
and Anna Brookshier.

Gentlemen:

Would you please submit an affidavit of publication and certified
bill in connection with the above referenced applications. The
legal notice was to have been published in your paper on October
3, and 10, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

MICHELE DAVIS
Office Secretary

MICROFILMED

JUN 12 1989

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

The permits 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 October 21, 1985.

KEN DUNN

Director

Published 10/3 and 10/10/85.

MICROFILMED

JUN 12 1989

35-8155

BROOKSHIER, ROYCE L. & or ANNA R.

RT. 1, BOX 332A, SHELLEY, ID 83274

Source: GROUNDWATER

Date Filed: 06/09/1983

Diversion Pt: NWNE Sec 23 T 01N R 36E

Use: IRRIGATION	(0.08 CFS)
STOCKWATER	(0.01 CFS)
DOMESTIC	(0.06 CFS)

In: NWNE Sec 23 T 01N R 36E FOR 4 ACRES

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho

35-8155

BROOKSHIER, Royce L
& or ANNA R
Rt 1, Box 332A
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 06/09/1983
Diversion Pt: NWNE, Sec 23, T 01N, R 36E
Use: IRRIGATION (0.08 CFS)
STOCKWATER (0.01 CFS)
DOMESTIC (0.06 CFS)
In: NWNE, Sec 23, T 01N, R 36E, for 4 ACRES.

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KEN DUNN, Director

(8810)
Pub 10-3, 10

MICROFILMED

JUN 12 1989

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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 completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8155

Name(s) of Permit Holder: ROYCE L. OR ANNA R. BROOKSHIER

Post Office Address: RT 1 Box 332A SHELLEY ID 83274

Telephone No. 357-7730

Source of Water: GROUND

Extent of Use: Domestic 2 (number of households)

Stockwater 6 Horses, 100 chickens, 12 sheep, 2 cows (number and type of stock)

Irrigation up to 4 (acres)

Other/Remarks NONE

Indicate the date water was first diverted and beneficially used under this permit: SEPTEMBER 1, 1976

Measuring Device: Required? Yes X No
Installed? Yes X No

Flow Measurement Port: Required? Yes X No
Required? Yes X No

Person to contact to accompany the Department representative during field examination: ROYCE L. OR ANNA R. BROOKSHIER

(Name)

RT 1 Box 332A SHELLEY ID 83274

(Address)

357-7730

(Telephone number)

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

6-21-85

Date

Royce L. Brookshier

Signature of Permit

(and Title, if appropriate)

JUN 12 1989

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use.

FORM A

STATE OF IDAHO

JUN 28 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

PROOF OF BENEFICIAL USE

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Installed? Yes X No

Flow Measurement Port: Required? Yes X No
Required? Yes X No

Person to contact to accompany the Department representative during field examination: ROYCE L. OR ANNA R. BROOKSHIER

RT 1 Box 332A SHELLEY ID 83274 357-7730
(Address) (Telephone number)

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

6-21-85
Date

Royce L. Brookshier JUN 12 1989
Signature of Permit
(and Title, if appropriate)

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Swan Falls processing. Not acceptable as
proof of beneficial use.*