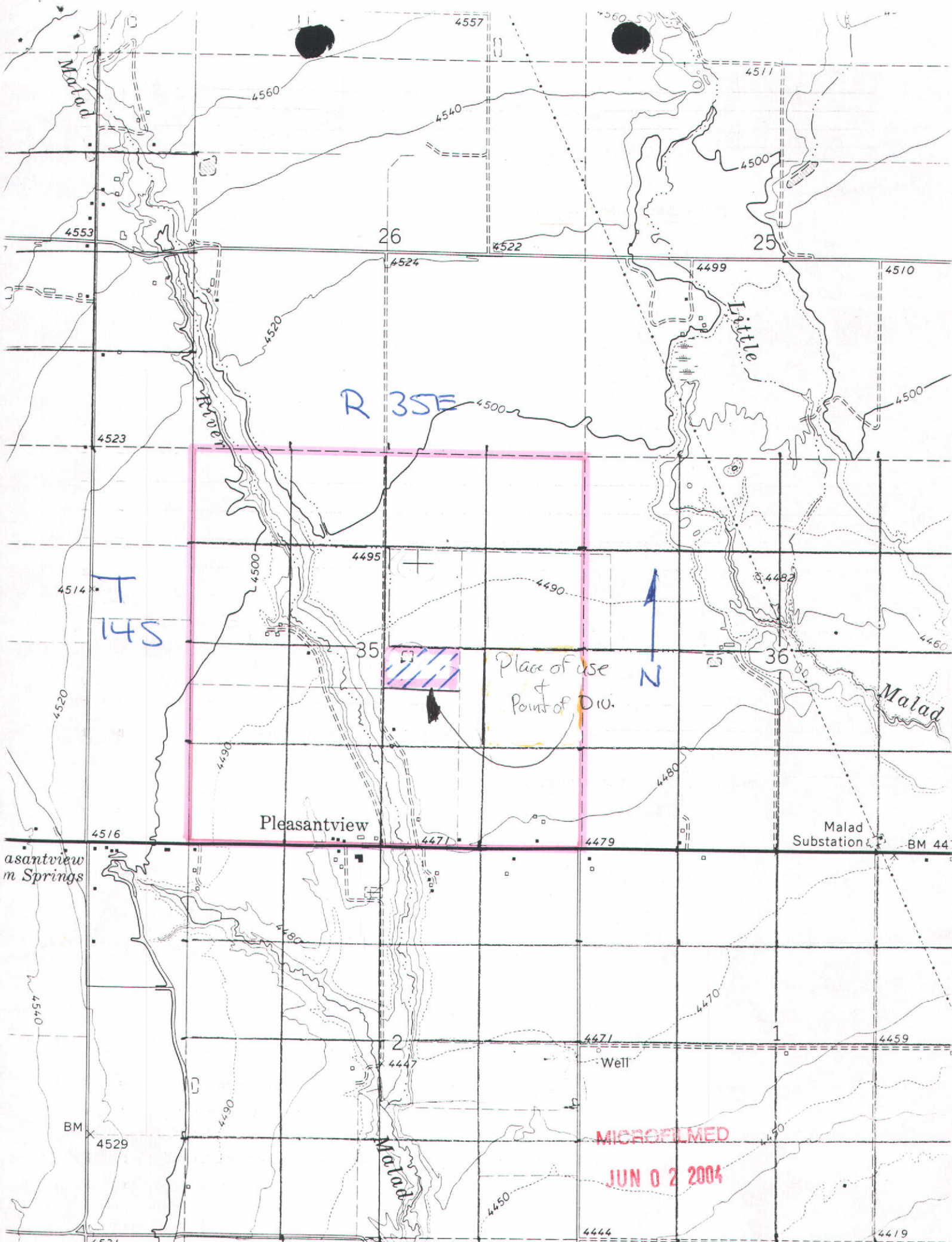
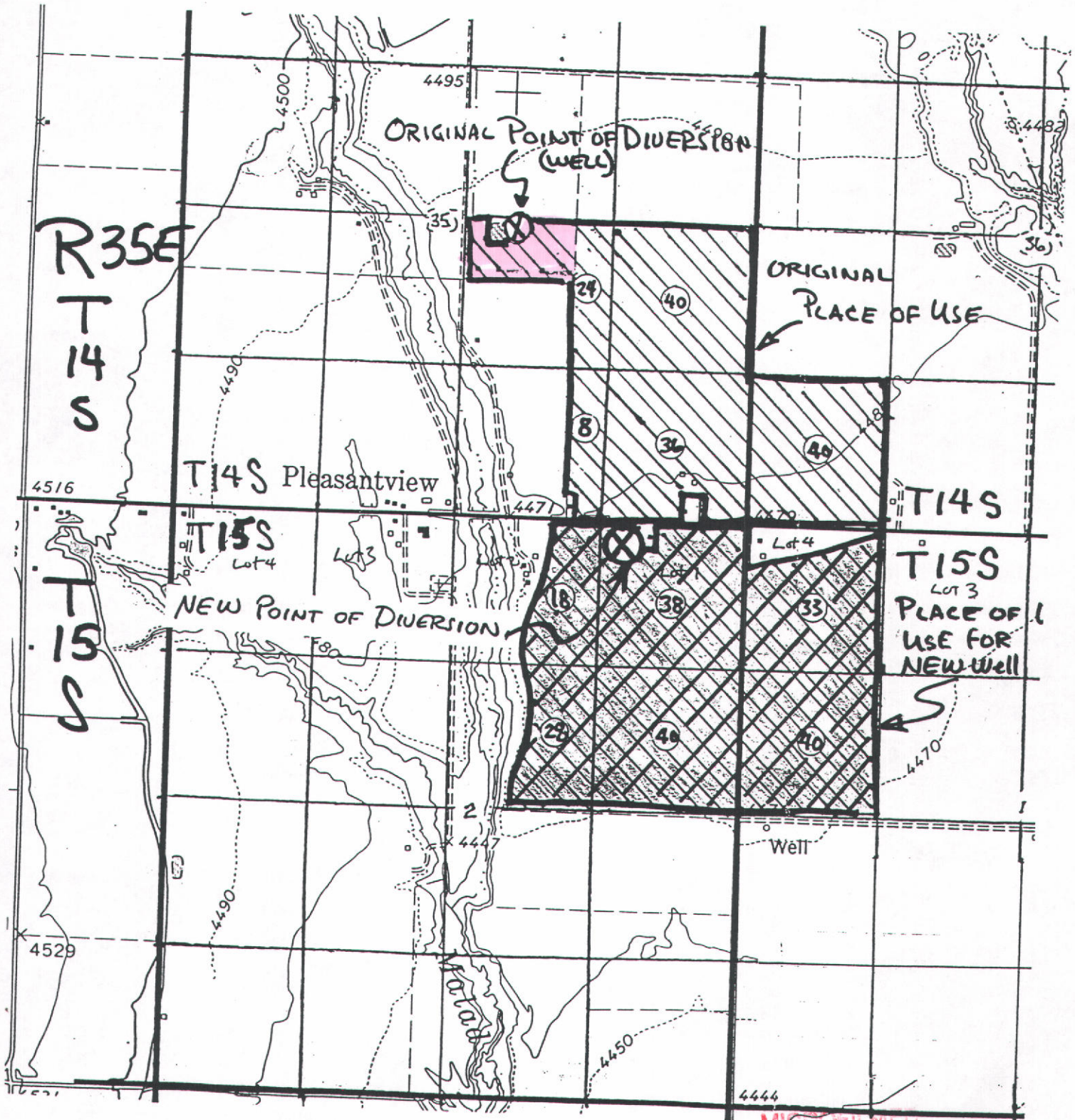




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
JUN 02 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 15-07171

Priority: February 01, 1999

Maximum Diversion Rate: 0.20 CFS

This is to certify, that BRUCE KELLY Or KELLE D KELLY
1716 S 4600 W
MALAD CITY ID 83252

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	04/15 to 10/15	0.20 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp 14S, Rge 35E, B.M., ONEIDA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S 35E 35															15.0		15.0

Total Acres: 15

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

JUN 02 2004

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 15-07171

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of April, 2004.


Acting for KARL J DREHER, Director

MICROFILM

JUN 02 2004

RECEIVED

MAR 16 1999

FORM 202

2/96

E024824 -dp
15-99E-0006

Department of Water Resources

STATE OF IDAHO

Ident. No. 15-07171

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

FEB 01 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern Region

801-391-2037

Phone 801-731-8165

- 1716 S.
4600 W. Maled, ID 83252
- Name of Applicant BRUCE OR KELLE D. Kelly Mailing address 5797 W. 950 N. Warren Utah 84404
 - Source of water supply Groundwater which is a tributary of _____
 - Location of point of diversion is Township 14 S Range 3 SE Sec. 35 in the _____ 1/4, NW 1/4, SE 1/4, Govt. Lot _____, B.M., Oneida County; additional points of diversion if any: _____
 - Water will be used for the following purposes:

Amount <u>0.20 cfs</u> for <u>Irrigation</u>	purposes from <u>4/15</u> to <u>10/15</u> (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)	
Amount _____ for _____	purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)	
 - Total quantity to be appropriated is (a) 0.20 cubic feet per second and/or (b) _____ acre feet per annum
 - Proposed diverting works:
 - Describe type and size of devices used to divert water from the source 5 hp pump
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is 8 inches; proposed depth of well is 150' to 240' feet
 - Is ground water with a temperature of greater than 85°F being sought? NO
 - If well is already drilled, when? _____; Drilling firm Mike Frandsen (208) 776-5322; Well was drilled for (well owner) _____; Drilling Permit No. _____
 - Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
 - Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. _____

MICHAEL W. WOOD

JUN 07 2004

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.

TWP	RGE	SEC	Section Data											
14S	35E	35												
			NE				NW				SE			
			SW				NW				SE			
			SW				NW				SE			
			SW				NW				SE			
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			SW				NW				SE			

15

scribed any other water rights used for the same purposes as described above. We have a protected share of 15-00050A in the out of 0.10 cfs

Applicant

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

12. Remarks: The property address is 1715 South 4600 West

The property address is 1715 South 4600 West
Malden, Idaho

The 0.20 cfs applied for is to try & bring up

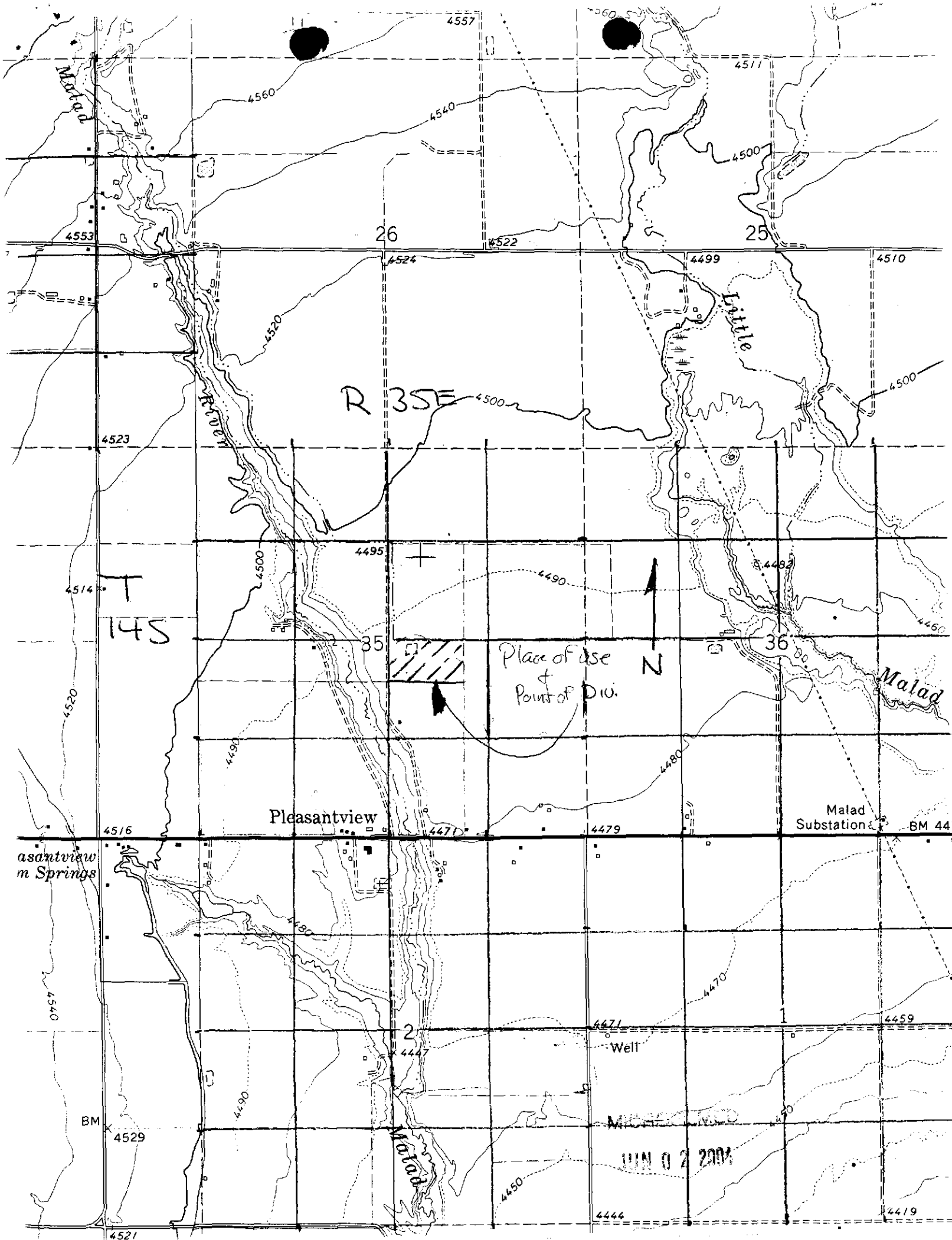
the 5/acre to one minus inch / acre (0.025/acre)

place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

of the State of Idaho as herein set forth.

[Handwritten signature]

Received by	HWJ	Date	2-1-1999	Time	2:34 pm	Preliminary check by	DMD	Fee \$	100.00
Received by		Date	2-1-1999	Time					
Publication prepared by	SC	Date	2/18 & 2/26/99			#	E024748	Date	2-1-1999
Publication approved by	SC	Date	3/2/99			Published in	Idaho Enterprise		



WR5809NP
No. 15-02052A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	THE LEO H BROWN FAMILY TRUST	05/28/1959	IRRIGATION	04/01 10/31	1.030 CFS	108.80 AFA
C	A H HADFIELD					
C	CARL R WILLIE					
TOTAL DIVERSION:					1.030 CFS	108.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T14S R35E S35

NWSE

ONEIDA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac	SENE : Lt Ac	SENE : Lt Ac	SENE : Lt Ac	SENE : Lt Ac	SENE : Lt Ac
14S 35E 35 :					
14S 35E 36 :					
TOTAL ACRES					148.0

Pou County: ONEIDA

Other Water Rights Listing Overlapping Place(s) of use:

15-02014 15-02015 15-02023 15-02024 15-02025

Dates:

App. Received:

Proof Due Date:

05/28/1959

Exam Made Date:

Exam Sent to S.O.:

Licensed Date: 02/12/1970

Misc:

Water District Number:

Field Exam Fee:

Comments:

Date: 09/09/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 5015
Transfer No. 5015 changes the point of diversion under a portion
of Right No. 15-02052, splitting the right into Parts A & B.

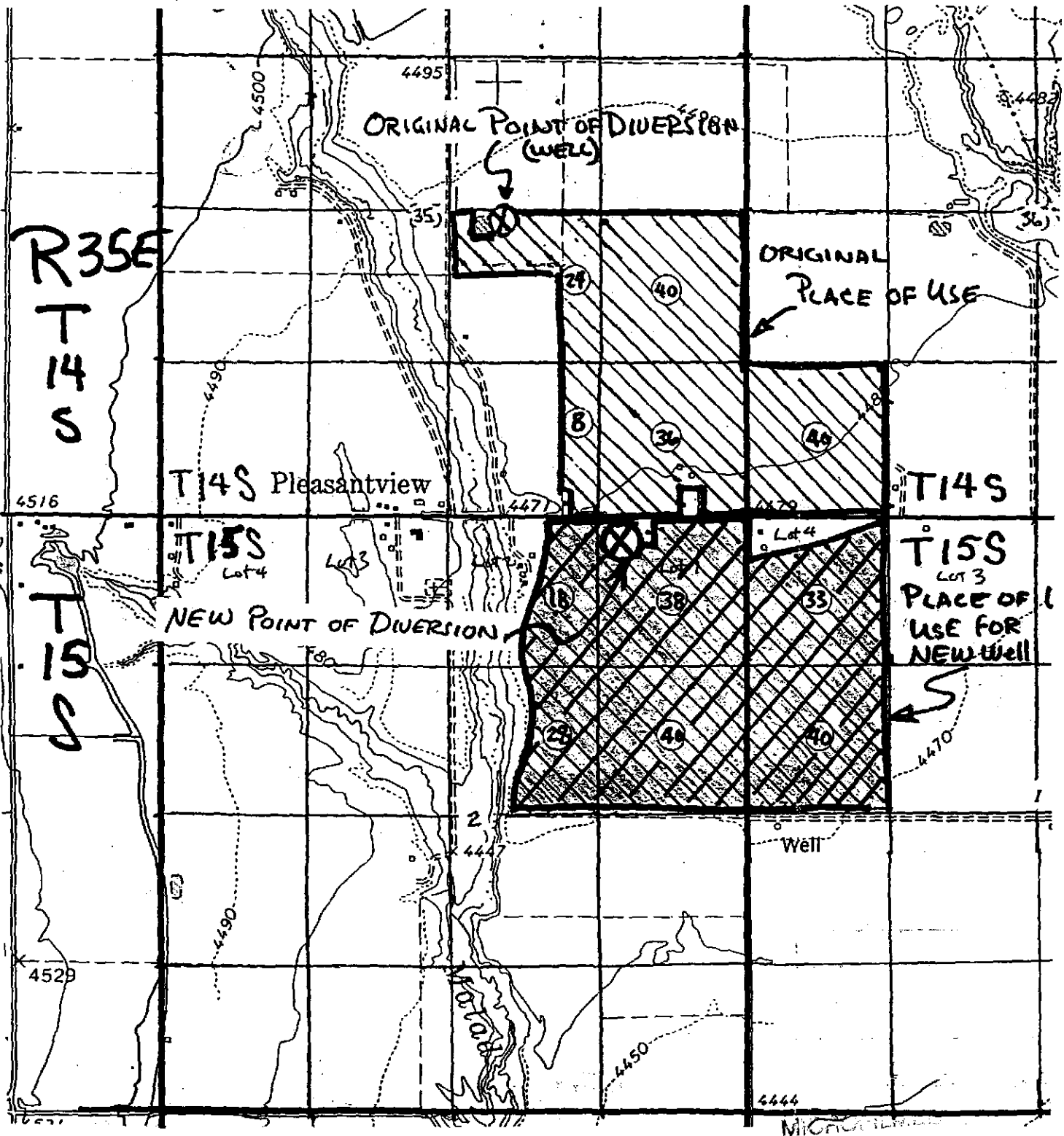
Audit:

02/24/97 RBDOLL 09/09/97 PSKAGGS 09/09/97 PSKAGGS

MICHAEL J. JONES
JAN 12 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 8, 2004

BRUCE KELLY
KELLE D KELLY
1716 S 4600 W
MALAD CITY ID 83252

RE: Permit No. 15-7171

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

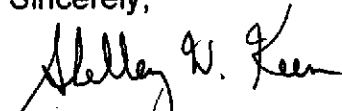
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED
JUN 02 2004

Also, 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,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILM

JUN 02 2004

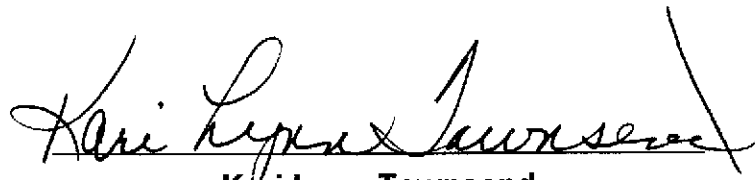
CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

15-7171

BRUCE KELLY
KELLE D KELLY
1716 S 4600 W
MALAD CITY ID 83252

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED

JUN 02 2004

**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.

MICROFILMED

JUN 02 2004

MEMORANDUM

TO: File 15-07171

FROM: KAY WALKER

RE: Application for Permit Review

Date: April 5, 2004

.....

This application was found on the vault shelves last week and in trying to process it I had a few questions. I left a voice message on the Kelly's phone and received a return call this afternoon.

Mrs. Kelly stated she had purchased a portion of the ranch that used to be in the name of Karl Willie (who is Tim Willie's father). The Kelly's did not purchase any water rights with their property therefore, they filed this application. There is no overlap between their water use and the water use of Tim Willie. They also do not use any water delivered from Samaria Water & Irrigation Company.

Recommend approval without any overlapping rights condition. - use "050"
since located in Samaria's boundaries.

MICROFILMED
JUN 9 2 2004

RECEIVED

MAR 16 1999

Ident. No. 15-99-E-0006-000
Well Tag No. D0006694
Water Right No. 15-07171

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: BRUCE KELLY
Address: 1716 SOUTH 4600 WEST
MALAD ID 83252

O

Name: KELLE D KELLY
Address: 1716 SOUTH 4600 WEST
MALAD ID 83252

C

2. Proposed Well Location: Township 14S, Range 35E, Sec. 35, NWSE
ONEIDA County

Street Address of Well Site: 1716 SOUTH 4600 WEST
MALAD ID

ID

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

- A. NEW WELL
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 200 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 3/11/1999

6. Anticipated Well Driller: MOUNTAIN WEST (No. 0543)

NOTE: The actual well driller must be identified to IDWR prior to drilling commencement.

7. Applicant's Signature

Bruce Kelly

Date 3-10-99

Title

(Owner, Firm Representative, Other)

Fee \$ 200⁰⁰ Received by *AMD* No. E024824 Date 3/10/1999

MICROFILMED
JUN 9 2 2006

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 3/10/1999

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. EXPEDITED DRILLING PERMIT CONDITION ARE ATTACHED AND SIGNED BY THE APPLICANT.

Dennis Dunn
Signature of Authorized Dept. Representative

Sr Water Resource Agent
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

MICROFILMED
JUN 02 2004



Drilling Permit No. 15-99E-0006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Kelle Kelly, Applicant, requests issuance of a drilling permit prior to approval of a pending Application for Permit or Application for Transfer on file with this department. The request is made for the following reasons:

We are Ready to Drive for Irrigation & Culinary
Water, to Irrigate Our 15 Acres of Alfalfa

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

3-10-99
Date

Kelle Kelly
Signature

MICROFILMED
JUN 12 2004

ADDENDUM TO DRILLING PERMIT

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED.
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPEDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

Kelly Kelly
Bruckley 3-10-97

MICROFILMED

JUN 02 2004

Dist. for staffing
Submitted for advertising 2-2-99

Form No. 202
4/87

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

Kelley
INITIAL REVIEW BY DMO DATE 2/2/98 APPLICATION NO. 15-07171 Bruce Kelly

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 signatory is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

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

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT Return \$50 fee

Date Requested _____

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 _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 2-01-1999
By: [Signature] Date: 3-10-1999
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

Applicant owns portion of 15-020524

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
 That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 27 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with 2-18, 1999, and ending with the issue of 2-25, 1999.

Kristine D. Smith

STATE OF IDAHO)
)
 COUNTY OF ONEIDA)

On this 26 day of February in the year of 1999
 before me, Susan J. Wittman, a Notary Public,
 personally appeared Kristine D. Smith, known or
 identified to me to be the person whose name subscribed to the
 within instrument, and being by me first duly sworn, declared that
 the statements therein are true, and acknowledged to me that she
 executed the same.

Susan J. Wittman
 Notary public for Idaho
 Residing at Malad, Idaho
 My commission expires: 2-9-2000

Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before MARCH 8, 1999, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
 Published: 2/18/99 & 2/25/1999
 L. #2521 2/18-1/25-99-2T

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 15-07171

KELLY, BRUCE
 KELLY, KELLE D
 5797 W 950 N
 WARREN, UT 84404
 Source: GROUNDWATER
 Diversion Pt: NWSE Sec 35 T 14S
 R 35E in ONEIDA County.
 Use: IRRIGATION (0.200 CFS)
 Total Diversion: (0.200 CFS)
 Date Filed: 2/1/1999
 In: ONEIDA County
 T14S R35E S35 NWSE
 15.0 ACRES TOTAL

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A,

RECEIVED

MAR 02 1999

Department of Water Resources
 Malad, Idaho Eastern Region

JUN 02 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
February 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE OR KELLE KELLY
5797 W 950 N
WARREN UT 84404

RE: Applications for Permit #15-07171

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on February 18 and 25, 1999. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

JUN 12 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 10, 1999

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1999.

Yours truly,

Sharla Cox
Secretary

Encl.

*Mailed
2/10/99
SC*

MICHAEL D. DREHER
DIRECTOR
FEB 11 1999

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15-07171

KELLY, BRUCE
KELLY, KELLE D
5797 W 950 N
WARREN, UT 84404

Source: GROUNDWATER

Diversion Pt: NWSE Sec 35 T 14S R 35E in ONEIDA County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 2/ 1/1999

In: ONEIDA County
T14S R35E S35 NWSE

15.0 ACRES TOTAL

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before MARCH 8, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 2/18/1999 & 2/25/1999

MICROFILMET

JUN 12 1999