

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Karl A. and-or Marjorie Kellar, P.O. Box 493, Montour, Idaho has on February 13, 1978 submitted Application No. 65-12094 for a permit to appropriate 0.15 cubic feet per second of water from a groundwater source by means of well and pipeline within the SW 1/4 NW 1/4 Sec 27 T7N-R1W B.M., Gem County to be used from Jan. 1 to Dec. 31 for domestic purposes and from March 15 to Nov. 15 for irrigation of 25 acres within the S 1/2 NW 1/4 Sec 27 T7N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 82 South Cole Road, Boise, Idaho 83705 on or before March 13, 1978.

C. Stepehn Allred, Director
Published in the Emmett Messenger-Index, Emmett, Idaho on Feb. 23, 1978 and March 2, 1978.

OK
3-29-78
M

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF GEM,

ss.

Carita Dole being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of 24 25

19 28 and ending with the issue of

March 2, 19 78

Subscribed and sworn to before me this

28th day of

March, 19 78

Michael D. Allen

Notary Public,

Residing at Emmett, Idaho.
Comm. Exp. 12-10-81

RECEIVED
MAR 29 1978

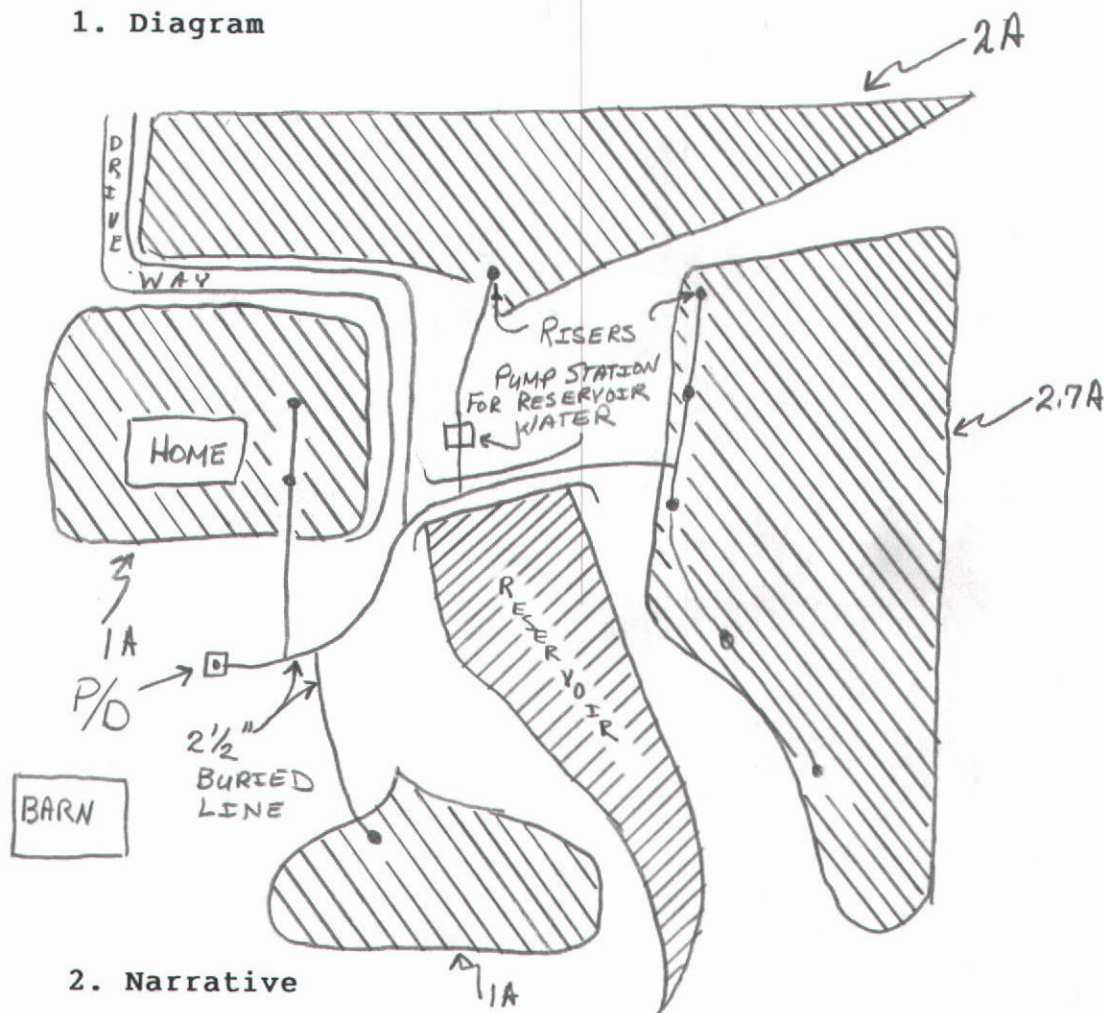
Department of Water Resources
Emmett Regional Office



Sec 27

D. SYSTEM DESCRIPTION (General system description)

1. Diagram



2. Narrative

The system is a well with a submersible pump delivering water to the P/U via a 2 & 1/2 in. buried line. This line is tied into the same main line described in permit 65-12093. The systems tie together at the reservoir, but they can be isolated via a valve. The east field has five risers, the south field has one riser, the "house" field has one riser, and the north field has a 1 & 1/2 inch black plastic line running to it. Normal operation consists of 9 to 11 rainbird Mdl 30 sprinklers operating at approximately 40 psi.

One home is connected to this system. The yard watering is covered under the irrigation portion of this right.

3. Overlap Analysis Narrative

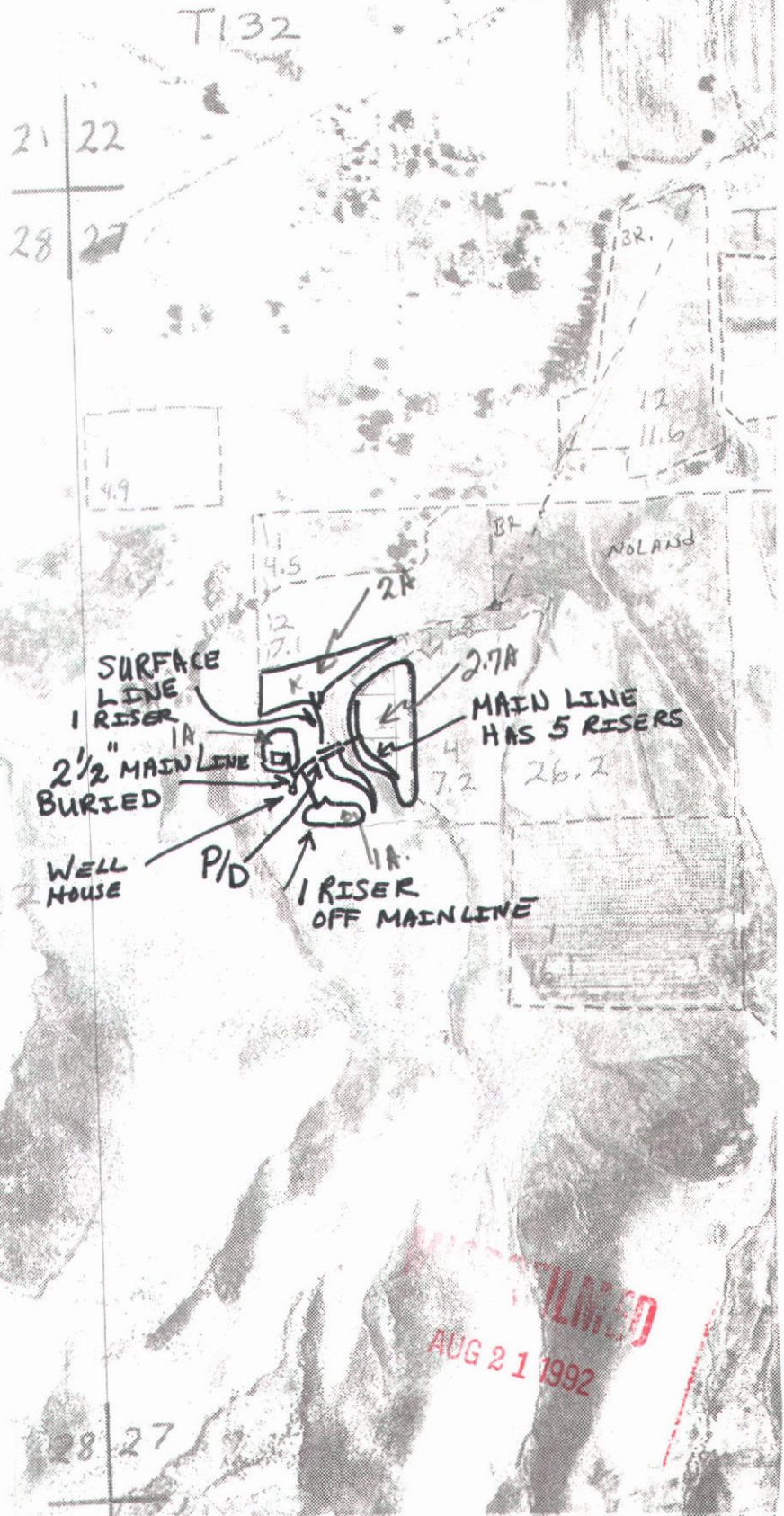
There are no other rights using this well as a source. The P/U is also irrigated from permit 65-12093 which has a reservoir as the source for that system. Other rights exist in the same Q/Q but are for different owners and acres.

MICROFILMED

AUG 21 1992

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AUG 21 1992

PERMIT 65-12094 INIT KKC
 T. R. S. Q/Q
 P/D 7N 1E 27 SW/NW
 SCALE 8" = 1 MILE
 PHOTO ID. _____



NOT TO SCALE
 21005 LT 10N

65-12094

PICTURE # 1

This picture shows the pump location and the plumbing. The black plastic line runs to the northern field and carries water via gravity feed from the reservoir or pumped from the well. The supply lines from the well and the reservoir are the white PVC lines. Either source can be used. The reservoir supply line runs through the base of the reservoir dike. As the reservoir was dry the pump was removed and stored in the barn. This picture is looking west.



PICTURE # 2

This picture shows the pump used in the system. Information from this pump was used in the diversion rate calculations. (for permit # 65-12093)



RECORDED
AUG 21 1992

#65-12094

PICTURE # 3

This picture shows the reservoir dike and the spillway. The spillway ditch is under the boards. The picture is looking west.



PICTURE # 4

This picture, looking west, shows the dike and the 1 acre field around the home. Also pictured is the pump location shown in picture # 1.



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PICTURE # 5

This picture is looking north northwest and shows the northern field. The place of use is the southern part of the field in the center of this photo. The northern boundary is the break between the dark green (cut) field and the yellow (uncut) field.



PICTURE # 6

This picture is looking southwest and shows most of the southern field. The foreground is the reservoir bottom.



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#65-12094

PICTURE # 7

This picture set shows the western field. Both the northern and southern boundaries are shown in this set. The west boundary is the fence shown at the edge of the green alfalfa. This set is looking predominately east.

UNPROCESSED
AUG 21 1992



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12094

Priority: August 20, 1981

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 32.1 AF

This is to certify, that KARL A KELLAR
MARJORIE KELLAR

9207 SHALEROCK RD
MONTGOUR ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 13, 1978; and has submitted Proof of Beneficial Use on March 3, 1983. An examination indicates that the works have a diversion capacity of .180 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	03/15 to 11/15	0.14 CFS	31.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.15 CFS	32.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 27, Township 07N, Range 01E
GEM 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>
07N	01E	27	SWNW	7		7
Total number of acres irrigated:						7

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
07N	01E	27

SWNW

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 limited to the amount that can actually be beneficially use 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.

MICR 100

AUG 21 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12094

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

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 29th day of JULY, 1992.

Acting for R. Keith Higginson, Director

61 1 1992

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
JUL 21 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12094

Department of Water Resources

Date of Priority: August 20, 1981

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 32.1 AF

Comes now

KARL A KELLAR
MARJORIE KELLAR

9207 SHALEROCK RD
MONTOUR ID 83617

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-12094, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.14 CFS	31.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.15 CFS	32.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 27, Township 07N, Range 01E
GEM 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>
07N	01E	27	SWNW	7		7
Total number of acres irrigated:						7

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
07N	01E	27

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Montour, Idaho, this 15 day of July, 1992

RECORDED

AUG 21 1992

Karl A. Kellar
(Signature)

Marjorie Kellar

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12094

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$20.00 ✓ Received by [Signature] Date 7-21-92
COZ4992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-12094 with the following;

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 limited to the amount that can actually be beneficially use 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.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
5. Domestic use is for 1 home.

Witness my hand this 29TH day of July, 1992

[Signature]
Acting for R. Keith Higginson, Director

AUG 21 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 65-12094 IN THE NAME OF
KARL A. &/OR MARJORIE KELLAR

ORDER OF REINSTATEMENT

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 65-12094 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 65-12094 to appropriate the public waters of the State of Idaho with a proposed priority of FEBRUARY 13, 1978.
2. On JUNE 05, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on AUGUST 04, 1986.
3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

MICROFILMED

FEB 27 1990

4. The license examination fee was received on
FEBRUARY 08, 1990, 1283 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 65-12094 should be advanced 1283 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 65-12094 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 65-12094 is advanced to AUGUST 20, 1981.

Dated this 22nd day of February, 1990.

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
FEB 6 1990

Identification No. _____
Application No. 65-12094

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

- 1 Name of applicant Karl A. &/or Marjorie Kellar Phone 584-3488
post office address P. O. Box 493, Montour, ID 83646
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27 Township 7N
Range 1W B.M. Gem County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes
Amount .15 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)
Amount .02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated
a .15 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. existing well & pipeline

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)
c Proposed well diameter is _____ inches, proposed depth of well is _____ feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b Estimated construction cost is \$ existing.
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27 Township 7N
Range 1W B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered. 25

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1
(5) If water is to be used for other purposes describe _____

copy for the nation
of file

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

TWP	RANGE	SEC	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7N	1W	27							21	4									25

Total number of acres to be irrigated. 25

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 Four acres in SENW is rented.

10 Remarks Combined with unnamed stream right

02-13-78
Proposed Priority _____

Received by S Date 02/13/78 Time 3:30 pm
Preliminary check by H.W.H. Fee \$ 10 # 9765
Received by S Date 02/13/78
Publication prepared by W Date 2-16-78
Published in The Idaho Register-Advertiser
Publication dates Feb 23 & 27/78
Publication approved W Date 3-29-78
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS if

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. 65-12094, 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 April 1, 1983.
- c. Other 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.

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

Witness my hand this 26TH day of April, 1978.

Norman C Young
Administrator

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Karl A. and/or Marjorie Keller, P.O. Box 493, Montour, Idaho has on February 13, 1978 submitted Application No. 65-12094 for a permit to appropriate 0.15 cubic feet per second of water from a groundwater source by means of well and pipeline within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27 T7N-R1W B.M., Gem County to be used from Jan. 1 to Dec. 31 for domestic purposes and from March 15 to Nov. 15 for irrigation of 25 acres within the S $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27 T7N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 82 South Cole Road, Boise, Idaho 83705 on or before March 13, 1978.

C. Stephens Alfred, Director
Published in the Emmett Messenger-Index, Emmett, Idaho on Feb. 23, 1978 and March 2, 1978.

OK
3-29-78
[Signature]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Arnta Soler being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of 24 28

19 28 and ending with the issue of

March 2, 1978

Subscribed and sworn to before me this

28th day of

March, 1978

Michael D. [Signature]

Notary Public,

Residing at Emmett, Idaho.
Comm. Exp. 12-10-81

RECEIVED

MAR 8 1978

Department of Water Resources
Boise Regional Office

July 30, 1992

KARL A KELLAR
MARJORIE KELLAR
9207 SHALEROCK RD
MONTOUR ID 83617

RE: WATER RIGHT NO. 65-12094

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

AUG 21 1992

June 19, 1992

KARL A KELLAR
MARJORIE KELLAR
9207 SHALEROCK RD
MONTOUR ID 83617

RE: WATER RIGHT NO. 65-12094

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

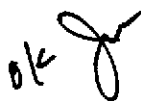
AUG 21 1992

LICENSE REVIEW CHECKLIST

Permit # 65-12094

Date 6-10-92

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u>Exam Fee 6-5-86/Lapsed 6-25-87</u>
	<u> </u>	<u>✓</u>	Memo to Advance <u>DONE</u>
	<u> </u>	<u>✓</u>	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u>NA</u>	<u> </u>	Disagree with Actual Measurement?
	<u> </u>	<u> </u>	<u>7 x .02 = .14 cfs (IRR) .02 cfs (DOM) per permit</u>
	<u>✓</u>	<u> </u>	Disagree with Theoretical? <u>5 x 8.8 x .7 = .178</u>
	<u> </u>	<u>✓</u>	Limited by Capacity? <u>.18 cfs 80' x (2.51 x 40)</u>
TOTAL VOLUME			Rate/ac <u>4.5</u> AFA Irr. Season <u>D</u>
			<u>3-15 to 11-15</u> Standard Irr. Season
			<u>Same Per Permit</u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
	<u> </u>	<u>✓</u>	<u>7 x 4.5 = 31.5 afa (IRR) 0.6 afa (DOM)</u>
	<u> </u>	<u> </u>	Limited by Flow? <u>.14 x 245 x 1.9835 = 68.231.5</u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source
	<u> </u>	<u> </u>	Notice of Intent to Void.
P/D	<u> </u>	<u> </u>	Verify with Map
	<u>✓</u>	<u> </u>	Amendment Needed? <u>Change 1W to 1E</u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>	<u> </u>	Verify with Map
	<u>✓</u>	<u> </u>	Amendment Needed? <u>Change 1W to 1E</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>	<u> </u>	Non-Irr. Uses <u>DOM/1 Home</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>R32</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
		<u>✓</u>	Water Dist.
		<u> </u>	App Rec'd
		<u>✓</u>	Exam Made
COMMENTS/MEMOS NEEDED:			<u>Reduced Acres, rates</u>
			<u>Used 80' dynamic pumping level estimate</u>
			<u>.15 cfs total diversion permitted</u>
License	<u> </u>	<u>10-Day</u>	<u>15-Day</u> <u>✓</u> Special Correspondence <u> </u>

ok 

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	KARL A KELLAR	08/20/1981	IRRIGATION	03-15 11-15	0.14 CFS	31.5 AFA
C	MARJORIE KELLAR 9207 SHALEROCK RD MONTAUR ID 83617		DOMESTIC	01-01 12-31	0.02 CFS	0.6 AFA
TOTAL DIVERSION:					0.15 CFS	32.1 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.18 CFS

Point(s) of Diversion: T07N R01E S27 SW NW

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
07N	01E	27	:					:			07		:					:					:	7.0
TOTAL ACRES																							:	7.0

Place of use Legal Description for: DOMESTIC

NE								NW								SW								SE																						
			NENE		NWNE		SWNE		SENE		:			NENW		NWNW		SWNW		SENW		:			NESW		NWSW		SWSW		SESW		:			NESE		NWSE		SWSE		SESE		:		
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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:							
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07N	01E	27	:									:	D								:									:																

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion and Source:
65-00227

Other Water Rights Listing Overlapping Place(s) of use:
65-00058

Conditions of Approval:

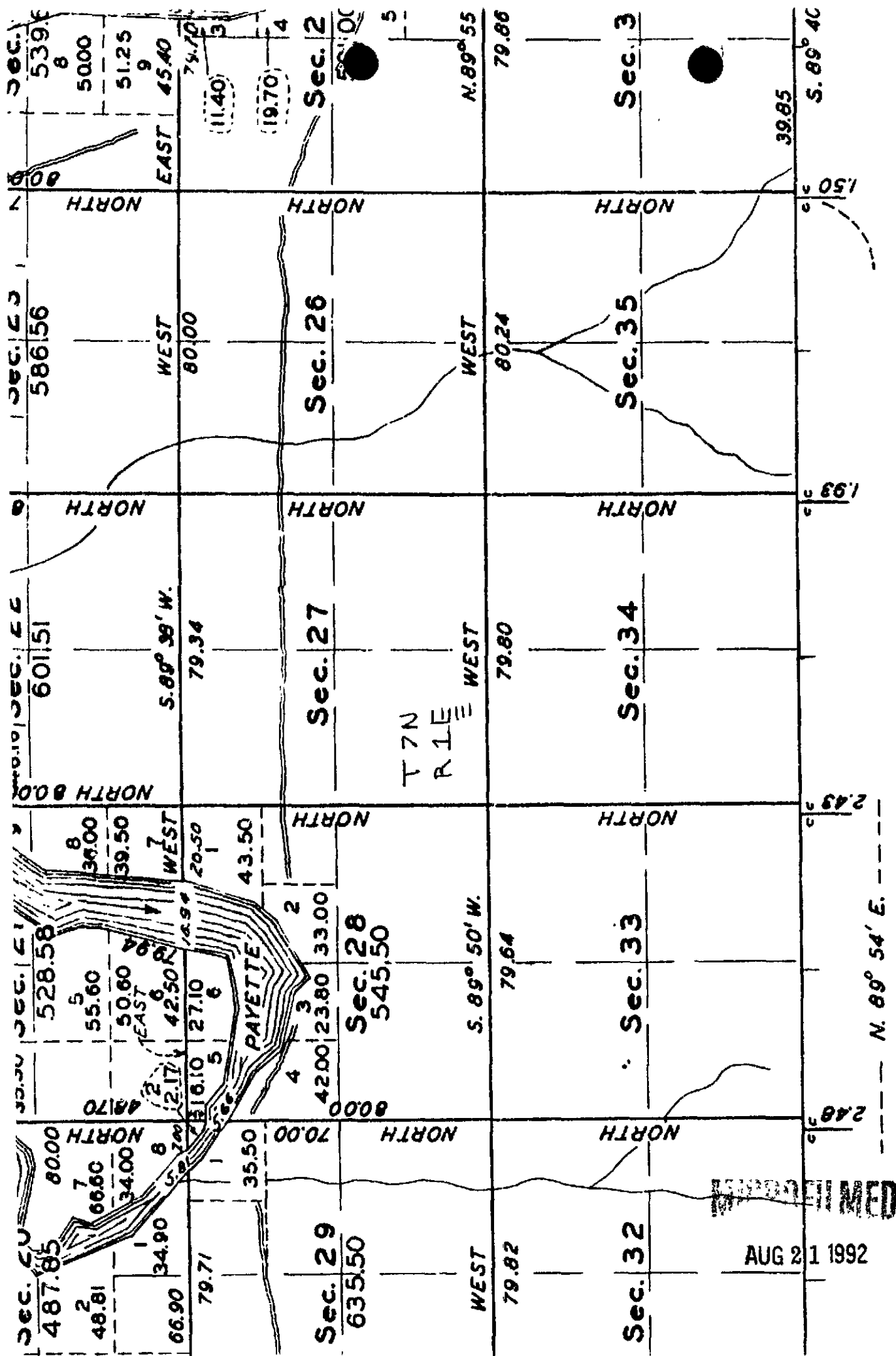
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Remarks: Domestic use is for 1 home.

Dates: App. Received: 02/13/1978 Priority Date: 08/20/1981
Proof Due Date: 04/01/1983 Proof Made Date: 03/03/1983
Exam Made Date: 06/27/1990 Exam Sent to S.O.:
Licensed Date:

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

Audit: 06/10/92 SKAGGS



Sec. 5 Sec. 4 Sec. 3 Sec. 2 Sec. 1

T7N
R1E
Sec 27

COMPILED FROM THE OFFICIAL RECORDS OF THE PUBLIC SURVEY OF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

☒ Blank Field Report Form

☒ Copy of Permit

lapsed & re-notated ☐ Copies of any Amendments/Orders with Conditions of Approval

yes ☐ Well Inspection Form (If Needed)

☒ Copy of U.S.G.S. Quad

found ☐ Check for Government Lots. If so, make a copy of government plat

☐ Check of P/D index 6-20-90 KKC (initial & date)

Overlap ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☒ Other: other rights same QQ

☐ Check of P/U index 6-20-90 KKC (initial & date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: adding sources

☒ SRBA Attachment A Submitted to Adjudication Section

☐ Aerial Photo Required? ☒ yes ☐ no If yes: ☐ copy attached

☐ Scheduling Letter Sent? 6-15-90 KKC (initial & date)

☐ Appointment Made and Telephone Conversation Memo Attached

☐ SRBA Claim Check Received 6-16-90 KKC (initial & date)

☐ Applicable, See Attachment A ☒ N/A

B. After Conducting the Exam, the File Contains:

☒ Fully Completed and Signed Field Report Form

☒ Photographs of Point of Diversion and Place of Use

N/A ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

Exam Completed 7-16-90 Kelly K. Christensen (signature of examiner & date)

Exam Reviewed by Senior Water Resource Agent JFW 2/19/91 (initial & date)

Exam Reviewed by Manager of Regional Office DM 2/22/91 (initial & date)

Exam Sent to State Office 2-26-91 st (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

PERMIT NO: 65-12094
DATE EXAM
CONDUCTED: 6-27-90

1. OWNER LISTED ON PERMIT

Name: Marjorie E. and/or Karl A. Kellar
Address: 9207 Shalerock RD.
City, State: Montour, ID Zip 83617
Phone No. (208)584-3488

Name/Address Updated ☒

2. PERSON ACCOMPANYING EXAMINER

Name: Karl Kellar
Relationship to
Permit holder: Owner

3. SOURCE Groundwater

B. DOCUMENTS INCLUDED WITH THIS REPORT

1. <u>1</u> Copy of U.S.G.S Quadrangle	5. <u>1</u> Aerial Photo (if required)
2. <u>4</u> * No. of Photo Pages Attached	6. <u> </u> Overlap Sheet (form <u> </u>)
3. <u>1</u> Well Inspection Form	7. <u> </u> Pump Efficiency form
4. <u> </u> P/D Overlap Field Exams Copy	8. <u> </u> Other

* (photos placed in file 65-12093)

C. OVERLAP REVIEW

1. Water rights found within the same Q/Q but they have
a different owner and acres -- ☒
same owner but different
source and/or acres -- -- -- ☒

2. P/D overlap found. (same source only) Right Numbers. None

3. P/U overlap found. (permit acres only) Right Numbers.

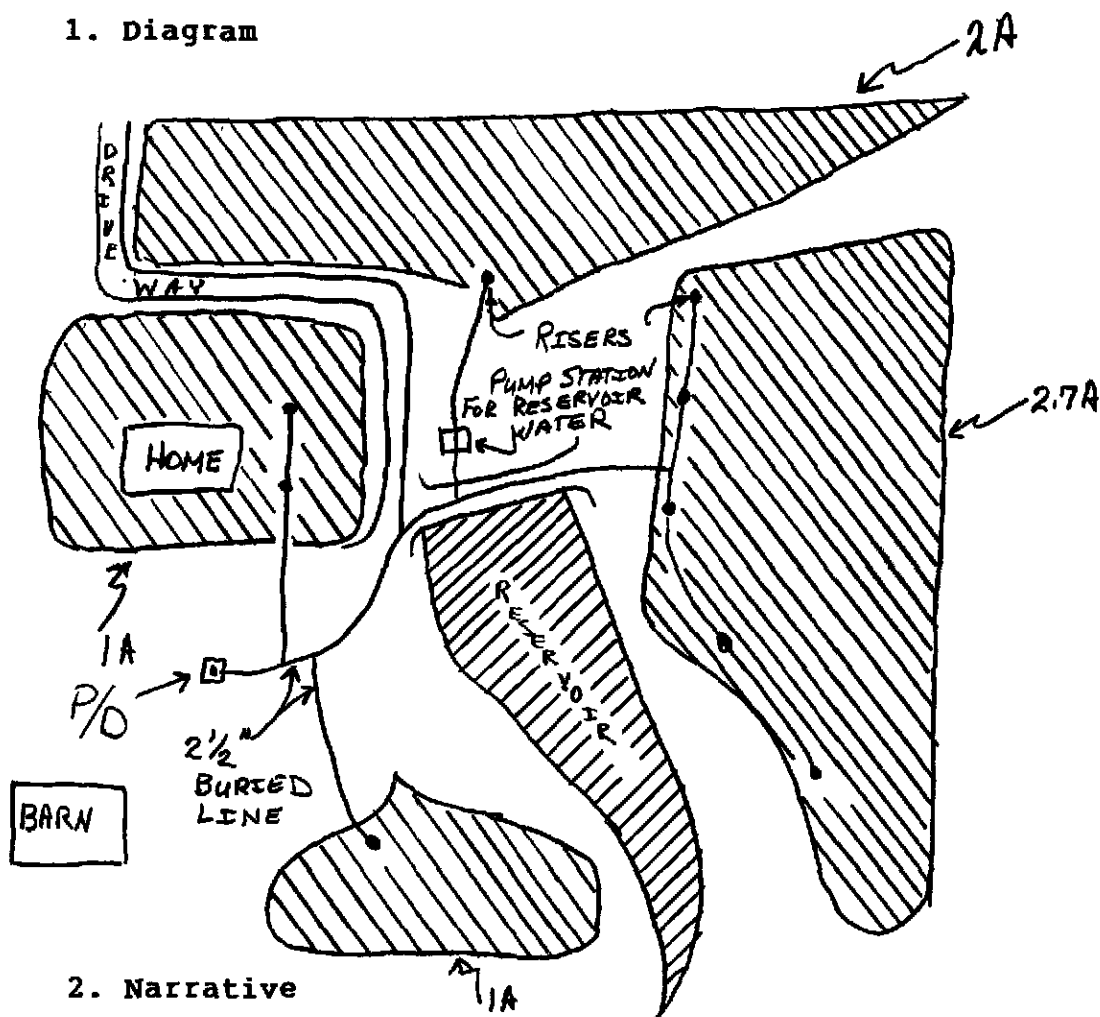
Permit 65-12093 is for the same acres but the source is
a reservoir.

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AUG 21 1992

D. SYSTEM DESCRIPTION (General system description)

1. Diagram



2. Narrative

The system is a well with a submersible pump delivering water to the P/U via a 2 & 1/2 in. buried line. This line is tied into the same main line described in permit 65-12093. The systems tie together at the reservoir, but they can be isolated via a valve. The east field has five risers, the south field has one riser, the "house" field has one riser, and the north field has a 1 & 1/2 inch black plastic line running to it. Normal operation consists of 9 to 11 rainbird Mdl 30 sprinklers operating at approximately 40 psi.

One home is connected to this system. The yard watering is covered under the irrigation portion of this right.

3. Overlap Analysis Narrative

There are no other rights using this well as a source. The P/U is also irrigated from permit 65-12093 which has a reservoir as the source for that system. Other rights exist in the same Q/Q but are for different owners and acres.

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AUG 21 1992

E. FLOW MEASUREMENT DESCRIPTION

Well Id. #	Motor Hp	Motor Make	Serial #	Pump Make	Pump Discharge Dia.
	5	Berkeley	unknown	Berkeley	1.5 in.

1. Diagram (Indicate weir size/ditch size/pipe I.D. as applicable.)

None, theoretical indicates sufficient size to supply legal limit therefore no measurement was made.

2. Narrative (measurement conditions/sketch clarification/ flow calculations; include the results from any measurements.)

The system theoretically supplies the legal limit and therefore no measurement was made.

MEASUREMENT REQUIREMENT DETERMINATION

$$\frac{7}{\text{Acres}} * \frac{4.5}{\text{AF requirement}} = \frac{31.5}{\text{Legal limit AFA}}$$

$$\frac{(5 \text{ HP}) * 8.8 * (0.7 \text{ EFF})}{(60' \text{ static level} + \{(2.3 * (40'))\})} = 0.203 \text{ cfs}$$

STATIC

$$\frac{0.203}{\text{diversion rate}} * \frac{246}{\text{days in season}} * 1.9835 = \frac{99.05}{98.87} = \text{AFA}$$

KKC

3. Alternate method for checking purposes

4. Measurement Equipment Used During Field Exam -- none --

MED
AUG 21 1992

5. Point of Diversion Legal Description

Ident. No.	Twp	Rng	Sec	1/4	1/4	1/4	Gov't Lot	County	Remarks and Method of Determination
------------	-----	-----	-----	-----	-----	-----	-----------	--------	-------------------------------------

7N	1E*	27		SW	NW			GEM	ORTHO PHOTO
----	-----	----	--	----	----	--	--	-----	-------------

P/D legal description modified -- [*]

The range was incorrectly listed as 1W rather than 1E. The rest of the legal description is correct.

F. PLACE OF USE (if acres, show acres recommended for the license)

TWP	RGE	SEC	NE				NW				SW				SE				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	1E*	27																	7 Ac.

Amendment required -- -- -- -- -- [*]
(an asterisk indicates the item requiring an amendment)

G. VOLUME CALCULATIONS (for irrigation, use the acres and the diversion rate recommended for licensing)

1. Volume Calculations for irrigation

$$V(i.r.) = \frac{7}{\text{acres irrigated}} * \frac{4.5}{\text{irrigation requirement}} = 31.5 \text{ AFA}$$

$$V(d.r.) = \frac{0.14}{\text{diversion rate(cfs)}} * \frac{246}{\text{days in season}} * \frac{1.9835}{\text{factor}} = 68.3 \text{ AFA}$$

$$V = \text{The smaller of } V(i.r.) \text{ and } V(d.r.) = 31.5 \text{ AFA (JFW)}$$

2. Volume calculations for other uses

Domestic use (in house only) -- -- 0.60 AFA

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AUG 21 1992

H. RECOMMENDATIONS

1. Permit Summary

Irrigation -- -- -- -- -- -- -- 25 Acres 0.50 Rate
Domestic -- -- -- -- -- -- -- 1 Homes 0.02 Rate
Fees Paid for -- -- -- -- -- -- -- -- 0.20 Max.

2. Found during field exam

Irrigation -- -- -- -- -- -- -- 7 Acres 0.20 Rate
Domestic (in house only) -- -- -- -- -- 1 Homes -- Rate

3. Legal limit -- -- -- -- 7 * 0.02 cfs/acre = 0.14 cfs
Acres * Rate/acre = Rate
Domestic -- -- -- (in house only) = 0.02 Cfs

4. Recommended Amounts

Beneficial use	Period of Use		Q-- Rate of Diversion	V-- Annual Volume
	From	To		
Irrigation	3-15	11-15	0.14	31.5
Domestic	1-1	12-31	0.02	0.60
Totals			<u>0.16</u> CFS	32.1 AFA

3. Recommended Amendments

Change P/D as reflected above -- -- -- -- -- ☒
Change P/U as reflected above -- -- -- -- -- ☒

I. AUTHENTICATION

Field Examiner's
Name

Kelly K. Christensen

JFW
2/19/91

Signature

Kelly K. Christensen

Field Report

Preparation Date

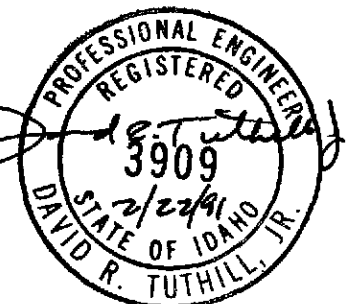
07-16-90

Reviewed by

Signature

Date

Certification Date



CONSULTANT SEAL

AUG 21 1992

65-12094

B.M.
2558

2592A

2559T

3028A

PAYETTE

Regan
Butte

Mont

2624

B.M.
2684

B.M.
2661

2709T

2

3033A

2758T

2703T

Canyon

Bellevue

2879T

AUG 27 1962
MED 35

2850AT

Canyon

Canyon

PERMIT 65-12094 INIT KKC

T. R. S. 0/0

P/D 7N 1E 27 SW/NW

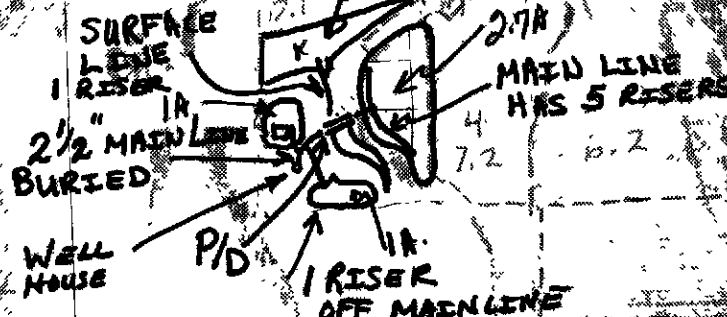
SCALE 8" = 1 MILE

PHOTO ID. _____

T132

22

28 27



BR.

11.6

4.5

2.7

BR.

SURFACE
LINE
1 RISER

2 1/2" MAIN
BURIED

WELL
HOUSE

P/D

1 RISER
OFF MAINLINE

MAIN LINE
HAS 5 RISERS

4

7.2

6.2

22-11

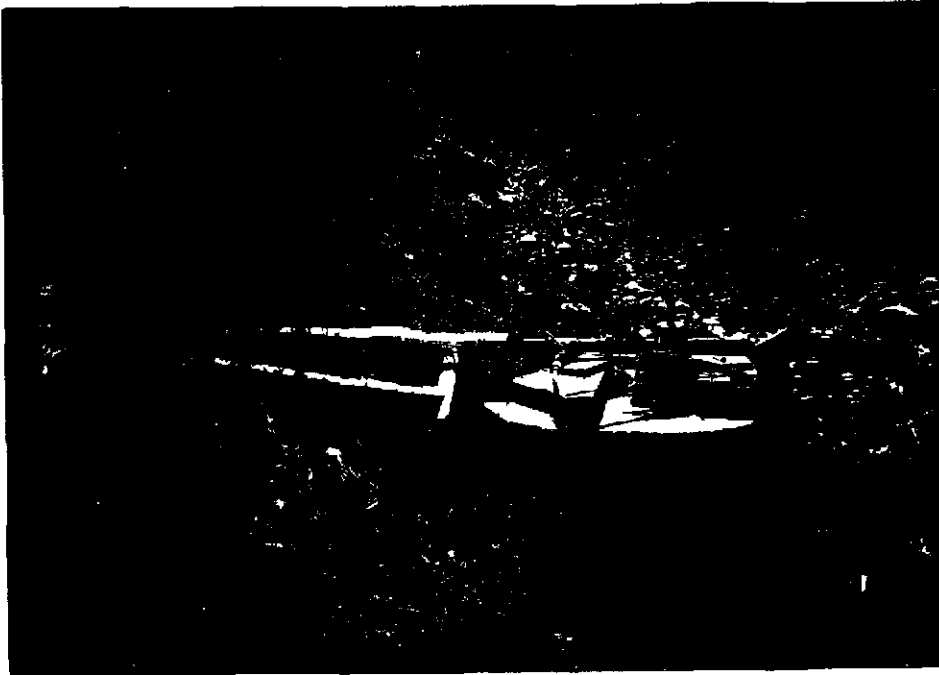
AUG 21 1960

28 27

NOT TO SCALE

PICTURE # 1

This picture shows the pump location and the plumbing. The black plastic line runs to the northern field and carries water via gravity feed from the reservoir or pumped from the well. The supply lines from the well and the reservoir are the white PVC lines. Either source can be used. The reservoir supply line runs through the base of the reservoir dike. As the reservoir was dry the pump was removed and stored in the barn. This picture is looking west.



PICTURE # 2

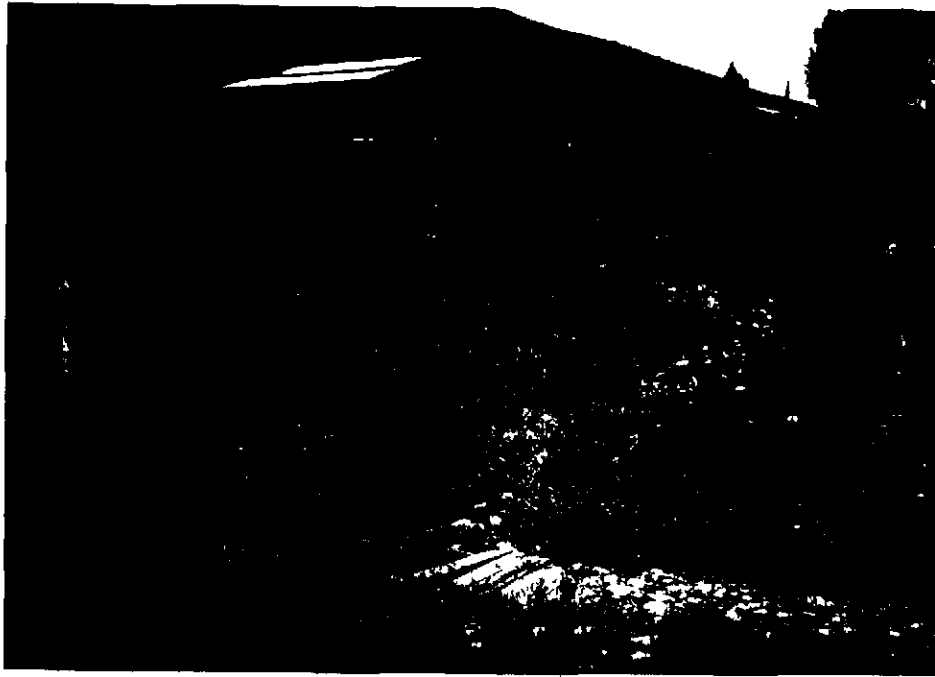
This picture shows the pump used in the system. Information from this pump was used in the diversion rate calculations. (for permit # 65-12093)



AUG 21 1992

PICTURE # 3

This picture shows the reservoir dike and the spillway. The spillway ditch is under the boards. The picture is looking west.



PICTURE # 4

This picture, looking west, shows the dike and the 1 acre field around the home. Also pictured is the pump location shown in picture # 1.



AUG 21 1992

#65-12094

PICTURE # 5

This picture is looking north northwest and shows the northern field. The place of use is the southern part of the field in the center of this photo. The northern boundary is the break between the dark green (cut) field and the yellow (uncut) field.



PICTURE # 6

This picture is looking southwest and shows most of the southern field. The foreground is the reservoir bottom.



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AUG 21 1992

#65-12094

PICTURE # 7

This picture set shows the western field. Both the northern and southern boundaries are shown in this set. The west boundary is the fence shown at the edge of the green alfalfa. This set is looking predominately east.

RECEIVED
AUG 21 1992



Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 65-12094

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 7N, Rge 1E, Sec. 27, SW^{1/4} Ab^{1/4}
or Lot _____.

2. Owner: SAMS

Address _____, City _____, St _____

3. Casing $\geq$ 12 inches above ground: Yes _____ No _____

4. Access Port: Yes _____ No _____
Pressure Gauge: Yes _____ No _____
Flowing: Yes _____ No _____

Static Water Level: 60 (from owner)
Casing Diameter: _____
Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No X

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

RECEIVED
AUG 21 1992

FIELD EXAMINATION SCHEDULING CHECK LIST

PERMIT NO. 65-12094Fees Paid For 2 CFS MaximumEmployee Name KRCEstimated Time to 2.5 HR combinedConduct This Exam YesRelated Permits Yes 65-12093

Proof of Beneficial

Use Date: (if prior to
Nov 19, 1987 check adj file)Adjudication filing -- Yes () No () If required and not found,
notify permit holder

I. DETERMINE ALL USES:

A. Primary use -- -- -- -- -- irrigationSource (if ground water determine if measurement required) well1. Domestic Size of yard # homes 2. Subdivision: Is it fully developed or do the lots
have the water line stubbed in? -- --Subdivision name is plat available?3. Irrigation: -- -- -- -- -- Approx acres irrig 25
sprinkler system desc B. Miscellaneous notes: Schedule with 65-12093 (time combined)for exam

II. TYPE OF DIVERSION SYSTEM:

A. Pumping system

HP PSI Estimated diversion rate Measuring device Groundwater/Irrigation no Measurement Required -- -- -- -- -- ☐verify
☒run 8 sprinklersTake road into Montour sign

MICROFILMED

AUG 21 1992

REMINDER: Reaffirm with the permit holder that his system needs to be ready-for-the
field exam in a manner consistent with his normal operations.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 23, 1990

RE: Permit No. 65-12094

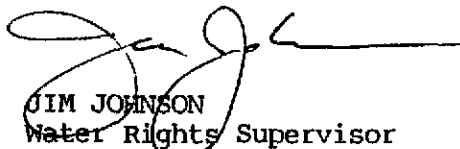
Karl &/or Marjorie Kellar
9207 Shalerock Rd.
Montour, ID 83617

Dear Mr. and Mrs. Kellar:

Enclosed is a copy of the Order of Reinstatement which advances the date of priority of the above referenced permit to August 20, 1981, due to late submittal of the exam fee.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

FEB 27 1990

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 65-12094
FROM: ROXANNE MC CARTHY
RE: PRIORITY ADVANCE REVIEW
DATE: 22-FEB-1990

=====

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	FEBRUARY 13 1978	44
EXAM FEE NOTICE		
Exam Fee Notice Date:	JUNE 05 1986	156
Exam Fee/Info Sheet Received Date:	FEBRUARY 08 1990	1499
Exam Fee or Info Due Date:	AUGUST 04 1986	216
Days Late:		1283 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	FEBRUARY 13 1978	44
Total Days Late:		1283 DAY(S)
New Priority Date:	AUGUST 20 1981	232

Michael J. Lued

FEB 27 1990

[

4/86

For Office Use Only
Fee Received 50.00
Date Feb 8, 1990
Receipt # W008525
Receipt by JFW
Sent to S.O. Feb 9, 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. 65-12094

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: KARL A. &/OR MARJORIE KELLAR

3. Post Office Address: 9207 SHALE ROCK Road Montour. 83617
Telephone No. 584-3488

4. Source of Water: Groundwater

5. Extent of Use:

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 25 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted .15 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1978, May 1

8. Person to contact to accompany the department representative during the field examination:

KARL A. &/OR MARJORIE KELLAR (Name)

9207 SHALE ROCK Rd. Montour, 83617 (Address) FEB 27 1990 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Feb 8-1990
Date

Karl Kellar - Marjorie Kellar
Signature of Permit Holder (and title, if appropriate)

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No 65-12094

Name(s) of Permit Holder: KARLA & /OR MARJORIE KELLAR

^{SAME PLACE} ^{NEW}
Post Office Address: MONTGOMERY ROUTE # 1147

EMMETT IDAHO 83617 Tel. No. 584-3488

Source of Water:

Extent of Use: ☒ Domestic ONE (number of households)
☒ Stockwater TWENTY (number and type of stock) HORSE & CAL
☒ Irrigation 10 (25) (acres)
☐ Other

527 T7N-R1W

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

2-20-83
Date

Karla Kellar
Signature of Permit Holder

TO: TIM LUKE

FROM: JOHN WESTRA, WESTERN REGION

SUBJECT: Lapsed Permits #65-12093, #65-12094

In filing their adjudication claims the Kellars realized that Permits #65-12093 and #65-12094 had lapsed. The proof of beneficial use was submitted, but the exam fees were not. It appears it had been an oversight on their part. The Kellars would like to reinstate the permits by submitting the proper fees required.

Please contact me if you have any questions.

Thank you,
John

RECORDED

FEB 27 1990

These examination fees were overlooked
at the time they come due. Because
we was involved in building and
moving at that time.

Karl A. Kellan, Maryann Kellan

RECORDED

FEB 27 1990

Date Received FEB 8 1990

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

KARL A &/OR MARJORIE KELLAR () 584-3488
 Name of Claimant Phone Number

9207 SHALE ROCK RD. Mondour, ID 83617
 Mailing Address City State Zip

Gen. 2/14/90
 County(s) where place of use is located Date claim originally due

#65-12094 ; #65-12095 Lapsed
 Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

PAYMENT OF EXAM FEES WERE OVERLOOKED.
FEES HAVE BEEN SUBMITTED

Claimant requests an extension ~~to~~ UNTIL THE DEPT. ACTS ON THE Lapsed PERMITS ¹⁹

Karl Kellar, Marjorie Kellar FEB 8, 19 90
 Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [] denied for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent

Mail to: Idaho Department of Water Resources
 1301 N Orchard St
 Boise, ID 83706

RECEIVED

FEB 27 1990

I certify that file No. 65-12094 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

B. Walker
Signature

10-24-88
Date



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

PH-12154
MILLER, KATH A.
SPRING, MARJORY
MILLER, KATH A.
MILLER, KATH A.

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 25, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on August 5, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on June 5, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before October 5, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely, *L. Glen Saxton*

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN

Director
US-12094
KREGAN, KAPL A.
KREGAN, HADJONIA
MONTGOMERY, BOX 1147
EMMER, ID 83617

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

October 9, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill, Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Deputy

65-12094
KELLAR, KARL A.
KELLAR, MANJORIE
MUNTOUR RT. BOX 1147
EMMETT, ID 83617

Mailing address:
Storehouse
Boise, Idaho 83720

138573

CERTIFIED MAIL

June 5, 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 16, 1980

KARL A. KELLAR
MONTGOMERY RT. NO. 1147
EMMETT ID 83617

RE: Permit No. 65-12094

Dear Permit Holder

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below on permit No. 65-12094

Name(s) of Permit Holder KARLA & /or MARJORIE KELLAR
Same place as Post Office Address MONTAUR Route # 1147
EMMETT, IDAHO 83617 Tel. No. 584-3488

Source of Water.

Extent of Use. ☒ Domestic ONE (number of households)
☐ Stockwater THIRTY
☒ Irrigation 10 (number and type of stock) None & Cows
☐ Other (acres)

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

2-20-83
Date

Karla Kellar
Signature of Permit Holder

KARL R. KELLY
MONTGOMERY Rt # 1147
EMMETT, Idaho 83617



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATENUSE
HJISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138236

MELLAR, KARL A. & MARJORIE
P.O. BOX 493
MONTGOMERY, ID 83646

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12094 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

HITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 2, 1978

Re: Permit No. 65-12094

Karl A. &/or Marjorie Kellar
P. O. Box 493
Montour, ID 83646

Dear Mr. and Mrs. Kellar:

Your approved copy of Application for Permit No. 65-12094 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

-2-

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12094

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) R.W.H. 2-14-78

In form to receipt

(2) _____

Send Copies to:

- _____ Idaho State Health Department
- _____ Idaho Fish and Game Department
- _____ Bureau of Land Management

(3) _____

- _____ Request Special Use Permit from U.S.F.S.
- _____ Request Easement from B.L.M.
- _____ Request Information from Applicant

(4) R.W.H. 2-14-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: none

(11) Y OK

Affidavit of Publication received (date) 3-29-78

(12) _____

Final date for protests March 13, 1978
Protests received: yes _____ no X

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

2-13-78 Proposed Priority

_____ Reason for Reduction

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

By W Date 3/29/78

*I.P. Letter
Groundwater
Supplemental*

RECEIVED

MAR 30 1978

Department of Water Resources



DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 17, 1978

Re: Notice of Application for Water Permit No. 65-12093 -- Karl &/or Marjorie Kellar
65-12094 -- Karl &/or Marjorie Kellar
67-2113 -- Robert Ray Self

Emmett Messenger-Index
120 North Washington Avenue
Emmett, ID 83617

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. In order to receive payment, the following certification must appear on the bill:

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before March 13, 1978.

Sincerely,

RITA FLECK
Secretary

*Bill submitted
3-29-78
JF*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that KARL A. &/or MARJORIE KELLAR
P. O. Box 493, Montour, ID
has on February 13, 1978 submitted Application No. 65-12094
for a permit to appropriate 0.15 cubic feet per second ~~XXXX XXXX~~
~~XXXXXXX~~ of water from a groundwater source
by means of well and pipeline
within the S₂N₂W₂ Sec 27 T7N-R1W B.M., Gem County
to be used from Jan 1 to Dec 31
for domestic purposes and from Mar 15 to Nov 15
for irrigation of 25 acres
within the S₂N₂W₂ Sec 27 T7N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before ¹³March 2, 1978.

C. STEPHEN ALLRED

Director

Published in the Messenger-Index, Emmett, ID
on February 23, 1978 and March 2, 1978.