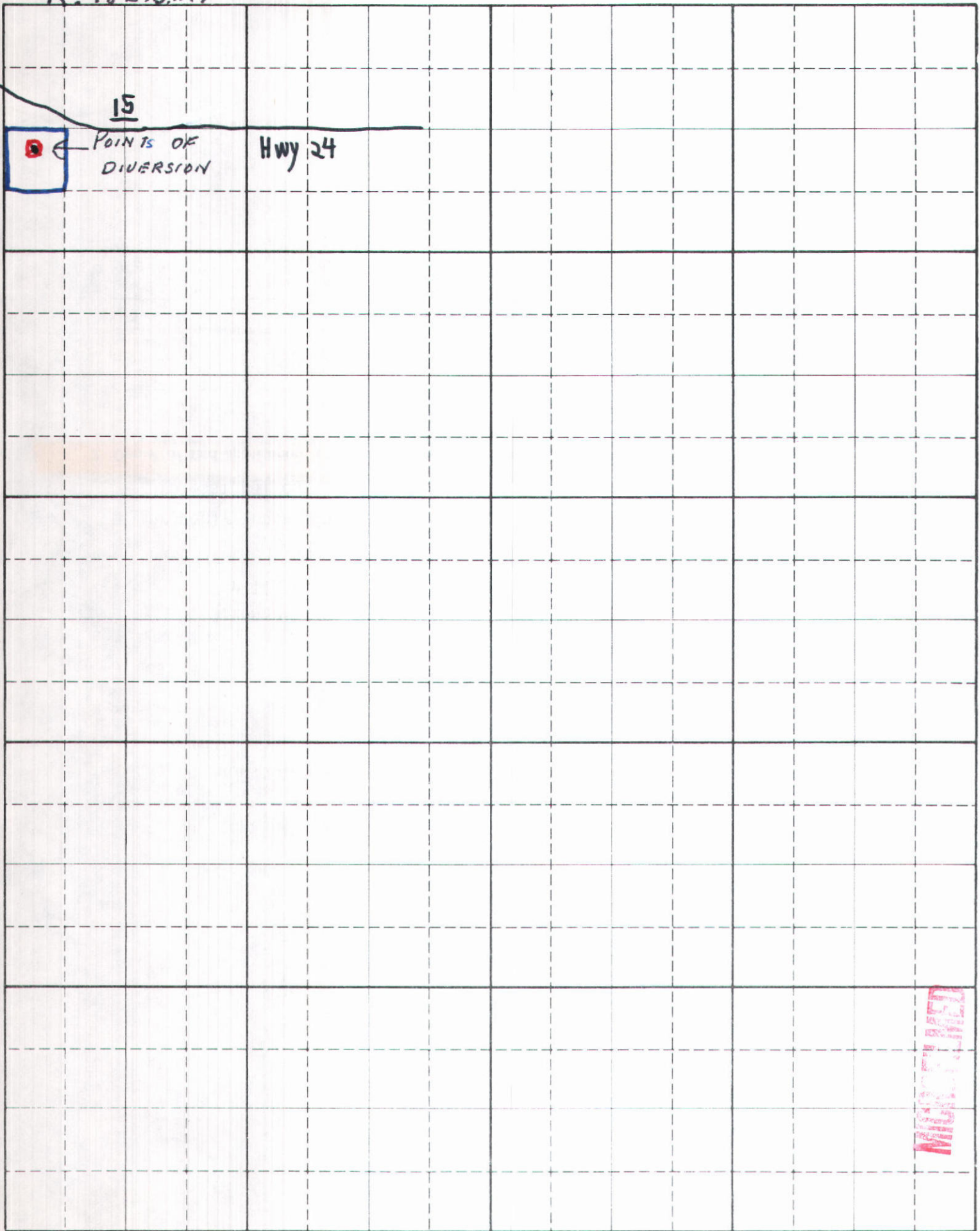


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R. 18 E. 3 M.

T
6
S



Scale: 2 inches equal 1 mile

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

W. Keely
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Lincoln } SS.

SEP 17 1977

DEPT. OF WATER RESOURCES

Melba Thomas, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of Sept., 1977, and the date of the last publication was on the 8 day of Sept., 1977.

Subscribed and sworn to before me this 8 day of September, 1977
(SEAL)

Mary Ann Flanagan
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice	
Number of Insertions	
Lines tabular at	315c
<u>40</u> Lines straight at	21c
Subsequent lines at	15c
TOTAL COST	<u>14.40</u>

COPY OF NOTICE

(Paste Here)

Water permit
TITLE OF NOTICE

application no. 37-7657
PLAINTIFF ATTORNEY
Dan H. Kelley

DEFENDANT

PLAINTIFF

BILL TO

Dept. of Water Resources
9/13/77
OK

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dan H. Kelly, Shoshone, Idaho 83352 has on 8/12/77 submitted Application No. 37-7657 for a permit to appropriate .84 cubic feet per second of water from Groundwater by means of well, sprinkler, Stock Tanks within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 6S, Rge. 18E, B.M. Lincoln County to be used from Mar. 15 to Nov. 15 for irrigation and from Jan. 1 to Dec. 31 for domestic purposes and from Jan. 1 to Dec. 31 for stock purposes within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 6S, Rge. 18E, 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 Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before September 19, 1977.

/s/ C. Stephen Allred
Director

L/2tc/9-1

No. 1675

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7657

1. Owner: DAN KELLEY

Phone No. 544-7648

Current Address: P.O. Box 744, Shoshone, Ida

2. Accompanied by: Dan Kelley

EXAM. DATE: 10/14/87

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to ✓

B. OVERLAP REVIEW

1. Other water rights with same place of use: no

☐ Copies Attached

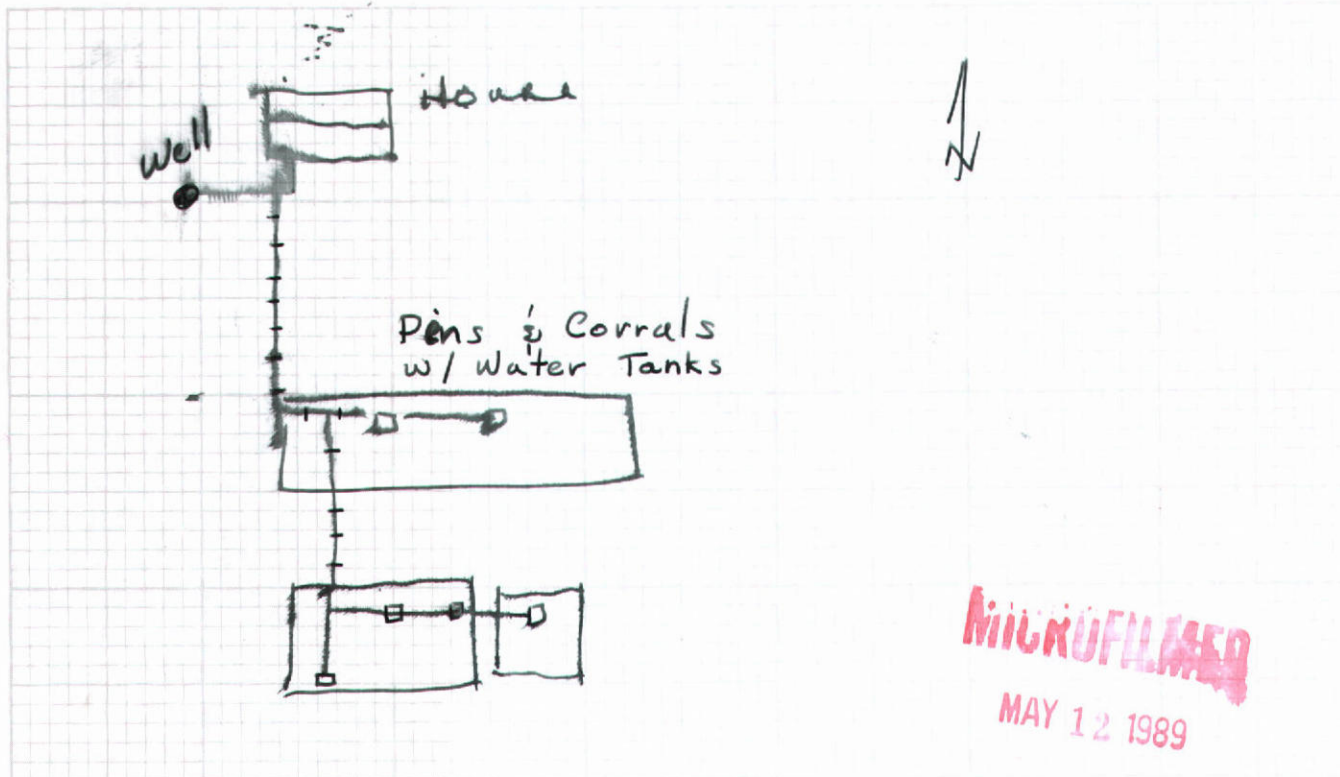
2. Other water rights with same point of diversion: NO

☐ 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



MICROFILMED
MAY 12 1989

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).



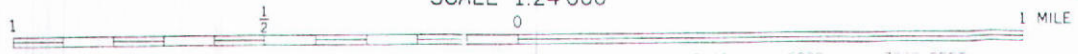
T6S
R18E

Well Location
& livestock use

MICROFILMED
MAY 12 1989

717 410 000 FEET 20' 718 719 (SHOSHONE SE) 3169 IV SE 720 721 17'30"

SCALE 1:24 000



DAN KELLUM — 37-7657



WATERING Troughs near Pen.

MICROFILMED

MAY 12 1989



Several Pens are used to Raise Pigs

SRBA

PARTIAL DECREE 37-07657

Issued on 11-27-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS: DAN H KELLEY
SHIRLEY KELLEY
PO BOX 744
SHOSHONE, ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.095 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
GALLONS PER DAY.

PRIORITY DATE: 08/12/1977

POINT OF DIVERSION: T06S R18E S15 NWNWSW Within Lincoln County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTIT
Stockwater	01-01 TO 12-31	0.055 C
Domestic 1 HOME	01-01 TO 12-31	0.04 C

PLACE OF USE:

Stockwater		Within Lincoln
T06S R18E S15	NWSW	
Domestic		Within Lincoln
T06S R18E S15	NWSW	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NO
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

Return to SRBA Home Page

MICROFILMED

NOV 20 2001

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07657

Priority: November 27, 1977 Amount: 0.04 CFS 4.6 AFA

This is to certify, that DAN H. KELLEY
P.O. BOX 744

SHOSHONE, ID 83352 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 12, 1977, and has submitted proof to the Department of Water Resources on September 16, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	3.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
	Totals	0.04 CFS	4.6 AFA

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 15, Township 06S, Range 18E
LINCOLN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 18E 15 NWSW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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 21st day of April, 1987.

MICROFILMED

MAY 12 1989

Acting for the Director

[Signature]

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07657

RECEIVED
MAR 31 1989

Department of Water Resources

Date of Priority: November 27, 1977

Comes now DAN H. KELLEY
P.O. BOX 744
SHOSHONE, ID 83352

APPROVED
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. 37-07657, 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>VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	3.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
	Totals	0.04 CFS	4.6 AFA

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 15, Township 06S, Range 18E
LINCOLN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 18E 15 NWSW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

RECEIVED

MAY 12 1989

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 521, E Highway 24, this 21st day of MARCH, 1989.
Shoshone, Id.

Dan H. Kelley
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07657

FOR DEPARTMENT USE ONLY

Preliminary check by EW Fee = \$20.00 ✓ Receipted by Kly Date 3/31/89
#C 006142

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. 37-07657 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

Witness my hand this 21st day of April, 1989.

[Signature]
Acting for the (Director)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-7657

IN THE NAME OF DAN H. KELLEY

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1987; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial; and,

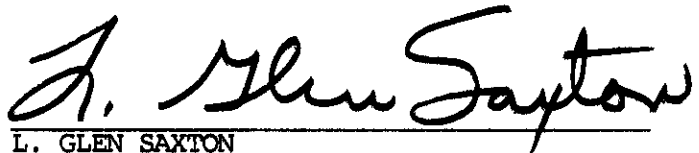
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use and a completed field report on September 16, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7657 be REINSTATED and the priority advanced to November 27, 1977.

Dated this 27th day of April, 1988.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

JUN 21 1988

For Office Use Only	
Fee Received	15.00
Date	8-26-82
Receipt #	24617

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

AUG 23 1982

Department of Water Resources

Dan H. Kelley of Box 744 Shoshone
(Name) (Address)

State of Idaho, deposes and says

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No 37-7657

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
October 1, 19 82

That he has heretofore performed the following work described under said permit none
(This must be filled out! If no work has been completed put none)

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit
I HAVE BEEN PREVENTED FROM DOING THE WORK DUE TO
A LITIGATION INVOLVING IDAHO POWER. NO NEW WELL
HOOKUPS WILL BE MADE.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to October 1, 19 87
(1 yr minimum, 5 yrs maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Dan H. Kelley
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit the statement of beneficial use is extended to August 1, 1987.

Signed this 31st day of August, 19 82

A. Glen Saylor
Chief, Operations Bureau

D. H. KELLY
BOX 744 - PM 886
SNOSHONE, IDAHO 83352

SNOSHONE, IDAHO



Idaho Dept of Water Resources
State House
Boise, Idaho

83720

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **37-7657**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 37-7657

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 Dan H. Kelley Phone 886-7648
post office address Box 744 - Shoshone, Idaho 83352
- 2 Source of water supply ground water which is a tributary of _____
- 3 a Location of point of diversion is ^(2 points) NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 6 S.
Range 18 E B M Lincoln 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 .8 for irrigation purpose from Mar. 15 to Nov 15 (both dates inclusive)
Amount .04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount .0004 for stock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated:
a .84 cfs cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. _____
12 inch well approx. 300 feet deep will attach to a sprinkler
system, farrowing house & stock tank for livestock. 6" X 300' domestic well.

- 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 12 & 6 inches, proposed depth of well is 300 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 \$ 15,000.
- 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 SW $\frac{1}{4}$ of Section 15 Township 6S
Range 18E 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 6 hogs

(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 _____

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

[illegible]

Total number of acres to be irrigated 40

c Describe any other water rights used for the same purposes as described above. none

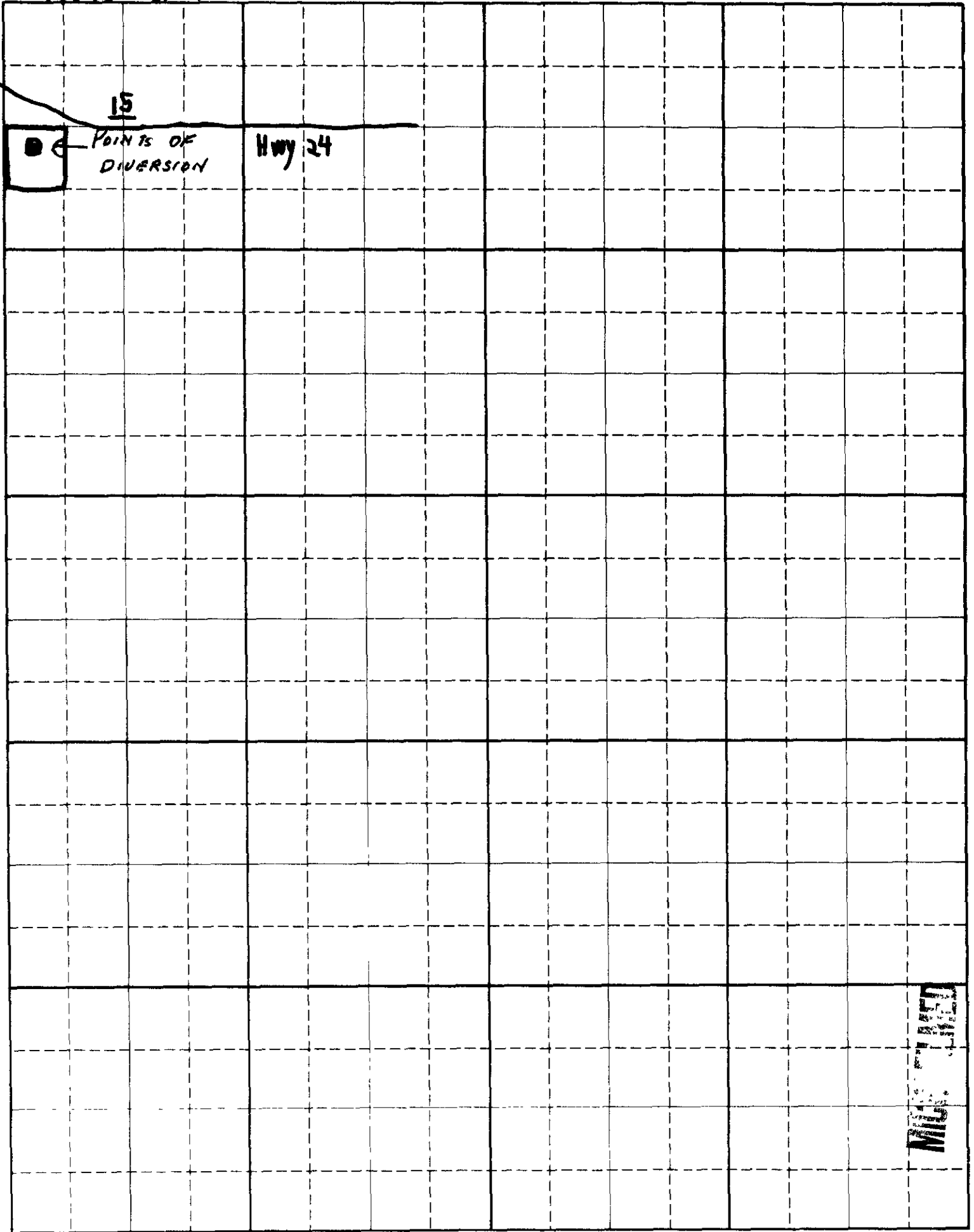
- 9 a. Who owns the property at the point of diversion Dan H. Kelley (applicant)
b. Who owns the land to be irrigated or place of use Dan H. Kelley (applicant)
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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

R. 18 E. 3 M.

T
6
S



Scale 2 inches equal 1 mile

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

W. Keely
(Applicant)

Proposed Priority 8/12/1977

Received by JS Date 8-12-77 Time 3:30 pm
Preliminary check by JS Fee \$ 25.00
Receipted by JS Date 8-12-77 # 8706
Publication prepared by JS Date 8/18/77
Published in Lincoln County Journal
Publication dates 9/1 & 9/8/77
Publication approved JS Date 9/13/77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls j6

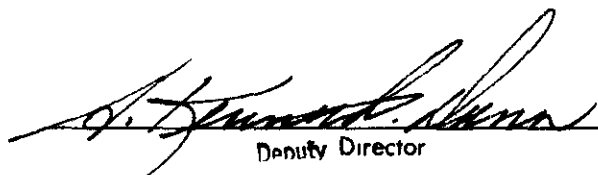
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7657, 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 October 1, 19 82.
- c Other For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department
~~Denial prior to submitting proof of beneficial use of water.~~

Witness my hand this 14 day of October 19 77.


Deputy Director

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Lincoln } SS.

Melba Thomas, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of Sept. 1977, and the date of the last publication was on the 8 day of Sept., 1977.

Melba Thomas
Subscribed and sworn to before me this 8 day of September, 1977
(SEAL)

Mary Ann Flanagan
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL Shoshone, Idaho COST OF PUBLICATION

Number of Lines in Notice	
Number of Insertions	
Lines tabular at	315c
<u>40</u> Lines straight at	21c <u>8.40</u>
Subsequent lines at	15c <u>6.00</u>
TOTAL COST	<u>14.40</u>

COPY OF NOTICE

(Paste Here)

Water Permit
TITLE OF NOTICE

Application No. 37-7657
PLAINTIFF ATTORNEY
Dan H. Kelly

DEFENDANT

PLAINTIFF

BILL TO

Dept. of Water Resources
9/13/77
OK

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dan H. Kelly, Shoshone, Idaho 83352 has on 8/12/77 submitted Application No. 37-7657 for a permit to appropriate .84 cubic feet per second of water from Great Salt Lake by means of a sprinkler, Stock Tanks within the NW1/4SW1/4, Sec. 15, Twp. 6S, Rge. 18E, B.M. Lincoln County to be used from Nov 15 to Nov 15 for irrigation from Jan 1 to Dec 31 for domestic purposes and from Jan 1 to Dec 31 for stock purposes within the NW1/4SW1/4, Sec. 15, Twp. 6S, Rge. 18E, 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 Idaho Department of Water Resources, 1041 Blue Lakes Blvd., N. Twin Falls, Idaho, 83401 before September 19, 1977.

/s/ C. Stephen Allen
Director

L/2tc/9-1

No 1675

MEMORANDUM

This
Right has been
Decreed in the
SRBA.

MICROFILMED

NOV 20 2001

April 25, 1989

DAN H. KELLEY
P.O. BOX 744
SHOSHONE, ID 83352

RE: PERMIT NO. 37-07657

Dear Permit 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,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 12 1989

March 7, 1989

DAN H. KELLEY
P.O. BOX 744
SHOSHONE, ID 83352

RE: PERMIT NO. 37-07657

Dear Permit 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 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-7657
Name(s) of Permit Holder(s): D.H. Kelley
Post Office Address: 744
Shoshone, Idaho 83352 Tel. 544-7648

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

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

Due To litigation involving Idaho power no
New Well Work hookups are being made.

*Note A financing difficulty is
not an acceptable reason

8-29-83
Date

D.H. Kelley
Signature of Permit Holder

D.H. Kell

Box 744

Shoshone, Id.

PLACE
STAMP
HERE

MICROFILMED

MAY 12 1989



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE**

BOISE, IDAHO 83720

AUG 27 1983

**Department of Water Resources
Urban District Office**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

37-7657
Permit No. Fee

*Original Proof
attached*

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

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index LG 9/25/87 (Initial and 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: _____

Check of P/U index LG 9/25/87 (Initial and 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: _____

Aerial Photo

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

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ ~~Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.~~

C. Review and Processing:

Exam Completed 10/15/87 AD (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent AD 2/8/88 (Initial and date)
Exam Reviewed by Manager of Regional Office AD 3/10/88 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7657

1. Owner: Dan Kelley

Phone No. 544-7648

Current Address: P.O. Box 744, Shoshone, Ida

2. Accompanied by: Dan Kelley

EXAM. DATE: 10/14/87

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to ✓

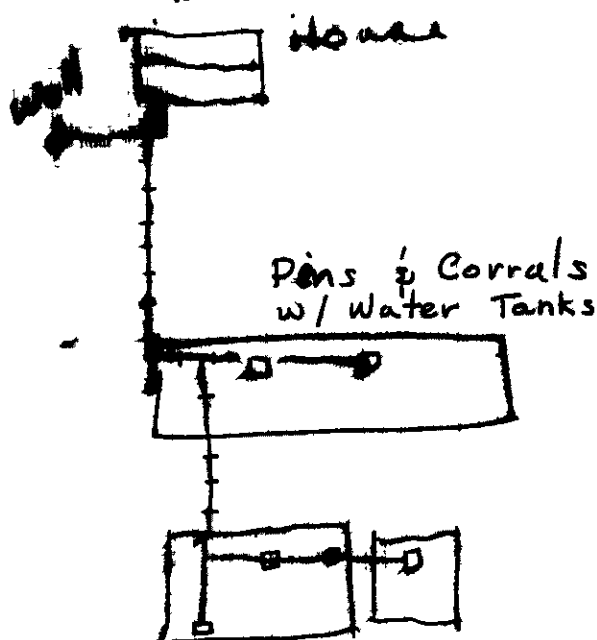
B. OVERLAP REVIEW

1. Other water rights with same place of use: no ☐ Copies Attached

2. Other water rights with same point of diversion: no ☐ 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



NOT RECORDED
MAY 12 1989

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

- ☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

- ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

System Description (continued)

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

25 gal Pressure Tank.
(6) Small watering Troughs.
No Irrigation

This water is used only for (1) Domestic house
and 250 Hd of livestock. There were no
Animals present during Exam.
Domestic use includes lawn.
250 Head Hogs & Cattle

☐ 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
	J&A-Rite	1	1677		

*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
1			NW	SW	15	6S	18E	Lincoln	

6 Place(s) of Use:

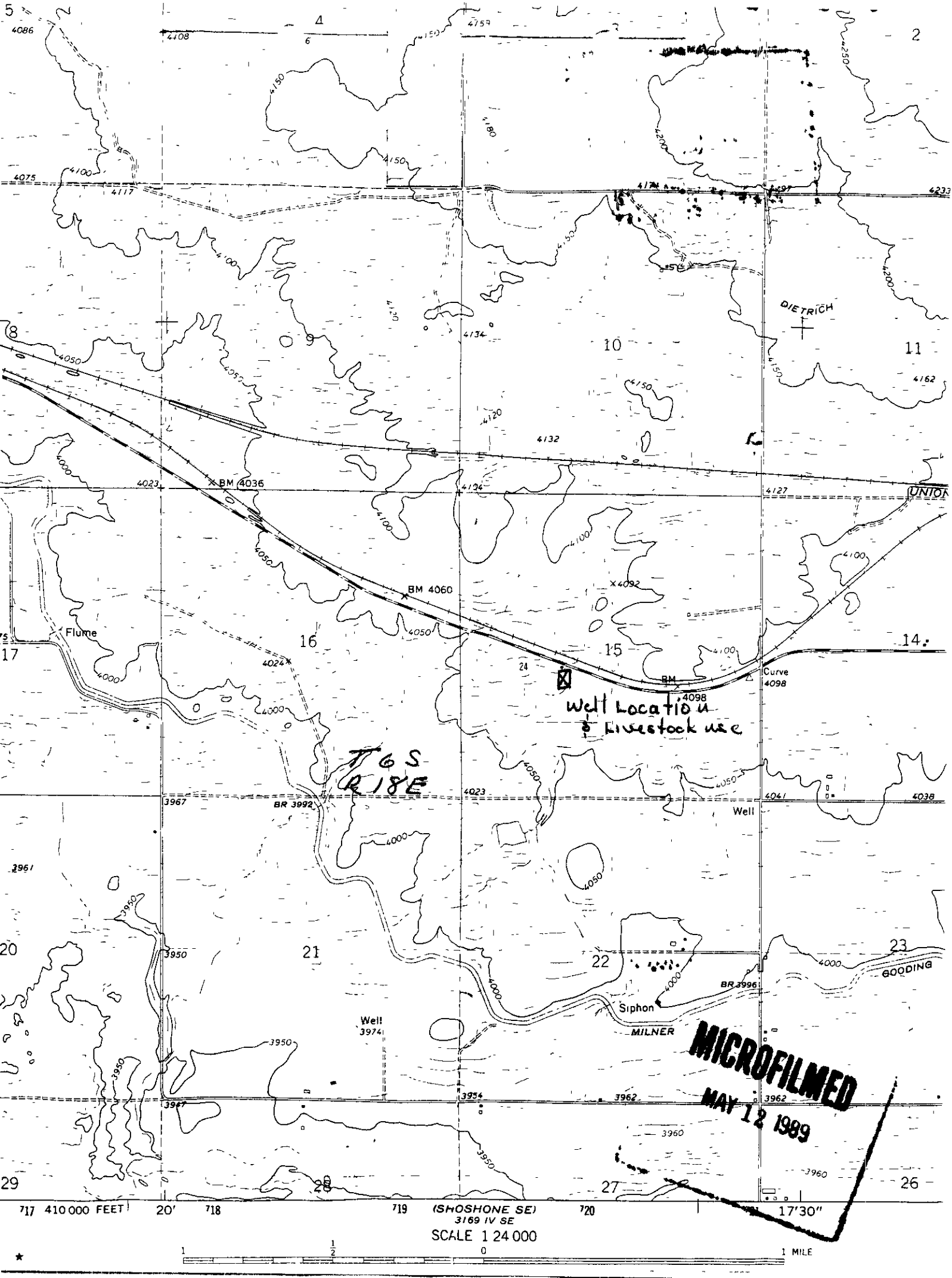
Indicate Method of Determination

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	
6S	18E	15																	
6S	18E	15																	

MICROFILMED

MAY 12 1989

Do not use this space

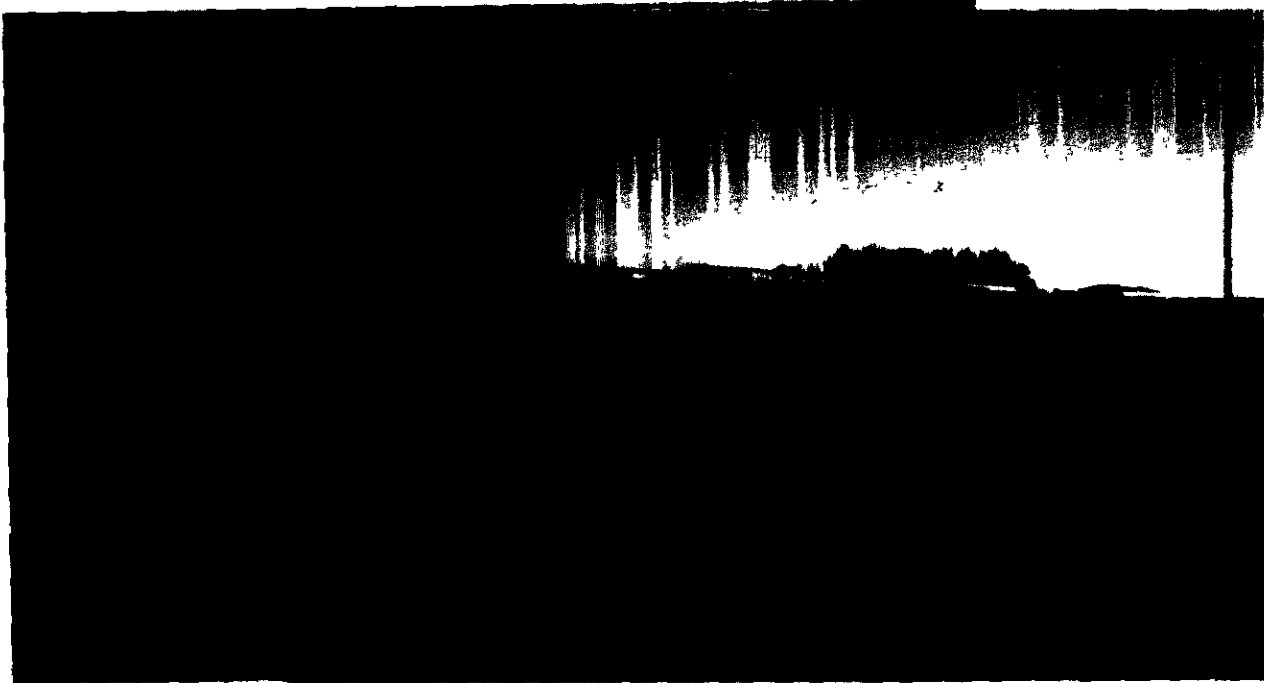


DAN KELLER — 37-7657



WATERING TROUGH **MICROFILMED** ca. PEN.

MAY 12 1989



Several Pens are used to Raise Pigs

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2 Measurements:

Amend Application from Irrigation to larger use of Livestock.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

(250 Hd Range Cattle) x (.0134) = 3.35 Ac Ft/ANN.
(250 Hd Range Cattle) x (.00022) = 0.055 cfs.

MICROFILMED

MAY 12 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

no

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Livestock	1-1	12-31	0.055 cfs.	3.35
Domestic	1-1	12-31	0.04 cfs.	1.20
Totals:			0.095 cfs.	4.55

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other

change nature
of use

J. AUTHENTICATION

Field Examiner's Name GARY FUNDERBURG

Signature Gary Funderburg

Certification Date 5/15/87

Field Report Preparation Date 10/15/87

CONSULTANT SEAL

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

JDM 12/5/88

MICROFILM

MAY 12 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 28, 1988

Dan H. Kelley
P. O. Box 744
Shoshone, ID 83352

Dear Mr. Kelley:

Re: Permit No. 37-7657

This office acknowledges receipt of the proof of beneficial use form along with the completed field report prepared by Gary Funderburg of our Southern Regional office.

Enclosed is a copy of the order reinstating your permit. A reinstatement was necessary since the proof of beneficial use form was received after the proof due date. The reinstatement order advances the priority date on the permit, the number of days the proof was late.

If you have any questions concerning your water right, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: region

MAILED
JUN 21 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-7657

Date: 4-18-1988

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

*Reinstated.
Proof acceptable*

Y Priority Calculation:
Date proof received Sept. 16 259
Date proof due Aug. 1 +213
No. of days late = 46
Priority date Aug. 12, 77 +285
NEW PRIORITY DATE Nov. 27, 77 =331

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

** No log found*

RECEIVED

SEP 10 1987

Department of Water Resources
Southern Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received

Date N/A

Receipt #

Receipt by

Reviewed by

Sent to region

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 37-7657

Name(s) of Permit Holder: Dan H Kelley

Post Office Address: P.O. Box 744 Shoshone, ID 83352

Telephone No. 544-7648

Source of Water: Groundwater

Extent of Use:

Domestic 1 (number of households) Stockwater 250 Hogs (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1978

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

Fee enclosed \$ N/A
(See License Examination Fee Schedule)

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

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

Permit Holder
(Name) (Telephone Number)

(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.

RECEIVED
JUN 21 1988

9/16/87
Date

Dan H. Kelley
Signature of Permit Holder (and title, if appropriate)

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 6, 1987

KELLEY, DAN H.
P.O. BOX 744
SHOSHONE, ID 83352

LAPSE NOTICE

RE: Permit No. 37-7657

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated May 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MAILED

JUN 21 1988

8-7-1987
[Signature]

T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MAY 31, 1987

138538

KEILEY, DAN H.
P.O. BOX 744
SHOSHONE, ID 83352

P R O O F D U E N O T I C E

RE: PERMIT NO. 37-7657

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 AUGUST 1, 1987. (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 COMPLETED 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,

KITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
FILMED

JUN 21 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

JUN 21 1988

August 31, 1982

Dan H. Kelley
Box 744
Shoshone, ID 83352

Dear Mr. Kelley:

Re: Permit No. 37-7657

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to August 1, 1987.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date a permit is issued. In the case of this extension you must commence works within a year from the day the extension was signed and proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

FROM: JIM

DATE: **8-26-82**

TO FILE NO. **37-7657**

Subject: Extension of Time Request dated **8-23-82**

Time allowed for delay in permit development caused by Idaho Power Litigation
is determined as follows:

Start of Idaho Power Litigation

12/29/1977

Proof to Beneficial Use Due

10-1-82

Period of Delay

4 yrs 10 mos.

New Proof to Beneficial Use Date

8-1-1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

1384 48

KELLEY, DAN H.
P.O. BOX 744
SHOSHONE, ID 83352

JULY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7657 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 19, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

October 26, 1977

Re: Permit No. 37-7657

Dan H. Kelley
Box 744
Shoshone, ID 83352

Dear Mr. Kelley:

Enclosed is a copy of your approved Application for Permit No.37-7657 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7657 - Dan H. Kelley

☒ 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) DS 8/18/77 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) DS 8/18/77 In form for advertising
- (5) _____ Platted on Map No. _____
- (6) _____ Located within Water District No. _____
- (7) mls 9-20-77 Critical groundwater area: yes _____ no ☒
- (8) mls 9-20-77 Groundwater levels:
_____ Declining, ☒ Stable, _____ Increasing
(comment) _____
- (9) _____ Other rights on the same place of use
- (10) _____ Comments: none. tw
- (11) DS 9/13/77 Affidavit of Publication received(date) 9/12/77
- (12) DS 8/19/77 Final date for protests 9/19/77
Protests received: yes _____ no ☒
- (13) _____ All requested information received from agencies of applicant: yes _____ no _____
- (14) mls 9-20-77 Action recommended:
☒ Approve _____ Deny
8-12-77 Proposed Priority
_____ Reason for Reduction _____
☒ Measuring device required
_____ See attached sheet for other conditions of approval
_____ No special conditions for approval
- (15) District Southern By Michael Steele Date 9-20-77

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that

~~Dan H. Kelly~~

~~Shoshone, Idaho 83352~~

has on 8/12/77 submitted Application No. 37-7657

for a permit to appropriate .84 cubic feet per second acre feet per annum ~~XXXXXXXXXXXXXXXXXXXX~~

of water from ~~Groundwater~~

by means of ~~Well, sprinkler, stock Tanks~~

within the ~~NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 6S, Rge. 18E, B. M. Lincoln County~~

to be used from ~~Mar. 15 to Nov. 15 for irrigation and from Jan. 1 to Dec. 31~~

~~for~~
~~xxxx for domestic purposes and from Jan. 1 to Dec. 31 for stock purposes~~

within the ~~NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 6S, Rge. 18E, 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 Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before September 19, 1977.

C. Stephen Allred

Director

Published in the ~~Lincoln County Journal~~

on 9/1/77 and 9/8/77

LEAD

SHONI LEGAL -- 1e

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dan H Kelly, Shoshone, Idaho 83352 has on 8/12/77 submitted Application No 37-7657 for a permit to appropriate 84 cubic feet per second of water from Ground-water by means of well, sprinkler, Stock Tanks within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp 6S, Rge 18E, B.M Lincoln County to be used from Mar 15 to Nov 15 for irrigation and from Jan 1 to Dec 31 for domestic purposes and from Jan 1 to Dec 31 for stock purposes within the NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec 15, Twp 6S, Rge 18E, 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 Idaho Department of Water Resources, 1041 Blue Lakes Blvd , North, Twin Falls, Idaho, 83301 on or before September 19, 1977.

/s/ C. Stephen Allred
Director

Ok 9-2-77 *JA*

L/2tc/9-1

August 18, 1977

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

Re: Application for Permit No. 37-7657 - Dan H. Kelley

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____

MICROFILMED