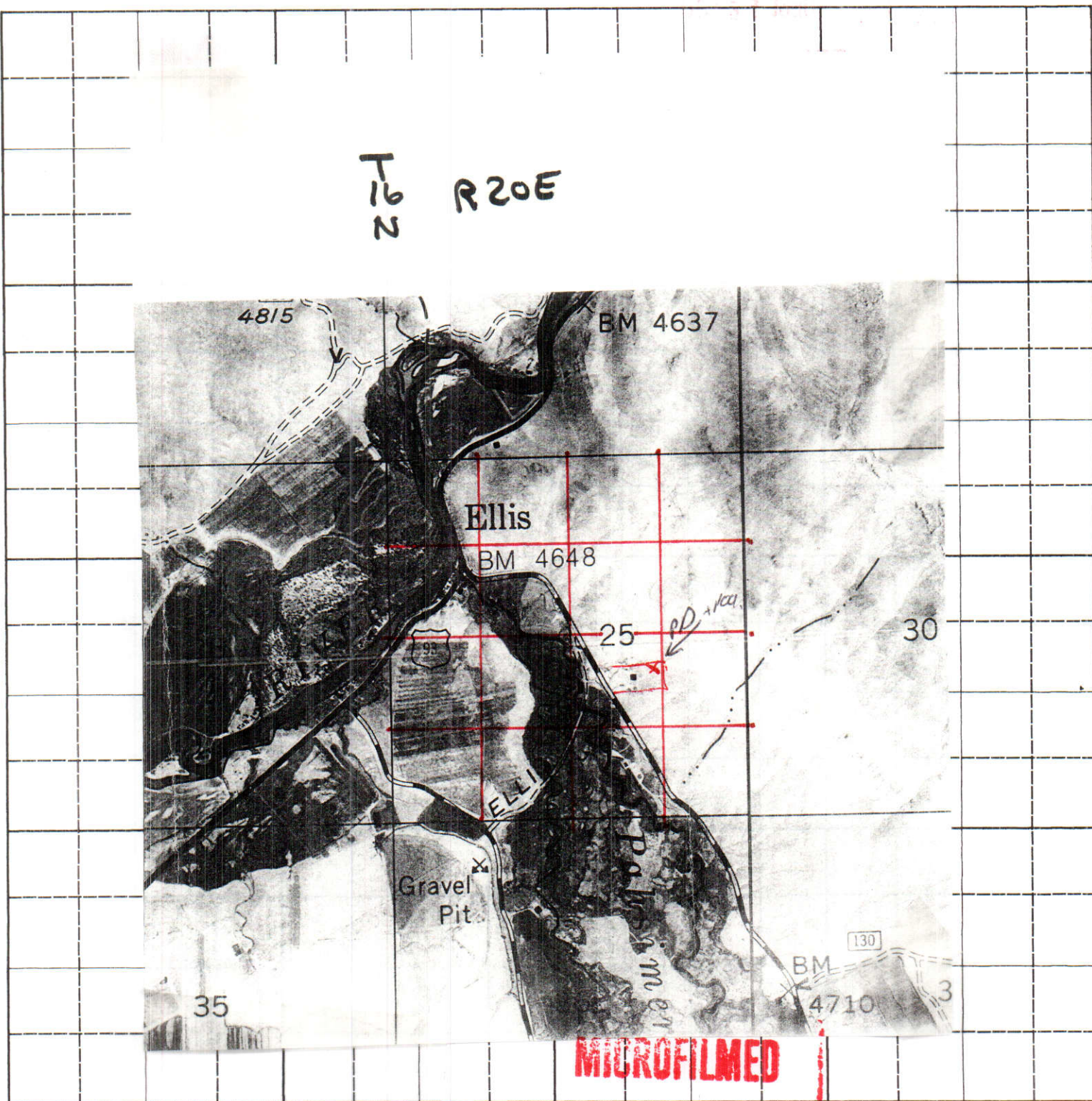


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

OCT 24 1990

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.

Donald R. Hewitt
(Applicant)

NOTICE OF APPLICATION
FOR WATER RIGHT

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

73-07114

KESSLER, DONALD R.
KESSLER, ZOLDA
P.O. BOX 6
ELLIS, ID 83235
Source: SPRING
Tributary: SINKS
Diversion Pt: NENWSE Sec 25 T
16N R 20E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 4/23/1990
In: T16N R20E S25 NWSE
1.0 ACRES TOTAL

74-07305

MCFARLAND LIVESTOCK CO
INC.
BOX 50
LEMHI, ID 83465
Source: GROUNDWATER
Diversion Pt: NWNE Sec 8 T 16N
R 25E
Use: IRRIGATION (2.500 CFS)
Total Diversion: (2.500 CFS)
Date Filed: 5/25/1990
In: T16N R25E S05 NWSE SWSE
SESE S08 NENE NWNE SWNE
125.0 ACRES TOTAL

74-07306

INFANGER, RAY E.
INFANGER, VERA S.
RT. 1, BOX 174
SALMON, ID 83467
Source: GROUNDWATER
Diversion Pt: NENENE Sec 18 T
21N R 22E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 3/30/1990
In: T21N R22E S18 NENE
2.0 ACRES TOTAL

75-07497

ELK BEND MUTUAL WATER
CO.
HC 61 BOX 76
SALMON, ID 83467
Source: GROUNDWATER
Diversion Pt: LOT 9 (NWSW) Sec
10 T 18N R 21E
Use: DOMESTIC (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 12/14/1989
In: T18N R21E S10 Lot 9
(SWNW) Lot 8 (NESW) Lot 9
(NWSW) Lot 11 (SWSW) Lot 12
(SESW) Lot 7 (NWSE) Lot 13
(SWSE) SESE S15 Lot 1 (NWNE)

75-07532

TACKE, ROBERT
P.O. BOX 995
HAYDEN LAKE, ID 83835
Source: SALMON HOT
SPRINGS
Tributary: SINKS
Diversion Pt: NESWNE Sec 3 T
20N R 22E
Use: IRRIGATION (.330 CFS)
COMMERCIAL (.330 CFS)
HEATING (.330 CFS)
RECREATION STORAGE:
(170.00 AF)
Total Diversion: (.330 CFS)
Date Filed: 7/19/1990
In: T20N R22E S03 NWNW
SWNW T21N R22E S34 NESW
NWSW SWSW SESW
132.5 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, East-
ern Region, 150 Shoup Avenue,
Suite 15, Idaho Falls, Idaho
83402 on or before SEPTEMBER
3, 1990.

R. KEITH HIGGINSON,
Director
Published 8/16/1990 and
8/23/1990

8-16-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

AUG 29 1990

Department of Water Resources

Eastern District Office

RICKY G. HODGES

and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 73-07114,

74-07305, 74-07306, 75-07497, 75-07532, a true

printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-

lished in the regular and entire issue of every number of said newspaper and not in any supplement

thereof or thereto for 2 consecutive issues, commencing with the issue

dated Aug. 16, 1990 and ending with the issue dated Aug. 23

1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this twenty third day of August in the year of 1990

before me, A Notary Public, personally appeared

known or identified to me to be the person whose name subscribed to the within instrument, and being

by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he

executed the same.

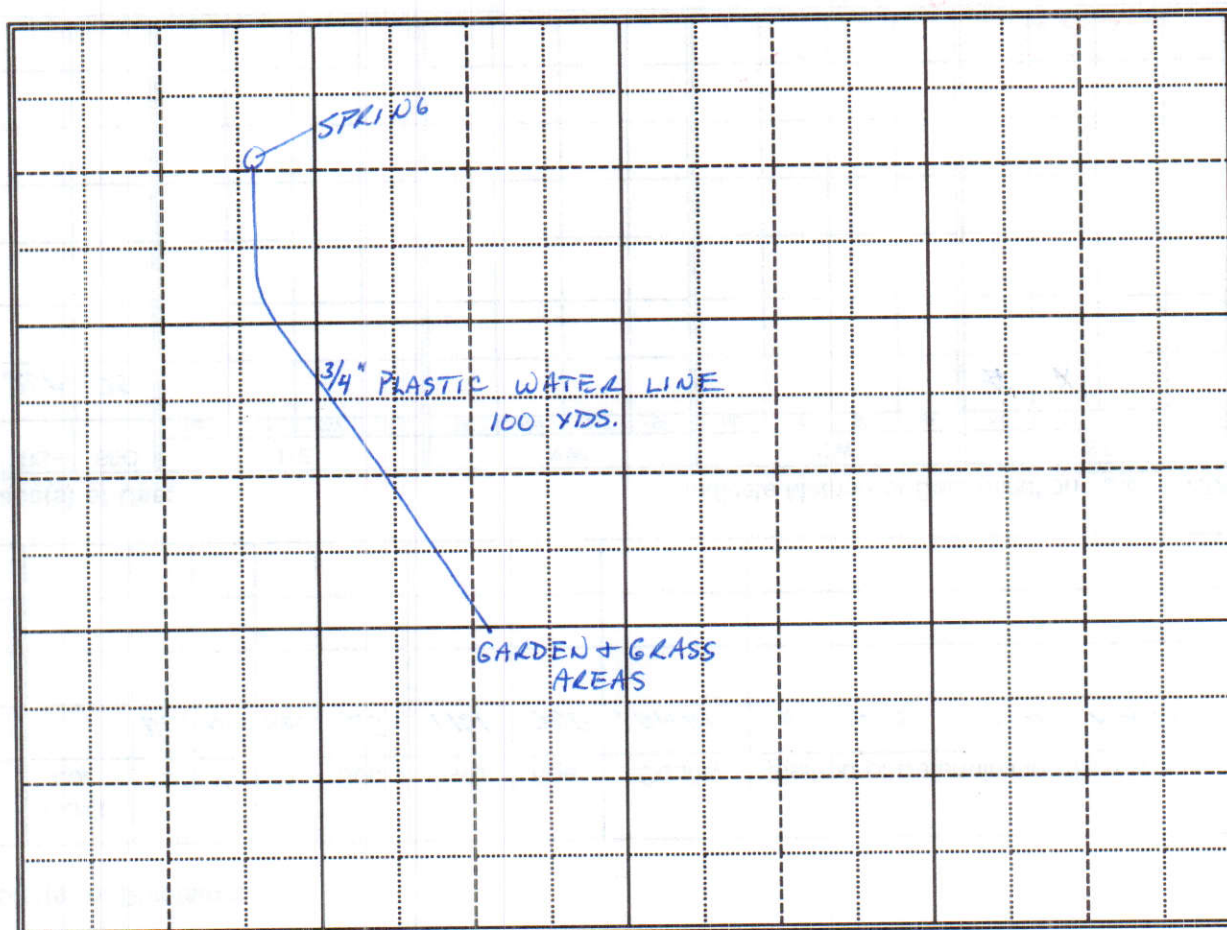
Sheila K. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 109.08

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTOS*



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 GAL BUCKET + STOP WATCH

TEST #1 48 SEC / 5 GAL.

" #2 52 SEC / 5 GAL.

OCT 03 1996

DONALD R. KESSLER
NE NW SE, S 25, T16N, R20E 00



OWNER
LOOKING AT
SPRING
PLACE OF USE
IS TO THE
LEFT OF SHED.



SPRING AND
INTAKE TUBE

INTAKE

OCT 03 1996

73-7114

BM 4057

R 20 E

T 16 N

Ellis

BM 4648

POD

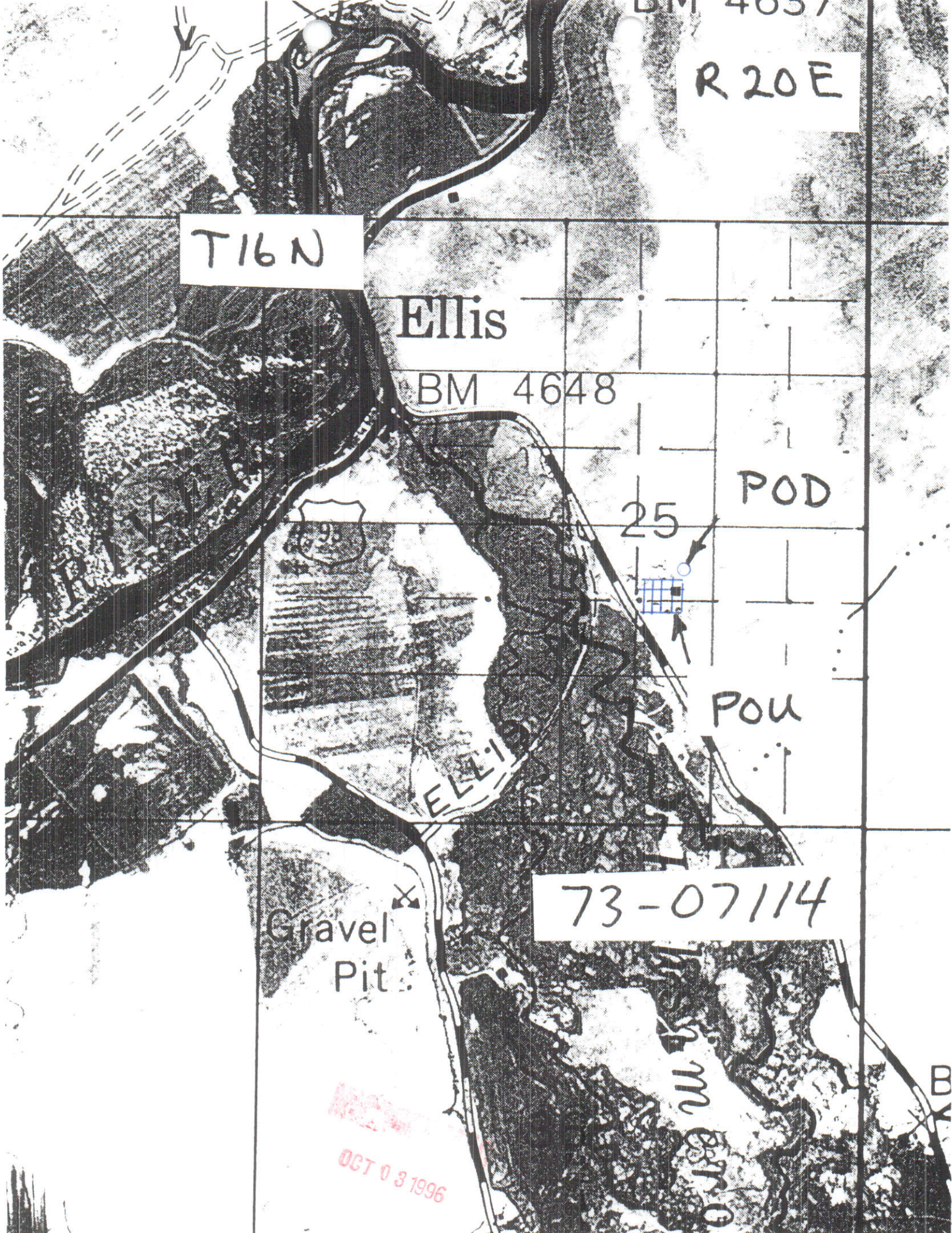
25

POU

73-07114

Gravel Pit

OCT 03 1996



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07114

Priority: April 23, 1990

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

3.5 AF

This is to certify, that DONALD R KESSLER
ZELDA KESSLER

PO BOX 6

ELLIS ID 83235

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 23, 1990; and has submitted Proof of Beneficial Use on August 7, 1991. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.03 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION: NENWSE , Sec. 25, Township 16N, Range 20E
LEMHI 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>
16N	20E	25	NWSE	1		1

Total number of acres irrigated: 1

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.

OCT 03 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07114

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 30TH
day of SEPTEMBER, 1976.


Acting for KARL J. DREHER, Director



SEP 30 1976
10 11
57581396

RECEIVED
AUG 07 1991

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 73-07114 Telephone No. 876 4246

2. Name(s) of Permit Holder(s): Donald R. G. Zilda Kessler

3. Post Office Address: P.O. Box 6, Ellis, Idaho 83230

4. Source of Water: Spring

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 2 acres (No. of acres) Spring is new dry feet only runs 1/2 the year

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 1.53 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Donald R. Kessler 876 4246
Name Telephone No.

P.O. Box 6, Ellis, Idaho 83230
Address

10. 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.

AUG 22 1991

Aug 5, 1991
Date

Donald R. Kessler
Signature (and title if on behalf of a company or organization)

NO. 73-07114

MICROFILMED
OCT 24 1990

73 7114

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Donald R. or Zelda Kessler Phone 876-4246
 Post office address P.O. Box 6 Ellis Id. 83235
2. Source of water supply Spring ~~Ground water~~ which is a tributary of Sinks
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
 Sec. 25 Township 16N Range 20E B.M. Lemhi County; additional
 points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.03 ~~0.06~~ for Irrigation purposes from April 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.03 ~~0.06~~ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 5/8" garden hose with Flood
irr.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
 reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
 _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

OCT 24 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	20E	25														1			1 1/2

Total number of acres to be irrigated 1 1/2

10. Describe any other water rights used for the same purposes as described above. A73-10068

11. a. Who owns the property at the point of diversion? APP

b. Who owns the land to be irrigated or place of use? 1

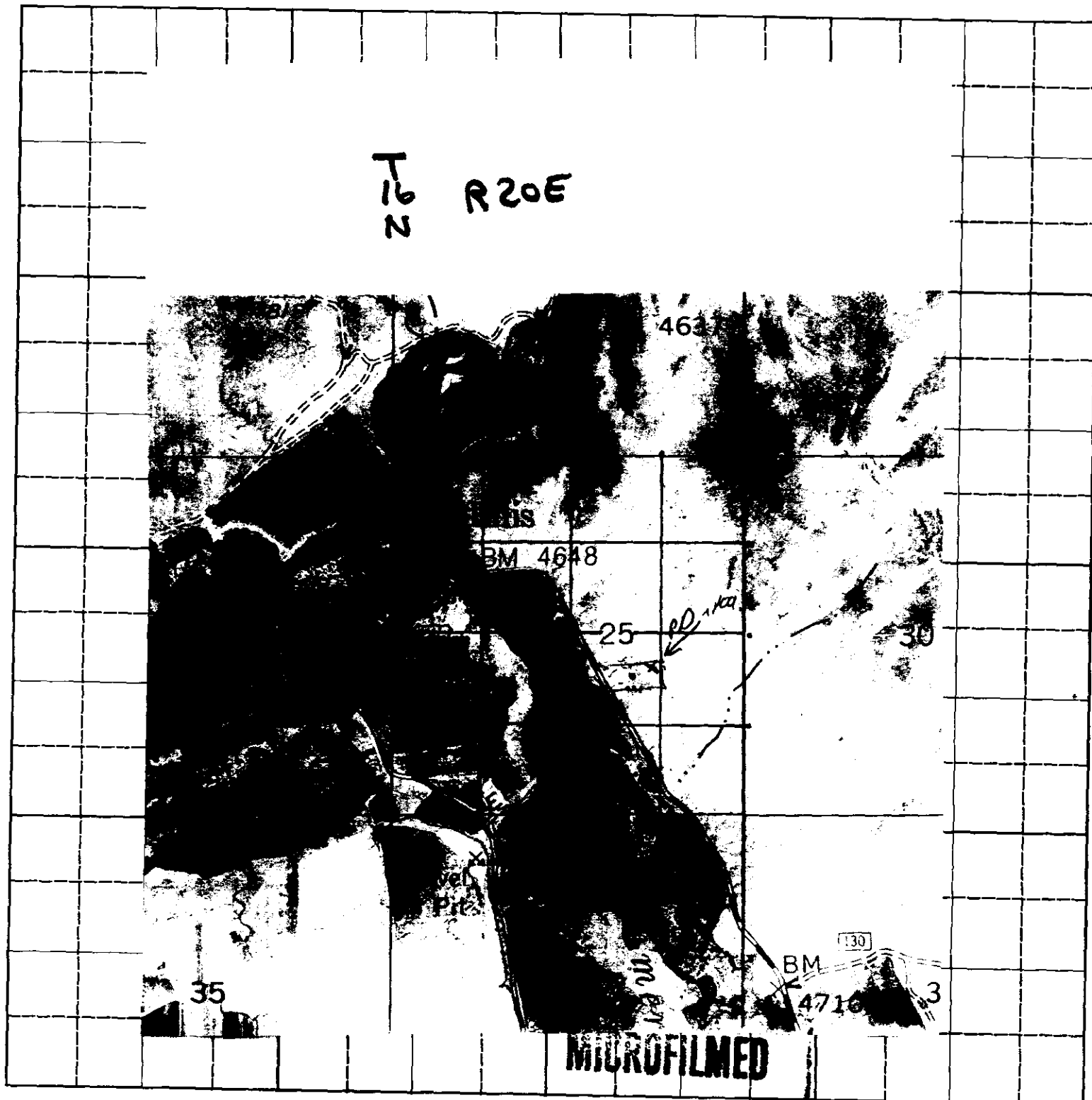
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

OCT 24 1991

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



Scale: 2 inches equal 1 mile.

OCT 24 1990

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.

Donald R. [Signature]
(Applicant)

Received by QW Date 4-23-90 Time 12:25 Preliminary check by _____
Fee \$ 30.00 Received by HWJ # E013498 Date 4-23-90
Publication prepared by LB Date 4-14-90 Published in Recorder-Herald
Publication approved QW Date 9-11-90

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. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

OCT 24 1990

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Having filed the foregoing application(s)
has been deemed to appropriate
the following of the State of
Idaho:

73-07114

KEMMER, DONALD R.

KEMMER, JORDA

P.O. BOX 995

ELK BEND 83467

Source: GROUNDWATER

Tributary: SINKS

Diversion Pt: NENWSE Sec 25 T

16N R 2E

Use: IRRIGATION (.030 CFS)

Total Diversion: (.030 CFS)

Date Filed: 4/23/1990

In: T20N R20E S25 NWSE

1.0 ACRES TOTAL

74-07305

MCGILL AND LIVESTOCK CO

INCUBITS

BOX 30

LEHIGH, ID 83465

Source: GROUNDWATER

Diversion Pt: NWNE Sec 8 T 16N

R 25E

Use: IRRIGATION (.500 CFS)

Total Diversion: (.500 CFS)

Date Filed: 12/5/1990

In: T18N R20E S05 NWSE SWSE

SESE S11N NENE NWNE SWNE

125 ACRES TOTAL

74-07306

INFANGER, RAY E.

INFANGER, GERA S.

RT. 1, BOX 114

SALMON, ID 83467

Source: GROUNDWATER

Diversion Pt: NENENE Sec 18 T

20N R 2E

Use: IRRIGATION (.060 CFS)

DOMESTIC (.200 CFS)

Total Diversion: (.260 CFS)

Date Filed: 3/15/1990

In: T21N R22E S18 NENE

2.0 ACRES TOTAL

75-07497

ELK BEND MUTUAL WATER

CO.

HC 61 BOX 76

SALMON, ID 83467

Source: GROUNDWATER

Diversion Pt: LOT 9 (NWSW) Sec

10 T 16N R 21E

Use: DOMESTIC (1.000 CFS)

Total Diversion: (1.000 CFS)

Date Filed: 12/14/1989

In: T18N R21E S10 Lot 9

(SWSW) Lot 8 (NWSW) Lot 9

(NWSW) Lot 11 (SWSW) Lot 12

(SESW) Lot 7 (NWSE) Lot 13

(SWSW) SESE S15 Lot 1 (NWNE)

75-07532

TAGGE, ROBERT

P.O. BOX 995

HAYDEN LAKE, ID 83835

Source: SALMON HOT

SPRINGS

Tributary: SINKS

Diversion Pt: NESWNE Sec 3 T

20N R 22E

Use: IRRIGATION (.330 CFS)

COMMERCIAL (.330 CFS)

HEATING (.330 CFS)

RECREATION STORAGE:

(170.00 AF)

Total Diversion: (.330 CFS)

Date Filed: 7/19/1990

In: T20N R22E S03 NWNW

SWNW T21N R22E S34 NESW

NWSW SWSW SESW

132.5 ACRES TOTAL

The permit(s) will be subject to

all prior water rights. Protests

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

AUG 29 1990

Department of Water Resources

Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 73-07114,

74-07305, 74-07306, 75-07497, 75-07532, a true

printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-

lished in the regular and entire issue of every number of said newspaper and not in any supplement

thereof or thereto for 2 consecutive issues, commencing with the issue

dated Aug. 16, 1990 and ending with the issue dated Aug. 23

1990

STATE OF IDAHO

COUNTY OF LEMHI

ss.

MICROFILMED

OCT 4 1990

On this twenty third day of August in the year of 1990

before me, A Notary Public, personally appeared

known or identified to me to be the person whose name subscribed to the within instrument, and being

by me first duly sworn, declared that the statements herein are true, and acknowledged to me that he

executed the same.

Sheila K. Hodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 109.08

MEMORANDUM

TO: DEBBIE ALLEN
FISCAL DEPARTMENT

FROM: JIM JOHNSON, MANAGER
WATER PERMITS SECTION

DATE: JANUARY 29, 1997

RE: REFUND FOR WATER RIGHT NO. 73-07114

After reviewing Water Right License No. 73-07114, I concluded that the water right holders did not have to pay the Assignment of Application fee of \$25.00--Receipt No. E022901.

Please refund the \$25.00 to:

DONALD R. KESSLER
PO BOX 68
ELLIS ID 83235

Thank you.

MICROFILMED

MAR 11 1997

RECEIVED Receipt # EC22901

State of Idaho JAN 24 1997
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Donald R & Zilda Kessler hereby assign to Deborah G. Coleman
of P.O. Box 68 Ellis Idaho 83235
(Applicant) (Full Address)

All my right, title, and interest in and to Application for Permit
No. 73-7114 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. 73-7114 to appropriate the public waters of the
State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

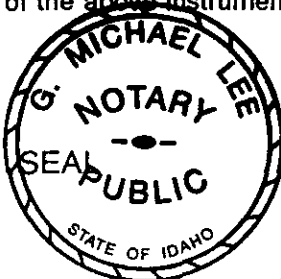
NE NW SE SEC 25, T16N, R20E

Made this 24th day of April, 1995.

Donald R. Kessler & Zilda Kessler
Applicant(s)

State of Idaho)
County of CUSTER) SS

On this 25th day of APRIL, 1995, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Notary Public

MICROFILMED

MAR 11 1997

Signature

My commission expires: 4-19-2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 30, 1996

DONALD R KESSLER
ZELDA KESSLER
PO BOX 6
ELLIS ID 83235

RE: WATER RIGHT NO. 73-07114

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

RECEIVED

OCT 8 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 73-07114 DATE 9/12/96 REVIEWER: S H A R L A

NAME Change OK Address Change NO
 SOURCE Change OK Is change clarification of originally intended source? NO
 If not, prepare Notice of Intent to Void NO
 POINT OF DIV Change OK Amendment required NO
 PLACE OF USE Change OK Amendment required NO
 Does map agree with written description? yes no

OVERLAPS NO P/D NO P/U

RATE OF DIV
 Permitted Rate .03 cfs
 Fee limit .04 cfs NO FEE PD. OR REQ'D AT TIME BILL WAS PROCESSED.
 Measured .01 cfs 3/4" pipe @ 5 fpm = .02
 Theoretical NO cfs
 Recommended Total Div Rate .03 cfs

ANNUAL VOLUME/
 NATURE OF USES NO OK Use NO Volume Calculation
4/15-10/15 NO OK NO 1 X 3.5 = 3.5 af
NO OK NO NO af
NO OK NO NO af
NO OK NO NO af
 SUBTOTAL 3.5 af

Flow rate .03 cfs X 183 days X 1.9835 = 10.9 af
 Total volume recommended 3.5 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS NO
NO
NO

CONDITIONS NO Watermaster Control WD# NO
NO GW Measurement/Measuring Device
R50 NO Overlap
NO Use-specific conditions
 Advancement of Priority Date Required NO yes NO no

SRBA Claim Filed N/A 1st Amend Letter N/A
 Adjustment Memo NO 2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 1996
Department of Water Resources

A. GENERAL INFORMATION

DONALD R. KESSLER

Permit No. 73-07114

1. Owner: ZELDA KESSLER Phone No. (208) 876-4246

Current Address: P.O. BOX 6, ELLIS, IDAHO 83235

2. Accompanied by: DEBORAH G. COLEMAN EXAM DATE: 4/24/95

Address: P.O. BOX 68, ELLIS, IDAHO 83235 Phone No. (208) 876-4442

Relationship to Permit Holder: DAUGHTER

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	SE	25	T16N	20E	LEMI	U.S.G.S. AERIAL PHOTO

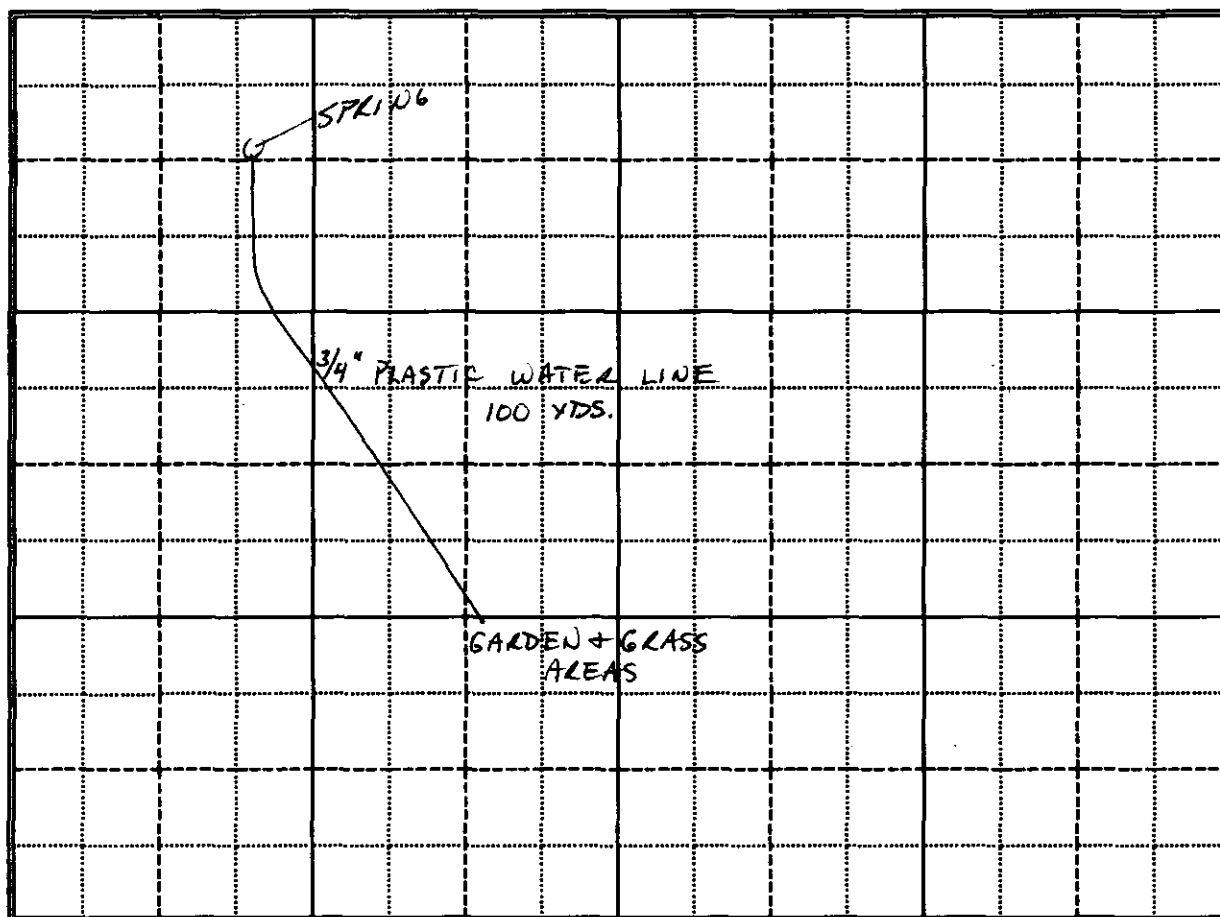
2. Place(s) of Use:

Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	20E	25													X	X			1

OCT 03 1996

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable. SEE PHOTOS



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 GAL BUCKET + STOP WATCH

TEST #1 48 SEC / 5 GAL.

" #2 52 SEC / 5 GAL.

007 0 3 1996

E. NARRATIVE/REMARKS/COMMENTS

ON 4/24/95 A FIELD ~~WATER~~ EXAM WAS CONDUCTED ON
PERMIT # 73-07114. A SMALL SPRING WAS FOUND WHICH
WAS BEING IMPOUNDED BEHIND A SMALL DAM (4' LONG X 12"
HIGH). IN THE BOTTOM OF THE IMPOUNDED POOL A 3/4" PVC
PIPE WAS INSTALLED TO CHANNEL WATER OUT TO GARDEN
AND LAWNS ABOUT 300 YDS AWAY AND 25' DOWN HILL (APPROX.).

SPRING IS A MINIMAL FLOW SPRING THAT HAS BEEN
MAJORLY IMPACTED BY 7 YRS OF DROUGHT.

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

OCT 03 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$48 + 52 / 2 = 50 \text{ sec / Sph. Average}$$

$$10 \text{ SEC / GL.} = \frac{66 \text{ L / MIN.}}{448.8} = 0.013 \text{ CFS}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3.5 = 3.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 \times 183 \times 1.9835 = 10.88$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.03	3.5
Totals:			0.03 CFS	3.5 AFA

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

I. AUTHENTICATION

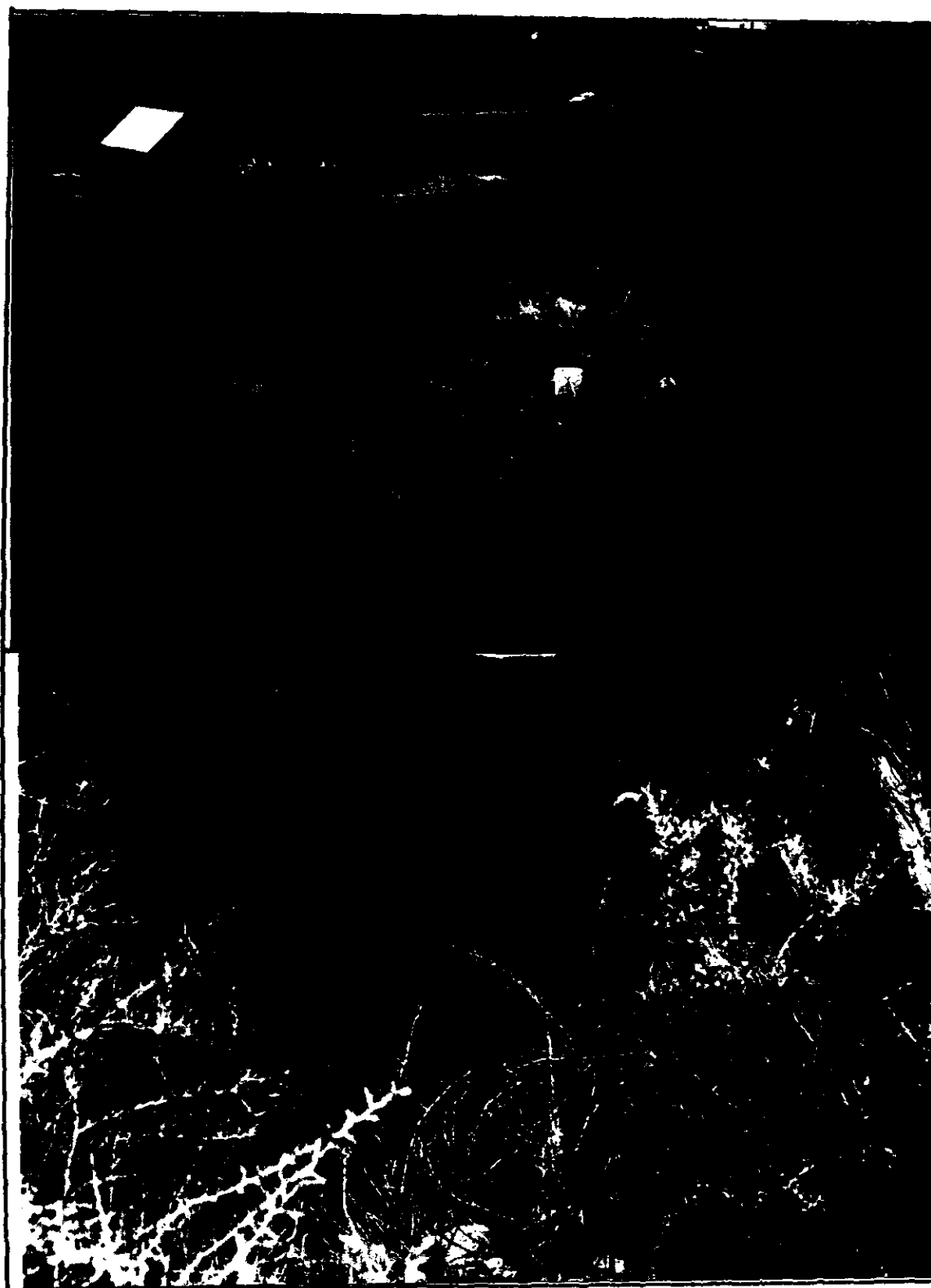
Field Examiner's Name SIMPKINS Date 6/22/95

Reviewer [Signature] Date 3/7/96

SEAL

J 0 3 1996

DONALD R. KESSLER
NEWSE, S25, T16N, R20E 00



OWNER
LOOKING AT
SPRING

PLACE OF USE
IS TO THE
LEFT OF SHED.

SPRING AND
INTAKE TUBE

— INTAKE

NOV 19 8 1936

73-7114

BM 4057

R 20 E

T 16 N

Ellis

BM 4648

POD

25

POU

ELEI

73-07114

avel
Pit

W

B

August 14, 1991

DONALD R. KESSLER
ZELDA KESSLER
P.O. BOX 6
ELLIS, ID 83235

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 73-07114

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MAILED

AUG 22 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 43-7114

Date 8-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

- ☒ NO Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

LB

138939
July 31, 1991

DONALD R. KESSLER
ZELDA KESSLER
P.O. BOX 6
ELLIS, ID 83235

PROOF DUE NOTICE

RE: PERMIT NO. 73-07114

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 October 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 28, 1990

DONALD R. KESSLER
ZELDA KESSLER
P.O. BOX 6
ELLIS, ID 83235

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 73-07114

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED

OCT 2 1990

Form No. 202a
1/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

73-7114 ^{KW}

INITIAL REVIEW BY Donald R. or Zolda Ressler DATE _____ APPLICATION NUMBER _____

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
SEP 13 1990
Department of Water Resources

PROCESSING Yes No In form for advertising
Yes No Statewide advertising
Yes No Fee amount, receipt date & No. recorded on application

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
Idaho Dept. of Fish & Game U.S. Forest Service
Idaho Dept. of Lands Water District
Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

Yes No Affidavit of publication received
Yes No Application published correctly. If not, record action taken.

Yes No Publication dates & paper, recorded on application
Yes No Protests received
Final date for protest 9-3-90
Yes No Protests, dates, resolution of protest, recorded on application
Yes No Recommendations attached
Yes No Measuring device required
Yes No Access port required
Yes No Will water be delivered by watermaster? If yes, what Dist. 73
Yes No Special conditions of approval or cover letter below.

- D/A source sinks

See below for additional information

Date of priority recommended 4-23-90
By HWT Date 9-11-90

STATE OFFICE REVIEW

P16 28(irrig. 0.03 cfs)

See below for additional information

By RW Date 9-20-90

ADDITIONAL INFORMATION

09-Aug-1990

DONALD A. OR ZOLDA KESSLER
P.O. BOX 6
ELLIS, ID 83235

RE: Application for Permit No. 73-7114

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder-Herald on AUGUST 16 & 23, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

MICROFILMED

OCT 24 1990

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 6, 1990

RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 3, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

OCT 24 1990

73-07114

KESSLER, DONALD R.
KESSLER, ZOLDA
P.O. BOX 6
ELLIS, ID 83235

Source: SPRING

Tributary: SINKS

Diversion Pt: NENWSE Sec 25 T 16N R 20E

Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)

Date Filed: 4/23/ 1990

In: T16N R20E S25 NWSE

1.0 ACRES TOTAL

RECEIVED

OCT 24 1990

FROM H.W. JONES - IDWR

RECEIVED

DATE 4-19-90

TO Donald or Zelda Resster

APR 20 1990

Department of Water Resources
Eastern District Office

SUBJECT Applic. For Permit

Attached is your applic. & check # 2140 for \$30. The applic. must be signed and line 6 c completed (use approx numbers if length). You can then return the applic. & check to this office.

MICROFILMED
APR 24 1990

*Sorry we goofed on the signature —
This Application is for a tiny spring on our property —
not a well.*

[Signature]
SIGNATURE