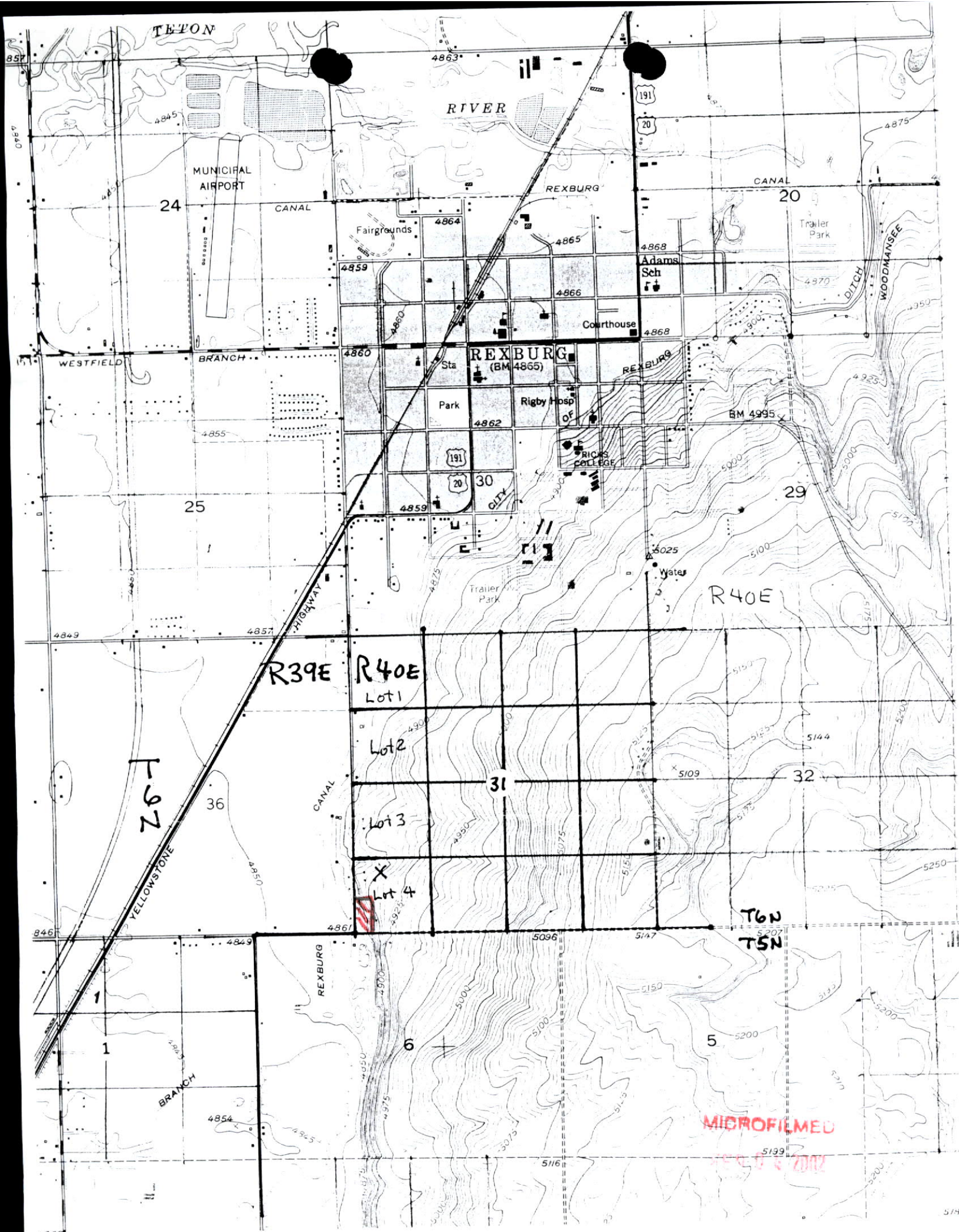






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T 6N

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Place of use

NAP photo
1987

by HWJ

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FEB 04 2002

22-13207



6N, 40E, sec 31

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22-13207

17765 1000W REXBURG

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OCT 04 2002

THE STANDARD JOURNAL
Rexburg, Idaho

AFFIDAVIT OF PUBLICATION

RECEIVED

JAN 11 2002

Department of Water Resources
Eastern Region

STATE OF IDAHO
County of Madison

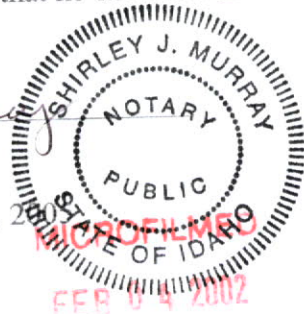
I, Terry T. Weatherston, being first duly sworn, depose and say, that I am the printer of THE STANDARD JOURNAL, a 3 times a week newspaper printed and published 3 times a week in Rexburg, Madison County, Idaho; and I do solemnly swear that the Legal Notice, Klingler water rights, a copy of which notice appears attached hereto, was published in the regular and entire issue of supplement issue thereof for Two consecutive issues, the first publication having been made on December 19, 2001 and the last publication having been made on December 26, 2001. Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry T. Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 27th day of December in the year of 2001 before me, a Notary Public, personally appeared Terry Weatherston, 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 statement therein are true, and acknowledged to me that he executed the same.

Shirley J. Murray
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2008



LEGAL NOTICE

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

22-13207

MYRNA L. KLINGLER
WILLIAM B. KLINGLER
1776 S 1000 W
REXBURG, ID 83440

Point(s) of Diversion: L4 SWSW S31
T06N R40E, Madison County.

Source: Ground Water.

Use: Irrigation 04/01 to 10/31 0.06

CFS Total Diversion: 0.06 CFS

Date Filed: 12/10/2001

Place of Use: Irrigation T06N R40E

S31 SWSW Lot 4

Number of Acres: 1.8

This development took place in 1968.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N. Skyline Dr. Ste. A, Idaho Falls, ID 83402 together with a protest fee of \$25 for each application on or before January 7, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Publ. Dec. 19 and 26, 2001SJ.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13207

Priority: December 07, 2001

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 6.3 AF

It is hereby certified that WILLIAM B KLINGLER And/Or MYRNA T KLINGLER
1776 S 1000 W
REXBURG ID 83440 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 07, 2001; and have
submitted Proof of Beneficial Use on August 02, 2002. An examination indicates that the works have a
diversion capacity of 0.06 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.06 CFS	6.3 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER L4 NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp 06N, Rge 40E, B.M., MADISON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 40E 31																	1.8
																	L 4

Total Acres: 1.8

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23RD day of September, 2002.

MICROFILMED
OCT 04 2002

Acting for


KARL J. DREHER
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG - 2 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 22-13207 Telephone No. 208 356 9178
2. Name of Permit Holder(s): William B. & Myrna T. Klingler
3. Mailing Address: 1776 So. 1000 West
City Rexburg State Id. Zip 83440
4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. July / yr. 1968
Well Driller: Hopkins (I Believe) Drilling Permit Number: I don't know

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 1.8 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: William Klingler Telephone Number: 208 356 9178

Address: 1776 So. 1000 W. Rexburg, Id. 83440

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: William B. Klingler Date: 31 July 2002
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 15 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 22-13207

Priority: 12/07/2001

Maximum Diversion Rate: 0.06 CFS

This is to certify, that WILLIAM B KLINGLER
1776 S 1000 W
REXBURG ID 83440

And/Or

MYRNA L KLINGLER
1776 S 1000 W
REXBURG ID 83440

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp 06N, Rge 40E, B.M. MADISON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 40E 31											1.8						1.8
											L 4						

Total Acres: 1.8

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 1, 2003**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
6. This right does not authorize the irrigation of land not previously irrigated.
7. This right when combined with all other rights shall provide no more than 0.06 cfs nor more than 6.3 afa at the field headgate for irrigation of the land described above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of January, 2002

RECORDED
FEB 04 2002

Karl J Dreher
for **KARL J DREHER, Director**

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JAN 22 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant William B. & Myrna T. Klingler Phone 208 356 9178
Mailing address 1776 So. 1000 W. Rexburg, Id. 83440
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 6N Range 40E Sec. 31, in the SW 1/4, SW 1/4, _____ 1/4, Govt. Lot 4, B.M., MADISON County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>0.06 cfs</u> for <u>IRRIGATION</u>	purposes from <u>4/1</u> to <u>10/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 0.06 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Existing 6 inch well, 81 feet deep. 1 1/2 HP pump on 1 1/2" line
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 5 July 1968 Drilling firm Hopkins Well Drilling
Well was drilled for (well owner) William B. Klingler; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. _____

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9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	40E	31											1 3/4						1 3/4

Total number of acres to be irrigated 1 3/4

10. Describe any other water rights used for the same purposes as described above. None

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

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

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: Pre 1987 Water right

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

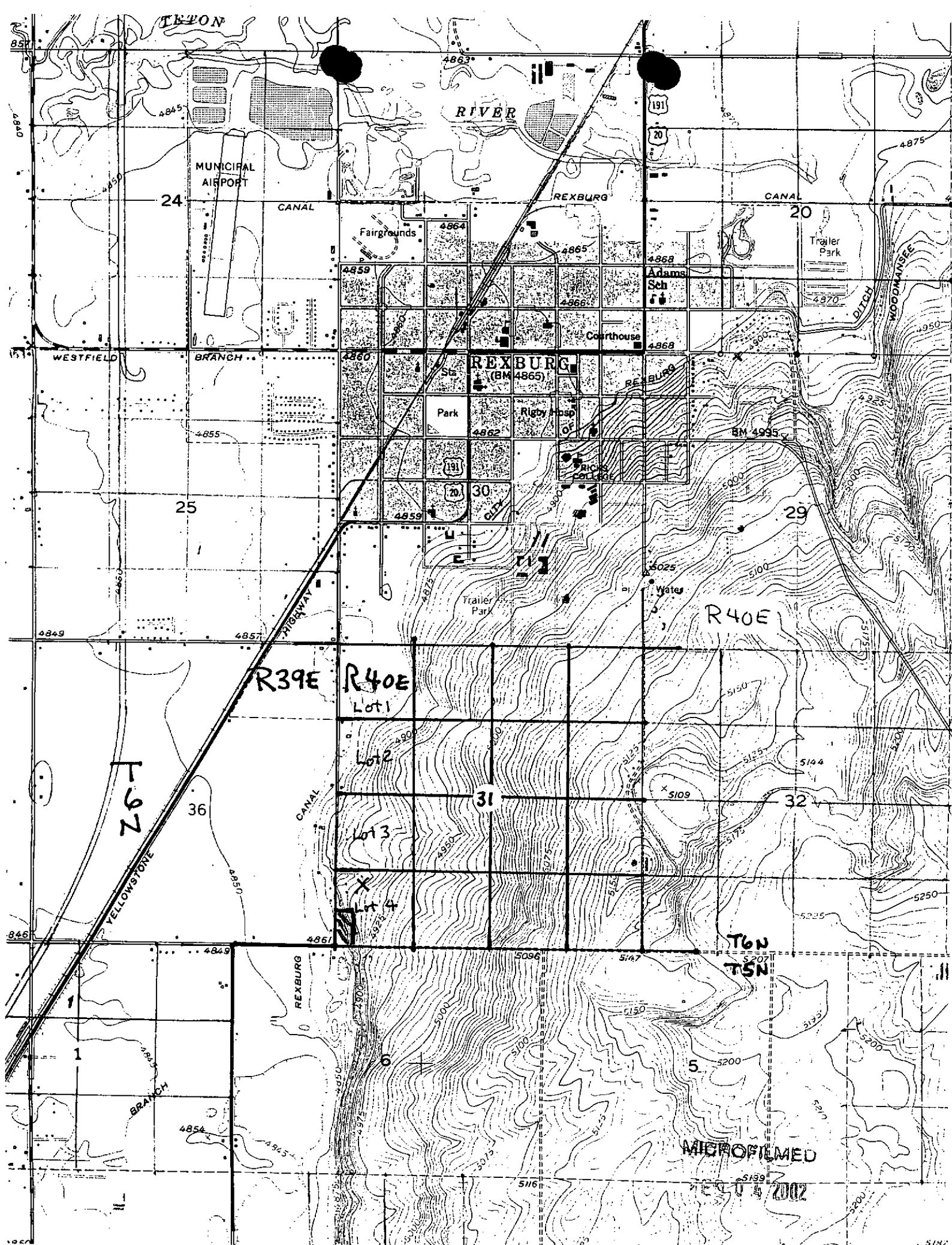
William B. Klingler
Signature of Applicant (and title, if applicable)

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FEB 04 2002

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Received by HUT # 5027313 Date 12-7-01
Publication prepared by SC Date 12/19 & 12/26/01 Published in Rexburg Standard Journal
Publication approved SC Date 1/11/02



To the Idaho Department of Water Resources:

A statement by William and Myrna Klingler concerning the utilization of their 2 Acres of property located at the current address of 1776 So. 1000 West, Rexburg, Idaho. (Township 6N, Range 40E, in the SE 1/4, SE 1/4, of Section 31. Our home was completed on this property in 1968 and a 6 inch well, 81 feet deep was drilled and fitted with a 1 ½ horsepower pump with a 1 ½ inch galvanized water line. The system was sized to permit required irrigation of the property and to provide domestic water for the home.

Irrigation from the well is the only resource available since the property is on the Rexburg Bench and no irrigation ditches are available. A water distribution system was extended through the length of the property to permit sprinkler irrigation and has been used for the past 33 years. The eastern approximately one acre was used as a horse pasture with irrigation and stock watering coming from this well. The western acre surrounds the house and has been landscaped with lawns, trees, flower and vegetable gardens also irrigated from the well.

We have established a beneficial use of this water for 33 years and believe a right has been established by this use. We continue to irrigate the two acres and request the Department of Water Resources to register this WATER RIGHT and issue a permit for the continuing irrigation of this property. Attached Application for permit is submitted for this purpose.

Thank you for your help in this matter:

Sincerely

Myrna T. Klingler 16 Nov. 2001
Myrna T. Klingler Date

William B. Klingler 16 Nov. 2001
William B. Klingler Date

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FEB 04 2002

22-13207

RECEIVED

JAN 04 2002

Department of Water Resources
Eastern Region

To the Idaho Department of Water Resources: (Att. Sharla Cox)

We the neighbors of William and Myrna Klingler do testify that to the best of our knowledge the Klinglers have lived on their property at 1776 South 1000 West since 1968 and have irrigated the property as stated below:

A statement by William and Myrna Klingler concerning the utilization of their 2 Acres of property located at the current address of 1776 So. 1000 West, Rexburg, Idaho. (Township 6N, Range 40E, in the SW1/4, SW 1/4, of Section 31). Our home was completed on this property in 1968 and a 6 inch well, 81 feet deep was drilled and fitted with a 1 1/2 horsepower pump with a 1 1/2 inch galvanized water line. The system was sized to permit required irrigation of the property and to provide domestic water for the home.

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Clyde & Doris Stewart:
1759 S. 1000 West

Approximate years at this location: 33 years

Reed & Ruth Barney
1894 S. 1000 West

Approximate years at this location: 30

Jean Call
1816 S. 1000 West

Approximate years at this location: 33

LEGAL NOTICE

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

22-13207

MYRNA L. KLINGLER
WILLIAM B. KLINGLER
1776 S 1000 W
REXBURG, ID 83440
Point(s) of Diversion: L4 SWSW S31
T06N R40E, Madison County.
Source: Ground Water.
Use: Irrigation 04/01 to 10/31 0.06
CFS Total Diversion: 0.06 CFS
Date Filed: 12/10/2001
Place of Use: Irrigation T06N R40E
S31 SWSW Lot 4
Number of Acres: 1.8

This development took place in 1968. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N. Skyline Dr. Ste. A, Idaho Falls, ID 83402 together with a protest fee of \$25 for each application on or before January 7, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Publ. Dec. 19 and 26, 2001SJ.

Continued on next page

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FEB 04 2002

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Place of Use: Irrigation T06N R40E
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Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N. Skyline Dr. Ste. A, Idaho Falls, ID 83402 together with a protest fee of \$25 for each application on or before January 7, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Publ. Dec. 19 and 26, 2001SJ.

Continued on next page

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FEB 04 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) William B. Hughes & Myrna J. Hughes Phone (208) - 356-9178
Mailing Address 1776 So. 1000 West, Rexburg Zip 83440
2. Date of Priority (Only one (1) per claim) _____
3. Source of water supply (a) Domestic Well
which is tributary to (b) _____
4. Location of point of diversion is: Township 06N Range 40 E
Section 31 SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of Madison County
Additional points of diversion if any: _____
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 6 inch well, 81 feet deep
Completed July 5th 1968
6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) _____ (cfs)
For Domestic purposes from January 1 to December 31 amount 0.04
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.04 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Domestic family and yard + 1/2 Acre

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Copies: White-State, Yellow-Claimant

FEB 04 2002

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place on the below.

TWP	RNG	SEC	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
06N	40E	31																

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (☒)

14. Remarks: Well is used to irrigate 2 ACRES FOR DOMESTIC USE - WATER RIGHT WILL BE APPLIED FOR

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) William B. Blinger Date 8-25-88

Margaret Brown Blinger Date 8-25-88

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 25 day of Aug 19 88

SEAL

Notary Public E. Osine Summers

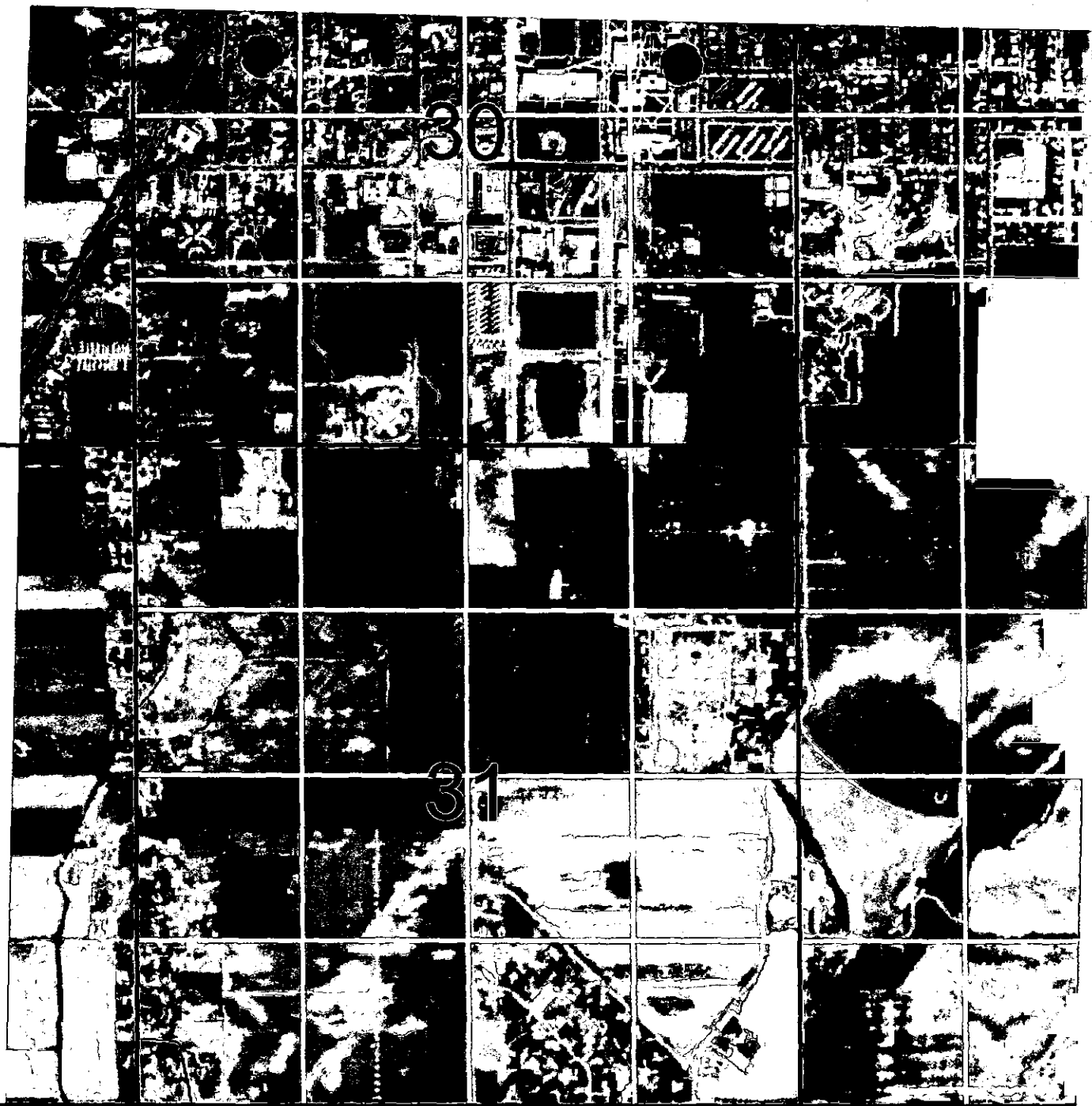
Residing at Peyton

Last Name _____

MICROFILMED My Commission Expires _____
Ident No. _____

FEB 04 2002

7-27-93
Copies White-State, Yellow-Claimant



T 6N R 40E

Place of use

NAP photo

1987

by HWJ

MICROFILMED

FEB 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 24, 2002

WILLIAM B KLINGLER
MYRNA T KLINGLER
1776 S 1000 W
REXBURG ID 83440

RE: License No. 22-13207 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
OCT 04 2002

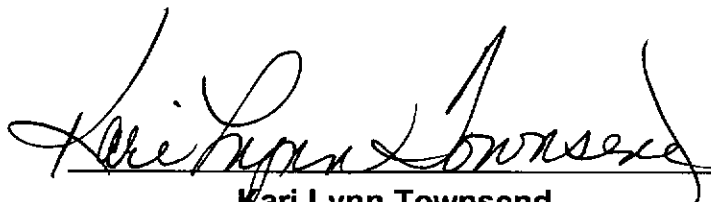
CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

22-13207

**WILLIAM B KLINGLER
MYRNA T KLINGLER
1776 S 1000 W
REXBURG ID 83440**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 04 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No. 22-13207 Date: 9-20-02 Reviewer: Kay Walker

Change/OK

Name/Address

fix Mrs. Klinglers. per original app
middle initial & proof form

Source

Point of Diversion:

OK
OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.06 cfs

Fee Limit 0.20 cfs

Measured 0.06 cfs

Theoretical 0.06 cfs

Recommended Total Diversion Rate 0.06

Water Uses

OK Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.06 cfs 6.3 af

Stockwater cfs af

Domestic cfs af

cfs af

cfs af

Total 0.06 cfs 6.3 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.06 cfs x 1.9835 x 214 days = 25.5 af (vs) 1.8 acres x 3.5 (FHR) = 6.3 af
2.5

Remarks:

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority?

yes

no

If yes, explain why below.

SRBA Claim?

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

RECEIVED

SEP 16 2002

Permit No: 22-13207

Department of Water Resources Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 22-13207

Exam Date: 9/6/2002

1. Current Owner: MYRNA L KLINGLER
1776 S 1000 W
REXBURG ID 83440
(208)356-9178

And/Or

WILLIAM B KLINGLER
1776 S 1000 W
REXBURG ID 83440
(208)356-9178

2. Accompanied by:

MR KLINGLER

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

TRIBUTARY

GROUND WATER

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. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

L4 NW1/4SW1/4SW1/4

Sec. 31, Twp 06N, Rge 40E, B.M.

MADISON County

Method of Determination:

GPS/FE

2.

PLACE OF USE:

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	40E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.8
													1.8						1.8

Total Acres: 1.8

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OCT 04 2002

Method of Determination:

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres). LOT 132' x 660'
- ☐ Photo of Diversion and System Attached

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
submersible		1.5			

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

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>

2. Measurements:

$$6 \text{ sprinkler heads} \times 4 \text{ gal/minute} = 0.06 \text{ cfs}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

Measured Method:

$$\text{cfs} = \frac{1.5 \text{ hp} \times (6.16)}{66' + 2.31(50)} = 0.06 \text{ cfs}$$

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OCT 04 2002

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.8 \times 3.5 = 6.3 \text{ AF/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.06 \times 214 \times 1.98 = 25.5 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.3 \text{ AF/A}$$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

well/pump to home and sprinkler system. 2 acre lot. irrigates entire lot except house and road.
1.5 hp pump to pressure tank to 12 zone popup sprinklers and some hoses and sprinklers.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.060 CFS	6.30 AF
<u>Totals:</u>		0.060 CFS	6.30 AF

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

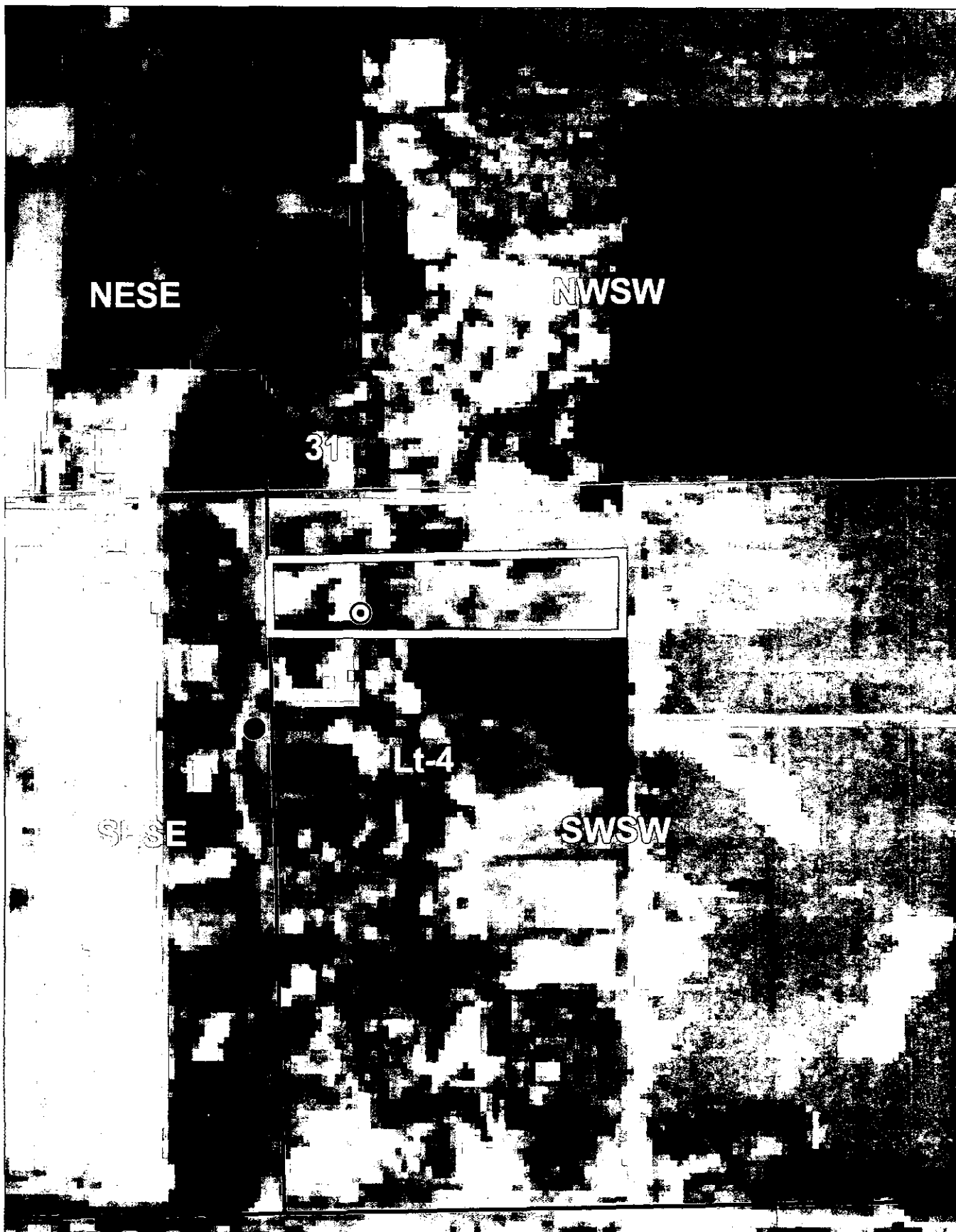
Field Examiner's Name Steve Calz Date 9/10/2002

Reviewer J. L. Jones Date 9-10-2002

MICROFILMED

OCT 04 2002

22-13207



6N, 40E, sec 31

MICROFILMED
OCT 04 2002



22-13207

17765 1000W REXBURG

FRONT LAWN

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2002

WILLIAM B KLINGLER
MYRNA T KLINGLER
1776 S 1000 W
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-13207

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
AUG 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 22-13207

Reviewed By: dgibson

Date: August 5, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E027313, C063695		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		08/02/2002
Date proof due	-	02/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	12/07/2001
New priority date	=	12/07/2001

Deficiencies of Actions Items

Acknowledge proof.

MICROFILMED
AUG 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 25, 2002

WILLIAM B KLINGLER
MYRNA L KLINGLER
1776 S 1000 W
REXBURG ID 83440

RE: Permit No. 22-13207

Permit Approval Notice

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED

JAN 31 2002

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

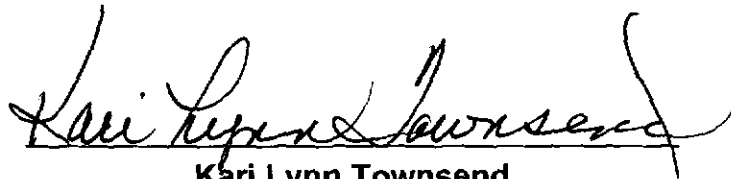
MICROFILMED
FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on January 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 22-13207

**WILLIAM B KLINGLER
MYRNA L KLINGLER
1776 S 1000 W
REXBURG ID 83440**


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 04 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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MICROFILMED

FEB 04 2002

FINAL ORDER

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- ii. The final agency action was taken,
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MICROFILMED
SEP 9 - 2003

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 1/23/02

No. 22-13207 Name: Phurges Corp. Officers N/A Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
≤ 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
≤ 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

BENEFICIAL USE DUE: 2/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS

1987 aerial photo acceptable as proof

COMMENTS

Pr-1987 Development

Dist. for staffing _____
Submitted for advertising _____

Form No. 202
4/87

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

RECEIVED

JAN 22 2002

Klingler
INITIAL REVIEW BY HWT DATE 12-7-01 APPLICATION NO. 22-13207 Department of Water Resources

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
_____ Overlapping point of diversion
_____ Yes _____ No Field check required
_____ 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 _____

<u>SEND COPIES TO</u>	_____ 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

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

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

See below for additional information

Date of priority recommended 12-07-2001

By [Signature] Date 1-14-2002

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation District
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Division of Environment	_____ Other

Project impacts/implications report

COMMENTS

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 11, 2001

MYRNA L KLINGLER
WILLIAM B KLINGLER
1776 S 1000 W
REXBURG ID 83440

RE: Application for Permit No 22-13207

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Rexburg Standard on December 19 and 26, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

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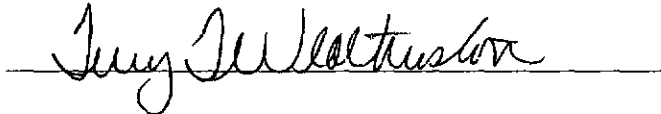
FEB 04 2002

THE STANDARD JOURNAL
Rexburg, Idaho

AFFIDAVIT OF PUBLICATION

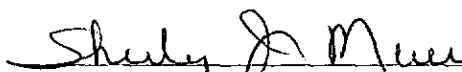
STATE OF IDAHO
County of Madison

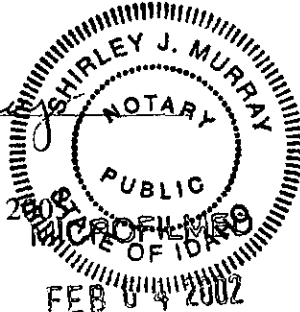
I, Terry T. Weatherston, being first duly sworn, depose and say, that I am the printer of THE STANDARD JOURNAL, a 3 times a week newspaper printed and published 3 times a week in Rexburg, Madison County, Idaho; and I do solemnly swear that the Legal Notice, Klingler water rights, a copy of which notice appears attached hereto, was published in the regular and entire issue of supplement issue thereof for Two consecutive issues, the first publication having been made on December 19, 2001 and the last publication having been made on December 26, 2001. Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.



STATE OF IDAHO)
)
COUNTY OF MADISON)

On this 27th day of December in the year of 2001 before me, a Notary Public, personally appeared Terry Weatherston, 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 statement therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2002



RECEIVED

JAN 11 2002

Department of Water Resources
Eastern Region

LEGAL NOTICE

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

22-13207

MYRNA L. KLINGLER
WILLIAM B. KLINGLER
1776 S 1000 W

REXBURG, ID 83440

Point(s) of Diversion: L4 SWSW S31
T06N R40E, Madison County.

Source: Ground Water.

Use: Irrigation 04/01 to 10/31 0.06
CFS Total Diversion: 0.06 CFS

Date Filed: 12/10/2001

Place of Use: Irrigation T06N R40E
S31 SWSW Lot 4

Number of Acres: 1.8

This development took place in 1968.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N. Skyline Dr. Ste. A, Idaho Falls, ID 83402 together with a protest fee of \$25 for each application on or before January 7, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Publ. Dec. 19 and 26, 2001SJ.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 11, 2001

Legal Notice Department

REXBURG STANDARD-JOURNAL

PO BOX 10

REXBURG ID 83440

RE: Application for Permit No. 22-13207

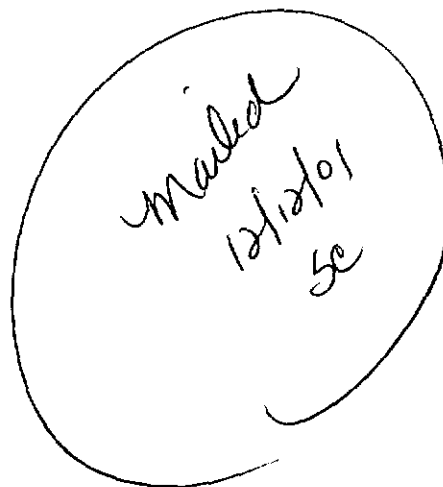
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before January 7, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

FEB 04 2002

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22-13207

MYRNA L KLINGLER
WILLIAM B KLINGLER
1776 S 1000 W
REXBURG ID 83440

Point(s) of Diversion: L4 SWSW S31 T06N R40E, MADISON County

Source: GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 12/10/2001

Place Of Use: IRRIGATION

T06N R40E S31 SWSW Lot 4

Number of Acres 1.8

This development took place in 1968.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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KARL J DREHER, Director

Published on December 19 and 26, 2001

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FEB 04 2002