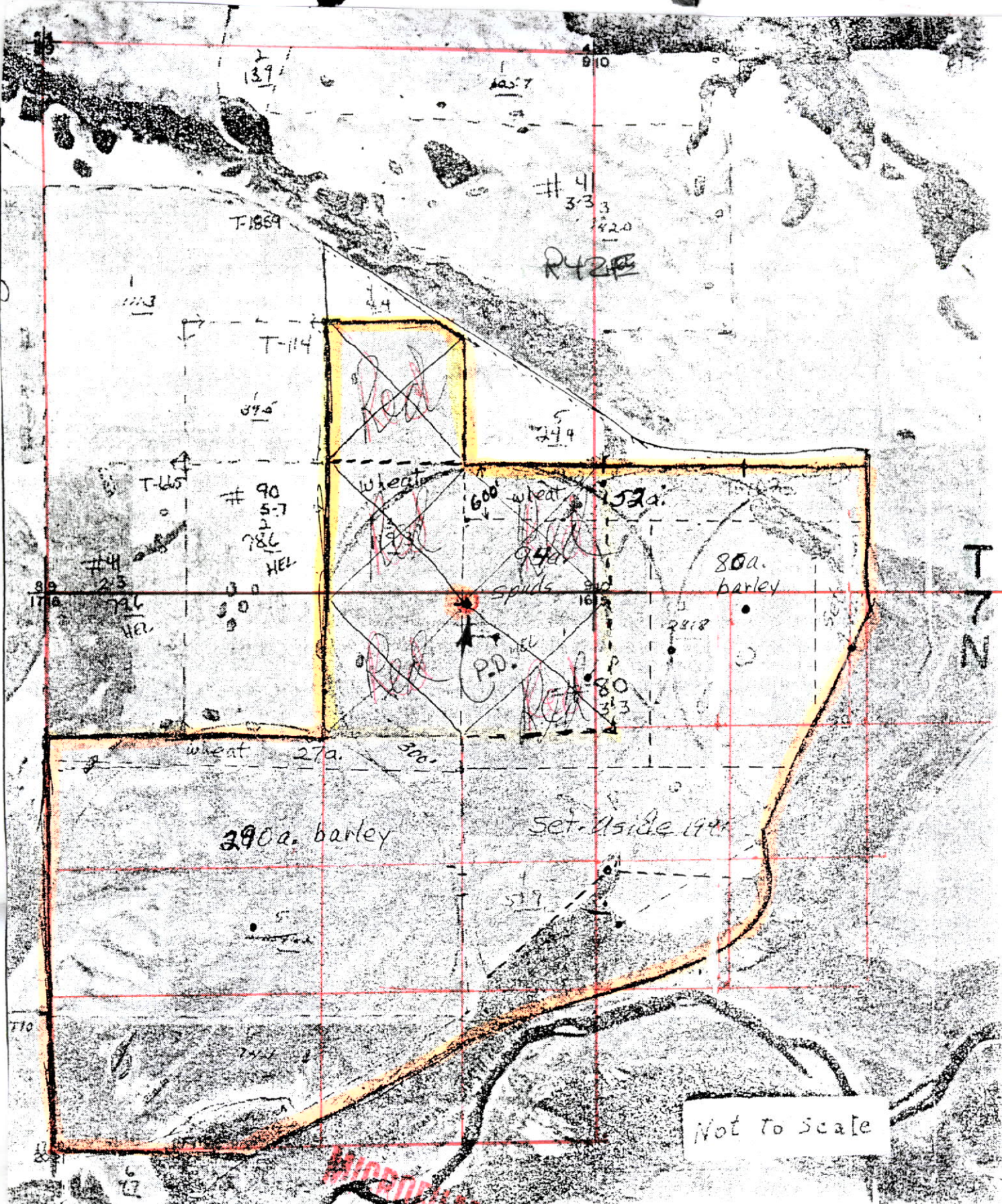




the State of Idaho as herein set forth.

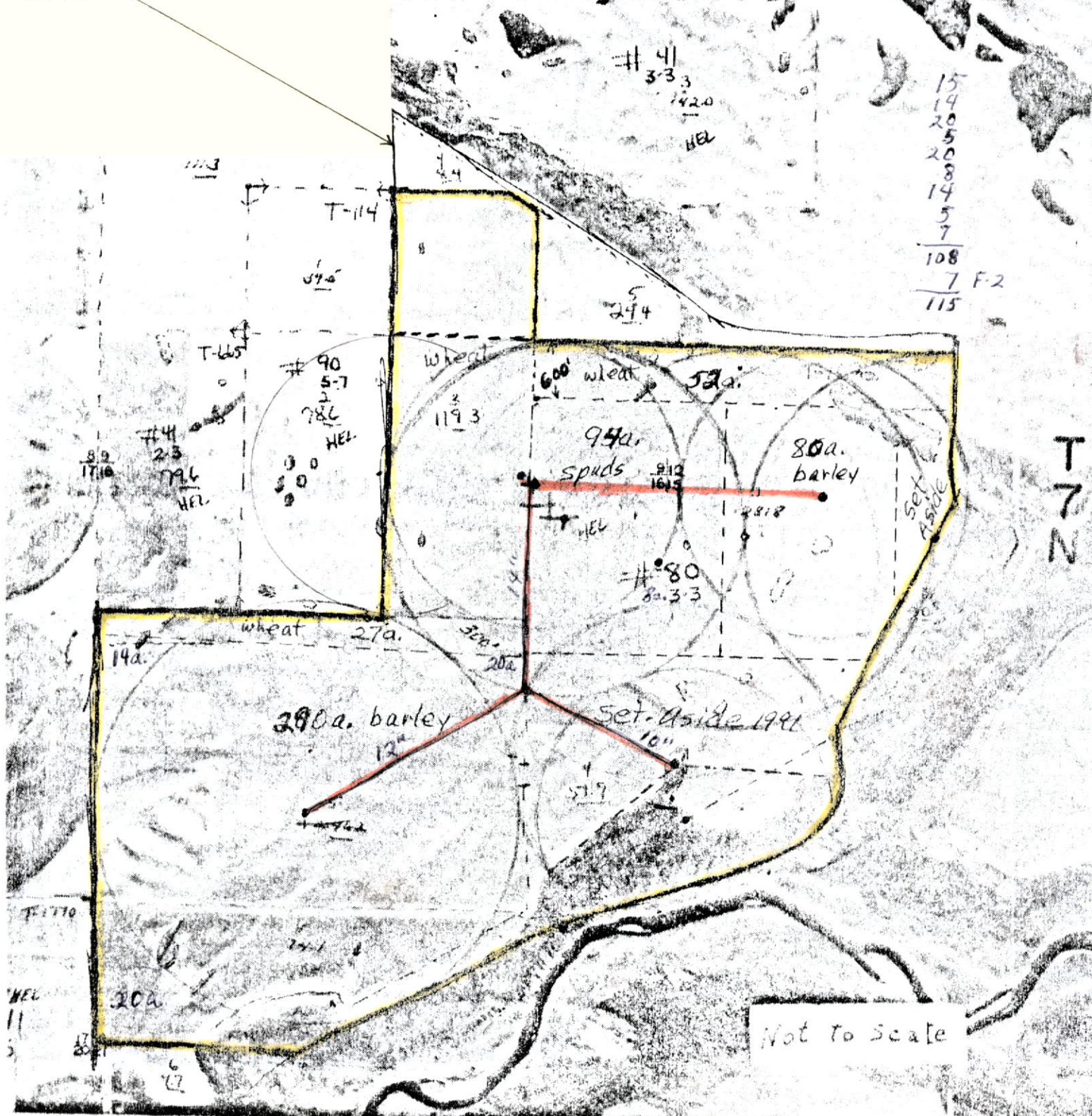
DEC 09 1991

*Dean Schwenkman*  
(Applicant)

3200

U.S.-E

Inside yellow boundary  
is land that will be  
served. Red is proposed  
mainline to proposed  
pivots. Proposed well  
site



Not to scale

## WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME                                                                     | AMOUNT CFS |
|----------------------|-----------|--------------------------------------------------------------------------|------------|
| Original Application | 22-07721  | Dean Schwendiman &<br>Sons Inc.                                          | 17.80      |
| Full Assignment      | 22-07721  | Dean Schwendiman &<br>Sons Inc.<br>Northwest Farm Credit<br>Services ACA | 17.80      |

RECEIVED

JUL 02 1993

RECEIVED

SEP 29 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 22-07721 Telephone No. 458-4314
2. Name(s) of Permit Holder(s): Dean Schwendiman & Sons, Inc.
3. Mailing Address: P.O. Box 57 Newdale, Id. 83436
4. Source of Water: groundwater - well If GROUNDWATER (well), Date Drilled: mo.    / yr. '92
  - a. Well Driller: High Plains Drilling Drilling Permit Number: 22-93E-024
  - b. **OPTIONAL:**  
Pump Horsepower: 600 Pressure (psi): 60 Dynamic pumping level (ft): 560'
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): 0 Stockwater (No. and type of stock): 0  
Irrigation (No. of acres): 890 Other: none
6. Total rate of diversion and/or volume for which proof is submitted: 4.5 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 X or No   

Has the measuring device been installed?

Yes X or No   

**Flow Measurement Port:** Is a flow measurement port required?

Yes    or No X

Has the measurement port been installed?

Yes X or No   

8. Fee Enclosed: \$ 200.00 (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: Dean Schwendiman Telephone Number: 458-4314

Address: P.O. Box 57 Newdale, Id. 83436

RECEIVED

10. The information given on this form 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. \*

Signature of permit holder: Dean Schwendiman  
(include your title, if on behalf of company or organization)

Date: Sept. 26, 1995

\* I still plan to get pump performing as it should to pump more water than we now have been getting.

7/84

RECEIVED

SEP 8 1994

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$50 Fee Received by RTDate 9-8-94Receipt No. 0031223

## REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 22-07721Name(s) of Permit Holder: Dean Schwendiman & Sons, Inc.Mailing Address: P.O. Box 57, Newdale, Id. 83436Date Proof is Due: Oct. 1, 1994 Telephone No. 458-4314

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

The well has been drilled, pump installed & mainline & pivots are in. The work is complete but there developed a problem with the pump & it is not producing what it was.

Costing \$360,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I would like to get the pump repaired before the amount of water is checked if I can get an extension of time.

Permit holder(s) request an extension to Oct. 1, 19 95 or at least next season

FEE: \$50.00

Dean Schwendiman  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1995.

SEP 21 1994

Signed this 13<sup>th</sup> day of September, 19 94

J. Glen Taylor  
Chief, Water Allocation Bureau

RECEIVED

JUN 01 1993

Department of Water Resources  
Eastern District Office

RECEIVED

JUN 10 1993

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

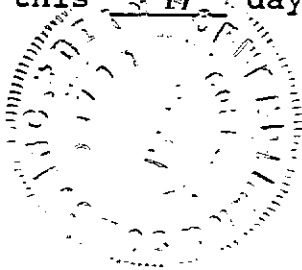
ASSIGNMENT OF PERMIT

I, Dean Schwendiman & Sons, Inc. hereby assign to Dean Schwendiman & Sons, Inc., and Northwest Farm Credit Services, ACA  
of P.O. Box 57, Newdale, Id. 83436 / P.O. Box 157 Rexburg, Idaho 83440  
Address

Check One:

- ☒ 1. All my right, title, and interest in and to Permit No. 22-07721  
to appropriate the public waters of the State of Idaho.
- ☐ 2. The following described portion of my right, title, and interest in  
and to Permit No. \_\_\_\_\_ to appropriate the public waters  
of the State of Idaho. (Describe that portion of the permit being  
assigned by listing the acreage within each 40 acre subdivision, the  
point of diversion and the amount of water in cubic feet per second  
for direct diversion, or acre feet for storage)

Made this 17 day of May, ~~1992~~ 1993



Dean E. Schwendiman President  
Water Right Holder

Shirley B. Schwendiman Sec.  
Water Right Holder (Spouse, etc.)

State of Idaho )  
County of MADISON ) SS

On this 17 day of May, 1993, personally appeared  
before me the signer(s) of the above instrument, who duly acknowledged to  
me that he (she) (they) executed the same.

Jeffrey A. Bessley  
Notary Public residing at

Rigby,

RECEIVED

JUL 02 1993

My commission expires:

3-15-1999

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 22-07721

Proposed Priority: August 19, 1991 Maximum Diversion Rate: 17.80 CFS  
This is to certify, that DEAN SCHWENDIMAN & SONS INC  
PO BOX 57  
NEWDALE ID 83436

has applied for a permit to appropriate water from: GROUNDWATER  
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 11/01       | 17.80 CFS                |

LOCATION OF POINT(S) OF DIVERSION: NENE Sec. 16, Township 07N, Range 42E  
FREMONT County

| <u>PLACE OF USE:</u> IRRIGATION |            |            |              |              |              |              |
|---------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| <u>TWN</u>                      | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
| 07N                             | 42E        | 9          | NWSE 39      | SWSE 40      | SESE 40      | 119          |
|                                 |            | 10         | SWSW 40      | SESW 40      |              | 80           |
|                                 |            | 15         | NENW 34      | NWNW 40      | SWNW 40      |              |
|                                 |            |            | SESW 17      | NESW 6       | NWSW 37      | 174          |
|                                 |            | 16         | NENE 40      | NWNE 40      | SWNE 40      |              |
|                                 |            |            | SENE 40      | SWNW 40      | SESW 40      |              |
|                                 |            |            | NESW 40      | NWSW 40      | SWSW 40      |              |
|                                 |            |            | SESW 39      | NESE 40      | NWSE 40      |              |
|                                 |            |            | SWSE 30      | SESE 8       |              | 517          |

Total number of acres irrigated: 890

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 3, 1994.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.

DEC 09 1991

State of Idaho  
Department of Water Resources**Permit To Appropriate Water**

NO. 22-07721

CONDITIONS/REMARKS:

7. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

26<sup>th</sup> day of November, 1991.

*for* J. Glen Saylor  
R. Keith Higginson, Director

RECORDED

DEC 09 1991

385 Fee

Form 202  
6/85

Ident. No. 22-2221

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dean Schwendiman and Sons, Inc. Phone 458-4314

Post office address PO Box 57 Newdale ID 83436

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is \_\_\_\_\_ 1/4 of NF 1/4 of NF 1/4, Govt. Lot \_\_\_\_\_

Sec. 16 Township 7N Range 42E B.M. Fremont County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 17.80 for Irrigation purposes from 4-1 to 11-1 (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) 17.80 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to sprinkler

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 24 inches; proposed depth of well is 1000 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  
3 years (minimum 1 year).

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DEC 09 1991

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 |        |
| 7N  | 42E   | 9    |     |     |     |     |     |     |     |     |     |     |     |     |     | 39  | 40  | 40  | 119    |
|     |       | 10   |     |     |     |     |     |     |     |     |     |     | 40  | 40  |     |     |     |     | 80     |
|     |       | 15   |     |     |     |     | 34  | 40  | 40  | 17  | 6   | 37  |     |     |     |     |     |     | 174    |
|     |       | 16   | 40  | 40  | 40  | 40  |     |     | 40  | 40  | 40  | 40  | 40  | 39  | 40  | 40  | 30  | 8   | 517    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 890

10. Describe any other water rights used for the same purposes as described above. None, but adjacent to permit 21-07418

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: Officers: Dean Schwendiman - Pres From #21-7418

Shirlene Schwendiman - Sec

**RECORDED**

DEC 09 1991



Received by RB Date 8-19-91 Time 1:03 Preliminary check by \_\_\_\_\_  
Fee \$ 385.00 Receipted by HWT # E016457 Date 8-19-91  
Publication prepared by RB Date 9-5-91 Published in Statewide  
Publication approved CW Date 9-19-91

### 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:

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DEC 09 1991

22-07721  
 DEAN SCHWENDIMAN &  
 SONS, INC.  
 P.O. BOX 57  
 NEWDALE, ID 83436  
 Source: GROUNDWATER  
 Division Pt: NENE Sec  
 16 T 07N R 42E  
 Use: IRRIGATION (17,800  
 CFS)  
 Total Division: (17,800  
 CFS)  
 Date Filed: 8/19/1991  
 In: T 07N R 42E S 09  
 NWSE SWSE SESE  
 S10 SWSW SESW  
 S15 NENW NWNW  
 SWNW SENW  
 NESW NWSW  
 S16 NENE NWNE SWNE  
 SENW  
 SWNW SENW NESW  
 NWSW  
 SWSW SESW NESE  
 NWSE  
 SWSE SESE  
 890.0 ACRES TOTAL  
 The permit(s) will be sub-  
 ject to all prior water  
 rights. Protests may be  
 submitted based on the  
 criteria of Sec. 42-203A,  
 Idaho Code and or the  
 new public interest criteria  
 of Sec. 42-203C, Idaho  
 Code. Protests must be  
 filed with the Director,  
 Dept. of Water Resources,  
 150 Shoup Ave., Suite 15,  
 Idaho Falls, Idaho 83402  
 on or before SEPTEMBER  
 23, 1991.  
 R. Keith Higginson,  
 Director  
 PUBLISH: Thursday,  
 September 5 and 12,  
 1991.

# Affidavit of Publication

STATE OF IDAHO  
 COUNTY OF TWIN FALLS } ss.

I, Linda Capps McSwire being first duly sworn upon oath, depose  
 and say that I am Reside Clerk of the TIMES NEWS, published daily, at  
 Twin Falls, Idaho, and do solemnly swear that a copy of the clipping of advertisement, as per  
 clipping attached, was published in the regular and entire issue of said newspaper, and not in  
 any supplement thereof, for Two consecutive Weeks,  
 commencing with the issue dated September 5, 1991,  
 and ending with the issue dated September 12, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho  
 Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-  
 cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and  
 county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-  
 NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at  
 which time said newspaper began daily publication under said name in said city and county continuously and  
 uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated  
 as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,  
 to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,  
 and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO  
 COUNTY OF TWIN FALLS

On this 29 day of September in the year of 1991, before me,  
 a Notary Public, personally appeared Linda Capps McSwire  
 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.

Linda R. Feltman  
 Notary Public for Idaho  
 Residing at Twin Falls County  
 My commission expires: 5/19/94

RECEIVED

No 22747

RECEIVED  
 SEP 09 1991

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO  
County of Fremont

I, Terry T. Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE FREMONT  
COUNTY HERALD-CHRONICLE, a semi-weekly  
newspaper printed and published in  
Fremont County, Idaho; and I do solemnly  
swear that the WATER RIGHTS #22-07721  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not  
in any supplement issue thereof  
for TWO consecutive issues, the  
first publication having been made on  
SEPTEMBER 5, 1991

and the last publication having been  
made on SEPTEMBER 12, 1991

Further, that said newspaper is one  
of general circulation in said county;  
that it is a legal newspaper, conforming  
to legal specifications under 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 said notice.

*Terry T. Weatherston*

STATE OF IDAHO )  
COUNTY OF MADISON )

On this 13TH day of SEPTEMBER  
in the year of 1991, 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  
statements therein are true, and  
acknowledged to me that he executed the  
same.

*George B. Jones*

Notary Public for Idaho  
Residing at Rexburg, Idaho  
My commission expires: June 8, 1993

WATER RIGHTS  
APPLICATIONS

22-07721

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436

Source: GROUNDWATER  
Diversion Pt: NENE Sec 16 T 07N R  
42E

Use: IRRIGATION (17,800 CFS) Total  
Diversion: (17,800 CFS)  
Date Filed: 8/19/1991

In: T07N R42E S09 NWSE SWSE  
SESE S10 SWSW SESW S15 NENW  
NWNW SWNW SENW NESW NWSW  
S16 NENE NWNE SWNE SENE SWNW  
SENE NESW NWSW SWSW SESW  
NESE NWSE SWSE SESE 890.0 ACRES  
TOTAL

The permit(s) will be subject to all prior  
water rights. Protests may be submitted  
based on the criteria of Sec. 42-203A,  
Idaho Code and/or the new public interest  
criteria of Sec. 42-203C, Idaho Code. Pro-  
tests must be filed with the Director, Dept.  
of Water Resources, 150 Shoup Ave.,  
Suite 15, Idaho Falls, Idaho 83402 on or  
before SEPTEMBER 23, 1991.

R. KEITH HIGGINSON  
Director

Publ. Sept. 5 and 12, 1991 HC.

RECORDED  
DEC 09 1991

SEP 10 1991

# The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

## LEGAL ADVERTISING INVOICE

Department of Water Resources  
Eastern District Office

Amount Due  
48.36

|                                                                                                                               |             |                                                         |                                    |
|-------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------|------------------------------------|
| Account Number<br>100564                                                                                                      |             | Identification<br>NOTICE OF APPLICATION FOR WATER RIGHT |                                    |
| Ordered By<br>Rita Bodell                                                                                                     | P.O. Number | Rate<br>NT                                              | Run Dates<br>September 5, 12, 1991 |
| State of Idaho<br>Department of Water Resources<br>Eastern Division<br>150 Shoup Avenue, Suite 15<br>Idaho Falls, Idaho 83402 |             | Estimated Inches                                        | Real Inches                        |
|                                                                                                                               |             | = Affidavits<br>1                                       | Legal Number<br>9335               |

### NOTICE OF APPLICATION FOR WATER RIGHT

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

22-07721  
DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436  
Source: GROUNDWATER  
Diversion Pt: NENE Sec 16 T 07N R 42E  
Use: IRRIGATION (17,800 CFS)  
Total Diversion: (17,800 CFS)  
Date Filed: 8/19/1991  
In: T07N R42E  
S09 NWSE SWSE SESE  
S10 SWSW SESW  
S15 NENW NWNW SWNW SENW NESW NWSW  
S16 NENE NWNE SWNE SENE SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE  
890.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1991

R. Keith Higginson,  
Director

Pub. September 5, 12, 1991 9335

Jill Roberts, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for two ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of September 5, 1991 and ending with the issue of September 12, 1991

Jill Roberts

STATE OF IDAHO )  
COUNTY OF ADA )  
ss.

On this 12th day of September in the year of 1991, before me, a Notary Public, personally appeared Jill Roberts, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Janice Madee  
Notary Public for Idaho  
Residing at Boise, ID  
My commission expires: May '97

MINORITIZED  
DEC 09 1991

**TRIBUNE PUBLISHING COMPANY, INC.**

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

**LEGAL ADVERTISING  
INVOICE**

Date SEP 13 1991

INVOICE NO. 446600

Account No. 446600

Description DEPT OF WATER RESOURCES

Times 2

Lines 46

Tab Lines 46

Department of Water Resources  
Eastern District Office

\$ 27.50

SOLD TO:

DEPT OF WATER RESOURCES  
150 SHUUP AVE STE 15  
IDAHO FALLS  
ID 83402

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.  
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

**AFFIDAVIT OF PUBLICATION**

STATE OF IDAHO, ss.  
County of Nez Perce

Sue Baumeister

being duly sworn,

a Legal Clerk

Company, a corporation organized and existing  
laws of the State of Idaho, publishers of the  
TRIBUNE, a newspaper of general circulation  
Nez Perce County, Idaho; That the said Lewiston  
published paper and has been published regular-  
least once a day for more than 21 consecutive  
preceding the first publication of this notice, and  
interrupted for said period; that the

is made a part of this affidavit was published in  
ing Tribune, 2 time(s). Publication be-  
or once a  
for 2 consecutive WEEKS, the first  
on the 090591, and the last pub-  
he 091291, and said

regular and entire issue of said newspaper and  
proof and was so published in every issue and  
number of the said paper, during the period and times of publication as  
set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 13

day of September 1991

Harold M. Lamb

Notary Public in and for the State of Idaho,  
residing at Lewiston, therein.

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436  
Source: GROUNDWATER  
Diversion Pt: NENE Sec 16 T 07N R 42E  
Use: IRRIGATION (17,800 CFS)  
Total Diversion: (17,800 CFS)  
Date Filed: 8/19/1991  
In: T07N R42E

|     |      |      |      |      |
|-----|------|------|------|------|
| S09 | NWSE | SWSE | SESE |      |
| S10 | SWSW | SESW |      |      |
| S15 | NENW | NWNW | SWNW | SENW |
|     | NESW | NWSW |      |      |
| S16 | NENE | NWNE | SWNE | SENE |
|     | SWNW | SENW | NESW | NWSW |
|     | SWSW | SESW | NESE | NWSE |
|     | SWSE | SESE |      |      |

890.0 ACRES TOTAL  
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the  
criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code.  
Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho  
Falls, Idaho 83402 on or before SEPTEMBER 23, 1991.

R. Keith Higginson

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DEC 09 1991



## 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

May 9, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DEAN SCHWENDIMAN  
PO BOX 57  
NEWDALE ID 83436

RE: Water Right Nos. 22-07020, 22-07721, 22-02193 and 21-07418

Dear Mr. Schwendiman:

I am writing in response to your request for information about water rights 22-07020, 22-07721, 22-02193, and 21-07418. IDWR records show that 22-07020 and 22-02193 are licensed water rights. Right 22-07721 is a permit for which you submitted proof of beneficial use in 1995. A field examination has not yet been conducted for 22-07721. I have enclosed printouts showing the elements of water rights 22-07020, 22-07721, 22-02193.

Permit 22-07418 lapsed in 1993 after your second request for extension of time to submit proof of beneficial use was denied. It is of no force or effect. A copy of the lapse notice sent in 1993 is enclosed for you. The permit cannot be reinstated unless you submit a proof of beneficial use statement with the appropriate examination fee and sufficient evidence to clearly establish the extent of beneficial use made prior to July 1, 1993, which is the date proof was due.

In your letter you indicated that you are finishing a second point of diversion for permit no. 22-07721. I have inspected the water right file and do not see any indication that you have been authorized to develop a second point of diversion for 22-07721. Because you have already submitted proof of beneficial use for 22-07721, the best way to obtain authorization to add a new point of diversion is to get the right licensed and then file an application for transfer with IDWR. Before a license can be issued, IDWR will have to conduct a field examination of your development. I spoke with Keith Wilson in our Idaho Falls office, and he would like you to call him at 208-525-7161 at your earliest convenience to schedule the field examination.

To add a point of diversion to a water right that is already licensed, such as 22-07020, you should file an application for transfer with IDWR. I suggest that you discuss this option with Keith Wilson.

In order to establish a right to divert water in excess of the diversion rate and volume authorized under your existing licenses and permits, you must file an application for permit with IDWR. Since 1992 there has been a moratorium on the issuance of new permits for consumptive uses of

MICROFILMED  
MAY 20 1997

Dean Schwendiman  
May 9, 1997  
Page 2

both ground water and surface water in the Eastern Snake River Plain area. Therefore, you may file an application at this time to establish your priority, but the application will not be processed until the moratorium is modified or lifted.

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

Respectfully,

A handwritten signature in cursive script, reading "Shelley Walter Keen".

Shelley Walter Keen  
Water Rights Supervisor

Enclosures

c: Keith Wilson at Eastern Region

MICROFILMED  
MAY 20 1997

RECEIVED  
MAY 08 1997  
Department of Water Resources

Dean Schwendiman & Sons, Inc.  
P.O. Box 57  
Newdale, Id. 83436  
phone 458-4314  
Fax 458-4321

State of Idaho  
Dept. of Water Resources  
1301 North Orchard Street  
P.O. Box 83720  
Boise, Id. 83720-0098

May 5, 1997

Dear Sirs:

We are getting close to finishing, we hope, our well for the 2<sup>nd</sup> diversion point for our permit to appropriate water, permit # 22-7721. We should have them both ready for proof this irrigation season.

We also have, for our farm operation, two other sources of water permit # 22-7020 and 21-07418 that are producing more water now, because of hole development, different pump bowls & pump depth setting. They are both producing more than the licenses on them. Is it possible to add 2

MEMORANDUM  
MAY 20 1997

points of diversion for permit #  
22-7721 + get licensed for what  
they, #22720 + 21-0714, actually  
produce now. The permit #22-7721  
is for much more water than  
we expect to get from even the  
two wells that will be a part of  
it. We hope this can be done.

If more information is needed,  
such as maps a water system  
let me know. Our total farm  
irrigation system is all totally  
connected to help cover any single  
system failure. The land is all  
covered for water under permits  
& licenses, so no new acreages  
would be served. Thanks.

Very truly yours,  
Dean Schuchman  
Pres.





**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 22-07721 Reviewed by [Signature] Date 10-17-95

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?  
yes Address same as permit?  
yes Proof timely received?  
If not, complete calculation below.

Irr.  
Correct Uses? yes

**SOURCE OF WATER**

           Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 22-93-E-0024-000

200.00 Amount paid for permit

yes Correct?

no Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?

yes Required?

0 Amount Submitted

yes Installed?

no Correct?

           Waiver requested?

**PRIORITY CALCULATION**

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

|  |   |  |
|--|---|--|
|  | - |  |
|  | = |  |
|  | + |  |
|  |   |  |

**DEFICIENCIES OR ACTION ITEMS**

Return for 200.00 fee.  
Advise that license will be issued for only  
amount able to pump during exam.  
Fee Received - Proof acceptable

**DATA ENTRY**

New Address [Signature]

Proof Made 9-29-95



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

November 6, 1995

DEAN SCHWENDIMAN & SONS INC  
P O BOX 57  
NEWDALE ID 83436

**PROOF ACKNOWLEDGEMENT LETTER**

RE: PERMIT NO. 22-07721

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 the field examination, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208) 525-7161.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

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NOV 07 1995



## 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

October 20, 1995

Dean Schwendiman & Sons, Inc.  
P.O. Box 57  
Newdale, ID 83436

RE: Permit No. 22-07721

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use form submitted in connection with the above referenced water right. You state on the proof that you are diverting 4.5 cfs for irrigation purposes. Before the department can process the proof, it must be accompanied by the appropriate license examination fee. You indicated on the proof the a fee of \$200.00 was enclosed, however, the department did not receive a fee with the proof form.

Please return the copy of the proof along with the \$200.00 license examination fee within thirty (30) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

RECORDED

NOV 07 1995



**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 28, 1995

Dean Schwendiman & Sons, Inc.  
P.O. Box 57  
Newdale, ID 83436

**RE:** Water Right No. 22-07221

Dear Mr. Schwendiman:

I am in receipt of your letter dated August 28, 1995, in which you have some questions regarding the above referenced water right permit.

Proof of beneficial use is due October 1, 1995, and the department is not authorized to grant additional extension requests. Before the department can conduct a field examination, you will need to submit the proof of beneficial use form and appropriate license examination fee. Once proof is submitted, it is up to the regional office in Idaho Falls to schedule the field examination. I cannot predict when the field exam will be conducted, however, it is possible that it will not be examined until next spring/summer. Once the field exam is performed, you are bound by the findings of the exam and would not be authorized to increase the volume.

As for License No. 22-02193, you are authorized to pump 1.55 cfs to irrigate 229.6 acres. Once a license is issued for a rate of diversion the volume cannot be increased even if the well now produces a higher rate.

Water right no. A21-07084 is an Adjudication Claim. If you need information regarding that claim number you can call out toll-free Adjudication Hotline at 1-800-451-4129.

If I can be of any additional assistance, please do not hesitate to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

cc: Cliff Beesley (Farm Credit)

RECEIVED

SEP 05 1995

Department of Water Resources

Dean Schweendiman & Sons, Inc.

P.O. Box 57

Newdale, Id. 83436

Aug. 28, 1995

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Id. 83720-9000

gD2

Dear Julie:

I just received your letter of July 31, 1995 from the Rexburg Office of Farm Credit Services. Could you change the address to P.O. Box 57, Newdale, Id. 83436 in future correspondence.

I have several questions that I would like answers to if possible. On permit 22-07721 you show <sup>date</sup> proof of beneficial use of Oct. 1, 1985. We have the well, pumps, mainline & pivots in place & have been using them to grow crops for some time now. But due to problems that we are not sure about we have not been able to get the volume of water we need or permit calls for. We are still working on the system to

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NOV 8 1995

get delivery of more water.

My question is are we better off to have it checked now with the option of having it checked again when we get it performing better, or getting an extension now & having it checked later after we have, hopefully, got the well to produce better.

My other questions are in regards to other permits & licenses. Permit No. 29140/22-2193 dated Nov. 14, 1960 which is a ground water well. The pump was changed after it was checked & license issued. Can it be rechecked & license issued for what it is actually producing now?

For Permit No. A-21-07084 been checked & license issued? Could you let me know of its status. Thanks very much for your help.

Very truly yours,  
Dean Schendiman

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NOV 07 1995

July 31, 1995

DEAN SCHWENDIMAN & SONS INC  
NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 157  
REXBURG ID 834400157

PROOF DUE NOTICE

RE: PERMIT NO. 22-07721

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, 1995.

(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.

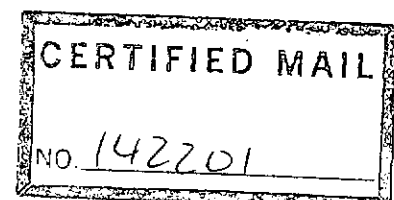
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

RECEIVED  
NOV 07 1995



ANALYSIS SHEET  
FOR  
EXTENSION OF TIME

Permit No. 22-07721

Reviewed by Jy

Date 9/13/94

BASIC INFORMATION

9-8-94 Date stamp received  
YLS Extension received timely  
YLS Fee received and receipted  
YLS Name and signature same as permit  
no Address Change

BASIS FOR EXTENSION REQUEST

YLS Has adequate work been completed to demonstrate due diligence?  
\_\_\_\_\_ Has the permit been involved in litigation?  
\_\_\_\_\_ Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is delay by a government agency?  
\_\_\_\_\_ Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
\_\_\_\_\_ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend extend to October 1, 1995, for due diligence.*

PRIORITY CALCULATION

|                         |       |   |       |
|-------------------------|-------|---|-------|
| Date extension received | _____ | = | _____ |
| Proof due date          | _____ | = | _____ |
| Number of days late     | _____ | = | _____ |
| Priority date           | _____ | = | _____ |
| New Priority Date       | _____ | = | _____ |

DATA ENTRY

New Address \_\_\_\_\_  
Change Proof Due Date 10-1-95  
Change Priority Date \_\_\_\_\_



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

September 14, 1994

Dan Schwendiman & Sons, Inc.  
P.O. Box 57  
Newdale, ID 83436

RE: Permit No. 22-07721

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1995. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

C: IDWR - Regional Office

SEP 21 1994

July 31, 1994

DEAN SCHWENDIMAN & SONS INC  
NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 157  
REXBURG ID 834400157

PROOF DUE NOTICE

RE: PERMIT NO. 22-07721

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, 1994. (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.

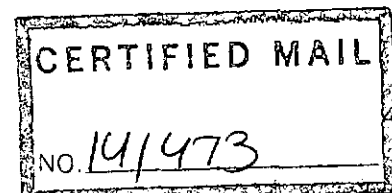
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

SEP 21 1994





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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 28, 1993

NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 157  
REXBURG ID 83440-0157

Re: Permit No. 22-07721

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Enclosed is a copy of our current 'Assignment of Permit' form for your convenience.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

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JUL 02 1993

WR0749NP  
No. 22-07721

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT  
(REGIONAL)

DATE: 06/23/93  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                             | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | NORTHWEST FARM CREDIT SERVICES ACA<br>PO BOX 157<br>REXBURG ID 834400157<br>(208) 356-4442 | 08/19/1991       | IRRIGATION | 04-01 11-01           | 17.80 CFS         |                     |
|               |                                                                                            |                  |            | TOTAL DIVERSION:      | 17.80 CFS         |                     |
| C             | DEAN SCHWENDIMAN & SONS INC<br>PO BOX 57<br>NEWDALE ID 834360057<br>(208) 458-4314         |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T07N R42E S16 NE NE

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |             |      |   |       |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|-------------|------|---|-------|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE        | SESE | : | SUM   |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt          | Ac   |   |       |
| 07N | 42E | 9  | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      | 39   | 40          | 40   | : | 119.0 |
| 07N | 42E | 10 | : |      |      |      |      | :  |      |      |      |      | : |      |      | 40   | 40   | : |      |      |             |      | : | 80.0  |
| 07N | 42E | 15 | : |      |      |      |      | :  | 34   | 40   | 40   | 17   | : | 06   | 37   |      |      | : |      |      |             |      | : | 174.0 |
| 07N | 42E | 16 | : | 40   | 40   | 40   | 40   | :  |      |      | 40   | 40   | : | 40   | 40   | 40   | 39   | : | 40   | 40   | 30          | 08   | : | 517.0 |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      | TOTAL ACRES |      |   | 890.0 |

Pou County: FREMONT

Other Water Rights Listing Overlapping Place(s) of use:  
22-07702 L22-07205 L22-07265

Conditions of Approval:

- 26A - Project construction shall commence within one year from the  
- date of permit issuance and shall proceed diligently to  
- completion unless it can be shown to the satisfaction of the  
- Director of the Department of Water Resources that delays were  
- due to circumstances over which permit holder had no control.
- 01G - Prior to the diversion of water under this right a flow  
- measurement port or other device as specified by the Department  
- shall be installed to provide for the installation of measuring  
- equipment and the determination of the rate of diversion by the  
- Department.
- 046 - Right holder shall comply with the drilling permit  
- requirements of Section 42-235, Idaho Code.
- 048 - 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.
- 049 - The Director retains jurisdiction of the right to incorporate  
- the use into a water district, require streamflow augmentation  
- or other action needed to protect prior surface water and

WR0749NP  
No. 22-07721

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT  
(REGIONAL)

DATE: 06/23/93  
PAGE: 2

Conditions of Approval:

- groundwater rights.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Dates: App. Received: 08/19/1991 Priority Date: 08/19/1991  
Proof Due Date: 10/03/1994 Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 06/23/93 ZIMMERMA



## Farm Credit Services

217 North Second East  
P.O. Box 157  
Rexburg, Idaho 83440  
208/356-4442

May 28, 1993

Idaho Department of Water Resources  
900 North Skyline  
Idaho Falls, Idaho 83402

RECEIVED

JUN 01 1993

Department of Water Resources  
Eastern District Office

Subject: Permit Nos. 21-07084 and 22-07721

Dear Sirs:

Enclosed please find two Assignment of Permit forms which need to be filed with your main office in Boise. Farm Credit Services takes these Assignments as security for a loan made to Dean E. Schwendiman and Sons, Inc.. therefore, please provide our office with copies of all notices and correspondence regarding the above mentioned permit numbers.

Once these Assignments have been received by your office and are on file, please send our office an acknowledgment letter to this effect. We appreciate your cooperation and ask that should you have any questions regarding this matter to please call at 1-800-464-6812.

Respectfully,

Lorna Bair  
Operations Assistant

Enclosures

RECEIVED

JUL 02 1993



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 3, 1991

DEAN SCHWENDIMAN & SONS INC  
PO BOX 57  
NEWDALE ID 83436

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07721

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

DEC 09 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

PAMELA SKAGGS  
Technical Records Specialist

PS:blm

Enclosures

RECEIVED

DEC 09 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 22-7721/Rule 4,5,3. Information

DATE: 11-21-91

-----

The above application has been forwarded to the state office for final review and processing.

The applicants have submitted the Water Appropriation Rule 4,5,3. information which is required for all filings seeking appropriation of more than 5.0 cfs and/or irrigation of more than 200 acres. The information submitted appears to be acceptable. I recommend continued processing of the application but wish to identify two concerns.

1) The application proposes developing only one well while the rule 4,5,3. information indicates that at least one additional well would probably be needed to meet the estimated demand. Conditions or a cover letter should advise the permit holder of requirements pertaining to drilling permits and permit amendments if adding wells at a future date.

2) The proposed well is located about three quarters of a mile from the Teton River. The river in this area is in a canyon and the surface elevation of the well and irrigated land is about 400 to 500 feet above the elevation of the river. The well would be deep and probably drilled to the regional water table (the latter may be over 400 feet deep in this area). The proposed well location is not within any perched aquifer zone. While the project will result in additional groundwater withdrawal, it is not expected that there would be any noticeable impacts on other wells or the Teton River. Moreover, there is evidence of only a few irrigation wells in this upland area north of the Teton River. Several irrigation wells and licensed rights may have been abandoned in this vicinity because several licensed rights were not claimed in the SRBA. Published hydrologic studies have stated that wells in this particular area have not been successful. There is still not a lot of extensive groundwater development in the upland area between Newdale and Ashton.

MICROFILMED

DEC 09 1991

①  
Dean Schwendiman & Sons, Inc.

P.O. Box 57

Newdale, Id. 83436

State of Idaho

Department of Water Resources

1301 North Orchard Street

Statehouse mail

Boise, Id. 83720-9000

Re: Application for Permit No. 22-7721

Information required for water appropriation rule 4,5,3

When we did the application for permit, with the help of a fellow in the Water Resources Office in Idaho Falls, we filed for the maximum amount permissible. We did this to keep any options open for future practices and use of the land that could come.

I figured the peak demand on my experience with current crop rotation and land use, based on cost of development and economic feasibility.

Based on current cropping system, I estimated 5300<sup>9pm</sup> would serve the acreage involved.

DEC 01 1981

The papers on the  
land transfer have  
not been completed  
yet. Am sending this  
information and will  
send them in a later  
mailing.

Dean  
Schwendeman

1931 80 1512

I don't think this amount of water can be diverted from one well, but the possibility is certainly there. We have a well in the area that pumps 5,000 g.p.m. and has been tested at 7,000 g.p.m.

As to the size of well pump and booster at this point is only a guess. The well supply of water and from what depth are the variables. My guess is we'll need 700 to 800 H.P. on the well with a 150 to 200 H.P. booster. If we achieve the peak demand rate the water level would need to be shallower than I think it will be, or H.P. requirements would be higher than above, or we would need another well.

For the immediate future we plan to just water the standard pivot area and only corners that can be served with the mainlines to the pivots. The balance of the corners would be utilized as set-aside acres in the Government Grain Programs. We'll also start right out with a crop rotation program of 1 yr. potatoes, 1 yr. wheat, + 1 yr. barley then back to potatoes again, a 3 year cycle or rotation.

MAILED  
DEC 11 1961

Enclosed is a map of the land and proposed point of diversion.

The land to be served is free and clear except for \$36,000.<sup>00</sup> owed to my father on land that was partial trade for this property. The amount owing to be paid 6,000. per year for 6 years.

It is currently listed & held as security for 1991 Farm Operating Loan with First Security Bank, St. Anthony Branch.

Copies of Land acquisition are enclosed.

I am currently in the process, (not completed yet) of getting finance for development costs by a mortgage on the land to be developed.

Enclosed is a copy of my most recent Financial Statement.

As of now construction costs are only estimates, as there are many variables. But I have enclosed a copy of my best projections.

If all goes well and moves along as has been the well could be done Feb. 1992. Financing could be done Jan. 1992. The pumps, pivots, and main-line spring 1992, by May 15<sup>th</sup>, 1992.

MICROFILMED  
DEC 06 1991

## Proposed Development Costs

|               |          |   |                   |                          |
|---------------|----------|---|-------------------|--------------------------|
| Well drilling | 1100 ft. | @ | 70. <sup>00</sup> | 77,000.                  |
| casing        | 800 ft.  | @ | 12. <sup>00</sup> | 10,400.                  |
| concrete      |          |   |                   | 1,500.                   |
| testing       |          |   |                   | 6,000.                   |
| misc.         |          |   |                   | <u>2,000.</u>            |
| Total         |          |   |                   | \$ 96,900. <sup>00</sup> |

Pump, motor, panel & column

700 H.P. motor

700 H.P. panel - elect.

700 ft. 14" column, tube & shaft  
bowl unit

150 H.P. booster pump & motor

150 H.P. elect. panel \$ 150,000.<sup>00</sup>

Pivots (2) standard 1300 ft. (no corner system)

(1) 1600 ft. " " "

(1) 1900 ft. " " "

\$ 200,000.<sup>00</sup>

Mainline to connect pivots

\$ 100,000.<sup>00</sup>

**MICROFILMED**

Total cost \$ 546,900.<sup>00</sup>

DEC 09 1991



**BUSINESS** Farming

**Address**BANK OF Idhao, N.A.

February

91

For the purpose of procuring credit from time to time I (we) furnish you with the following statement, which fully and truly sets forth my (our) financial condition on the 28th day of February, 1991, which statement you can consider as continuing to be full and true unless notice of change is given to you. In consideration of the granting of such credit, I (we) agree that if at any time I (we) stop payment or become insolvent, or commit an Act of Bankruptcy, or if the representations made below prove to be untrue, or if I (we) fail to notify you of any material change in my (our) financial condition, then and in either such case all my (our) obligations held by you shall, at my (our) option, immediately become due and payable without demand or notice, and the same may be charged against any deposit account kept or credit due me (us) on your books.

(over)

Module No. 1

DESCRIPTION OF NOTES RECEIVABLE

| NAME | AMOUNT | DUE | OTHER DETAILS |
|------|--------|-----|---------------|
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |

Module No. 2

DESCRIPTION OF ACCOUNTS RECEIVABLE

| NAME | AMOUNT | DUE | OTHER DETAILS |
|------|--------|-----|---------------|
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |

Module No. 3

DESCRIPTION OF REAL ESTATE

| LOCATION            | NO. OF ACRES | IMPROVEMENTS | TITLE IN NAME OF | VALUE   | AMOUNT OF ENCUMBRANCE | WHEN DUE |
|---------------------|--------------|--------------|------------------|---------|-----------------------|----------|
| Miles E. of Newdale | 640          | w/buildings  | Self             | 256,000 | 0                     |          |
|                     |              |              |                  |         |                       |          |
|                     |              |              |                  |         |                       |          |
|                     |              |              |                  |         |                       |          |

Case 2305 Acres from Dean Schwendiman 1830, Elmer Schwendiman 160, Wickham 120 at an annual rental of \$  
Lease expires Verbal-Yearly Jerry Dalling 35

Module no. 4

DESCRIPTION OF STOCKS & BONDS OWNED

| ISSUE | MATURITY | PAR VALUE | MARKET VALUE |
|-------|----------|-----------|--------------|
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |

Insurance \$ N/A Payable to Fire Insurance on Buildings \$ Covered  
Life Liability Insurance on Automobiles \$ Yes Fire Insurance on Grain \$ None  
Insurance on Live Stock \$ N/A Hail Insurance \$ None

CONTINGENT LIABILITIES

Accommodation Endorsement For None Surety of Bonds of  
Secured \$  
Unsecured \$

Are there any judgments or suits pending against you? (Describe) None

N/A

Home address Resided there since Married  
Unmarried  
Separated

Business address

This statement, both printed and written, has been carefully read, and is a full, true and correct statement of my (our) financial condition, and I (we) hereby state that no representation, promise or agreement not expressed herein has been made to induce me (us) to sign such statement, and I (we) hereby agree to be bound by the express provisions hereof.

Dean Schwendiman & Sons, Inc.  
(Signed) By Dean Schwendiman Pres.

P.O. Address P.O. Box 57, Newdale, ID 83436

REFERENCES AND REMARKS

The foregoing is a copy of the original statement in the credit files of this bank.

RECORDED  
DEC 09 1991

**FARMERS & STOCKMENS**  
(Supplemental Statement - L-10A)

OVER: Dean Schwendiman & Sons, Inc.

BY: *Dean C. Schwendiman*

Pres.

DATE: 3-1-91

**d.B CROPS ON HAND TO BE SOLD**

| Kind of Crops           | Month of Sales | Unit Price | Units  | Estimated \$ Value    |
|-------------------------|----------------|------------|--------|-----------------------|
| SEED POTATOES           | JUNE           | \$5.50     | 114780 | \$631,290.00          |
| WHEAT                   | MAR-APR        | \$2.28     | 4080   | \$9,302.40            |
| WHEAT                   | MAR-APR        | \$2.80     | 48561  | \$135,970.80          |
| MALT BARLEY             | MAR-APR        | \$7.40     | 600    | \$4,440.00            |
| SEED CONTRACTS          |                | \$6.55     | 60250  | \$394,637.50          |
| LESS SEED DOWN PAYMENTS |                |            |        | (\$139,450.00)        |
| <b>Total</b>            |                |            |        | <b>\$1,036,190.70</b> |

**d.C GROWING CROPS FOR YEAR 1989**

| Kind of Crop                   | Unit | Yield per A | Yield  | Unit Price | Total Estimated | My Share of Income |
|--------------------------------|------|-------------|--------|------------|-----------------|--------------------|
| 735 SEED POTATOES (IRR) JUNE   | CWT  | 235         | 172725 | 5.75       | 993,169         | 993,169            |
| 620 HRS WHEAT                  | BU   | 70          | 43400  | 2.75       | 119,350         | 119,350            |
| 595 WHEAT DRY                  | BU   | 25          | 14875  | 2.50       | 37,188          | 37,188             |
| 680 MALT BARLEY CONTRACTED MAR | BU   | 70          | 47600  | 3.50       | 166,600         | 166,600            |
| 0 MALT BARLEY, DRY             | BU   | 25          | 0      | 2.50       | 0               | 0                  |
| 0                              |      | 80          | 0      |            | 0               | 0                  |
| 190 Setaside                   |      | 70          | 58275  | 1.00       | 58,275          | 58,275             |
| 0                              |      | 40          | 0      |            | 0               | 0                  |
|                                |      |             | 0      |            | 0               | 0                  |
|                                |      |             | 0      |            | 0               | 0                  |

2820 Total Total 1,374,581 1,374,582

**TOTAL ALL CUSTOMER INCOME** **\$2,410,773**

**d.D FARM AND RANCH LAND**

| of Acres: | able Nonfarmable | Improvements           | Location     | Owner of Record/<br>Mkt. Value | Mort.holder/<br>Loanable Val | Int. rate/<br>Total Owning | Due 1 yr./<br>Prin.& Int. | After 1<br>Prin. |
|-----------|------------------|------------------------|--------------|--------------------------------|------------------------------|----------------------------|---------------------------|------------------|
| 595       |                  | 40 DRYLAND W/BUILDINGS | E OF NEWDALE | SELF                           | 153600                       |                            | 0                         |                  |

595 40 Subtotal Total 0 153,600 0 0

**d.E LEASED LAND**

| of Acres: | able Nonfarmable | Lessor                | Verbal or<br>written | expires   | Cash Rent | Crop & Amount of Share |
|-----------|------------------|-----------------------|----------------------|-----------|-----------|------------------------|
| 1770      |                  | 50 DEAN SCHWENDIMAN   | VERBAL               | PERMANENT | 128,380   | ANNUAL PAYMENT         |
| 150       |                  | 10 ELMER SCHWENDIMAN  | VERBAL               | YEARLY    | 11,000    | 75.00/ACRE             |
| 150       |                  | 0 KEN/DAL SCHWENDIMAN | VERBAL               | YEARLY    | 12,320    | ANNUAL PAYMENT         |
| 120       |                  | WICKHAM FARMS         | VERBAL               | YEARLY    | 6,000     | 50.00/ACRE             |
| 35        |                  | 5 JERRY DOWLING       | VERBAL               | YEARLY    | 0         | 50.00/ACRE             |

2820 100 Total 157,700 Total

**d.F AUTO & MACHINERY & EQUIPMENT DEBT**

| p.make & model | Current Value | Total Debt<br>Prin. only | Due Date | 1st Yr.Pmt. | 2nd Yr.Pmt. | 3rd Yr.Pmt. | After 3<br>Prin |
|----------------|---------------|--------------------------|----------|-------------|-------------|-------------|-----------------|
|----------------|---------------|--------------------------|----------|-------------|-------------|-------------|-----------------|

0

**RECEIVED**

DEC 09 1991

**Total** **0 0 0 0 0**

# FARMERS & STOCKGROWERS

BUSINESS Farming

Dean E. Schwendiman

Address P.O. Box 57 Newdale, ID 83436

First Security

BANK OF Idaho, N.A.

For the purpose of procuring credit from time to time I (we) furnish you with the following statement, which fully and truly sets forth my (our) financial condition on the 28th day of February 19 91, which statement you can consider as continuing to be full

rate unless notice of change is given to you. In consideration of the granting of such credit, I (we) agree that if at any time I (we) stop payment or become insolvent, or commit an Act of Bankruptcy, or if the representations made below prove to be untrue, or if I (we) fail to notify you of any material change in my (our) financial condition, then and in either such case all my (our) obligations held by you shall, upon option, immediately become due and payable without demand or notice, and the same may be charged against any deposit account kept or credit due me (us) on your books.

| ASSETS                                     |  | Dollars   | Cts. | LIABILITIES                           |           | Dollars | Cts. |
|--------------------------------------------|--|-----------|------|---------------------------------------|-----------|---------|------|
| on hand and in First Security Bank         |  | 2 000     | 00   | Encumbrance on Live Stock as follows: |           |         |      |
| Savings Accounts and Time C.D.             |  |           |      | To                                    |           |         |      |
| Receivable (Describe on Back)              |  |           |      | Due                                   |           |         |      |
| nts Receivable (Describes on Back)         |  | 128 380   | 00   | Secured by                            |           |         |      |
| Lbs. @                                     |  |           |      | To                                    |           |         |      |
| Tons @                                     |  |           |      | Due                                   |           |         |      |
| Cwt. @                                     |  |           |      | Secured by                            |           |         |      |
| Cwt. @                                     |  |           |      | Other Borrowed Money:                 |           |         |      |
| Cwt. @                                     |  |           |      | To                                    |           |         |      |
| on hand to be sold (itemize)               |  |           |      | Due                                   |           |         |      |
| Secured by                                 |  |           |      | To                                    |           |         |      |
| personal liquid assets, such as marketable |  |           |      | Due                                   |           |         |      |
| curities:                                  |  |           |      | Secured by                            |           |         |      |
| Value of Insurance MONY                    |  |           |      | Notes Payable to Relatives:           |           |         |      |
| Dean 1,000,000                             |  | 46 848    | 00   | To                                    |           |         |      |
| Shirlene 900m                              |  | 23 162    | 00   | Due                                   |           |         |      |
| Secured by                                 |  |           |      | To                                    |           |         |      |
| STOCK Branded                              |  |           |      | Due                                   |           |         |      |
| ers, 1 year old head @                     |  |           |      | Secured by                            |           |         |      |
| ers, 2 years old head @                    |  |           |      | To                                    |           |         |      |
| ers, 3 years old head @                    |  |           |      | Due                                   |           |         |      |
| ifers, 1s and 2s head @                    |  |           |      | Secured by                            |           |         |      |
| ows, Range head @                          |  |           |      | To                                    |           |         |      |
| ows, Dairy head @                          |  |           |      | Due                                   |           |         |      |
| ifers, Dairy head @                        |  |           |      | Secured by                            |           |         |      |
| ives (19) head @                           |  |           |      | Forest and Pasture Fees               |           |         |      |
| ills head @                                |  |           |      | Accounts Payable (itemize)            |           |         |      |
| orses and Mules head @                     |  |           |      |                                       |           |         |      |
| ultry head @                               |  |           |      |                                       |           |         |      |
| gs head @                                  |  |           |      |                                       |           |         |      |
| ses, 1 year old head @                     |  |           |      | Interest and Taxes Due within 1 year  |           |         |      |
| ses, 2s, 3s and 4s head @                  |  |           |      | Cash Rent Due on                      |           |         |      |
| ses, 5s up head @                          |  |           |      | CMLTD Principal                       | 57 977    | 00      |      |
| ethers head @                              |  |           |      | Interest                              | 70 402    | 00      |      |
| icks head @                                |  |           |      |                                       |           |         |      |
| mb (19) head @                             |  |           |      |                                       |           |         |      |
| WING CROPS (Do not extend)                 |  |           |      |                                       |           |         |      |
| ACRES CROP YIELD PRICE TOTAL               |  |           |      |                                       |           |         |      |
|                                            |  |           |      |                                       |           |         |      |
|                                            |  |           |      |                                       |           |         |      |
|                                            |  |           |      |                                       |           |         |      |
|                                            |  |           |      |                                       |           |         |      |
| Total Current Assets                       |  | 200 390   | 00   | Total Current Liabilities             | 128 379   | 00      |      |
| REAL ESTATE                                |  |           |      | Encumbrance on Real Estate deferred   | 686 246   | 00      |      |
| Farm Ground                                |  | 1 830 000 | 00   | Other Liabilities (itemize)           |           |         |      |
| 2 Homes                                    |  | 120 000   | 00   |                                       |           |         |      |
| Implements, Machinery, Wagons,             |  |           |      |                                       |           |         |      |
| utomobiles, Trucks, etc.                   |  |           |      | Total Liabilities                     | 814 625   | 00      |      |
|                                            |  |           |      | Capital Stock, Pfd., Dividend rate %  |           |         |      |
| ure & Fixtures                             |  | 20 000    | 00   | Capital Stock, Com., Dividend rate %  |           |         |      |
| at Permit Head in                          |  |           |      | Surplus or Net Worth                  | 2 475 824 | 00      |      |
| eserve                                     |  |           |      | Undivided Profits                     |           |         |      |
| s, Bonds, Investments, etc. FLBA Stock     |  | 20 000    | 00   | Reserve for                           |           |         |      |
| R Schwendiman & Sons, Inc.                 |  | 253 679   | 00   | Total Capital Accounts                |           |         |      |
| ER ASSETS                                  |  |           |      |                                       |           |         |      |
| ersonal Autos                              |  | 15 000    | 00   |                                       |           |         |      |
|                                            |  |           |      |                                       |           |         |      |
| 10% int. Schwendiman & Sons, Inc.          |  | 831 380   | 00   |                                       |           |         |      |
| TOTAL                                      |  | 3 290 449 | 00   | TOTAL                                 | 3 290 449 | 00      |      |

(over)

Rule No. 1

DESCRIPTION OF NOTES RECEIVABLE

| NAME | AMOUNT | DUE | OTHER DETAILS |
|------|--------|-----|---------------|
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |
|      | \$     |     |               |

Rule No. 2

DESCRIPTION OF ACCOUNTS RECEIVABLE

| NAME                        | AMOUNT     | DUE                             | OTHER DETAILS |
|-----------------------------|------------|---------------------------------|---------------|
| an Schwendiman & Sons, Inc. | \$ 128,380 | Yearly to meet payments on R.E. |               |
|                             | \$         |                                 |               |
|                             | \$         |                                 |               |

Rule No. 3

DESCRIPTION OF REAL ESTATE

| LOCATION      | NO. OF ACRES | IMPROVEMENTS | TITLE IN NAME OF | VALUE     | AMOUNT OF ENCUMBRANCE | WHEN DUE |
|---------------|--------------|--------------|------------------|-----------|-----------------------|----------|
| wdale         | 1            | Home         | Self             | 100,000   | 0                     |          |
| "             | 1            | "            | "                | 20,000    | 0                     |          |
| emont-Madison | 1,830        |              |                  | 1,830,000 | See L-10A             |          |
|               |              |              |                  |           |                       |          |
|               |              |              |                  |           |                       |          |

se Acres from at an annual rental of \$

Lease expires

Rule no. 4

DESCRIPTION OF STOCKS & BONDS OWNED

| ISSUE | MATURITY | PAR VALUE | MARKET VALUE |
|-------|----------|-----------|--------------|
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |
|       |          | \$        | \$           |

Insurance \$ 1,000,000 Payable to wife-Shirlene Fire Insurance on Buildings \$ Yes

e Liability Insurance on Automobiles \$ covered Fire Insurance on Grain \$ No

ance on Live Stock \$ N/A Hail Insurance \$ No

CONTINGENT LIABILITIES

Accommodation Endorsement For Dean Schwendiman & Sons, Inc. Surety of Bonds of

red \$

cured \$

there any judgments or suits pending against you? (Describe)

54

ent address Newdale, ID Resided there since Life Married

er address Unmarried

Separated

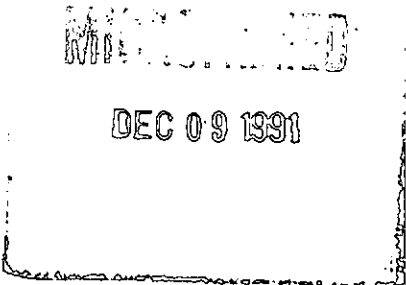
is statement, both printed and written, has been carefully read, and is a full, true and correct statement of my (our) financial condition, and I (we) hereby state that no representation, promise or agreement not expressed herein has been made to induce me (us) to sign such statement, and I (we) hereby agree to be bound by the express provisions hereof.

(Signed) Dean & Shirlene Schwendiman

P.O. Address

REFERENCES AND REMARKS

foregoing is a copy of the original statement in the credit files of this bank.



**FARMERS & STOCKMENS**  
(Supplemental Statement - L-10A)

ERDEAN SCHWENDIMAN

BY:

*Deane E. Schwendiman*

DATE: 3-1-91

**B CROPS ON HAND TO BE SOLD**

| Kind of Crops | Month of Sales | Unit Price | Units | Estimated \$ Value |
|---------------|----------------|------------|-------|--------------------|
|               |                |            |       | \$0.00             |
|               |                |            |       | \$0.00             |
|               |                |            |       | \$0.00             |
|               |                |            |       | \$0.00             |
|               |                |            |       | \$0.00             |
|               |                |            |       | \$0.00             |
| Total         |                |            |       | \$0.00             |

**C GROWING CROPS FOR YEAR 19**

| Kind of Crop | Unit | Yield per A | Yield | Unit Price | Total Estimated | My Share of Income |
|--------------|------|-------------|-------|------------|-----------------|--------------------|
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
|              |      |             | 0     |            | 0               | 0 100%             |
| 0 Total      |      |             |       | Total      | 0               | 0                  |

**TOTAL ALL CUSTOMER INCOME** \$0

**D FARM AND RANCH LAND**

| f Acres: | Nonfarmable | Improvements | Location | OWNER OF RECORD     | EST. VALUE  | Int. rate/<br>Total Owng | Due 1 yr./<br>Prin. & Int. | After 1 yr.<br>Prin. only |
|----------|-------------|--------------|----------|---------------------|-------------|--------------------------|----------------------------|---------------------------|
| 30       |             | F1&2         | FREMONT  | STATE OF IDAHO      | 160000      | 37,260                   | 11,551                     | 27,945                    |
| 10       |             | M1&2         | MADISON  | ELMER SCHWENDIMAN   | 110,000     | 20,630                   | 6,090                      | 15,984                    |
| 35       |             | 25 F9&10     | FREMONT  | BLANCHARD           | 480000      | 167,480                  | 17,736                     | 161,469                   |
|          |             |              |          | PARKINSON           | INCLUDED    | 84,700                   | 22,025                     | 69,451                    |
| 25       |             | 5 F6         | FREMONT  | MARY HOBBS          | 80000       | 26,520                   | 9,005                      | 19,637                    |
| 30       |             | 10 F3&4      | FREMONT  | ERROL JOHNSON       | 160,000     | 67,375                   | 12,741                     | 60,699                    |
| 35       |             | 5 F2         | FREMONT  | PAOLA WORRELL       | 160000      | 73,260                   | 9,632                      | 70,954                    |
| 20       |             |              | FREMONT  | DEAN/FLBA           | 520,000     | 267,000                  | 39,600                     | 260,107                   |
| 35       |             | 5 F3&4       | FREMONT  | DEAN/NORMAN WORRELL | 160000      | 0                        |                            |                           |
| 30       |             | 50 Subtotal  | Total    |                     | 0 1,830,000 | 744,225                  | 128,380                    | 686,246                   |

**E LEASED LAND**

| f Acres: | Nonfarmable | Lessor | Verbal or<br>written | expires | Cash Rent | Crop & Amount of Share |
|----------|-------------|--------|----------------------|---------|-----------|------------------------|
|----------|-------------|--------|----------------------|---------|-----------|------------------------|

30 50 Total 0 Total

**F AUTO & MACHINERY & EQUIPMENT DEBT**

| make & model | Current Value | Total Debt<br>Prin. only | Due Date | 1st Yr. Pmt. | 2nd Yr. Pmt. | 3rd Yr. Pmt. | After 3rd Yr.<br>Prin. only |
|--------------|---------------|--------------------------|----------|--------------|--------------|--------------|-----------------------------|
|--------------|---------------|--------------------------|----------|--------------|--------------|--------------|-----------------------------|

**NOT REFILED**

DEC 09 1991



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

October 17, 1991

Dean Schwendiman & Sons, Inc.  
P.O. Box 57  
Newdale, ID 83436

Re: Application for Permit No. 22-7721/Information Required for  
Water Appropriation Rule 4,5,3.

Dear Mr. Schwendiman:

The above application was recently forwarded to the state office for final review and processing. Since your application proposed diversion of more than 5.0 cfs and irrigation of more than 200 acres, you were required to submit information outlined under Water Appropriation Rule 4,5,3.

The information which you have submitted does not appear to be complete given the proposed size of the project. The department asks at this time that you provide more detailed information concerning the proposed project. Please provide further information as outlined below.

1) Rule 4,5,3,2

- Your application proposes drilling only one well. You have estimated that the peak and average demands are 5300 gpm and 3800 gpm respectively. I note that 5300 gpm is equal to about 11.8 cfs, yet you have applied for a diversion rate of 17.8 cfs.

Why is there a discrepancy between the estimated peak demand and the rate shown on the application? How have you estimated a peak demand of 5300 gpm? Will all of this water be diverted only from one well? What size well pump and booster pumps do you expect to install in order to achieve the estimated peak demand rate? How do you plan to irrigate 890 acres with one well (i.e.; will there be some crop rotation plan etc.)? In answering these questions, please provide data or information to support your estimates.

2) Rule 4,5,3,3,1

- Documentation concerning possessory interest in land.  
Please submit documentation showing that you have a possessory interest in the land which is proposed as the point of diversion and place of use.

3) Rule 4,5,3,4

- Information relative to financial resources.

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# APPLICATION FOR PERMIT REVIEW

Application #: 22-7721  
Date: 10-7-91

Reviewer: Pam Skaggs

- ✓ Existing:
  - ✓ No - 26A-P17
  - Complete in 1 year - P16
  - Yes
    - Proof not submitted - P16
    - Proof submitted - N/A
- ✓ Groundwater:
  - ✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
  - LT. 0.2 cfs - N/A
- ✓ Drilling Permit:
  - Approved w/permit - P99
  - ✓ Not included - 046-P23(All GW, even existing wells)
- ✓ Location:
  - ✓ Water Districts
    - Surface water - WD No. 01
    - 005, 005-01H-P01(LT.2 w/pump)
    - 005-01J-P08(GT.2)
  - ✓ Groundwater - P05
  - Irrigation Districts - 023
  - Canal Co. Areas - 023
  - Drainage Districts - 024
  - Boise Front (63) - 058 (Groundwater)
  - ✓ Swan Falls Flag - 1 (1, Blank or Other)
  - Trust - 051-052-053-P74(Consumptive Uses)
  - ✓ Non Trust - 048-049
- River Basins:
  - (Surface Water) Water District Control Condition &....
  - Boise (63) - 05A & 11E
  - Payette (65) - 047-P04, 059-P71
  - Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
- Use:
  - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
  - Power - Use Power Review
  - Mining - 06A or 010, 09E-P10 & 054(req.)
  - Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
  - Rec. & Aesthetic - 027(Non-Consumptive)
  - Domestic - 021(restricted areas)
- Ownership:
  - Non land owner - 004
- Protested:
  - Agreement - 020

DEC 09 1991

- ✓ Beneficial Use Due Date: - 10-03-1994
- Other Conditions Recommended Route to T. Lake for Rules 4, 5, 3 Review

Dist. for staffing: 20-Aug-1991  
Submitted for advertising: 8-21-91

Form No. 202a  
4/87

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

INITIAL REVIEW BY HWS DATE 8-21-91  
APPLICANT NAME: Dean Schwendiman & Sons, INC.

APPLICATION NO.  
22 7721

**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  
☐ Yes ☐ No Field check by \_\_\_\_\_  
☐ Yes ☐ No Field report attached  
☐ Yes ☐ No Critical groundwater area  
☐ Yes ☐ No Groundwater management area  
☐ Yes ☐ No Send dam safety information  
☐ Yes ☐ No Send power requirement letter  
☐ Yes ☐ No Send fish farm requirement letter  
☐ Yes ☐ No Power residency affidavit  
☐ Yes ☐ No Power efficiency form  
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)  
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Need Rule 4, 5, 3 - Received 10-7-91  
Date Requested \_\_\_\_\_

**RECEIVED**  
OCT 07 1991

Department of Water Resources

**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

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

|                                         |                                        |                                                                  |
|-----------------------------------------|----------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Publication dates & paper, recorded on application               |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Protests received                                                |
|                                         |                                        | Final date for protest <u>9-23-91</u>                            |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Protests, dates, resolution of protest, recorded on application  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Recommendations, attached                                        |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Measuring device required                                        |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Access port required                                             |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Will water be delivered by watermaster? If yes, what Dist. _____ |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Special conditions of approval or cover letter below.            |

See below for additional information

Date of priority recommended 8-19-91

By HWT Date 10-01-91

See below for additional information

By \_\_\_\_\_ Date \_\_\_\_\_

Conclusions - OIG

**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**

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Rule 4,5,3,1

## Additional Information

- No. 2 There are no other wells within a  $\frac{1}{2}$  mile radius.
- No. 3 The water from this well would be piped to several center-pivot irrigation systems. This project would not affect other users as there are not other wells close by. The center-pivot system is probably the most efficient type as far as water conservation.

Rule 4,5,3,2

- No. 1 The total project would include approx. 850 acres of land, a total of 4 center pivots of varying lengths + some hand lines or solid set system on some corners. Peak water demand would be approx. 5,300 g.p.m., average water demand of approx. 3,800 g.p.m. Annual projected water use approx. 1,780 acre feet.

- No. 2 The water from this well would ~~be~~ probably come from a deep confined aquifer, usually a fairly tight formation. Judging from other wells in the area the static water level would probably be about 350 to 400 feet. Neighboring well pumps about 2500 g.p.m. + one of mine 2000 g.p.m.

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Rule 4,5,3,4

Financing would come from some lending source with land as collateral.

Approximate cost of total project would  
be approximately \$400,000.00

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State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

SEPT. 24, 1991

DEAN SCHWENDIMAN  
P.O. BOX 57  
NEWDALE, ID 83436

MR. SCHWENDIMAN:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 22-07721 FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS 200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE. PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE ME A CALL AT 525-7161. IF YOU ARE NO LONGER INTERESTED IN DEVELOPING THIS PERMIT PLEASE ADVISE ME.

I WILL NEED YOU TO RESPOND WITHIN 30 DAYS WITH THE INFORMATION REQUIRED.

SINCERELY,

HAROLD W. JONES  
WATER RESOURCE SUPERVISOR

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FILMED 7  
DEC 09 1991

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

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Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 29, 1991

THE IDAHO STATESMAN  
P.O. BOX 40  
BOISE, ID 83707

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 23, 1991.

Yours truly,

Rita Bodell  
Secretary

Encl.

MICROFILMED  
DEC 09 1991

22-07721

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436

Source: GROUNDWATER

Diversion Pt: NENE Sec 16 T 07N R 42E

Use: IRRIGATION ( 17.800 CFS)  
Total Diversion: ( 17.800 CFS)

Date Filed: 8/19/ 1991

|                   |      |      |      |      |
|-------------------|------|------|------|------|
| In: T07N R42E S09 | NWSE | SWSE | SESE |      |
| S10               | SWSW | SESW |      |      |
| S15               | NENW | NWNW | SWNW | SENW |
|                   | NESW | NWSW |      |      |
| S16               | NENE | NWNE | SWNE | SENE |
|                   | SWNW | SENW | NESW | NWSW |
|                   | SWSW | SESW | NESE | NWSE |
|                   | SWSE | SESE |      |      |

890.0 ACRES TOTAL

RECORDED  
DEC 09 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1991.

R. Keith Higginson, Director

Published 9/ 5/1991 & 9/12/1991

MICROFILMED

DEC 09 1991

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

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Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 29, 1991

LEWISTON MORNING TRIBUNE  
P.O. BOX 957  
LEWISTON, ID 83501

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 23, 1991.

Yours truly,

Rita Bodell  
Secretary

Encl.

MICROFILMED

DEC 09 1991

22-07721

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436

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Total Diversion: ( 17.800 CFS)

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| In: T07N R42E S09 | NWSE | SWSE | SESE |      |
| S10               | SWSW | SESW |      |      |
| S15               | NENW | NWNW | SWNW | SENW |
|                   | NESW | NWSW |      |      |
| S16               | NENE | NWNE | SWNE | SENE |
|                   | SWNW | SENW | NESW | NWSW |
|                   | SWSW | SESW | NESE | NWSE |
|                   | SWSE | SESE |      |      |

890.0 ACRES TOTAL

MICROFILMED

DEC 09 1991

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R. Keith Higginson, Director

Published 9/ 5/1991 & 9/12/1991

UNRECORDED

DEC 09 1991

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

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Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 29, 1991

THE TIMES-NEWS  
P.O. BOX 548  
TWIN FALLS, ID 83303

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 23, 1991.

Yours truly,

Rita Bodell  
Secretary

Encl.

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DEC 09 1991

22-07721

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436

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Diversion Pt: NENE Sec 16 T 07N R 42E

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|-------------------|------|------|------|------|
| In: T07N R42E S09 | NWSE | SWSE | SESE |      |
| S10               | SWSW | SESW |      |      |
| S15               | NENW | NWNW | SWNW | SENW |
|                   | NESW | NWSW |      |      |
| S16               | NENE | NWNE | SWNE | SENE |
|                   | SWNW | SENW | NESW | NWSW |
|                   | SWSW | SESW | NESE | NWSE |
|                   | SWSE | SESE |      |      |

890.0 ACRES TOTAL

DEC 09 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1991.

R. Keith Higginson, Director

Published 9/ 5/1991 & 9/12/1991

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DEC 09 1991

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

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Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 28, 1991

HERALD CHRONICLE  
P.O. BOX 10  
REXBURG, ID 83440

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 23, 1991.

Yours truly,

Rita Bodell  
Secretary

Encl.

MICROFILMED

DEC 09 1991

22-07721

DEAN SCHWENDIMAN & SONS, INC.  
P.O. BOX 57  
NEWDALE, ID 83436

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Diversion Pt: NENE Sec 16 T 07N R 42E

Use: IRRIGATION ( 17.800 CFS)

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| S10               | SWSW | SESW |      |      |
| S15               | NENW | NWNW | SWNW | SENW |
|                   | NESW | NWSW |      |      |
| S16               | NENE | NWNE | SWNE | SENE |
|                   | SWNW | SENW | NESW | NWSW |
|                   | SWSW | SESW | NESE | NWSE |
|                   | SWSE | SESE |      |      |

890.0 ACRES TOTAL

RECORDED

DEC 09 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1991.

R. Keith Higginson, Director

Published 9/ 5/1991 & 9/12/1991

RECEIVED

DEC 09 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

29-Aug-1991

DEAN SCHWENDIMAN & SONS INC  
PO BOX 57  
NEWDALE ID 83436

RE: Application No. 22-07721

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 Herald Chronicle on September 5 & 12, 1991. 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,

*Harold W. Jones* rb  
HAROLD W. JONES  
Water Rights Supervisor

HWJ/rb

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