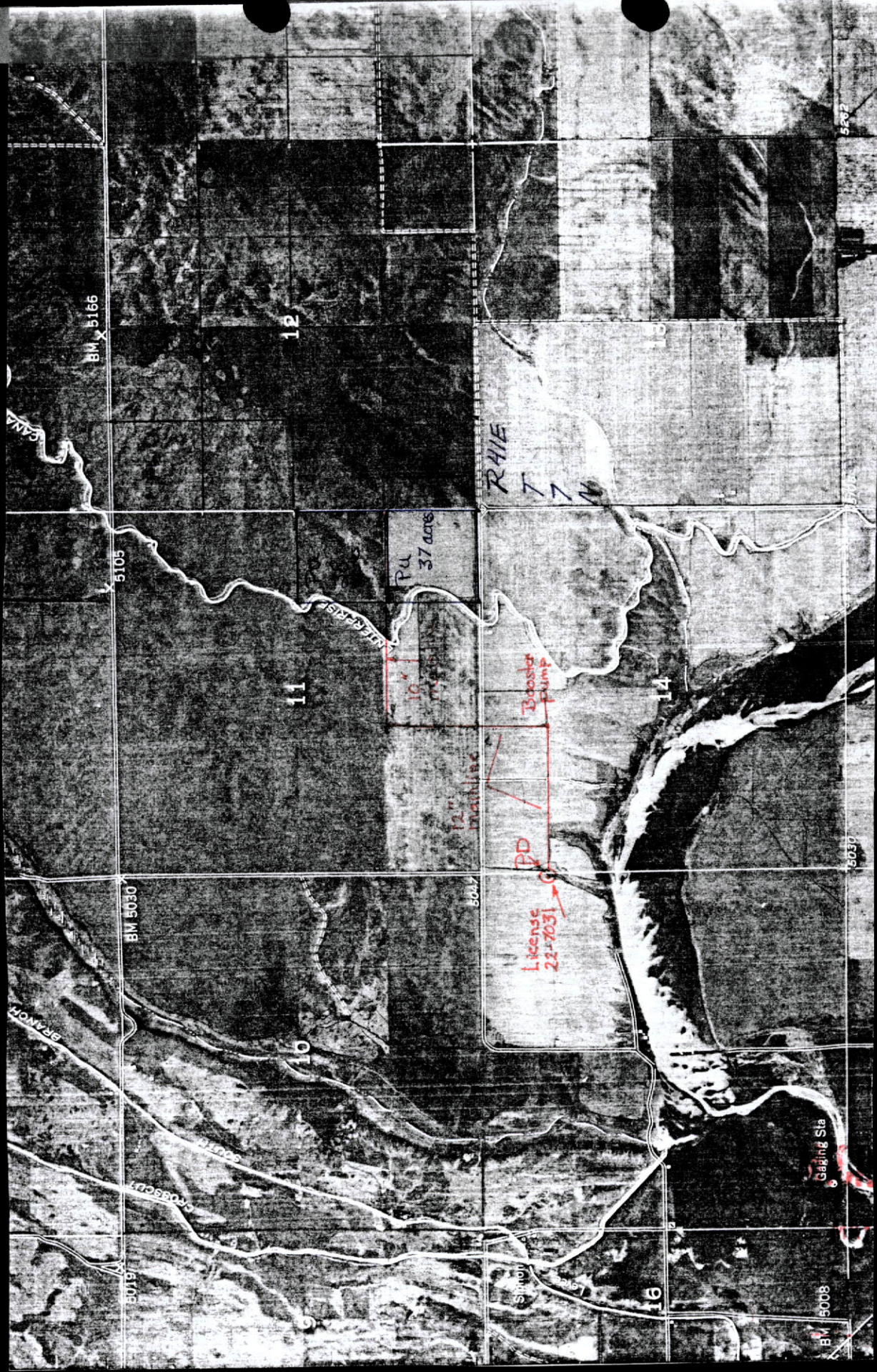
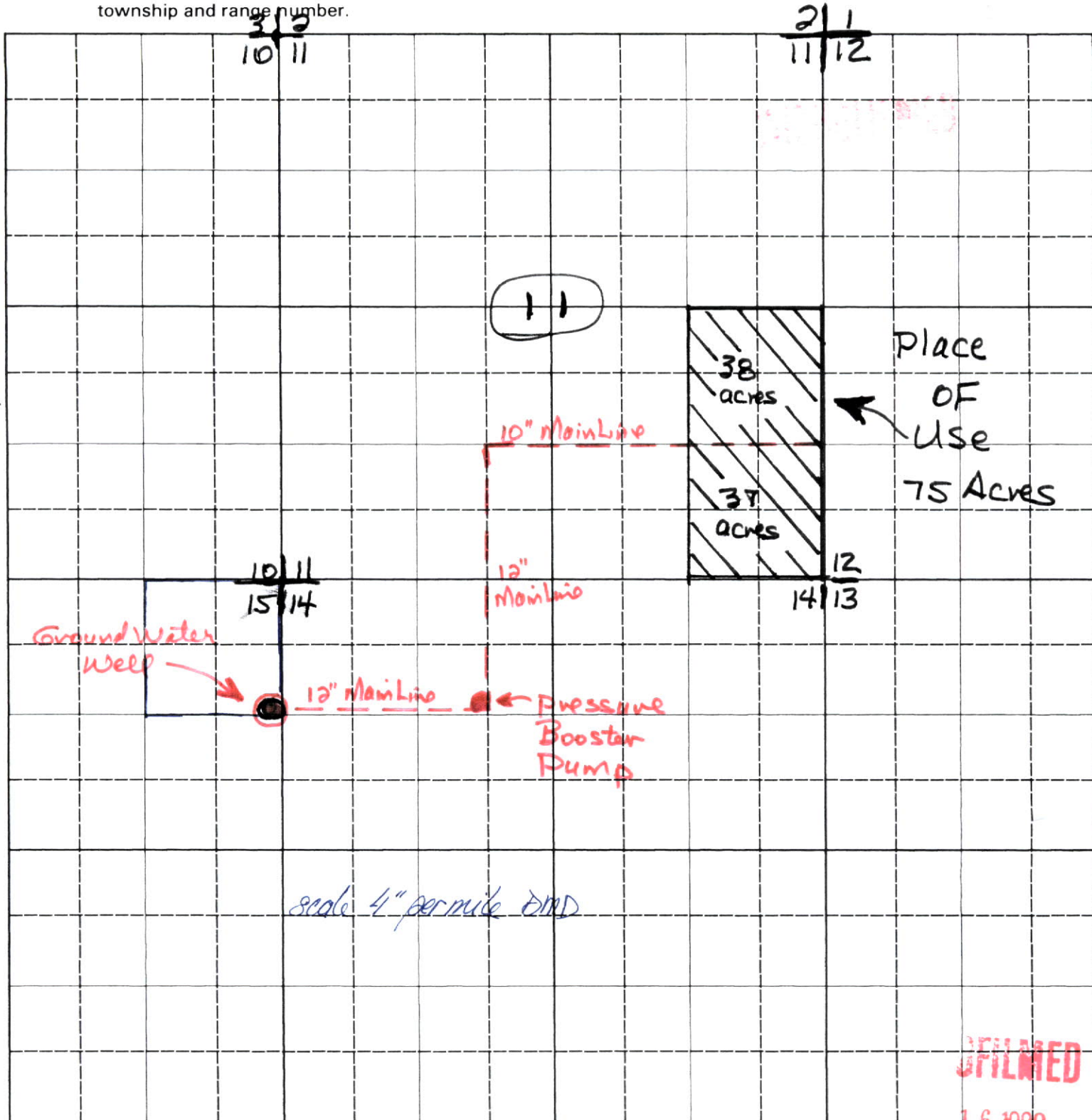




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

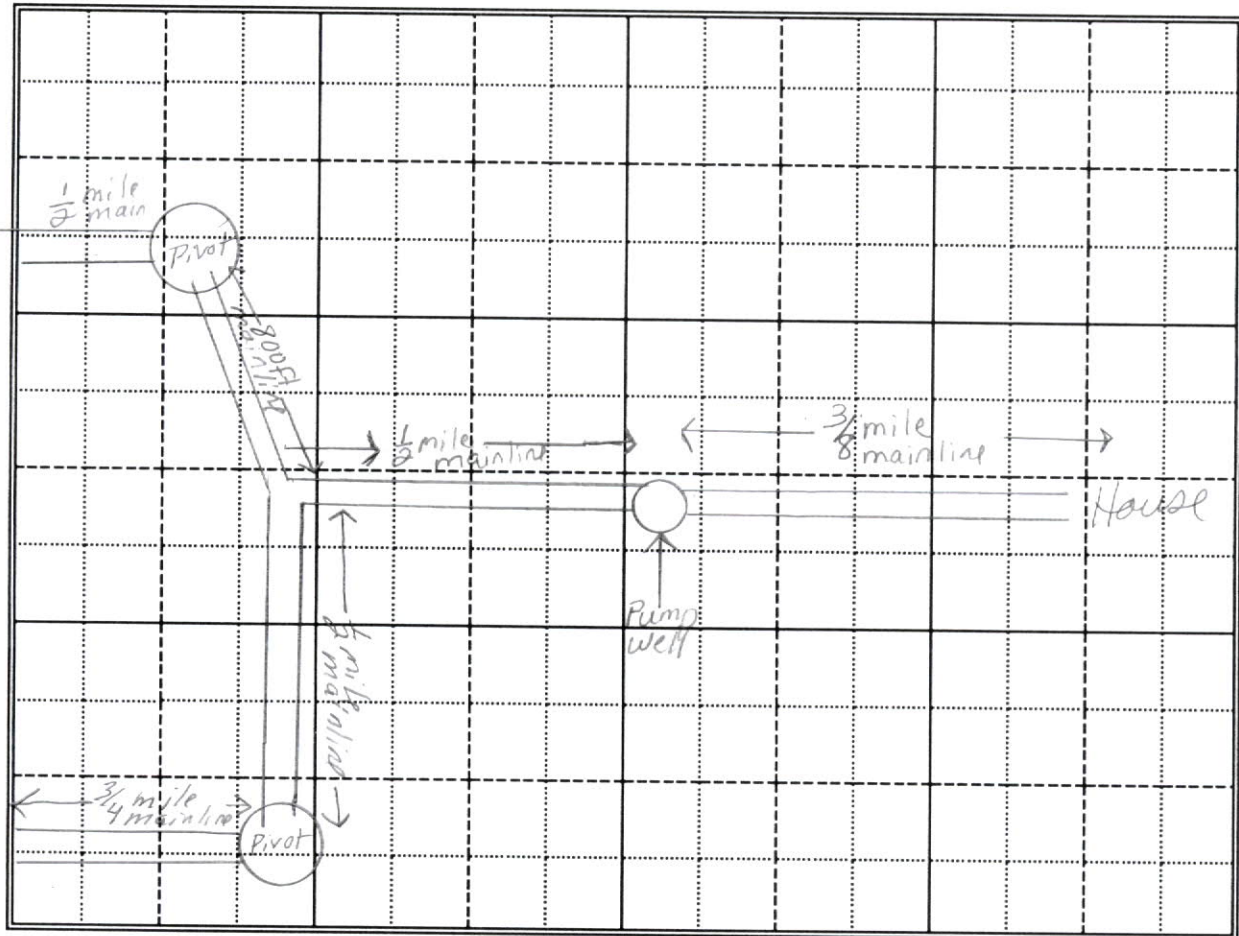


Scale: 2 inches equal 1 mile.

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

Robert L. Reynolds
(Applicant)

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
_____	General Electric	300	NNJ1222105	Johnston	_____

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Polysonic — 6.75 CFS max.

ENCLOSURE

MAY 19 1967

Topographic map of the Teton area, showing contour lines, roads, and water features. Handwritten annotations in pink ink include:

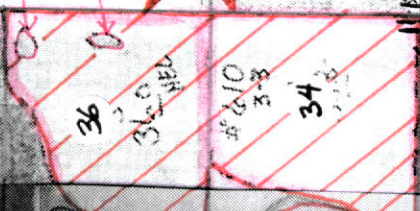
- "our" and "Place of use" near the Enterprise area.
- "Point of Diversion" near a central point marked with a red dot.
- A grid of pink lines drawn over the map.
- Various points marked with "X" and "I".

Map features include:

- Contour lines (e.g., 5000, 5040, 5060, 5100, 5140, 5160, 5200).
- Roads: CROSSCUT SOUTH, SADDOWAY CANAL, TETON CANAL, EAST CANAL.
- Water features: Siphon, Levee, Mile 20, Mile 25.
- Points of interest: BM 5030, BM 5008, BM 5034, Gaging Sta, Enterprise.
- Grid lines: 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28.

22-07646

PLACE
OF USE



Not to Scale

22-07031

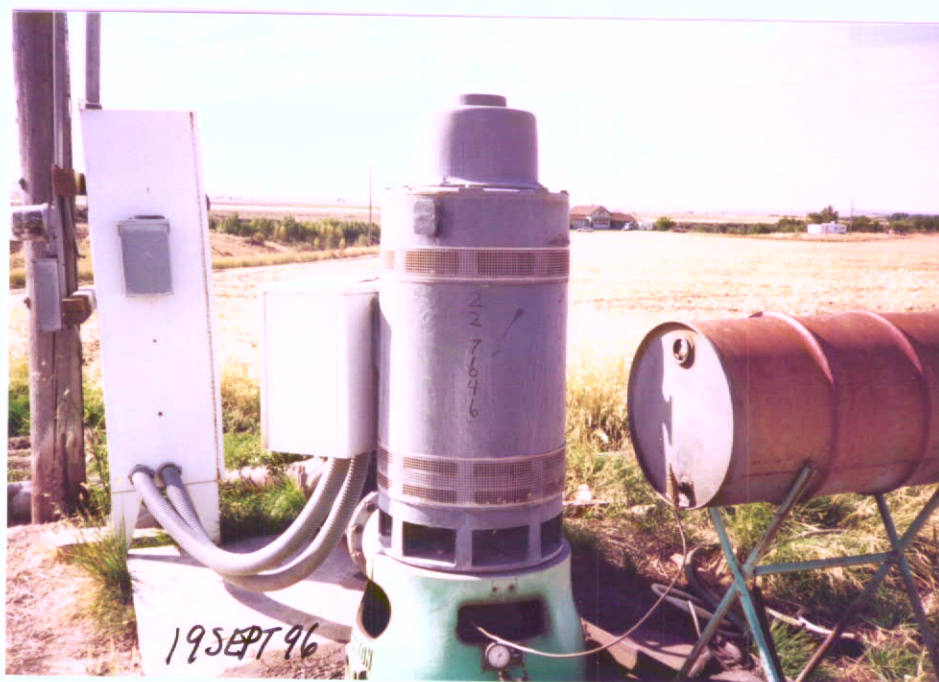
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Examiner: Steven Garrison



MICROFILMED
MAR 10 1997
22-7646

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07646

Priority: March 9, 1989

Maximum Diversion Rate: 1.40 CFS
Maximum Diversion Volume: 245.0 AF

This is to certify, that ROBERT L REYNOLDS
RT 1 BOX 162

ST. ANTHONY ID 83445 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 9, 1989; and has submitted Proof of Beneficial Use on March 15, 1991. An examination indicates that the works have a diversion capacity of 6.750 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.40 CFS	245.0 AF

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 15, Township 07N, Range 41E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	41E	11	NESE 36	SESE 34		70

Total number of acres irrigated: 70

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. 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 groundwater rights.

RECORDED

MAR 10 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

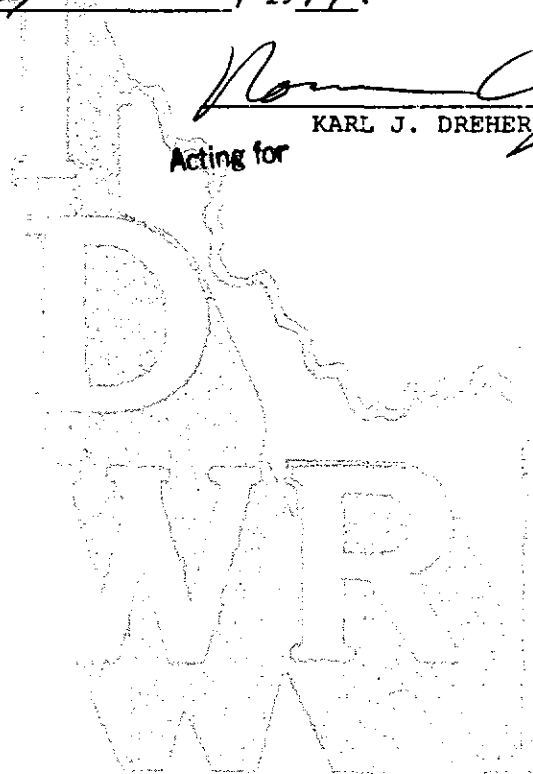
WATER RIGHT NO. 22-07646

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
8. Right 22-07031 is also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, Witness the seal and signature of the Director, affixed at Boise, this 28TH day of FEBRUARY, 1997.


KARL J. DREHER, Director
Acting for



UNRECORDED

MAR 10 1997

RECEIVED
MAR 14 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 125.00Date 3/15/91Receipt No. 0019931Received by J. Jensen

Department of Water Resources

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

1. Permit No. 22-07646 Telephone No. (208) 624-3700
2. Name(s) of Permit Holder(s): Robert L. Reynolds
3. Post Office Address: Rt #1 Box 162 St. Anthony Idaho 83445
4. Source of Water: Ground Water Well
 - a. If ground water, well driller's name: Hopkins Bros. Date drilled: 1969
 - b. Pump horsepower: 300 Pressure (psi): 120 Dynamic pumping level (ft.): 70 ft.
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 75 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

⊗ Note: Addition to existing License No. 22-7031 (1970)

6. Total rate and/or volume for which proof is submitted 1.5 cfs _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Robert L. Reynolds
Name

(208) 624-3700
Telephone No.

Rt #1 Box 162

St. Anthony Idaho
Address

83445

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3-12-91
Date

Robert L. Reynolds
Signature (and title if on behalf of a company or organization)

APR 19 1991

MICROFILMED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07646

Proposed Priority: March 9, 1989 Maximum Diversion Rate: 1.50 CFS
This is to certify, that ROBERT L. REYNOLDS
RT. 1 BOX 162
ST. ANTHONY, ID 83445

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	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENE Sec. 15, Township 07N, Range 41E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	41E	11	NESE 38	SESE 37		75

Total number of acres irrigated: 75

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Prior to the diversion of water under this permit 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.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

MAY 16 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07646

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

1st day of May, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAY 15 1990

#65

22 7646

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert L. Reynolds (208) Phone 624-3700
Post office address Route #1 Box 162 St. Anthony Idaho 83445
2. Source of water supply Ground Water Well which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 15 Township 7 North Range 41 East B.M. Fremont County; additional points of diversion if any: None.
4. Water will be used for the following purposes:
Amount 1.50 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) 1.50 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Ground Water Well
451 ft deep w/ 20" casing, into 12" Mainline & 10" Mainline as shown on pg 3 herein.
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 20 inches; proposed depth of well is 451 feet. Exists
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 one years (minimum 1 year). (System already in existence)

MICROFILMED
MAY 16 1990

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	41E	11													38			37	75

Total number of acres to be irrigated 75

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

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

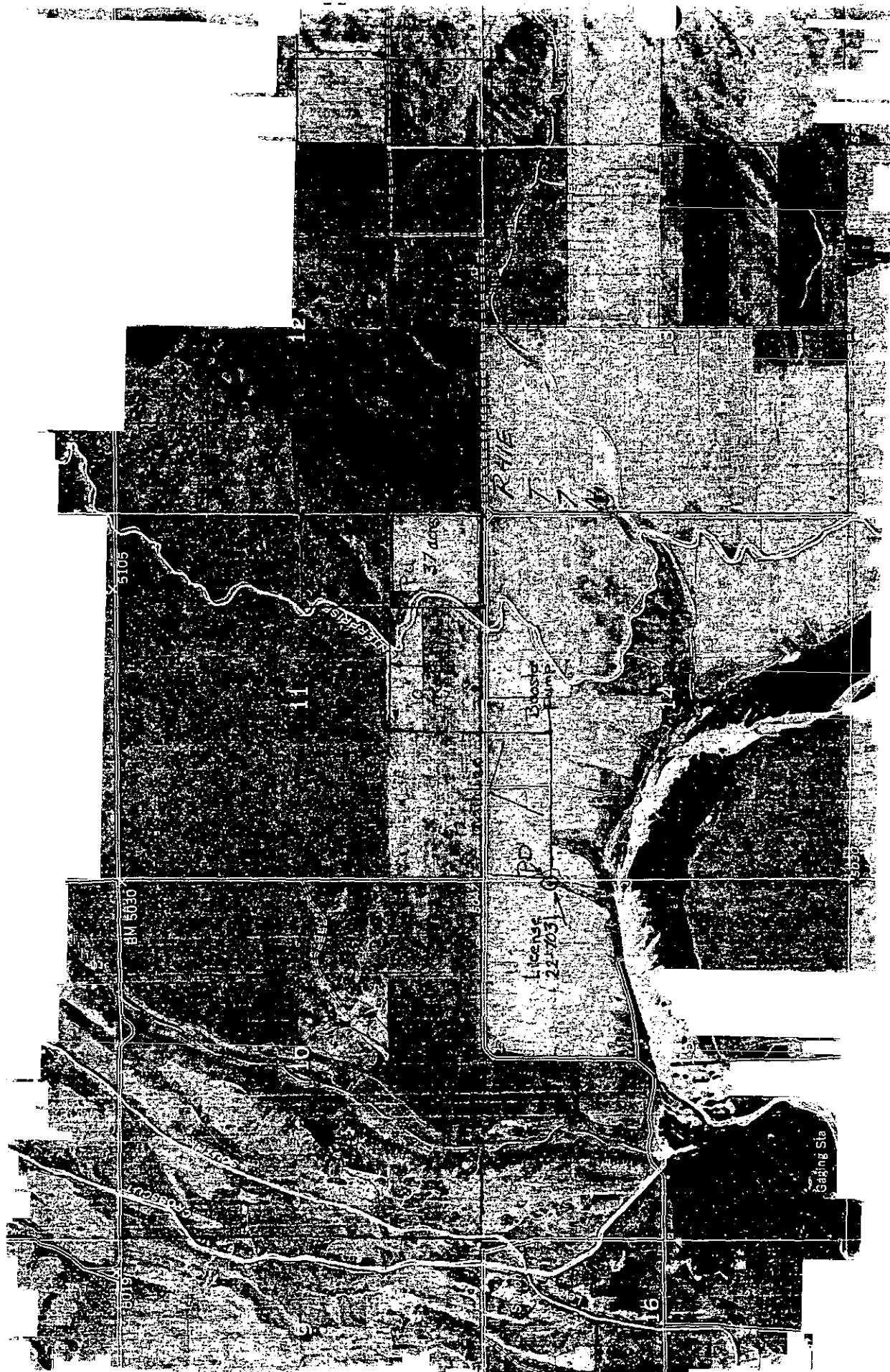
b. Who owns the land to be irrigated or place of use? applicant

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

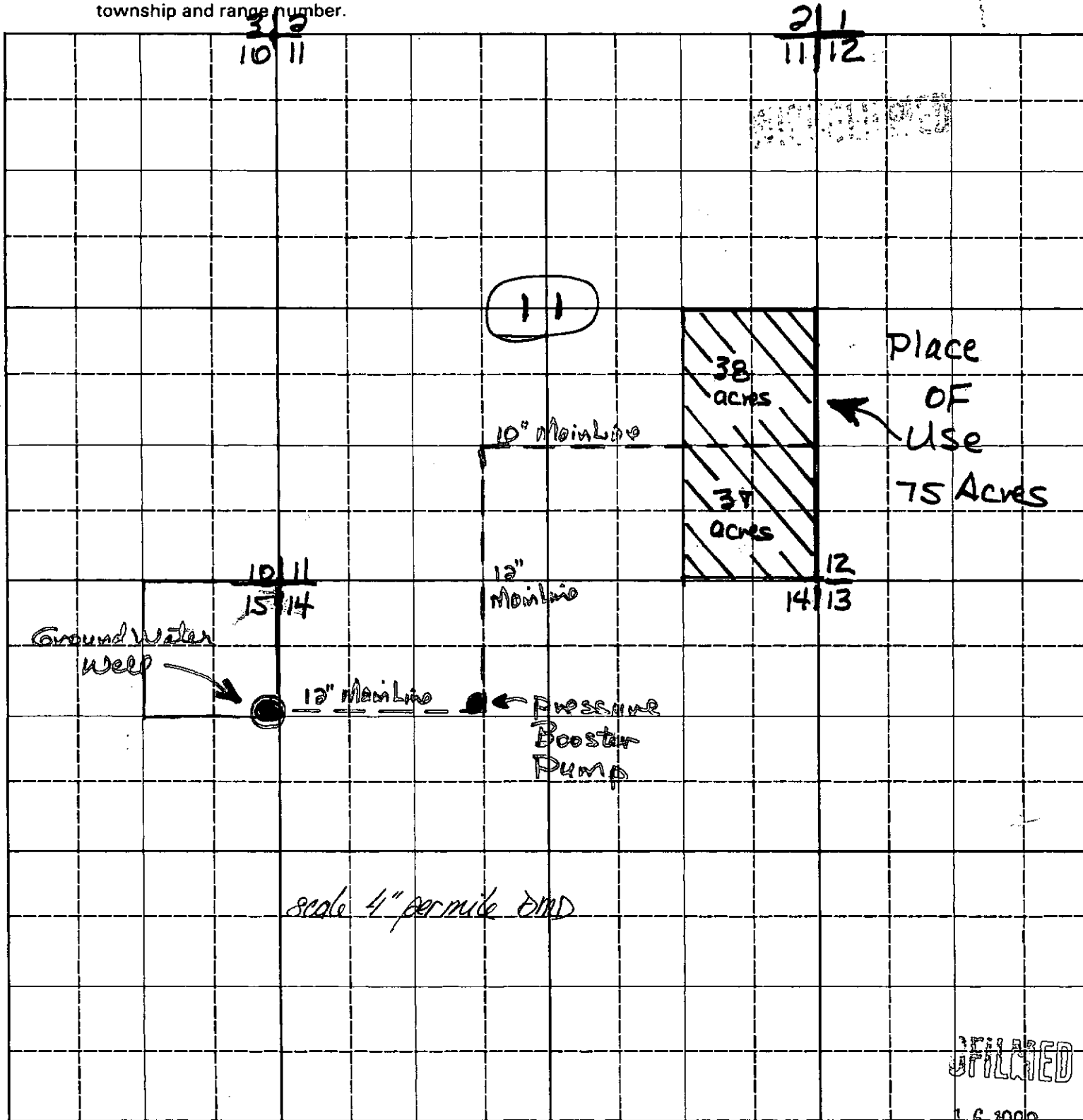
12. Remarks: SAME PD AS 22-7031

RECORDED

MAY 16 1980



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



Scale: 2 inches equal 1 mile.

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

Robert L. Reynolds
Applicant)

FILED
16 1990

Received by TO Date 3-22-89 Time 12:20 P. Preliminary check by DMD
Fee \$ 465.00 Receipted by TO # M002993 Date 3/9/89
Publication prepared by RB Date 3-15-22-90 Published in Herald Chronicle
Publication approved RB Date 4-6-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

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

RECEIVED

MAY 16 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

SEP 21 1976
Department of Water Resources
Eastern District Office

License of Water Right No. 22-7031 Priority Feb. 25, 1970 Amount 4.79 cfs

THIS IS TO CERTIFY, that ROBERT L. REYNOLDS
of St. Anthony, Idaho, has complied with the terms and conditions of Permit
No. 22-7031 issued pursuant to Application for Permit dated February 25, 1970
and has submitted proof to the Department of Water Resources on August 7, 1974
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.79 cfs of water from a ground water source
tributary to , and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from June 1 to Oct. 30	at 4.79 cfs and	1,232 acre feet or 3.5 af per acre
	from to	at cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 4.79 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,232 acre feet per year, said waters to be diverted within the NE¹/₄NE¹/₄ of Sec. 15,
Twp. 7 N, Rge. 41 E, B. M. in the County of Fremont

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7 N	41 E	11										34	36				34		104
		14		23			40	39	6	26									134
		15	39	39	22	14													114

Total number of acres irrigated 352

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use

MICROFILMED

MAY 16 1990

remont County, Idaho; and I do solemnly wear that the Notice Of Water Rights copy of which notice appeared attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof or Two consecutive issues, the first publication having been made on March 15, 1990

and the last publication having been made on March 22, 1990

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 Weatherston
STATE OF IDAHO)
COUNTY OF MADISON)

On this 23rd day of March in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to be 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.

Joseph M. Jank
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

MICROFILMED

MAY 16 1990

21-07417
CRYSTAL BROTHERS
SHIP
VERL CRYSTAL
S. N. 3300 E.
RIGBY, ID 83442
Source: TARGHEE CREEK Tributary:
HENRYS LAKE
Diverson Pt: SWNENW Sec 11 T 15N R 43E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.050 CF) Total Diverson: (.090 CFS)
Date Filed: 3/23/1989
In: T15N R43E S11 NENW 3.0 ACRES
TOTAL

21-07418
DEAN SCHWENDIMAN & SONS INC.
C/O DEAN SCHWENDIMAN
P.O. BOX 57
NEWDALE, ID 83436
Source: GROUNDWATER
Diverson Pt: SENE Sec 7 T 07N R 42E
NESW, Sec 8 T 07N R 42E, LOT 3
(NWSW) Sec 7 T 08N R 42E, NENE Sec 30 T 08N R 42E
Use: IRRIGATION (11.000 CFS) Total
Diverson: (11.000 CFS)
Date Filed: 2/15/1989
In: T07N R41E S12 NENE NWNE
SWNE SENE SENW NESW SESW NESE
NWSE SWSE SESE, R42E S07 NENE
NWNE SWNE SENE NENW Lot 1
(NWNW Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) NESE NWSE, S08 SWNE
SENE NENW NWNW SWNW SENW
NESW NWSW NESE NWSE, S09 SWNW
SENW NESW NWSW SESW, S16 NENW
1551.0 ACRES TOTAL

21-07454
MAGLEBY, JOHN H.
456 E. 2ND S.
REXBURG, ID 83440
Source: GROUNDWATER
Diverson Pt: NENE Sec 25 T 15N R 42E
Use: DOMESTIC (.200 CFS) Total
Diverson: (.200 CFS)
Date Filed: 3/22/1989
In: T15N R42E S24 SWSE SESE, S25
NENE

22-07642
JRG PARTNERS
26 ARASTRADERO RD.
PORTOLA VALLEY, CA 94025
Source: UNNAMED SPRING & CREEK
Tributary: TETON RIVER
Diverson Pt: SWSWNE Sec 17 T 04N R 45E
Use: IRRIGATION (.050 CFS) Total
Diverson: (.050 CFS)
Date Filed: 3/21/1989
In: T04N R45E S17 SWNE 2.5 ACRES
TOTAL

22-07646
REYNOLDS, ROBERT L.
RT. 1 BOX 162
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diverson Pt: SENENE Sec 15 T 07N R 41E
Use: IRRIGATION (1.500 CFS) Total
Diverson: (1.500 CFS)
Date Filed: 3/09/1989
In: T07N R41E S11 NESE SESE 75.0
ACRES TOTAL

22-07647
CRAPO FARMS INC.
RT. 2 BOX 155
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diverson Pt: NESE Sec 1 T 07N R 41E
Use: IRRIGATION (3.200 CFS) Total
Diverson: (3.200 CFS)
Date Filed: 4/06/1989
In: T07N R41E S01 NESE NWSE
SWSE SESE 160.0 ACRES TOTAL

22-07648
RIVESIDE FARMS
C/O RICHARD CRAPO
RT. 2 BOX 155
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diverson Pt: SWNE Sec 24 T 07N R 41E SWSE Sec 24 T 07N R 41E NENE
S 25 T 07N R 41E S 19 T



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

MARCH 3rd, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT L. REYNOLDS
RT 1 BOX 162
ST ANTHONY IDAHO 83445

RE: WATER RIGHT NO. 22-07646

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED
MAR 10 1997

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MAR 10 1957

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Eastern Region

Enclosures

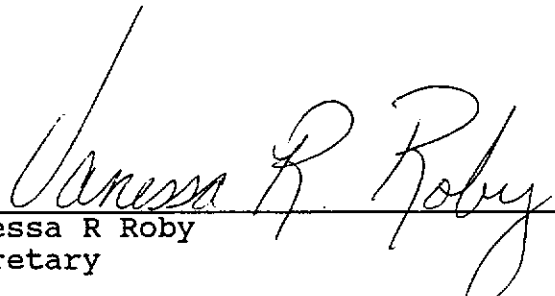
MICROFILMED
3
MAR 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **MARCH, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 22-07646

**ROBERT L REYNOLDS
RT 1 BOX 162
ST ANTHONY IDAHO 83445**



Vanessa R Roby
Secretary

MICROFILMED
MAR 12 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07646

DATE 2/14/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? ✓ yes NO no

OVERLAPS ✓ P/D NO P/U

RATE OF DIV

Permitted Rate

1.5 cfs

Fee limit

2.0 cfs \$12500

Measured

6.75 cfs

Theoretical

5.32 cfs @ 120 psi and 70' lift (B/A)

Recommended Total Div Rate 1.40 cfs

ANNUAL VOLUME/
NATURE OF USES NO

Use NO

Volume Calculation

70 x 3.5 = af
245.0 af

SUBTOTAL

af

Flow rate 1.40 cfs X 183 days X 1.98 af = 507.3 af

Total volume recommended 245.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W36 (22-07031)
W36 (0.02 cfs af, 1177 af, 422 ac)

CONDITIONS NO Watermaster Control WD# NO

NO GW Measurement/Measuring Device

NO Overlap

NO Use-specific conditions

Advancement of Priority Date Required NO yes NO no

SRBA Claim Filed N/A
Adjustment Memo N/A

1st Amend Letter N/A
2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-7646

1. Owner: Robert L. Reynolds

Phone No. 624-3700

Current Address: Rt. 1 Box 162, St. Anthony, ID 83445

2. Accompanied by: Robert L. Reynolds & Son

EXAM DATE: 19 SEPT 96

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 22-7031

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					15	07N	41E	Fremont	on site

2. Place(s) of Use:

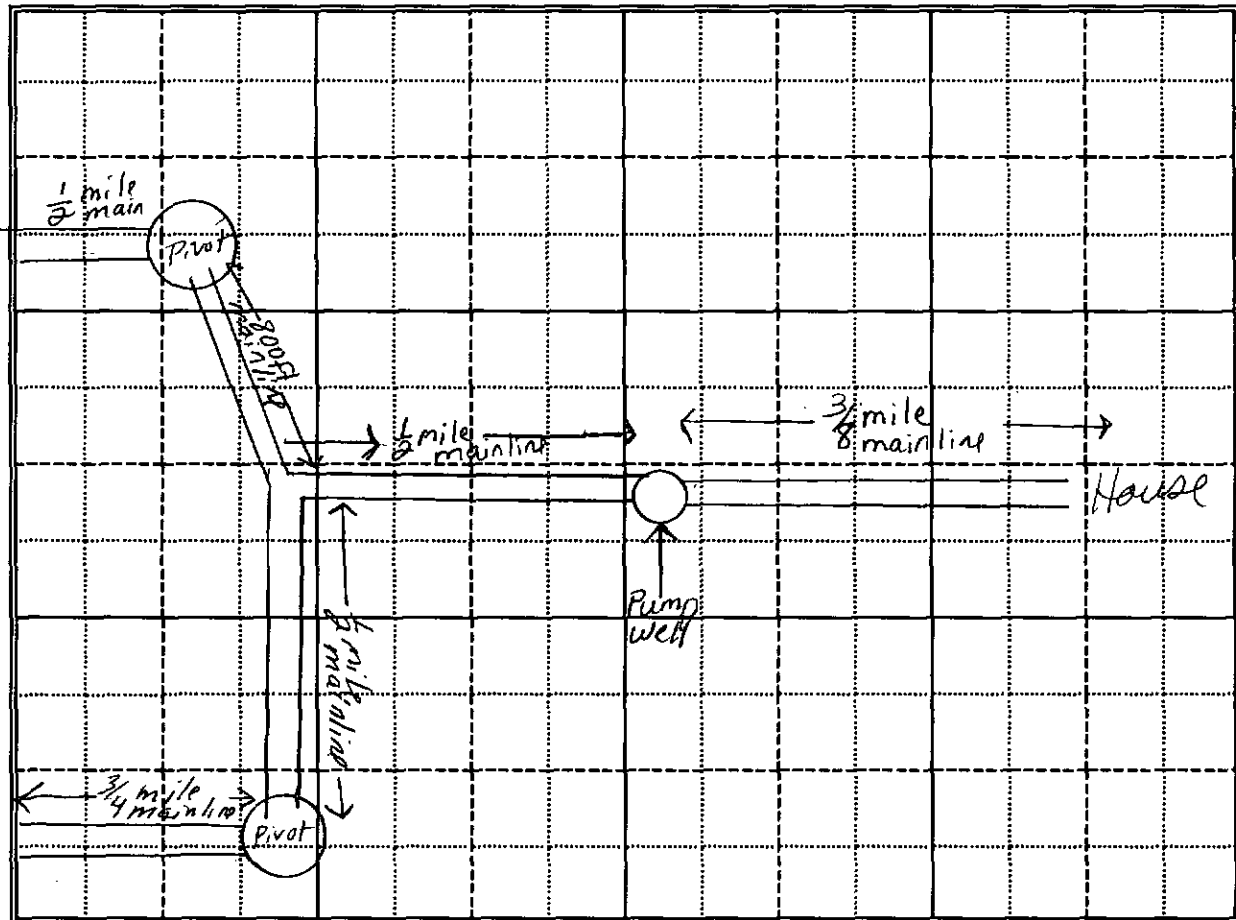
Indicate Method of Determination on site

TWP	RGE	SEC	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
07N	41E	11																36		33.8 34	69.8 70.0

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MAR 10 1997

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
_____	General Electric	300	NNJ1222105	Johnston	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Polysonic — 6.75 CFS MAX.

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E. NARRATIVE/REMARKS/COMMENTS

Note: This permit #22-7646 is an addition to an existing license No. 22-7031. Same Point of diversion for both permit and license

* License No. 22-7031 is for 4.79 CFS. Permit No. 22-7646 is requesting 1.5 CFS on 75 additional acres.

Polysonic reading - Maximum 6.75 CFS. Adding License for 4.79 CFS and Permit for 1.5 CFS, indicates that pump is capable of producing enough CFS for License and new permit - 6.29 CFS total requested; Polysonic Reading on 19 SEPT 96 - 6.75 CFS.

* Actual acreage being used on Place of Use for Permit No. 22-7646 is 69.8 acres, not 75 acres.

$$6.75 (\text{POLYSONIC}) - 4.79 (22-07031) = 1.96 \text{ cfs}$$

Applicant applied for 1.50 cfs, or, 1" / ACRE ON 75 ACRES
70 ACRES IRRIGATED 70 AC. X 0.02 cfs = 1.40 cfs

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

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MAR 10 1997

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{70(3.5)} = \underline{245}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1.40 \text{ cfs}(184)(1.9835)} = \underline{511 \text{ AF/A}}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{245}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>4-15</u>	<u>10-15</u>	<u>1.40</u>	<u>245</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>1.40 cfs</u>	<u>245 AF/A</u>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

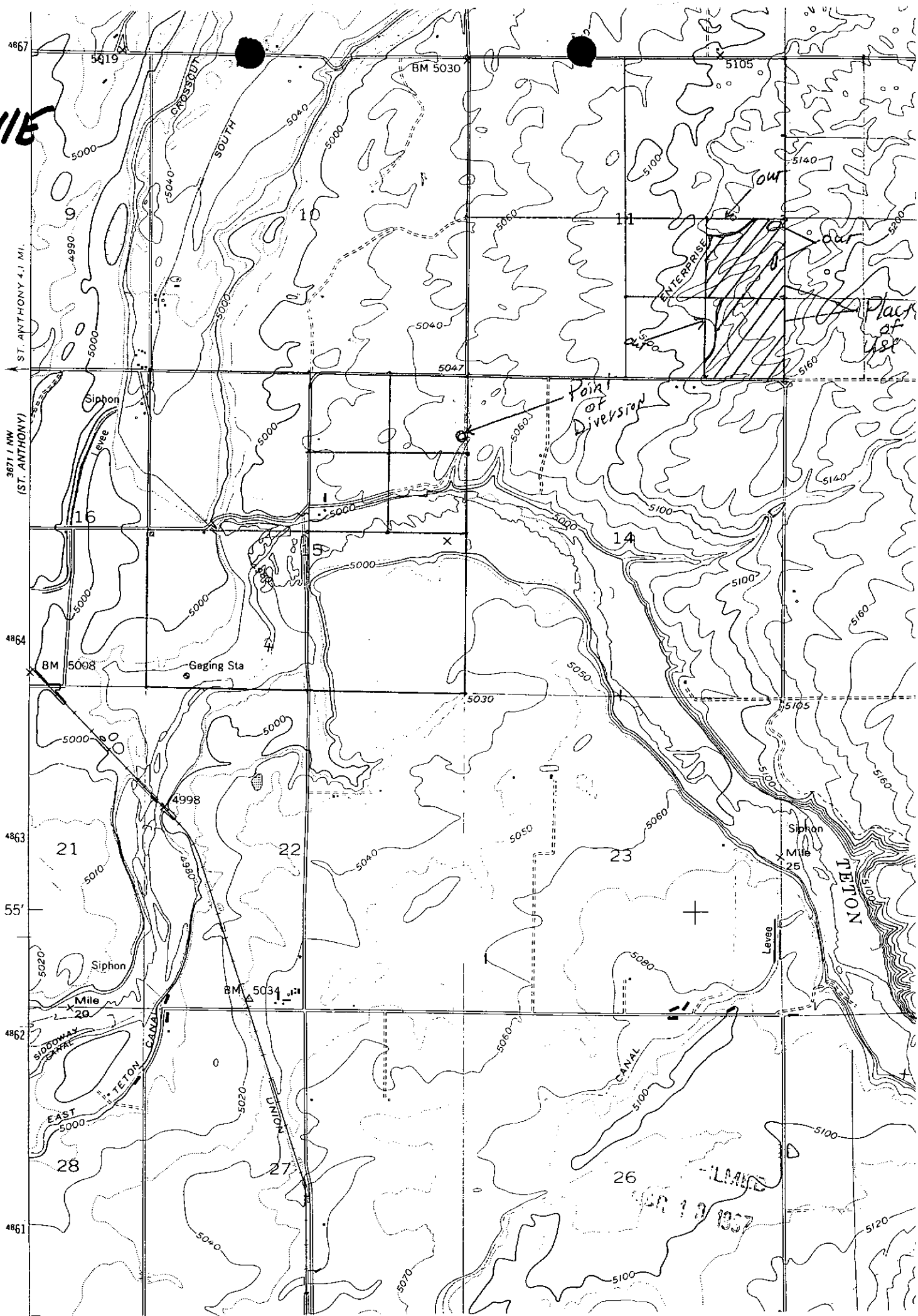
I. AUTHENTICATIONField Examiner's Name Steven Garrison Date 19 SEP 1996Reviewer [Signature] Date 12-17-96

SEAL

MICROFILMED

MAR 10 1997

TRYIE
7
N



22-07646

PLACE
OF USE

Not to scale

22-07031

P.D.

T
#7
N
RHIE

#905
341
344

152

OUT T-41

OUT

155

117

423

T-31

629

178

#613

1140

T-43

499

T-312

164

8

130

111

635

111

T-412

110

222

T-31

423

1170

11-124

#93

11-135

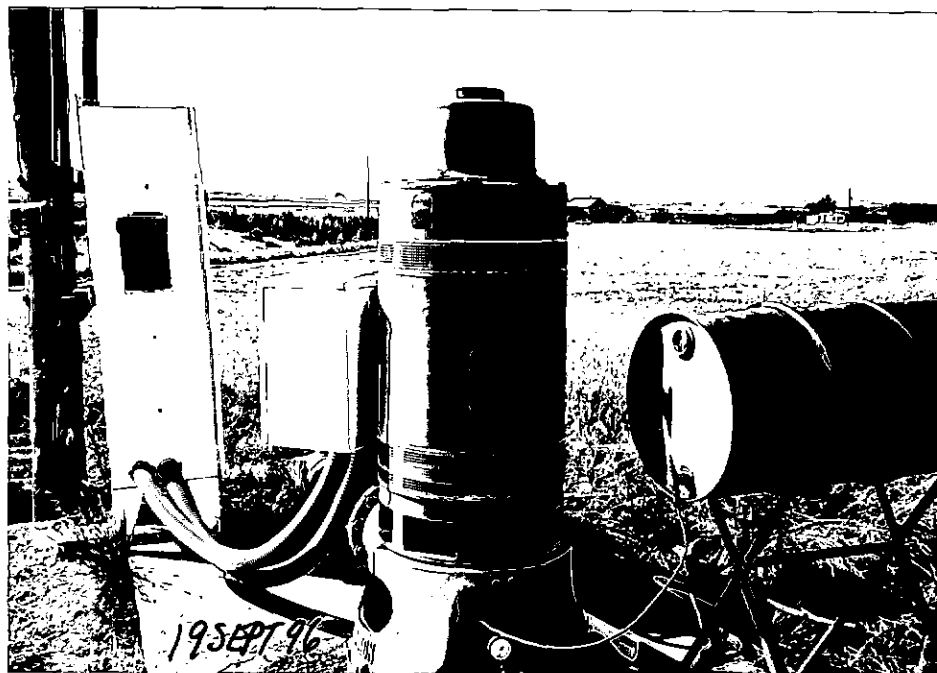
217

11-135

217



Examiner: Steven Garrison



IMPROVING

MAR 10 1997

22-7646

PIPE WALL THICKNESS
0.106 IN

PIPE I.D
11.838 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 F/S

LINER MATERIAL
NONE

10
LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.00015000

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 F/S

FLUID VISCOSITY
1.132 Cst

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
U

TRANSDUCER SPACING
9.574 IN

10:39:08 09-19-96

SCALE FACTOR = 0.990
OFFSET(CFS) = 0.000
nsec OFFSET = 10.72
usec OFFSET = -0.54
XMT_DET_DLY = 18.79
AERATION FAC. = 1.00
XDCUCR: STANDARD/U

WIN_DLY = 437.00 436.36
SE>R = 1.82 1.69
BIAS = 1.75 1.73
AGC = 0.92 0.90
SIG_STG = 8.20 8.27
MISSED = 0 0
TIME(us) = 447.6 446.9
DEL TIME(ns) = 687.5
DIFF COUNT = 1021
P2X = 29
SPS = 37.66
AERATION = 0.000

FLUID (F/S) = 4863.33
REYNOLDS NO. = 706765
PROFILE FACTOR = 0.9470

FLOW: = 6.681 CFS
8.741 F/S

FLOW 6.687 CFS
8.749 F/S

10:40:28 09-19-96

Min. Rate 6.56 CFS
Max. Rate 6.73 CFS
Avg. Rate 6.66 CFS
FLOW RATE 6.66 CFS
NET TOT(X1) 194926 GAL
POS TOT(X1) 206241 GAL
NEG TOT(X1) 11314 GAL

10:42:29 09-19-96

Min. Rate 6.59 CFS
Max. Rate 6.74 CFS
Avg. Rate 6.67 CFS
FLOW RATE 6.71 CFS
NET TOT(X1) 200925 GAL
POS TOT(X1) 212239 GAL
NEG TOT(X1) 11314 GAL

10:44:29 09-19-96

Min. Rate 6.59 CFS
Max. Rate 6.75 CFS
Avg. Rate 6.67 CFS

MICRO PLATE

April 5, 1991

ROBERT L. REYNOLDS
RT. 1 BOX 162
ST. ANTHONY, ID 83445

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07646

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

APR 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7646

Date 3-18-91

GENERAL CONSIDERATIONS

4 Name same as permit?
4 Address same as permit? If no, prepare data entry form.
4 Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

\$ 4 Required?
125 4 Amount submitted?
9 Correct amount?

MEASURING DEVICE

4 Measuring device or access port required?
4 Installed?
4 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

JB

138098

February 28, 1991

ROBERT L. REYNOLDS
RT. 1 BOX 162
ST. ANTHONY, ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 22-07646

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

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 19 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 1, 1990

ROBERT L. REYNOLDS
RT. 1 BOX 162
ST. ANTHONY, ID 83445

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07646

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

RECORDED

MAY 16 1990

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAY 16 1990

FD No. 202a
87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Dist. for mailing

Submitted for adv.

RB 3-27-89
HLS 4-13-89

NON-TRUST HAD
FILE

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn DATE 12 April 89 APPLICATION NUMBER

22-7646

REQUIRED INFORMATION

Robert L Reynolds

- ☒ 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 22-703/
 - ☐ Yes ☒ No Field check required
 - Field check by _____
 - ☐ Yes ☒ No Field report attached
 - ☐ Yes ☒ No Critical groundwater area
 - ☐ Yes ☒ No Groundwater management area
 - ☐ Yes ☒ No Send dam safety information
 - ☐ Yes ☒ No Send power requirement letter
 - ☐ Yes ☒ No Send fish farm requirement letter
 - ☐ Yes ☒ No Power residency affidavit
 - ☐ Yes ☒ No Power efficiency form
 - ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
 - ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

APR 17 1990

Department of Water Resources

PROCESSING

☐ Yes ☐ No Inform for advertising
☐ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

Final date for protest 4-2-90

☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01-P05

☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information

Date of priority recommended 3-09-89

By HWT

Date 4-11-90

STATE OFFICE REVIEW

P05, P23, P03, P10

48 49 46 013

☐ See below for additional information

By KW

Date 4-19-90

ADDITIONAL INFORMATION

The PD is covered by license. The license is for 4.79 cfs. With this application for 150 cfs the amount being withdrawn from this well will be 6.29 cfs. Does this qualify for each as a large diversion?

Condition: <01G>

App. in NON-TRUST area-

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

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 7, 1990

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 APRIL 2, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

MAY 16 1990

22-07646

REYNOLDS, ROBERT L.
RT. 1 BOX 162
ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: SENENE Sec 15 T 07N R 41E

Use: IRRIGATION (1.500 CFS)
Total Diversion: (1.500 CFS)

Date Filed: 3/09/1989

In: T07N R41E S11 NESE SESE

75.0 ACRES TOTAL

MICROFILMED

MAY 16 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203C, 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 APRIL 2, 1990.

R. Keith Higginson, Director

Published 3/15/1990 & 3/22/1990

RECEIVED
MAY 16 1990

26-Feb-1990

Robert L. Reynolds
Rt. 1, Box 162
St. Anthony, ID 83445

RE: Application for Permit No. 22-7646

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Herald Chronicle on March 15 & 22, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

MAY 16 1990

April 17, 1989

Robert L. Reynolds
Rt. 1, Box 162
St. Anthony, ID 83445

RE: Application for Permit No. 22-7646

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned the identification number listed above. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor
HWJ/rb

RECEIVED

MAY 16 1990

