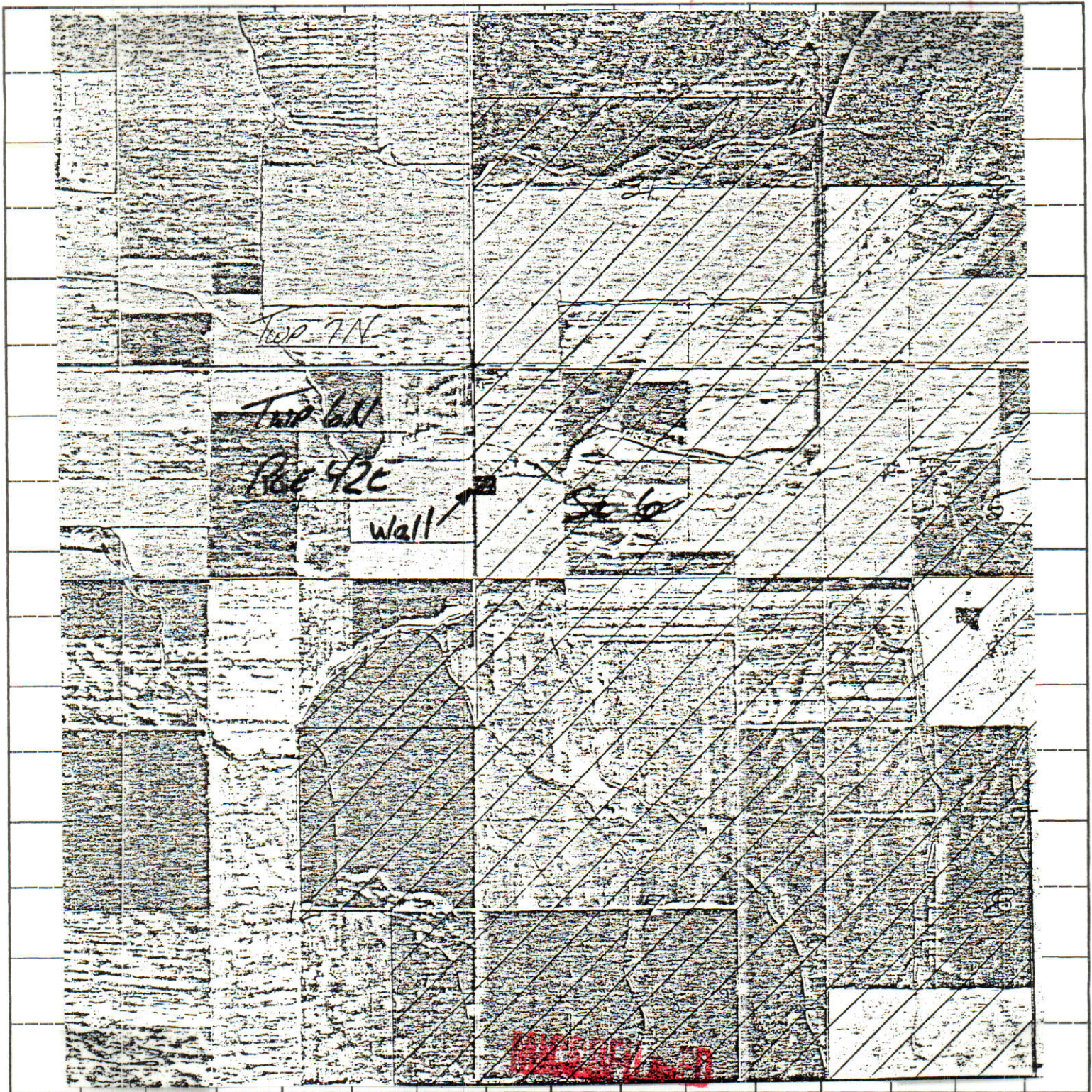


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

NOV 21 1988

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.

Grant St. Klingler
(Applicant)
Partner

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry Weatherston, being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

Notice Of Application 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 August 18, 1988 and the last publication having been made on August 25, 1988.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me

This August 26, 1988

Gayle L. Loh
(SEAL) Notary Public.

My commission expires June 8, 1993

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07539

KLINGLER BROTHERS, c/o GRANT KLINGLER P.O. Box 215, NEWDALE, ID 83436

Source: GROUNDWATER
Diversion Pt: NWSWNW Sec 6 T 06N R 42E

Use: COMMERCIAL (.040 CFS)

Date Filed: 8/08/1988

In: T06N R42E S06 SWNW

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 5, 1988.

R. KEITH HIGGINSON,
Director

Publ. Aug. 18 and 25, 1988J.

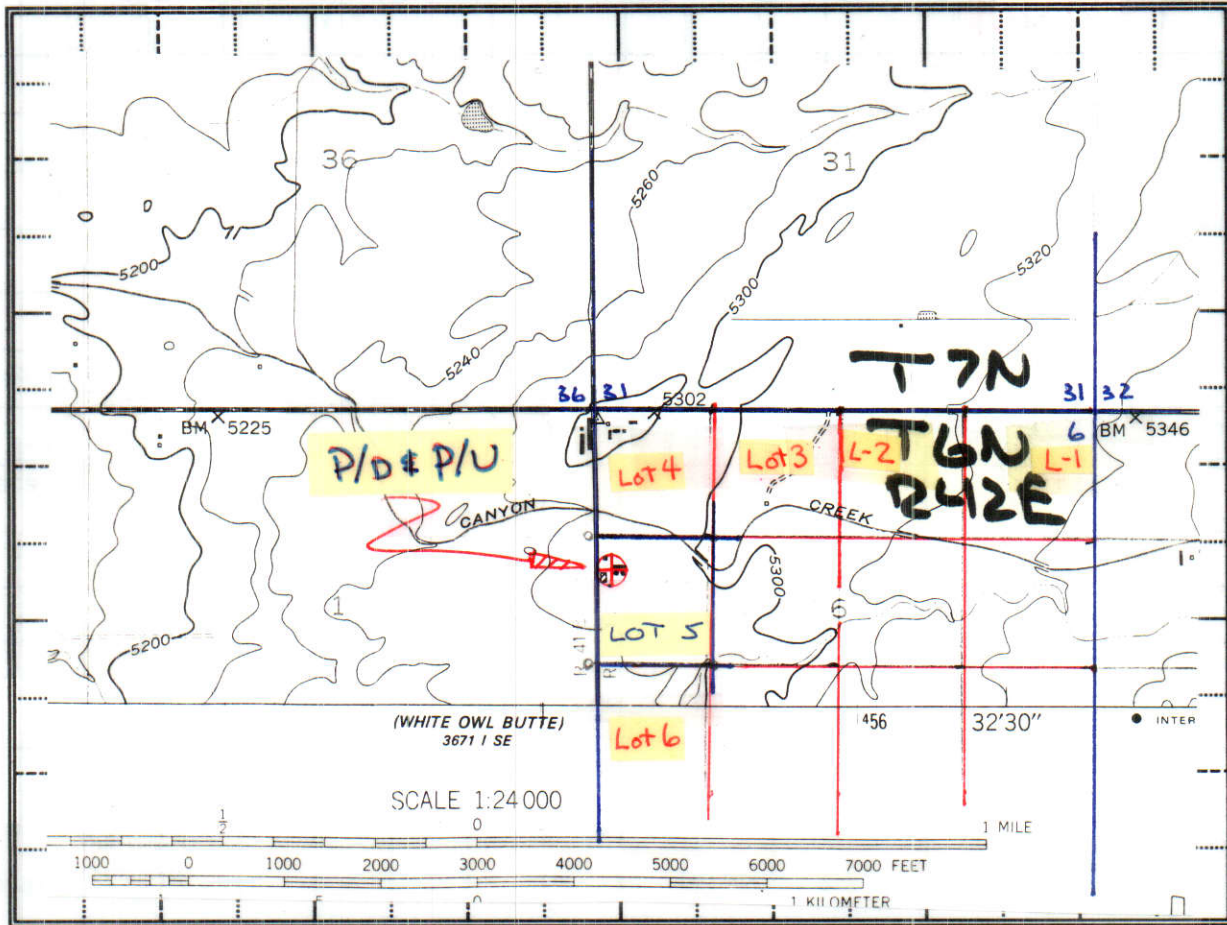
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SEP 2 1988

Department of Water Resources
Eastern District Office

MACROFILMED

NOV 21 1988

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
Not Required					

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

NA

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07539

Priority: August 15, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that KLINGLER BROTHERS

C/O GRANT KLINGLER

PO BOX 215

NEWDALE ID 83436

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 8, 1988; and has submitted Proof of Beneficial Use on November 8, 1989. An examination indicates that the works have a diversion capacity of .040 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>
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5(SWNW), Sec. 6, Township 06N, Range 42E
MADISON County

PLACE OF USE: COMMERCIAL

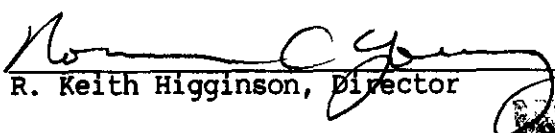
TWN RGE SEC

06N 42E 6 Lot 5(SWNW)

CONDITIONS/REMARKS:

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

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 15TH day of DECEMBER, 1992.

Acting for  R. Keith Higginson, Director

JAN 21 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-7539 IN THE
NAME OF KLINGLER BROTHERS

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before November 1, 1989; and,

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

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

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

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 8, 1989 ;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 22-7539 be REINSTATED and the priority advanced to August 15, 1988.

Dated this 20 day of December , 1989.

RECEIVED

FEB 13 1990

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Klingler Brothers Phone 458-4231

Post office address c/o Grant Klingler, P.O. Box 215, Newdale, ID 83436

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 6 Township 6N Range 42E B.M. Madison County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 10" well 500' deep, submersible pump with
delivery system to shop & potato cellars

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~~ Existing well diameter is 10 inches; ~~proposed~~ existing depth of well is 500 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 for the proposed beneficial use is
1 years (minimum 1 year). (existing)

NOV 21 1986

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. c/water for: 1) humidifiers in four potato cellars; 2) washing machinery, 3) culinary water in shop.

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	
6N	42E	6							C										

Total number of acres to be irrigated _____

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

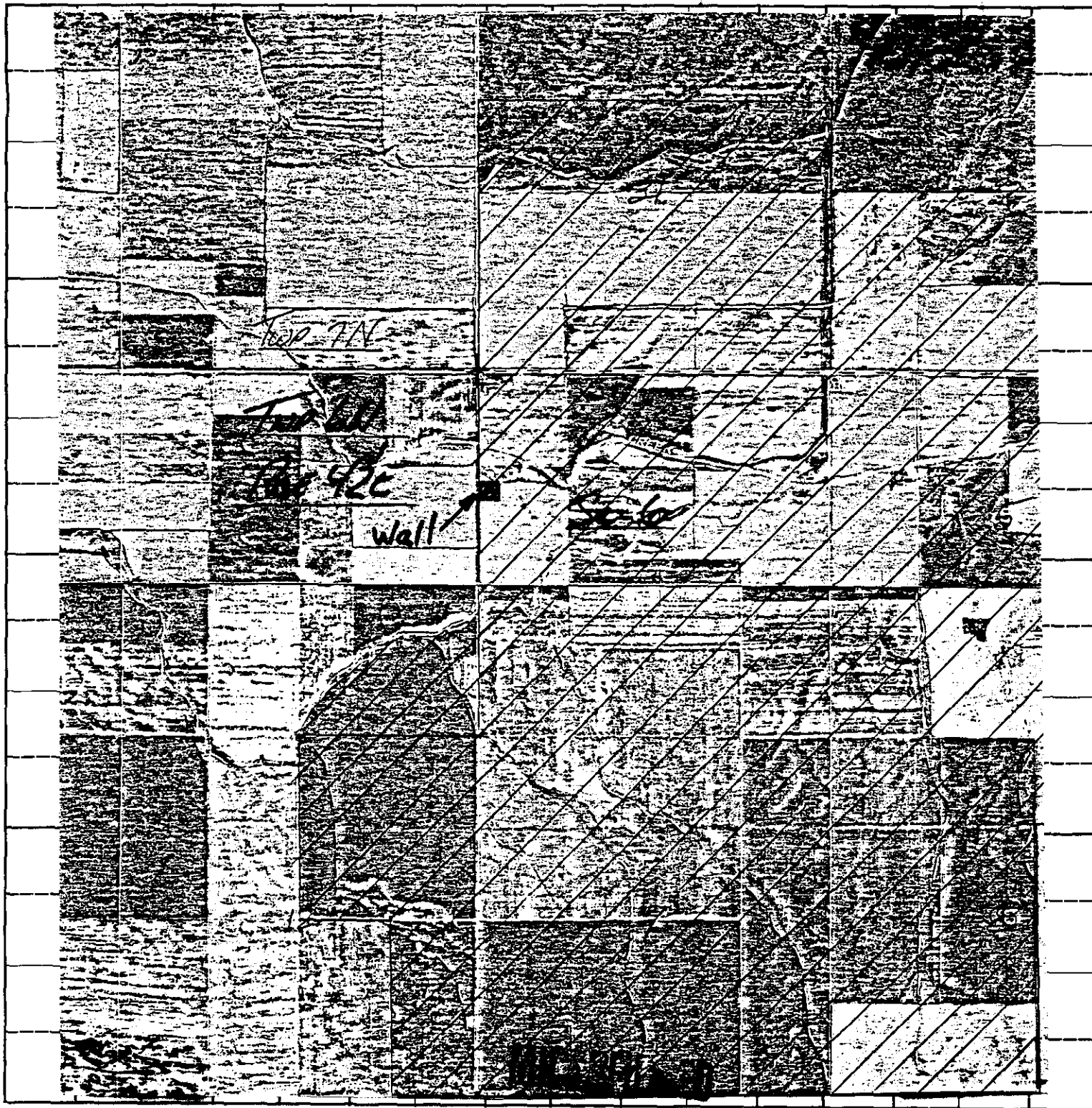
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: well was drilled Aug. 1966, and has been in continuous use since then; in addition to uses listed above, well is providing water to a home. The right for the home is being claimed under right #A22-10766

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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.

NOV 21 1988

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.

Grant St. Klingler
(Applicant)
Partner

Proposed Priority 8/8/88
Received by EMU Date 8/8/88 Time _____ Preliminary check by EMU
Fee \$ 30⁰⁰ Received by EDD1126 # ENC Date 8/8/88
Publication prepared by dg Date 8-9-88 Published in Boise Standard-Idaho
Publication approved dg Date 9-12-88

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. 22-7539, and said application is hereby APPROVED

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
November 1, 19 89.
- 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:

Witness my hand this 12th day of October, 1988.

J. Glen Saylor

MICROFILMED

NOV 21 1988

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry Weatherston, being
first duly sworn, depose and say, that I
am the printer of THE STANDARD-JOURNAL, a
semi-weekly newspaper printed and
published semi-weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Application 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 August 18, 1988
and the last publication having been made
on August 25, 1988.

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under the Idaho
Statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy eight
consecutive weeks prior to the first
publication of the said notice.

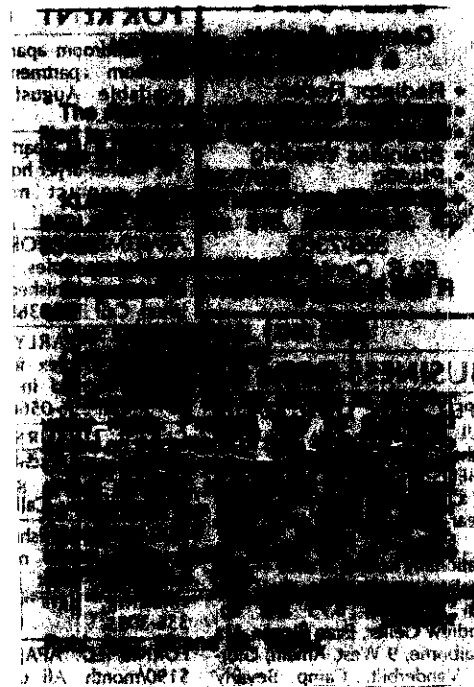
Terry Weatherston

Subscribed to and sworn to before me

This August 26, 1988

Gayle L. Loh
(SEAL) Notary Public.

My commission expires June 8, 1993



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Department of Water Resources
Eastern District Office

MICROFILMED

NOV 21 1988



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 16, 1992

KLINGLER BROTHERS
C/O GRANT KLINGLER
PO BOX 215
NEWDALE ID 83436

RE: WATER RIGHT NO. 22-07539

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 22-07539

Date 11-25-92

CS

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	☐	☒	No Fee Paid
	☒	☐	Incorrect Fee for rate recommended?
	☒	☐	Disagree with Actual Measurement?
	☒	☐	<u>.04 cfs (COMM)</u>
	☒	☐	Disagree with Theoretical? <u>No Info</u>
	☒	☐	Limited by Capacity? <u>.04 cfs (Assumed)</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	☒	☐	Disagree with Examiner's Calculations?
	☒	☐	<u>1.2 afa (COMM)</u>
	☒	☐	Limited by Flow? _____
SOURCE	☒	☐	Changes? Clarification of <u>Originally</u>
	☒	☐	<u>Intended</u> source _____
	☒	☐	Notice of Intent to Void.
P/D			Verify with Map
	☒	☐	Amendment Needed? _____
	☒	☐	Is Overlap Analysis a Consideration?
P/U			Verify with Map
	☒	☐	Amendment Needed? _____
	☒	☐	Is Overlap Analysis a Consideration?
USES	☒	☐	Change(s) in Nature of Use? _____
	☒	☐	Amendment Needed? _____
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>COMM/potato cellars & shop</u>
	☒	☐	Special Overlap Condition _____
	☒	☐	Other _____
CONDITIONS	☒	☐	Measuring Device
	☒	☐	W/Master Control
	☒	☐	Overlap
	☒	☐	Water Quality
			DATES/MISC
			Water Dist. _____
			App Rec'd _____
			Exam Made _____

COMMENTS/MEMOS NEEDED: _____

License ☒ 10-Day ☐ 15-Day ☐ Special Correspondence _____

DATE: 11/25/92
PAGE: 1

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 11/25/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

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

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- ☒ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index _____ (initial & date)
- ☒ Overlap ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
- Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☒ Check of P/U index _____ (initial & date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed P. DeMauro 11-12-92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent Kaw 11/12/92 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 20 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07539

1. Owner: KLINGLER BROS. % GRANT KLINGLER Phone No. 458-4231

Current Address: P.O. Box 215, NEWDALE, ID 83426

2. Accompanied by: - EXAM DATE: 8-26-92

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: N/A

2. Other water rights with the same point of diversion: 22-10766

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
	5	NW	SW	NW	6	6N	42E	MADISON	USGS, On-site

2. Place(s) of Use:

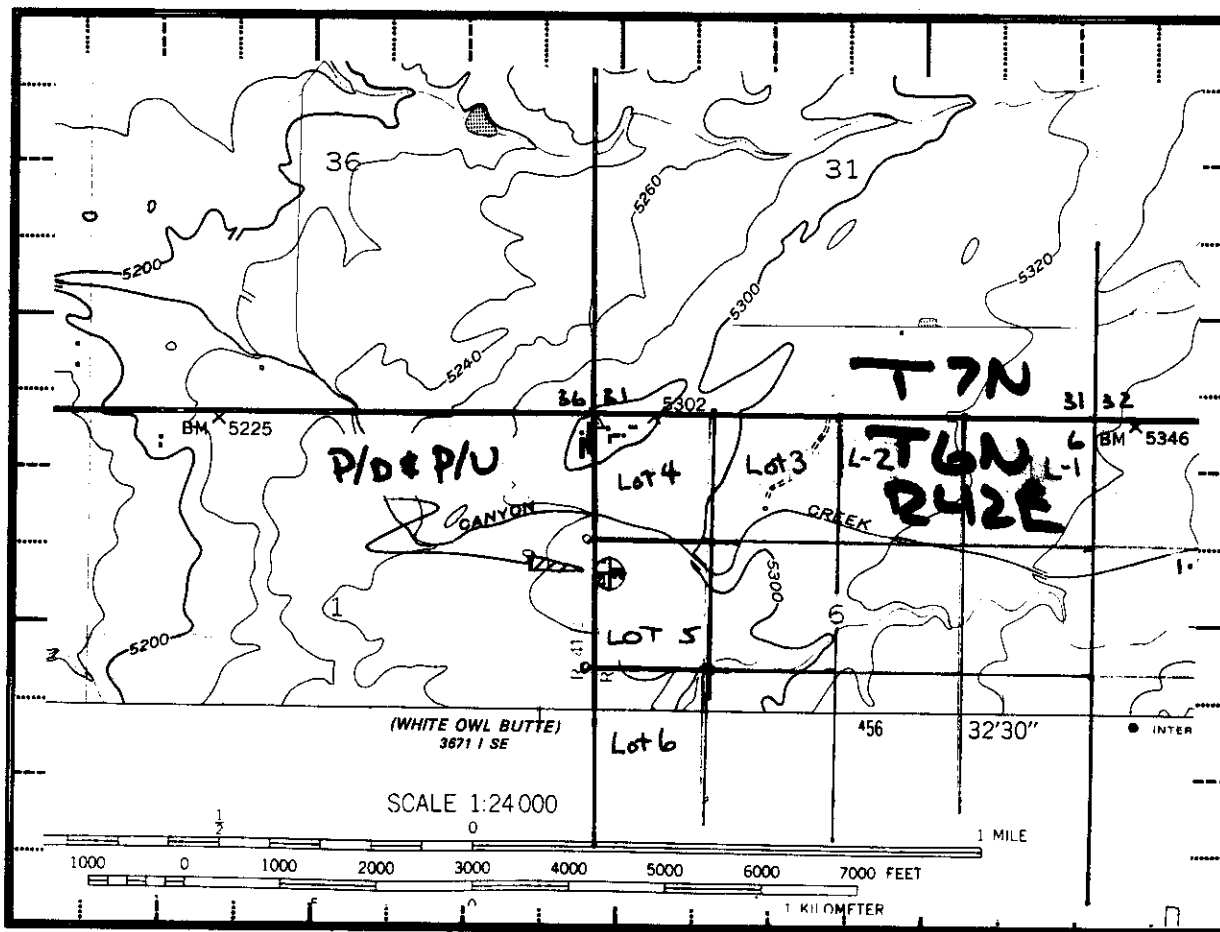
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	42E	6							LS										

RECEIVED

JAN 21 1993

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
Not Required					

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: N/A

E. NARRATIVE/REMARKS/COMMENTS

DEMINIMUS USE FOR SAUD CELLARS & SHOP.

P/D SHIPPED WITH A22-10766 FOR DOMESTIC USE.

FIELD VERIFICATION

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

MINORITY MED

JAN 21 1993

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

DEMINIMUS - 0.04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

DEMINIMUS - 1.2 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.04	1.20
Totals:			0.04	1.20

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 Paul R. Meyer Date 11-12-92Reviewer Keith Culbert Date 12 Nov 92

SEAL

RECORDED

JAN 21 1993

December 22, 1989

KLINGLER BROTHERS
C/O GRANT KLINGLER
P.O. BOX 215
NEWDALE, ID 83436

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07539

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.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

RECORDED

FEB 13 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7539

Date: 11/22/89

General Considerations:

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

Source of Water:

☒ Surface water
☒ Groundwater
_____ 1. well log in file no well log found 1964
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof reinstated

Priority Calculation:

Date proof received	<u>Nov 8, 1989</u>	<u>312</u>
Date proof due	<u>Nov 1, 1989</u>	<u>- 305</u>
No. of days late		<u>= 7</u>
Priority date	<u>Aug 8, 1988</u>	<u>+ 220</u>
NEW PRIORITY DATE	<u>Aug 15, 1988</u>	<u>= 227</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

03/89

RECEIVED

NOV 8 1989

Department of Water Resources
Eastern District Office

RECEIVED

NOV 9 1989

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received 0Date 8 Nov 1989Receipt # 0Receipt by KCWReviewed by 25-14/29/89Sent to region

PROOF OF BENEFICIAL USE

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

Permit No. 22-7539Name(s) of Permit Holder: Klingler Brothers % Grant KlinglerPost Office Address: P.O. Box 215 Newdale Id 83436Telephone No. 458-4231Source of Water: Groundwater

Extent of Use:

Domestic (number of households)Stockwater (number and type of stock)Irrigation (acres)Other/Remark CommercialTotal rate and/or volume for which proof is submitted 0.04 cfs acre-feetShow the date water was first diverted and beneficially used under this permit: 1964 as per phone conv.Measuring Device: Required? Yes X No
Installed? Yes NoFee enclosed \$
(See License Examination Fee Schedule)Flow Measurement Port: Required? Yes X No
Installed? Yes No

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

(Name)

(Telephone Number)

(Address)

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

8 Nov 1989

Date

Signature of Permit Holder (and title, if appropriate)

FEB 13 1990

138531
August 31, 1989

KLINGLER BROTHERS
C/O GRANT KLINGLER
P.O. BOX 215
NEWDALE, ID 83436

PROOF DUE NOTICE

RE: PERMIT NO. 22-07539

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 November 1, 1989. (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

FEB 13 1990

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 17, 1988

KLINGLER BROTHERS
C/O GRANT KLINGLER
P.O. BOX 215
NEWDALE, ID 83436

P E R M I T A P P R O V A L N O T I C E

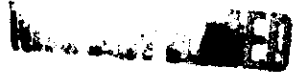
RE: PERMIT NO. 22-07539

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.

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


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enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

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NOV 21 1980

Dist. for staffing Aug 8-8-88

submitted for adv. LWS 8-9-88

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY EGW DATE 8/9/88 APPLICATION NUMBER 22-7539

REQUIRED INFORMATION

Kluge Brothers

- ☒ 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

Date Requested _____

RECEIVED

SEP 30 1988

Department of Water Resources

PROCESSING

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

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

- ☒ Yes ☐ No Affidavit of publication received 9-2-88
- ☒ Yes ☐ No Application published correctly. If not, record action taken.

- ☒ Yes ☐ No Publication dates & paper, recorded on application
- ☐ Yes ☒ No Protests received
- ☐ Yes ☐ No Final date for protest 9-5-88
- ☐ 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 8-8-88
By HLWJ Date 9-28-88

STATE OFFICE REVIEW P05, P16

☐ See below for additional information
By KW Date 10/6/88

ADDITIONAL INFORMATION

App. describes an existing well - condition 46N/A
DCMI - ok to process.



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

August 29, 1988

Klingler Bros.
c/o Grant Klingler
P.O. Box 215
Newdale, ID 83436

RE: Application for Permit No. 22-07539

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-07539. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Rexburg Standard-Journal. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

MAILED

NOV 21 1988

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

Idaho Falls, Idaho 834
(208) 525-7161

AUGUST 9, 1988

THE REXBURG STANDARD-JOURNAL
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 5, 1988.

Yours truly,

Deena Green
Secretary

Encl.


NOV 21 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

NOV 21 1988

22-07539

KLINGLER BROTHERS
C/O GRANT KLINGLER
P.O. BOX 215
NEWDALE, ID 83436

Source: GROUNDWATER

Diversion Pt: NWSWNW Sec 6 T 06N R 42E

Use: COMMERCIAL (.040 CFS)

Date Filed: 8/08/1988

In: T06N R42E S06 SWNW

MINER FILMED

NOV 21 1988

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 5, 1988.

R. Keith Higginson, Director

Published 8/18/1988 & 8/25/1988

RECEIVED

NOV 21 1988