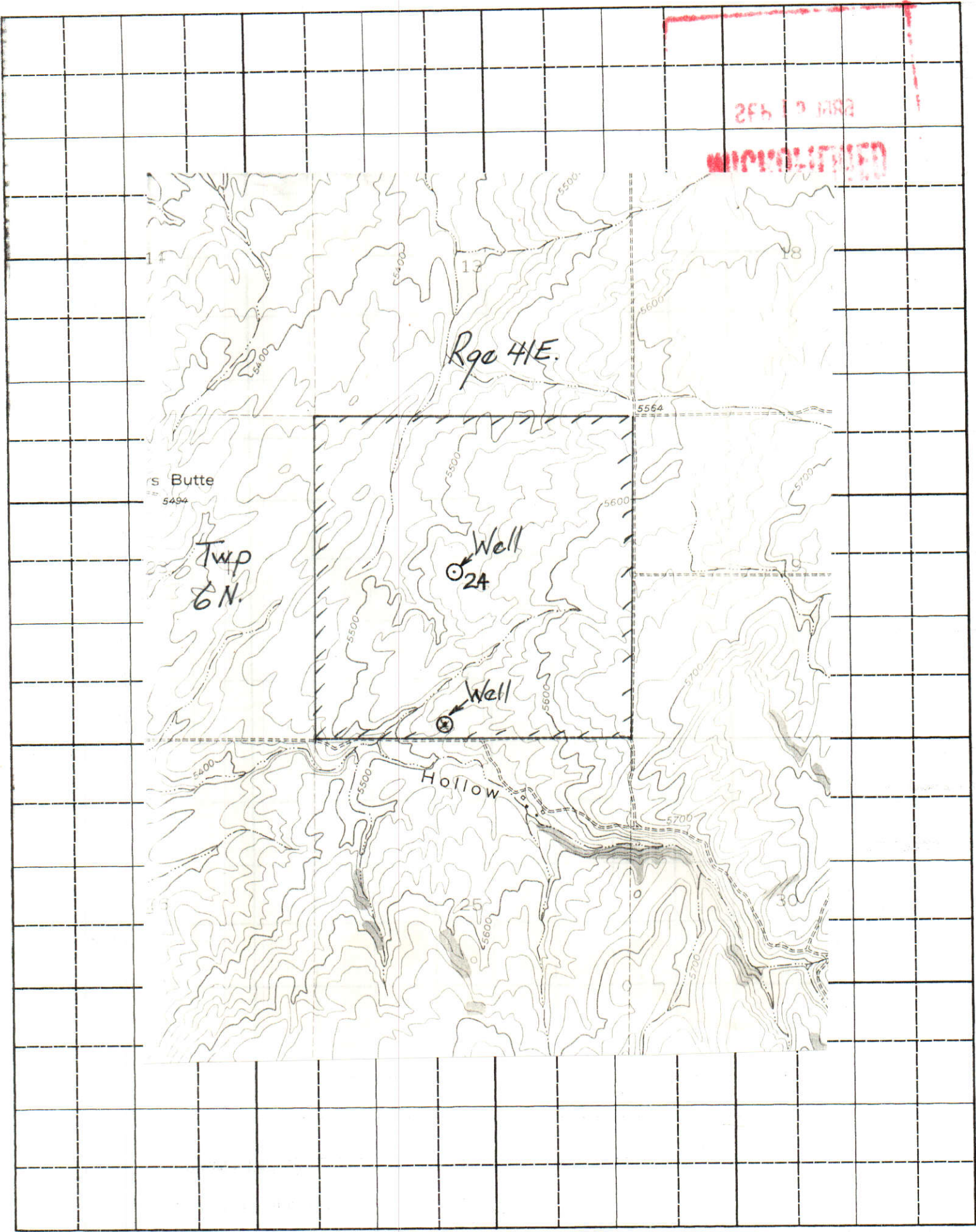


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



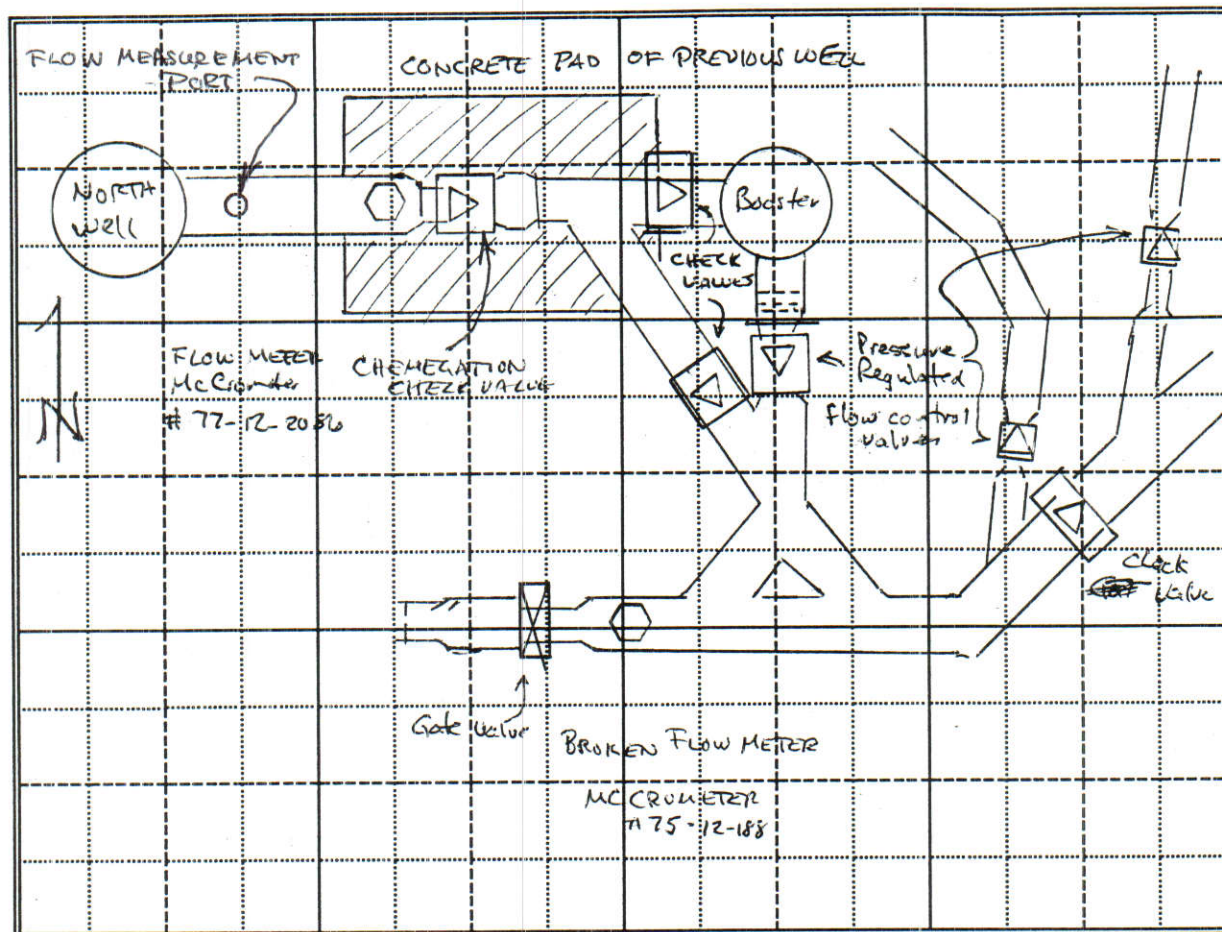
Scale: 2 inches equal 1 mile.  
1:24,000

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.

**MICROFILMED**  
SEP 10 1989

*Shant S. Kline* (Partner)  
(Applicant)

3. **Delivery System Diagram:** Include 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 |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
| North Well                            | GE         | 600 | FST618015        | Aurora    | 12" discharge V82-707518          |
| North Well Booster                    | GE         | 150 | PLJ604171        | Johnston  | CASTING # 15713 (8")              |
|                                       |            |     |                  |           |                                   |

\*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 |
|-----------------------|------|-----------|-----------|------------|------|-------------|
| SONIC METER           |      | Polysonic | TF-P2     | NIK2905    | -    | -           |
|                       |      |           |           |            |      |             |

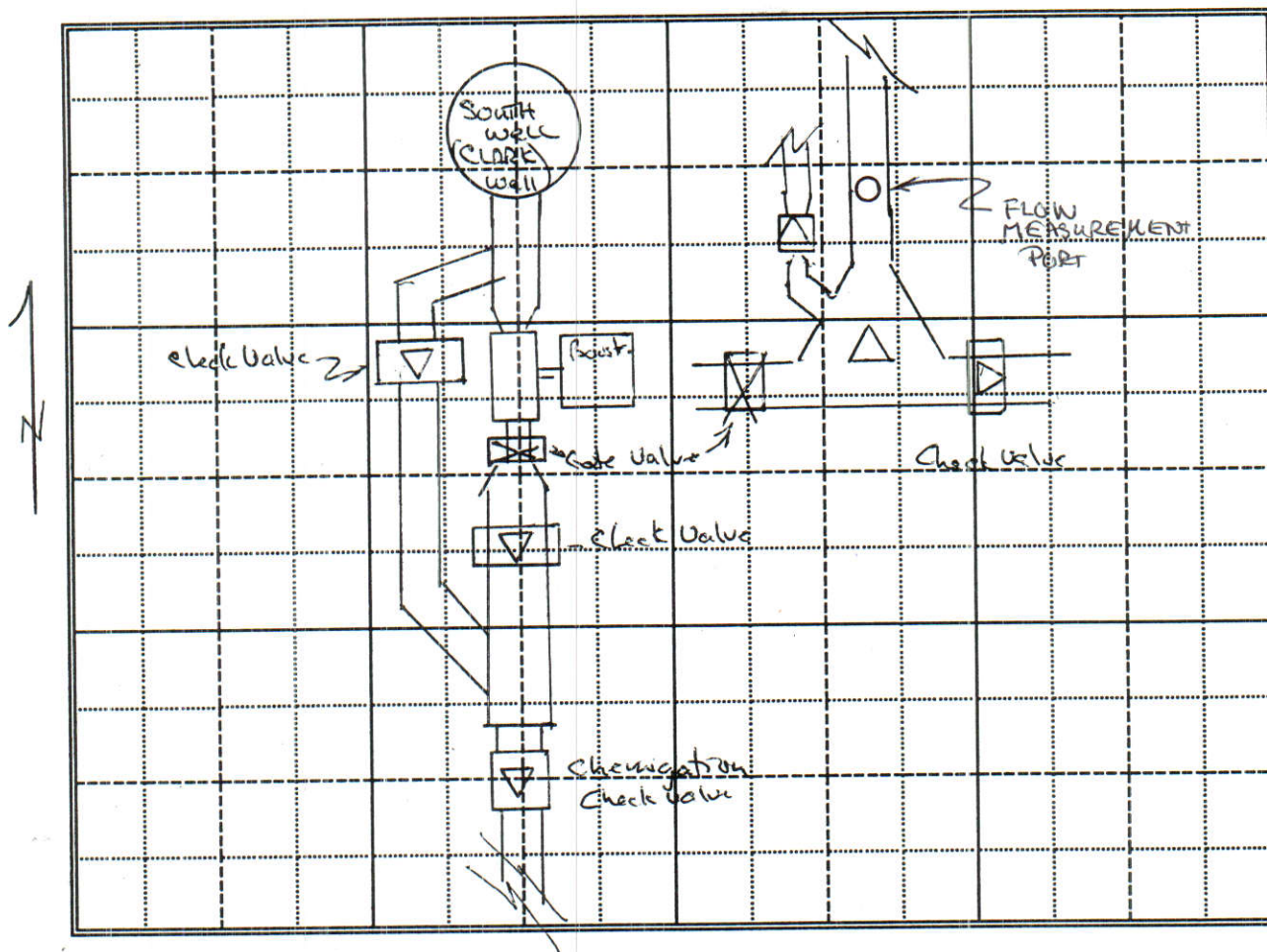
2. Measurements: NORTH WELL = 2385 gpm

12.01" OD, CS, 0.129" Thickness

8.962" spacing, V method, Another fluid 1440 u/s

AI2 = 2.9%, To CHECK 99.55%

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 |
|---------------------------------------|---------------|-----|------------------|--------------------------|-----------------------------------|
| South (CLARK)                         | GE            | 600 | EKJ 515018       | Laguna Bowler Verti-LINE | 12" discharge                     |
| Southwell Booster                     | U.S. Electric | 100 | R-9447-02-5295   | Quora                    | 9606561                           |
|                                       |               |     |                  |                          |                                   |

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

#### D. FLOW MEASUREMENTS

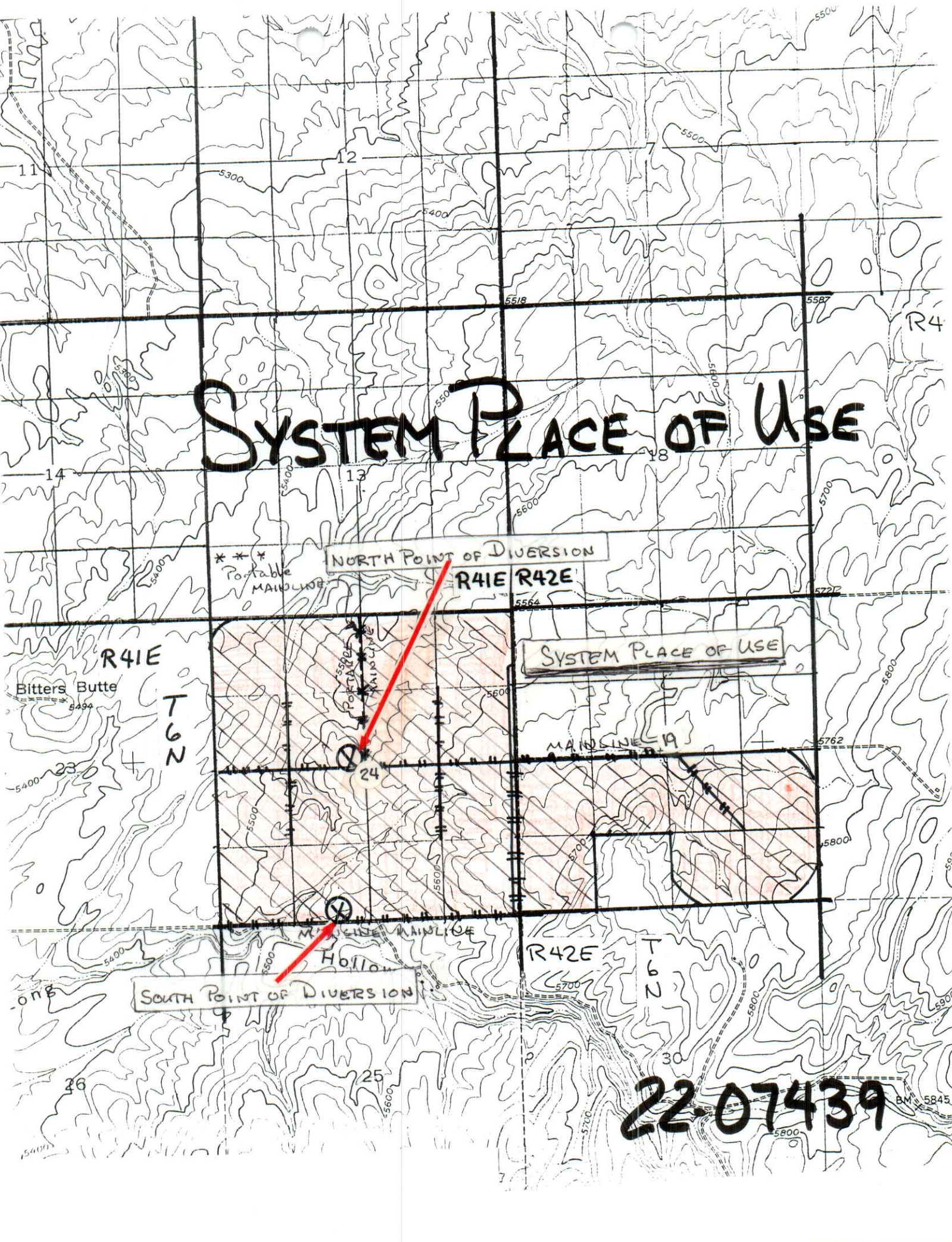
1.

| Measurement Equipment | Type | Make       | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------------|-----------|------------|------|-------------|
| SONIC METER           |      | Polysonics | TF-P2     | NIK2905    | -    | -           |
|                       |      |            |           |            |      |             |

2. **Measurements:** South (CLARK) Well = 2373 gpm

12.015" od, CS, 0.1142" thickness  
8.941" Spacing M/V method AI2=2.5%  
Another Flow 1440 M/S TO CHECK 100.28%

# SYSTEM PLACE OF USE



150.6  
7

R41E

1318  
2419

Eligible for CRP

SEE L-4-H

1817

20

System Place of Use

38

40

40

39

Lot 1

T62

R41E

R42E

T62

R42E

40

40

40

38

Lot 2

R41E

Eligible for CRP

1605  
T-42  
NW

40

40

40

38

Lot 3

Points of  
Divergence

39

39

39

37

Lot 4

150.3  
NW

MAINLINE

150.0  
2 MHEL

2530

212  
274.8

302

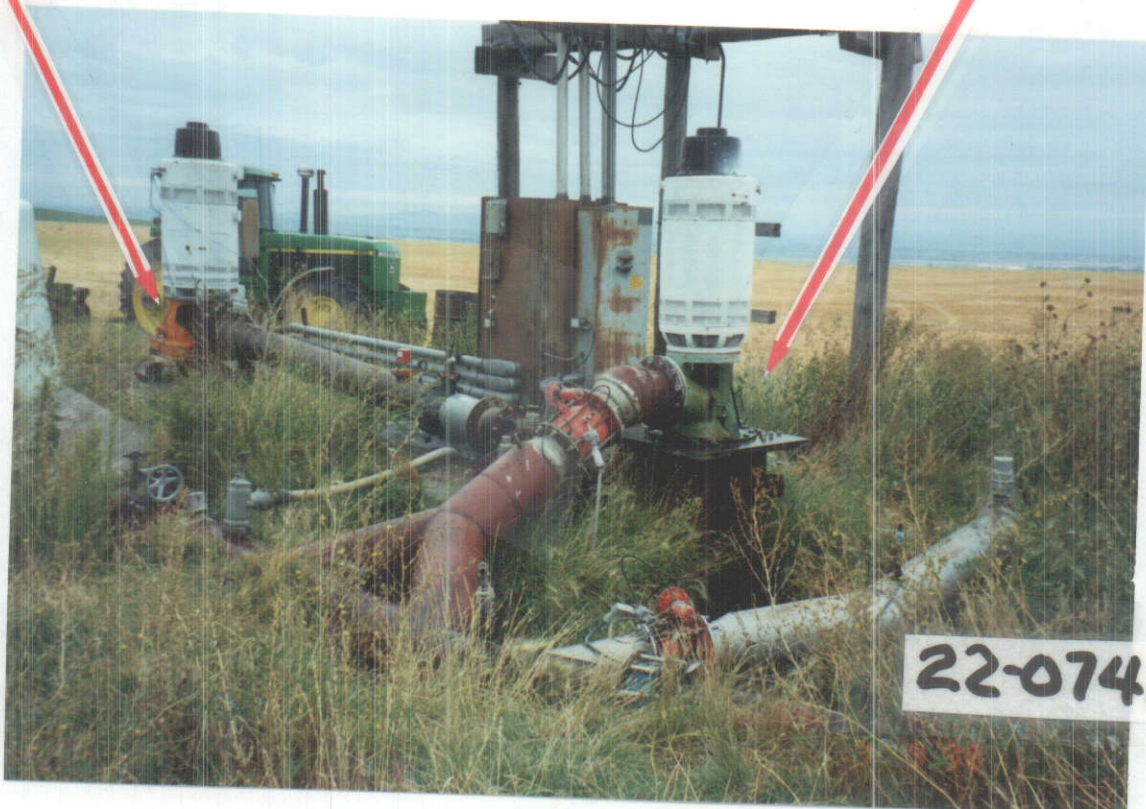
22-07439

22-07439



North  
Well

Booster



22-07439

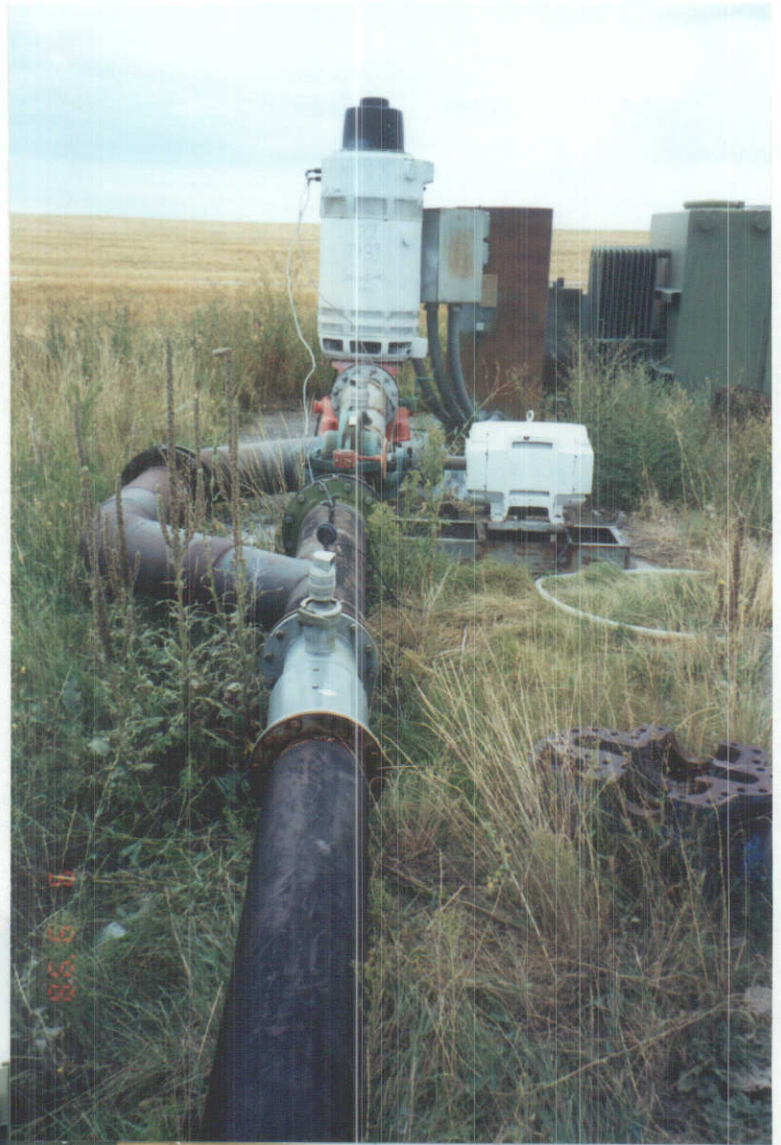
Booster

MAINLINES FOR NORTH WELL

2207439

NORTH  
WELL





South Well  
(CLARK)

22-  
07439



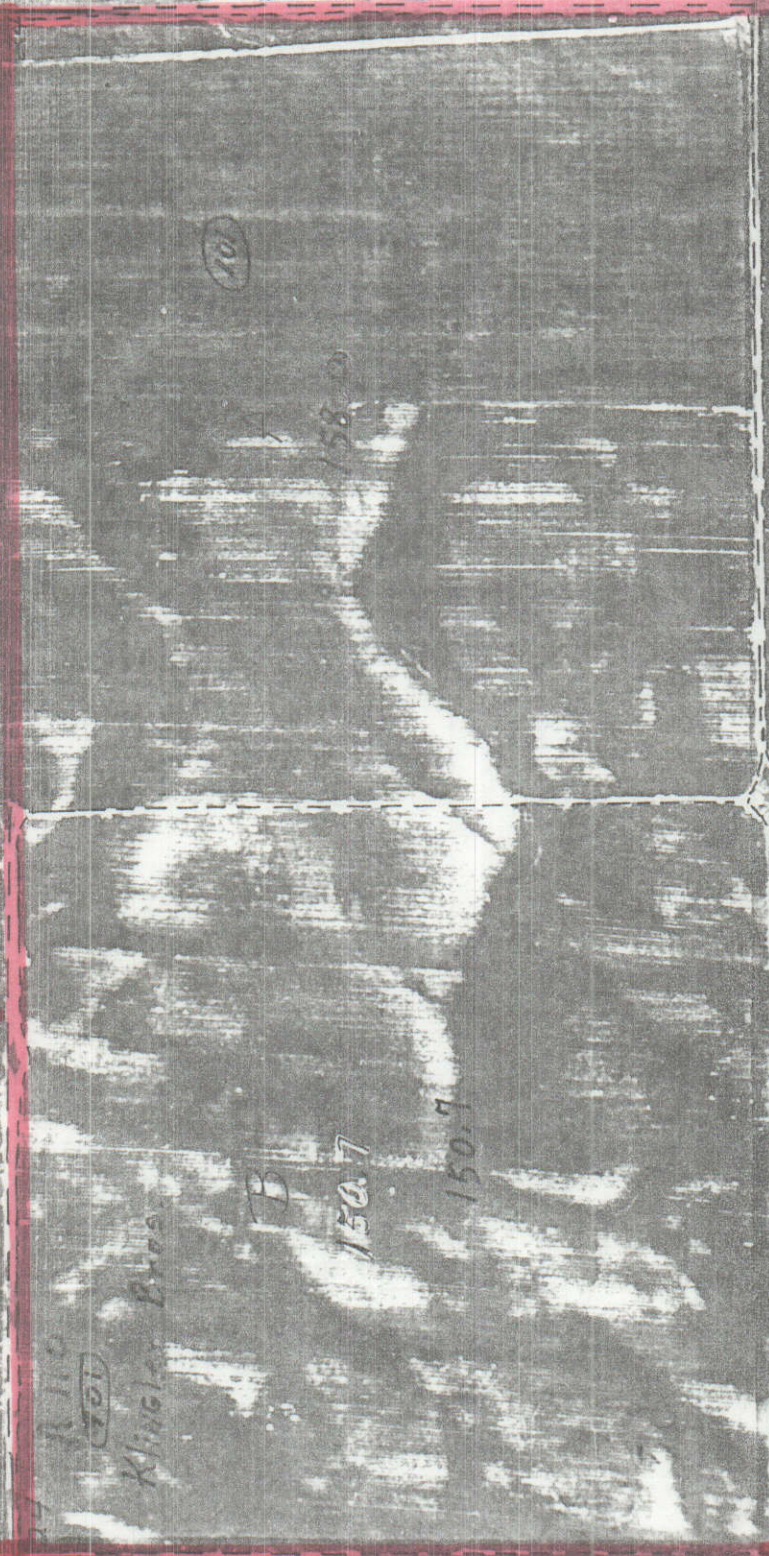


SOUTH WELL  
(CLARK)

22-07439

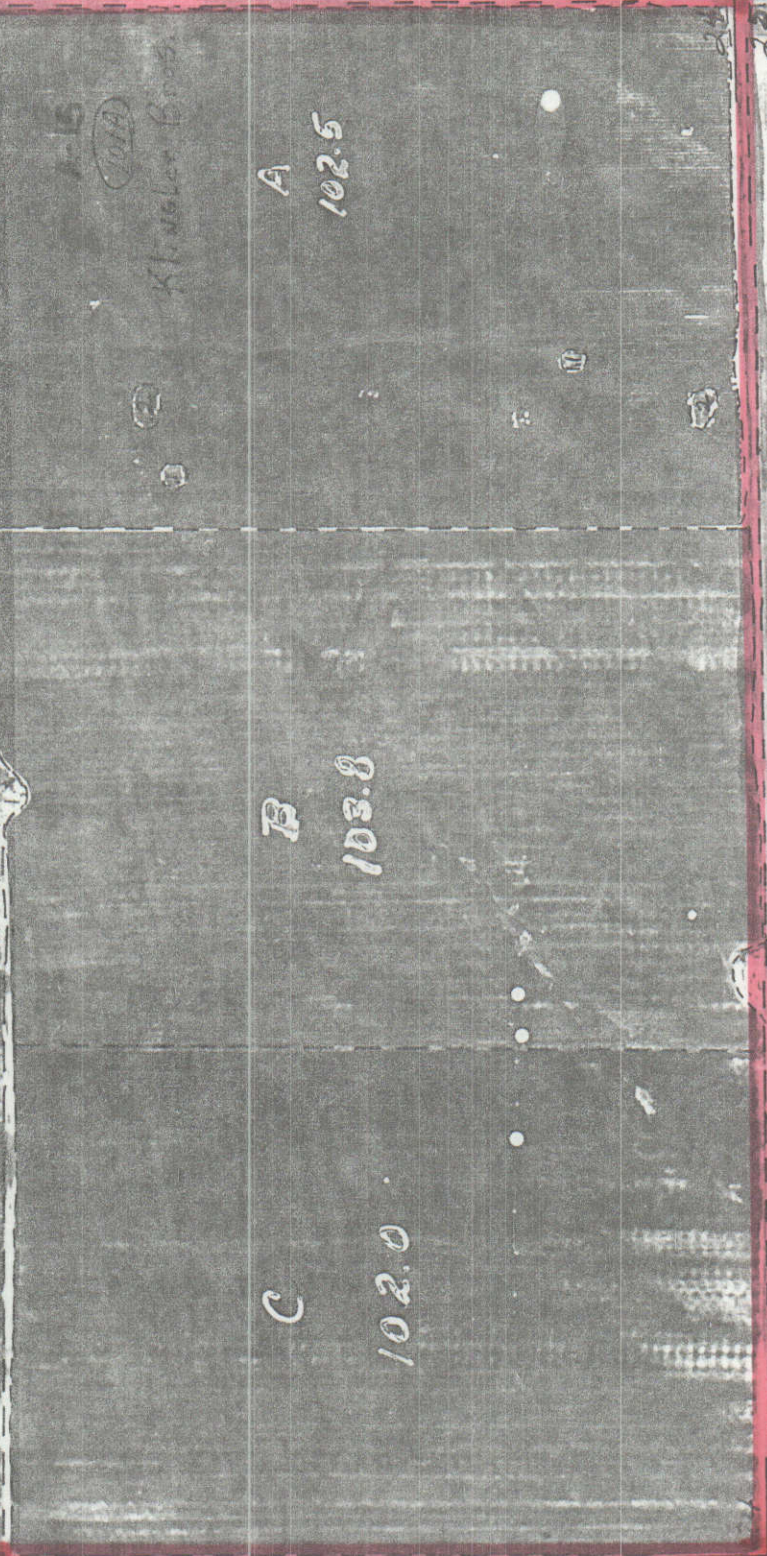
R-41

19



WALLACE E. ROBINSON  
 (102)  
 A  
 140.2  
 B  
 150.7  
 150.9

T-6



WALLACE ROBINSON (3015)  
 A  
 14.7  
 B  
 103.8  
 C  
 102.0  
 A  
 102.5

**MICROFILMED**  
 SEP 10 1989

26 19

28 30

33

## WATER RIGHT SUMMARY

| ACTION                          | RIGHT NO.           | NAME                        | AMOUNT CFS      |
|---------------------------------|---------------------|-----------------------------|-----------------|
| <del>Original Application</del> | <del>22-07439</del> | <del>Klinger Brothers</del> |                 |
|                                 |                     | <del>Partnership</del>      | <del>3.72</del> |
| <del>Full Assignment</del>      | <del>22-07439</del> | <del>Val Schwendiman</del>  |                 |
|                                 |                     | <del>Ralph Pocock</del>     | <del>3.72</del> |
| Full Assignment                 | 22-07439            | Ralph Pocock                | 3.72            |

**RECEIVED**

OCT 26 1995

RECEIVED  
AUG 30 1995

Department of Water Resources  
Eastern District Office

RECEIVED

SEP 29 1995

STATE OF IDAHO  
Department of Water Resources  
DEPARTMENT OF WATER RESOURCES

PR 9-29-95 \$25.00  
Re-21#0033637

RECEIVED

SEP 05 1995

Department of Water Resources

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

I, Val Schwendiman Newdale Idaho hereby assign to Ralph Pocock (356-3555)  
of, 2720 N. 5000 East Sugar City Idaho 83448  
(Full Address)

All my right, title, and interest in and to ~~Application for~~ Permit  
No. 22-07439 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to  
~~Application for Application for~~ Permit No. 22-07439 to appropriate the public  
waters of the State of Idaho.

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

Made this 10 day of August, 1995  
Val Schwendiman  
Applicant

State of Idaho )  
County of FREMONT ) ss

On this 10th day of AUGUST, 1995, personally appeared before me the signer of the  
above instrument, duly acknowledged to me that he (she) (they) executed the same.

N. Jeffrey Hallors  
Notary Public  
Rexburg, Idaho

seal

My commission expires: 9-10-95

OCT 26 1995

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 22-07439

Proposed Priority: May 17, 1983

Maximum Diversion Rate:

3.72 CFS

This is to certify, that **VAL SCHWENDIMAN**  
**RALPH POCOCK**  
NEWDALE, ID 83436

has applied for a permit to appropriate water from: **GROUNDWATER**  
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

3.72 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 24, Township 06N, Range 41E  
SESW Sec. 24, Township 06N, Range 41E  
MADISON 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> |
|----------------------------------|------|--------------|------|--------------|------|--------------|--------------|
| 06N 41E 24                       | NENE | 39           | NWNE | 40           | SWNE | 40           |              |
|                                  | SENE | 39           | NENW | 40           | NWNW | 40           |              |
|                                  | SWNW | 40           | SENW | 40           | NESW | 40           |              |
|                                  | NWSW | 40           | SWSW | 39           | SESW | 39           |              |
|                                  | NESE | 39           | NWSE | 40           | SWSE | 39           |              |
|                                  | SESE | 38           |      |              |      |              | 632          |

Total number of acres irrigated: 632

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
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. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

**MICROFILMED**

SEP 15 1989

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

NO. 22-07439

CONDITIONS/REMARKS:

7. 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.
8. 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.

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

31<sup>st</sup> day of August, 1989.

*R. Keith Higginson*  
for R. Keith Higginson, Director

MICROFILMED

SEP 15 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

\*8/20/1988 ASSIGNED TO: Ralph Pocock & Val Schwendiman

1. Name of applicant --Klinger Brothers, Partnership-- Phone 458-4231

Post office address -5th South-3rd East,\* Newdale, ID 83436

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

3. Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 24 Township 6N

Range 41E B.M. Madison County, additional points of diversion if any: \_\_\_\_\_

SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 24, T. 6N, R. 41E.

4. Water will be used for the following purposes:

Amount 3.72 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:

a. 3.72 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two wells with 3 phase electric pumps and sprinkler irrigation

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 1000 feet.  
20 1300

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

**MICROFILMED**

SEP 15 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| 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  | 41E   | 24   | 39  | 40  | 40  | 39  | 40  | 40  | 40  | 40  | 40  | 40  | 39  | 39  | 39  | 40  | 39  | 28  | 632    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 632

c. Describe any other water rights used for the same purposes as described above. License #22-7052  
22-7167 and 22-2271

9. a. Who owns the property at the point of diversion Klingler Brothers

b. Who owns the land to be irrigated or place of use Klingler Brothers

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

10. Remarks 22-7052: 0.005 cfs/acre on 640 acres = 3.20 cfs

22-7167: 0.0085 cfs/acre on 632 acres = 5.38 cfs

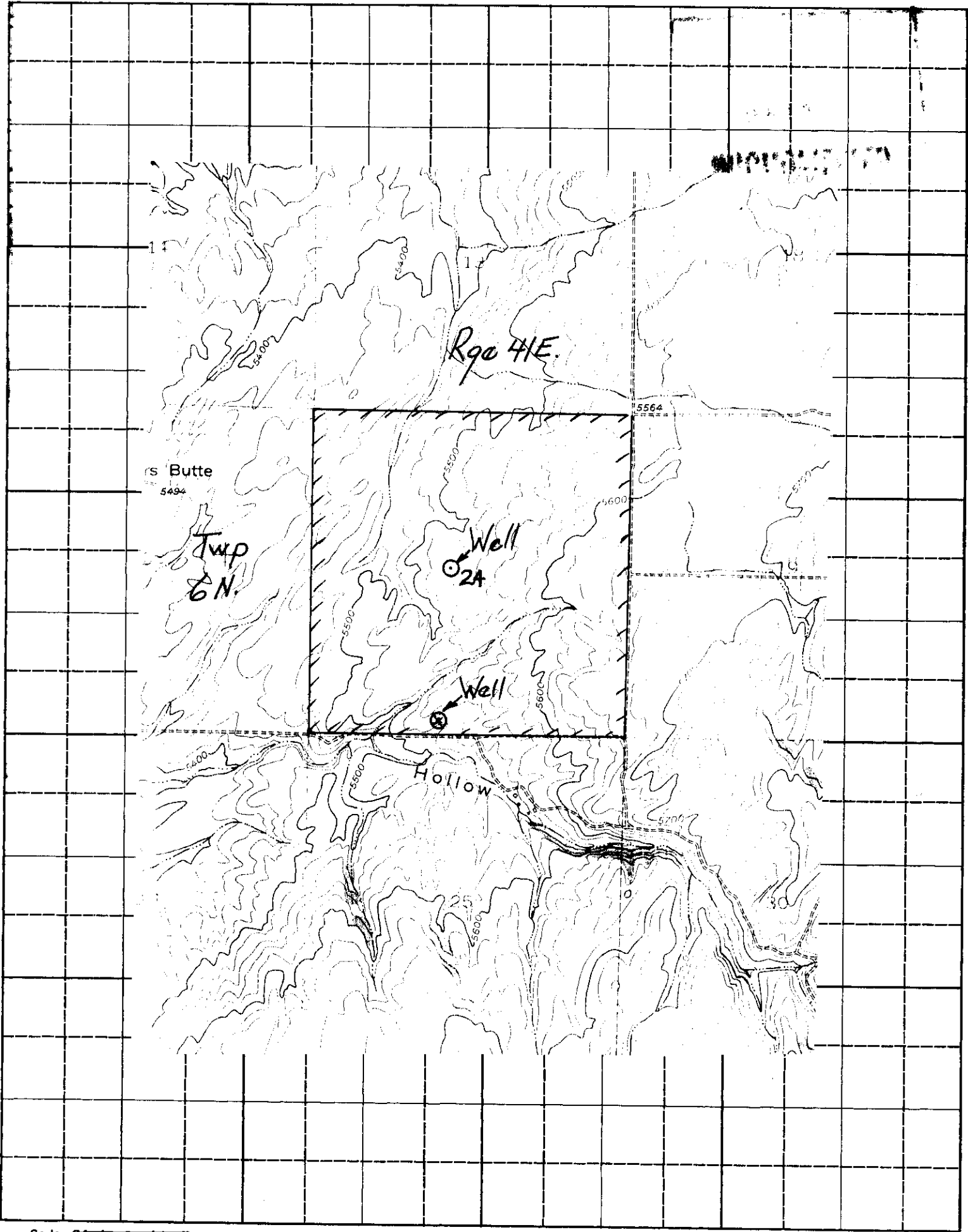
22-2271: 0.0086 cfs/acre on 44 acres = 0.38 cfs

8.96

**RECORDED**

SEP 15 1989

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



Scale: ~~1 inch = 2 miles~~  
1:24,000

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.

**MICROFILMED**

SEP 13 1989

*Grant S. Klinger* (Partner)  
(Applicant)

Received by EMLC Date 5-17-83 Time 4:00.

Preliminary check by AWJ Fee \$ 105.00

Receipted by BP Date 3/17/83 # 26241

Publication prepared by RB Date 4-11-89

Published in Rexburg Standard-Journal

Publication dates 4-20 & 26, 89

Publication approved CW Date 5-3-89

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by KW

#### 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. Other: \_\_\_\_\_

**MICROFILMED**

SEP 15 1989

STATE OF IDAHO

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Klingler Brothers Partnership, hereby assign to Ralph Porock & Val Schwerdtman  
of Newdale, Ida. Address

all my right, title, and interest in and to Application for Permit No.  
22-7439 to appropriate the public waters of the State of  
Idaho.

Made this 20<sup>th</sup> day of August, 1988.

Grant H. Klingler  
Applicant

Betty Klingler  
Spouse of Applicant

State of Idaho )  
County of Madison ) ss.

On this 20<sup>th</sup> day of August, 1988, personally  
appeared before me the signer(s) of the above instrument, who duly  
acknowledged to me that he (she) (they) executed the same.

s e a l

Lay W. Ligby  
Notary Public residing at  
Lexburg, Idaho

My commission expires:

3-12-93

**MICROFILMED**

SEP 15 1989

THE STANDARD-JOURNAL  
Rexburg, Idaho  
AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 1 1989

Department of Water Resources  
being Eastern District Office

STATE OF IDAHO  
County of Madison

I, Terry Weatherston  
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  
April 20, 1989 and the last  
publication having been made on  
April 27, 1989 .

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*

STATE OF IDAHO )  
COUNTY OF MADISON )

On this 28th day of April in  
the year of 1989, 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.

*Larry A. Judd*

Notary Public for Idaho

Residing at Rexburg, Idaho  
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:

22-07428  
SUMMERS FARM & RANCH INC.  
RFD NO. 1

SUGAR CITY, ID 83448  
Source: GROUNDWATER  
Diversion Pt: SENW Sec 35 T 06N R  
40E

Use: IRRIGATION (9.700 CFS)  
Date Filed: 3/23/1983  
In: T06N R40E S34 NENE SENE  
NESW SESW NESE NWSE SWSE  
SESE, S35 NESW NWSW SWSW SESW  
NESE NWSE SWSE SESE 485.0 ACRES  
TOTAL

22-07429  
SUMMERS FARM & RANCH INC.  
RFD NO. 1

SUGAR CITY, ID 83448  
Source: GROUNDWATER  
Diversion Pt: SWSW Sec 26 T 06N R  
40E  
Use: IRRIGATION (1.600 CFS)

Date Filed: 3/23/1983  
In: T06N R40E S27 SENE NESE SESE  
S34 80.0 ACRES TOTAL

22-07439  
POCOCK, RALPH  
SCHWENDIMAN, VAL  
NEWDALE, ID 83436

Source: GROUNDWATER  
Diversion Pt: SENW Sec 24 T 06N R  
41E, SESW Sec 24 T 06N R 41E  
Use: IRRIGATION (3.720 CFS)  
Date Filed: 5/17/1983

In: T06N R 41E S24 NENE NWNE  
SWNE SENE NENW NWNW SWNW  
SENW NESW NWSW SWSW SESW  
NESE NWSE SWSE SESE 632.0 ACRES  
TOTAL

22-07440  
KLINGLER BROTHERS,  
PARTNERSHIP

5TH SOUTH 3RD EAST  
NEWDALE, ID 83436  
Source: GROUNDWATER  
Diversion Pt: NWSE Sec 7 T 06N R  
42E

Use: IRRIGATION (4.800 CFS)  
Date Filed: 5/17/1983  
In: T06N R42E S08 NWNE NENW  
SENW NESW SWSW SESW 240.0  
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 MAY 8, 1989.

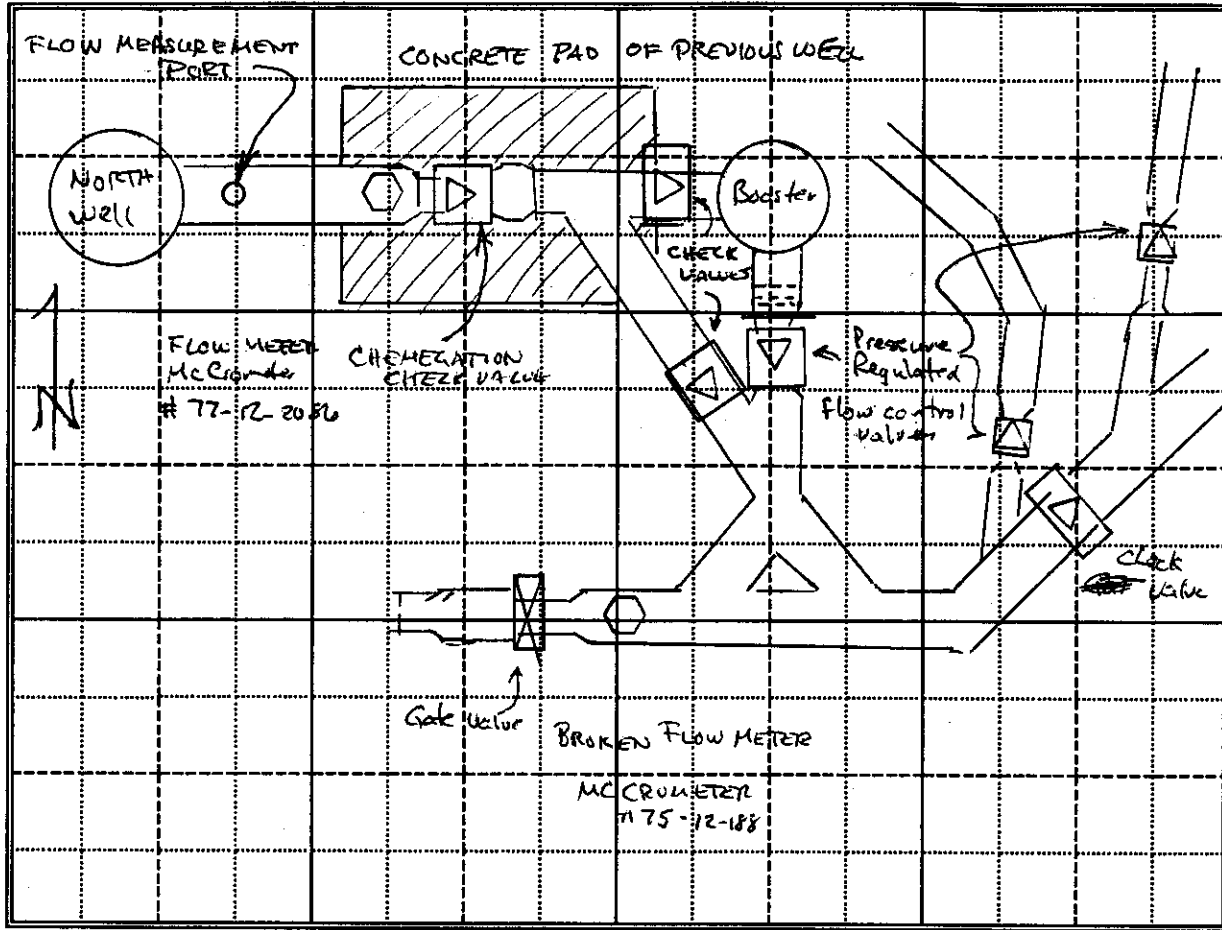
R. KEITH HIGGINSON  
Director  
Publ. April 20 and 27, 1989.

MICROFILMED

SEP 15 1989

[illegible]

3. **Delivery System Diagram:** Include 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 |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
| North Well                            | GE         | 600 | F5J618015        | Aurora    | 12" discharge V82-707518          |
| North Well Booster                    | GE         | 150 | PLJ604171        | Johnton   | CASTING # 15713 (ca*)             |
|                                       |            |     |                  |           |                                   |

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

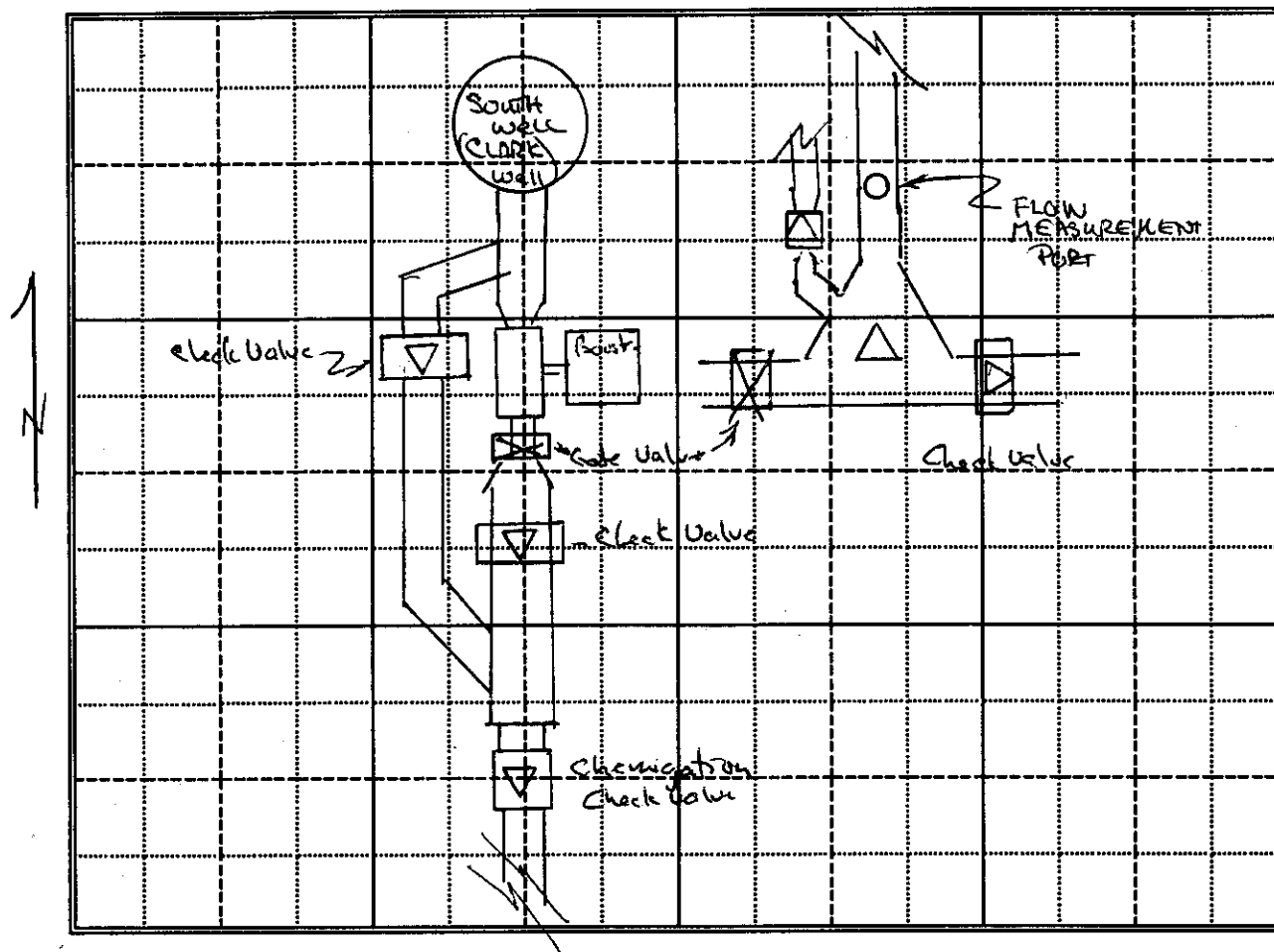
#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make      | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|-----------|-----------|------------|------|-------------|
| SONIC METER           |      | Polysonic | TF-P2     | NIK2905    | -    | -           |
|                       |      |           |           |            |      |             |

2. Measurements: NORTH WELL = 2385 gpm      12.01" OD, CS, 0.129" Thickness  
8.962" spacing, V method, Another fluid 1440 u/s  
AI2 = 2.9% , To CHECK 99.55%

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 Quadrange 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 |
|---------------------------------------|---------------|-----|------------------|--------------------------|-----------------------------------|
| South (CLARK)                         | GE            | 600 | EKJ 515018       | Laguna-Bowler Verti-LINE | 12" discharge                     |
| South Well Booster                    | U.S. Electric | 100 | R-9447-02-5295   | Quorum                   | 9606561                           |
|                                       |               |     |                  |                          |                                   |

\*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 |
|-----------------------|------|------------|-----------|------------|------|-------------|
| SONIC METER           |      | Polysonics | TF-P2     | NIK2905    | -    | -           |
|                       |      |            |           |            |      |             |

2. Measurements: South (CLARK) Well = 2373 gpm

12.015' od, CS, 0.1142" thickness  
8.944' Spacing M.V. method AT2=2.5%  
Another Flux 1440 H/s TO CHECK 100.28%

#### E. NARRATIVE/REMARKS/COMMENTS

Two wells with Boosters to mainline to 5 center Pivots and handlines with Sprinklers. Pivots have corner catchers

$$\text{Total flow} = 2385 \text{ gpm} + 2373 \text{ gpm} = 4758 \text{ gpm} = 10.60 \text{ cfs}$$

NOTE: POLYSONIC PRINTER NOT WORKING DURING EXAM. ALL FLOW RATES WERE OBSERVED BY EXAMINER

TOTAL DIVERSION RATE =  $10.60 \text{ cfs}$  ON  $899 \text{ ac}$  =  $0.01179 \text{ cfs/ac}$  WHICH EQUALS  $0.589$  MINERS INCHES/ACRE ( $0.6"/\text{ac}$ )

POINT OF DIVERSION & PLACE OF USE OVERLAPS [22-02271D ( $0.38 \text{ cfs}/44 \text{ ac}$ ), 22-07052A ( $3.20 \text{ cfs}/640 \text{ ac}$ ), & 22-07167A ( $5.38 \text{ cfs}/632 \text{ ac}$ )] <sup>(PLACE OF USE OVERLAP)</sup> SEC 24, T6N, R41E,

EXAMINER RECOMMENDS A PERMISSIBLE PLACE OF USE ON  $899$  ACRES LIMITED TO IRRIGATION OF  $272$  ACRES WITHIN AN IRRIGATION SEASON, AND  $3.72 \text{ cfs}$ . WITH A CONDITION THAT THIS RIGHT IN COMBINATION WITH 22-02271D, 22-07052A, & 22-07167A WILL NOT EXCEED THE TOTAL DIVERSION RATE OF  $10.60 \text{ cfs}$  OR  $3146.5 \text{ cfs}$  ( $899 \text{ ac} \times 3.5 \text{ cfs}$ )

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

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

$$Q = Q_{\text{Northwell}} + Q_{\text{Southwell}} = 2385 \text{ gpm} + 2373 \text{ gpm} = 4758 \text{ gpm} = 10.60 \text{ cfs}$$

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 272 \text{ ac} (3.5 \text{ cfs}) = 952.0 \text{ afe}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.72 \text{ cfs} (183) 1.9835 = 1350.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 952.0 \text{ afe}$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |      | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afe) |
|----------------|---------------|------|------------------------------|--------------------------|
|                | From          | To   |                              |                          |
| IRRIGATION     | 4/1           | 11/1 | 3.72 cfs                     | 952.0 afe                |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
| Totals:        |               |      | 3.72 cfs                     | 952.0 afe                |

## 2. Recommended Amendments

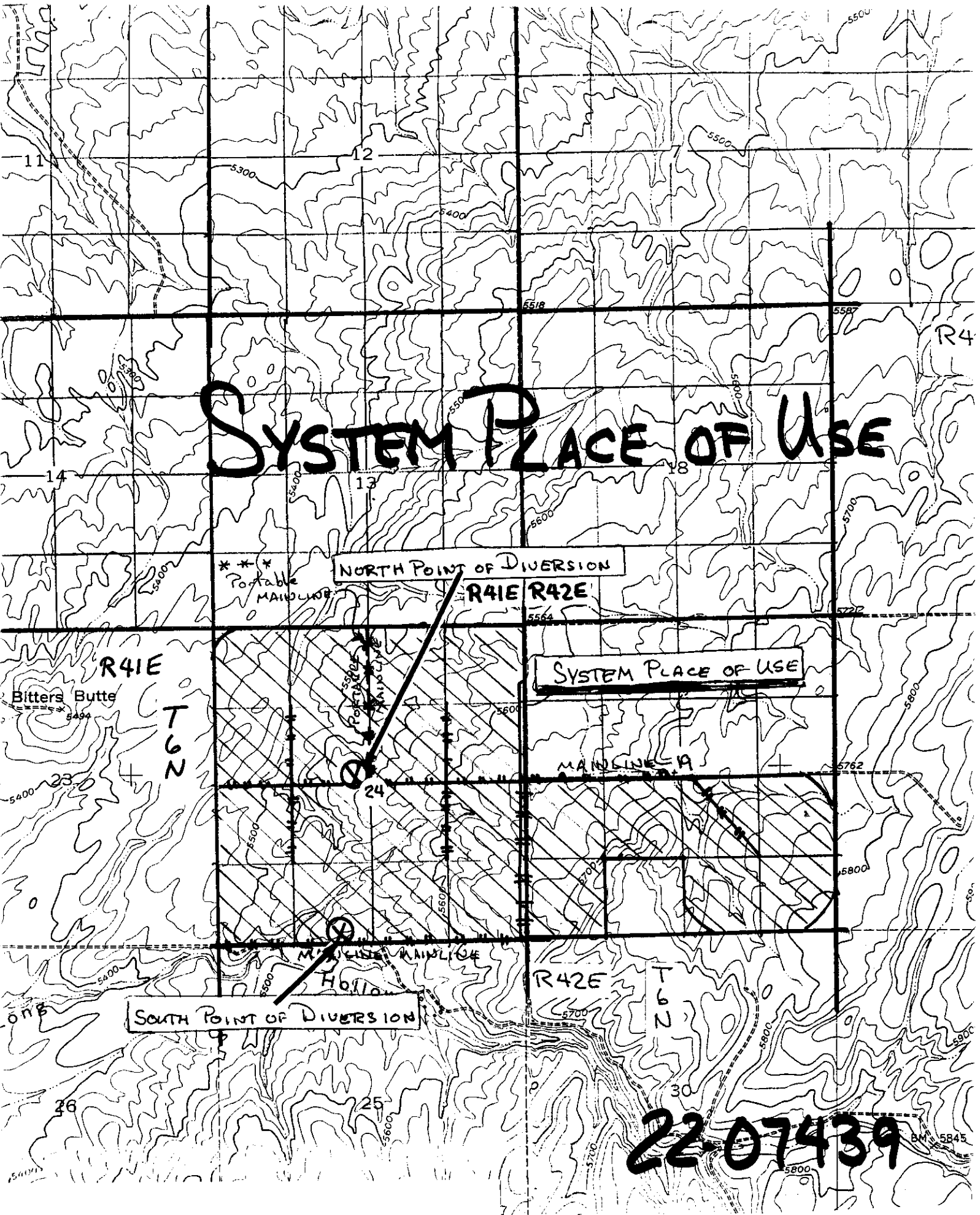
☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☐ None  
☒ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

**I. AUTHENTICATION**Field Examiner's Name KEITH C. WILSON Date 9-10-1998

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

# SYSTEM PLACE OF USE



level  
7

File

20

SYSTEM PLACE OF USE

PERMIT FOR CORNER

POINTS OF  
DIVERSION

150.0  
2 WHEEL

MAINLINE

20 30

22-07439

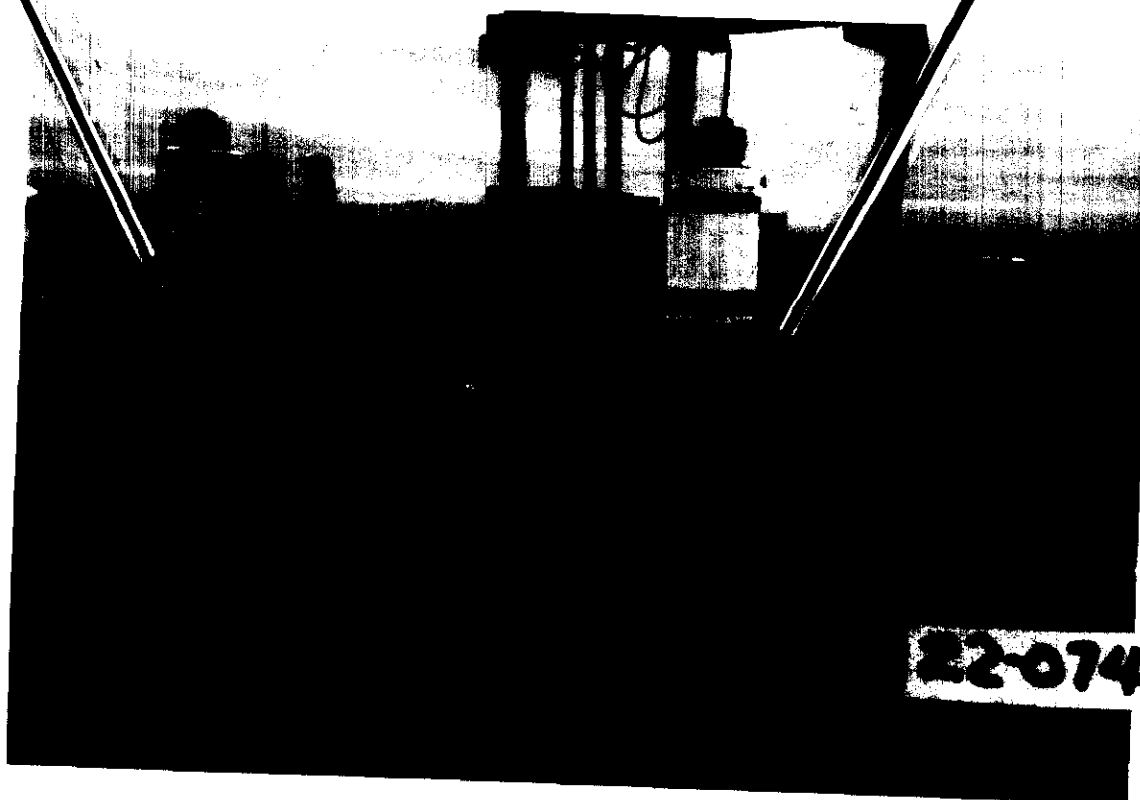
22-07439

30 2



North  
Well

Booster



22-07439

Booster →

MAINLINES FOR NORTH WELL

22-07439

NORTH  
WELL



South Well  
(CLARK)

22-  
07439



SOUTH WELL  
(CLARK)

22-07439



**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 6, 1995

Ralph Pocock  
2720 N 5000 E  
Sugar City ID 83448

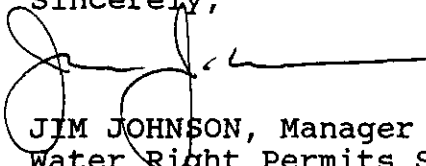
RE: Permit No. 22-07439

Dear Permit Holder(s):

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

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

Sincerely,



JIM JOHNSON, Manager  
Water Right Permits Section

JJ:rl

RECEIVED

OCT 26 1995

DATE: 10/05/95  
PAGE: 1

Misc: Water District Number: Field Exam Fee: R (Received)



**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

September 8, 1995

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RALPH POCOCK  
2720 N 5000 E  
SUGAR CITY ID 83448

RE: Permit No. 22-07439

Dear Mr. Pocock:

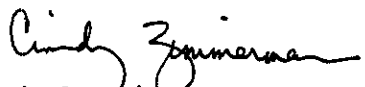
I recently received an 'Assignment of Permit' form on the above referenced permit assigning the permit to you.

As of July 1, 1994, the assignment of a permit must be accompanied by a \$25.00 filing fee. Assignments of permits are not acceptable without filing fees.

I am returning the assignment to you, please resubmit the assignment with the filing fee to my attention at the above address.

If you have any questions or require assistance, please contact me directly at (208) 327-7944.

Respectfully,

  
Cindy Zimmerman  
Water Resource Agent

Enclosure

**RECEIVED**

SEP 14 1995

October 3, 1990

RALPH POCOCK  
VAL SCHWENDIMAN  
NEWDALE, ID 83436

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07439

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 flow measurement port 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 flow measurement port 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

**MICROFILMED**

OCT 16 1990

For Office Use Only  
Amt. of Fee \$ 200.00  
Date 8/31/90  
Receipt No. CG18187  
Received by J. Durica

**RECEIVED**  
AUG 31 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 22-07439 Telephone No. 458-4261  
Name(s) of Permit Holder(s): Val Schwendiman 9633 E. Hwy 33 Newdale, Ida 83436  
Post Office Address: Ralph Pocock Teton City, Idaho 83451  
Source of Water: ground water  
If ground water, well driller's name: Kenny Volmer Date drilled: 1982  
Extent of Use: Abandon, Idaho  
Domestic \_\_\_\_\_ (No. of households) Irrigation 632 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted 3.72 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: July 1982

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ 200.<sup>00</sup> (See License Examination Fee Schedule)

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

Val Schwendiman & Ralph Pocock 458-4261 356-3555  
9633 E. Hwy 33 Teton City, Idaho  
Newdale, Idaho  
Name Address Telephone No.

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.

OCT 16 1990

Aug 29-90 Val Schwendiman  
Date Signature (and title if on behalf of a company or organization)

138027  
June 30, 1990

RALPH POCOCK  
VAL SCHWENDIMAN  
NEWDALE, ID 83436

PROOF DUE NOTICE

RE: PERMIT NO. 22-07439

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 September 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck  
Secretary/Records Manager

Enclosures

RECEIVED

OUT

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  
September 1, 1989

RALPH POCOCK  
VAL SCHWENDIMAN  
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.      P22-07439

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.

**MICROFILMED**

SEP 15 1989

\_\_\_\_\_

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

SEP 19 1989

MEMORANDUM

TO: File No. 22-7439  
FROM: Gary Spackman *Gary*  
DATE: August 17, 1989

RE: Waiver of Rule 4,5. Additional Information Requirements

Application 22-7439 was filed prior to July 1, 1985 and represents development that occurred in 1981. The location of the point of diversion falls outside of the trustwater area. Normally, additional information would be required under Rule 4,5. of the Water Appropriation Rules and Regulations. Possible issues that the additional information should address have probably already been raised during development and operation, however.

Pursuant to Glen Saxton's memo of July 19, 1989, The Rule 4,5. informational requirement should be waived.

**MICROFILMED**

SEP 15 1989

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

22 7439

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: \_\_\_\_\_

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

PROCESSING:

- ☒ Yes ☒ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☒ Yes ☐ No Other rights on same place of use. License 22-7052, 22-2271, & 22-7167  
☐ Yes ☐ No\* In form for advertising.  
Final date for protests: 5-8-89  
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-01-89  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☒ Yes ☐ No Access port required.  
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05  
5-17-83 Date of priority recommended.  
Special conditions of approval or cover letter. <OIG>

App. in NON-TRUST area  
allow / yr. for development

By: HWT Date: 5-11-89

STATE OFFICE REVIEW:

P05, P23, P03, P16 48 49 46 04 01G 03A

- ☐ See attached sheet for more information.

By: KW Date: 6/5/89 MAY 19 1989

April 12, 1989

Klingler Brothers, Partnership  
5th S. 3rd E.  
Newdale, ID 83436

RE: Applications for Permit No. 22-7440

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. 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,

HAROLD W. JONES  
Water Rights Supervisor

HWJ/rb

**MICROFILMED**

SEP 15 1989

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

Idaho Falls, Idaho 83402  
(208) 525-7161

APRIL 11, 1989

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 MAY 8, 1989.

Yours truly,

Rita Bodell  
Secretary

Encl.

**MICROFILMED**

SEP 15 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

**MICROFILMED**

SEP 15 1989

22-07439

POCOCK, RALPH  
SCHWENDIMAN, VAL  
NEWDALE, ID 83436

Source: GROUNDWATER

Diversion Pt:            SENW        Sec 24 T 06N R 41E  
                      SESW        Sec 24 T 06N R 41E

Use: IRRIGATION                    ( 3.720 CFS)

Date Filed: 5/17/1983

|                   |      |      |      |      |
|-------------------|------|------|------|------|
| In: T06N R41E S24 | NENE | NWNE | SWNE | SENE |
|                   | NENW | NWNW | SWNW | SENW |
|                   | NESW | NWSW | SWSW | SESW |
|                   | NESE | NWSE | SWSE | SESE |

632.0 ACRES TOTAL

**MICROFILMED**

SEP 15 1989



**GOLDEN WEST IDAHO FALLS, INC.**  
P.O. BOX 488 356-9318 REXBURG, IDAHO 83440

July 1, 1985

**RECEIVED**

JUL 5 1985

Department of Water Resources  
Eastern District Office

Ron Carlson  
Dept. Of Water Resources  
150 Shoup Ave. Suite 15  
Idaho Falls, Idaho 83402

Dear Ron:

Mr. Grant Klingler of Klingler Brothers has asked that I verify the installation of pumps located in Sec. 24 T 6N, R 41E in Madison County.

In about 1977 we installed a 600 H.P. Pump for Howard and Robinson in the South 1/2 Sec. 24 T6N R 41E. They had difficulty with the well which required the installation of a new pump in 1982 which together with a 100 H.P. Booster pump produced approximately 2500 gpm. A copy of that contract is enclosed. At that time a son-in-law, Brent Clark owned the property.

On June 30, 1982 we entered into a contract with the Klingler Bros. to replace a pump with a new one located in the N 1/2 Sec. 24 T6N R 41E. This pump was designed to produce 2750 gpm @ 750' TDH. With a 150 H.P. Booster, the production is close to that amount. A copy of that contract is attached.

Sincerely Yours,

Robert R. Lee

Enclosure  
RRL/cj

**RECEIVED**

SEP 15 1989



PHONE (208) 356-9318

PHONE (208) 529-0400

RECEIVED  
VALLEY CENTER PYLOTS  
THUNDERBIRD  
SIDE ROLL LINES  
JUL 5 1966

Department of Water Resources

JUL

## SIDE-RAIL LINES

## SIDE-RAIL LINES

TO BRENT Clark #2672

DATE: March 30, 1981

COMPLETION DATE: 11/11/2011

BID: WE HEREBY PROPOSE TO FURNISH MATERIAL AND LABOR TO COMPLETE THE WORK OUTLINED HEREIN FOR THE SUM OF:

DOLLARS \$

**PAYMENT  
TO BE MADE  
AS FOLLOWS:**

WE HEREBY SUBMIT SPECIFICATIONS AND BID FOR

| QUANTITY | STOCK NUMBER OR DESCRIPTION                                                                                                                 | AMOUNT      |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1-       | 11 Stage 14R Bowl unit.<br>TO DO 2040 GPM @ 980 TDH)                                                                                        |             |
|          | Installed -<br>Rewire motor & start up                                                                                                      | \$16,474.00 |
|          | Take 600HP motor to I.F. &<br>CK over - motor OK.                                                                                           | 85.00       |
|          | AGREEMENT:<br>Send bill to Howard &<br>Robinson If they don't pay in<br>30 days he will guarantee payment<br>Per Brent Clark March 30, 1971 |             |
|          | D.D. 11/10/8                                                                                                                                |             |

1. Describe Trade-in, if any.

2. If Seller is to deliver or install material and circumstances are encountered which increase such costs, these additional costs will be added to the balance due and be paid by Purchaser. Seller is granted permission to clear terrain to install material and will backfill any digging, but will not be required to restore trees, grass or other cover to the backfill.

3. ( ) Seller ( ) Purchaser shall install the material. The same shall be delivered by Seller to Purchaser at \_\_\_\_\_ and be installed and remain on the following real property. (Use legal desc.-e. g. SE ¼, NE ¼, Sec. 8 Twp. 3 N, R 42 EBM) \_\_\_\_\_

|                      |  |
|----------------------|--|
| Sub Total            |  |
| Trade-in             |  |
| Cash Paid With Order |  |
| Sales Tax            |  |
| Balance              |  |

1. Describe Trade-in, if any. \_\_\_\_\_

2. If Seller is to deliver or install material and circumstances are encountered which increase such costs, these additional costs will be added to the balance due and be paid by Purchaser. Seller is granted permission to clear terrain to install material and will backfill any digging, but will not be required to restore trees, grass or other cover to the backfill. \_\_\_\_\_

3. ( ) Seller ( ) Purchaser shall install the material. The same shall be delivered by Seller to Purchaser at \_\_\_\_\_ and be installed and remain on the following real property. (Use legal desc.-e. g. SE ¼, NE ¼, Sec. 8 Twp. 3 N, R 42 EBM) \_\_\_\_\_

4. Balance Payable: ( ) in cash payable on or before \_\_\_\_\_ 19\_\_\_\_

( ) term purchase agreement payable in \_\_\_\_\_ consecutive (monthly, annual) installments commencing \_\_\_\_\_ 19\_\_\_\_ on Seller's standard purchase money security agreement, on such financing terms as the parties agree, but the SPECIAL TERMS AND CONDITIONS on the reverse side hereof shall nevertheless continue in full effect between the parties and this agreement shall be incorporated into and be a part of such purchase money security agreement. In case of inconsistencies between this instrument and such purchase money security agreement this instrument shall control.

5. Any price increases between Seller and its suppliers on any materials, machine, hire or labor listed herein, which occur between the date hereof and date of delivery to Purchaser will be passed on to and paid by Purchaser. This order shall not be binding on Seller until accepted and signed by a duly authorized agent of Seller and this order may be modified or rescinded only by a writing signed by both parties or their duly authorized agents.

6. In case of change in quantity of materials or services installed or furnished, arithmetic error, unit prices extended will determine total cost. Any past due sums shall bear a **FINANCE CHARGE** of 1 1/2% PER MONTH on unpaid balance (equal to 18% ANNUAL PERCENTAGE RATE) from their due date until paid.

7. Purchaser agrees that title and risk of loss to materials sold hereunder pass to Purchaser at Seller's (or common carrier's) place of business immediately upon identification of the material to the agreement and prior to delivery to, or installation at Purchaser's premises, and confirms that the material will be used by him directly and primarily in the process of producing tangible personal property by mining, manufacturing, processing, or for farming.

8. Purchaser warrants the trade-in to be free of all liens and encumbrances; that he has read this Estimate and Agreement in its entirety, both front and back pages and attachments, if any, has received a true completed copy hereof; that his signature hereon makes this a firm offer on his part to purchase the material and that if this offer is accepted by Seller by signature hereon, by delivery of all or any part of the material or otherwise, he has read, understands and agrees to all of the terms and conditions hereon, including but not limited to the SPECIAL TERMS AND CONDITIONS on the reverse side and Item 5 above, and that all terms and blanks were filled in prior to signing.

|                      |  |
|----------------------|--|
| Trade-in             |  |
| Cash Paid With Order |  |
| Sales Tax            |  |
| Balance              |  |

NOTICE: SEE OTHER SIDE FOR IMPORTANT INFORMATION. ALL OF THE TERMS, CONDITIONS AND PROVISIONS ON THE REVERSE SIDE FORM A PART HEREOF.

**GEM STATE IRRIGATION, INC.**

Dated this 27 day of July 1989

By: William C. Kelly

Residence

This estimate void after \_\_\_\_\_ days from date unless accepted  
by Purchaser's Signature.

OFFICE COPY

6204

ENGINEERING  
MAINLINES  
PRINKLERS



# GEM STATE IRRIGATION, INC.

BOX 488 - SOUTH YELLOWSTONE HWY. - REXBURG, IDAHO 83440

PHONE (208) 356-9318

BOX 1181 - COLORADO & PANCHERI - IDAHO FALLS, IDAHO 83401

PHONE (208) 529-0400

VALLEY CENTER PIVOTS  
THUNDERBIRD  
SIDE ROLL LINES

JUL

Department of Water Resources  
Eastern District Office

KLINGER Bros.  
NEWARK

DATE

6/30/82

COMPLETION DATE

BID: WE HEREBY PROPOSE TO FURNISH MATERIAL AND LABOR TO COMPLETE THE WORK  
OUTLINED HEREIN FOR THE SUM OF:

DOLLARS \$

WE HEREBY SUBMIT SPECIFICATIONS AND BID FOR:

C-454

PAYMENT  
TO BE MADE  
AS FOLLOWS:

Trade-ins down payment  
balance on installation

| QUANTITY | STOCK NUMBER OR DESCRIPTION                     | AMOUNT            |
|----------|-------------------------------------------------|-------------------|
| 1        | 600 H.P. Motor 300% Thrust.                     |                   |
| -1       | 12" DISCHARGE HEAD w/ Column Support            |                   |
| 760'     | 12" COLUMN                                      |                   |
| 1        | SET BOWLS TO GO 2750 gpm @ 750' TWT (95% 14RH)  |                   |
| 1        | 12" CONE STRAINER                               |                   |
| 40'      | 3 1/2" x 2 7/16" TUBE AND START (41250)         |                   |
|          | Total                                           | 41,465.00         |
|          | Trade-in - 720' - 10" Column                    | -8,280.00         |
|          | Set Pump 760 GPM                                | Total \$39,185.00 |
|          | <del>Trade-in 10" head for trade-in value</del> | 2,280.00          |
|          | Take 10" bowls and head on trade-in             | 2,700.00          |
|          | Total                                           | \$38,765.00       |

- Describe Trade-in, if any.
- If Seller is to deliver or install material and circumstances are encountered which increase such costs, these additional costs will be added to the balance due and be paid by Purchaser. Seller is granted permission to clear terrain to install material and will backfill any digging, but will not be required to restore trees, grass or other cover to the backfill.
- ( ) Seller ( ) Purchaser shall install the material. The same shall be delivered by Seller to Purchaser at \_\_\_\_\_ and be installed and remain on the following real property. (Use legal desc.-e. g. SE 1/4, NE 1/4, Sec 8 Twp. 3 N. R 42 EBM).
- Balance Payable: ( ) in cash payable on or before \_\_\_\_\_ 19\_\_\_\_

Sub Total

Trade-in

Cash Paid  
With Order

Sales Tax

Balance

- ( ) term purchase agreement payable in \_\_\_\_\_ consecutive (monthly, annual) installments commencing \_\_\_\_\_ 19\_\_\_\_ on Seller's standard purchase money security agreement, on such financing terms as the parties agree, but the SPECIAL TERMS AND CONDITIONS on the reverse side hereof shall nevertheless continue in full effect between the parties and this agreement shall be incorporated into and be a part of such purchase money security agreement. In case of inconsistencies between this instrument and such purchase money security agreement this instrument shall control.
- Any price increases between Seller and its suppliers on any materials, machine, hire or labor listed herein, which occur between the date hereof and date of delivery to Purchaser will be passed on to and paid by Purchaser. This order shall not be binding on Seller until accepted and signed by a duly authorized agent of Seller and this order may be modified or rescinded only by a writing signed by both parties or their duly authorized agents.
- In case of change in quantity of materials or services installed or furnished, arithmetic error, unit prices extended will determine total cost. Any past due sums shall bear a FINANCE CHARGE of 1 1/2% PER MONTH on unpaid balance (equal to 18% ANNUAL PERCENTAGE RATE) from their due date until paid.
- Purchaser agrees that title and risk of loss to materials sold hereunder pass to Purchaser at Seller's (or common carrier's) place of business immediately upon identification of the material to the agreement and prior to delivery to, or installation at Purchaser's premises, and confirms that the material will be used by him directly and primarily in the process of producing tangible personal property by mining, manufacturing, processing, or for farming.
- Purchaser warrants the trade-in to be free of all liens and encumbrances; that he has read this Estimate and Agreement in its entirety, both front and back pages and attachments, if any, has received a true completed copy hereof; that his signature hereon makes this a firm offer on his part to purchase the material; that if this offer is accepted by Seller by signature hereon, by delivery of all or any part of the material or otherwise, he shall be bound to all of the terms and conditions hereof, including but not limited to the SPECIAL TERMS AND CONDITIONS on the reverse side and item 5 above, and shall be deemed to have accepted and agreed to all of the terms and conditions hereof, including but not limited to the SPECIAL TERMS AND CONDITIONS on the reverse side and item 5 above, and shall be deemed to have accepted and agreed to all of the terms and conditions hereof, including but not limited to the SPECIAL TERMS AND CONDITIONS on the reverse side and item 5 above.

NOTICE: SEE OTHER SIDE FOR IMPORTANT INFORMATION. ALL OF THE TERMS, CONDITIONS AND PROVISIONS ON THE REVERSE SIDE FORM A PART HEREOF.

GEM STATE IRRIGATION, INC.

SEP 15 1989

Dated this

30 Day of

June

1982

By

Robert R. Lee

Shant Klingler

Purchaser

Its

Residence

This estimate void after \_\_\_\_\_ days from date unless accepted  
by Purchaser's Signature

OFFICE COPY

6543

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

RECEIVED  
JUN 20 1985  
Department of Water Resources  
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 22-7439

Name(s) of Permit Holder: KLINGLER BROTHERS, PARTNERSHIP

5

Post Office Address: 5TH SOUTH 3RD EAST NEWDALE ID.

Telephone No. 458-4271

Source of Water: GROUNDWATER

Extent of Use:

Domestic \_\_\_\_\_ (number of households)

Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation 632 \_\_\_\_\_ (acres)

Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: \_\_\_\_\_

Measuring Device: Required? ☐ Yes ☐ No  
Installed? ☐ Yes ☐ No

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

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

Grant Klingler \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6/26/85  
Date

Grant Klingler  
Signature of Permit Holder (and Title, if appropriate)

Statement of development for exemption  
from Swan Falls processing. Not acceptable  
as proof of beneficial use.



United States  
Department of  
Agriculture

Agricultural  
Stabilization and  
Conservation Service

Madison County ASCS Office  
48 N 2 E., P. O. Box 67  
Rexburg, Idaho 83440

RECEIVED  
JUN 1985

TO ALL INTERESTED PARTIES:

Department of Agriculture  
Eastern District Office

Based on records at the Madison County ASCS-USDA Office at 48 North 2nd, East, Rexburg, Idaho, the land outlined in red on the attached photocopies was being irrigated and farmed in the 1980 crop year. The acreages are currently being irrigated and farmed.

Sincerely,

Brent M. Mendenhall,  
County Executive Director  
Madison County ASCS-USDA

Dated: May 28, 1985

MICROFILMED  
SEP 15 1989

K-41

29

100.7

A 102.5

B 103.8

C 102.0

MICROFILMED

30

22-7439

KLINGLER BROTHERS, PARTNERSHIP

5TH SOUTH 3RD EAST, NEWDALE, ID 83436

Source: GROUNDWATER

Date Filed: 05/17/1983

Diversion Pt: SESW SENW Sec 24 T 06N R 41E

Use: IRRIGATION (3.72 CFS)

In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE  
SESE Sec 24 T 06N R 41E FOR 632 ACRES

**MICROFILMED**

SEP 13 1989