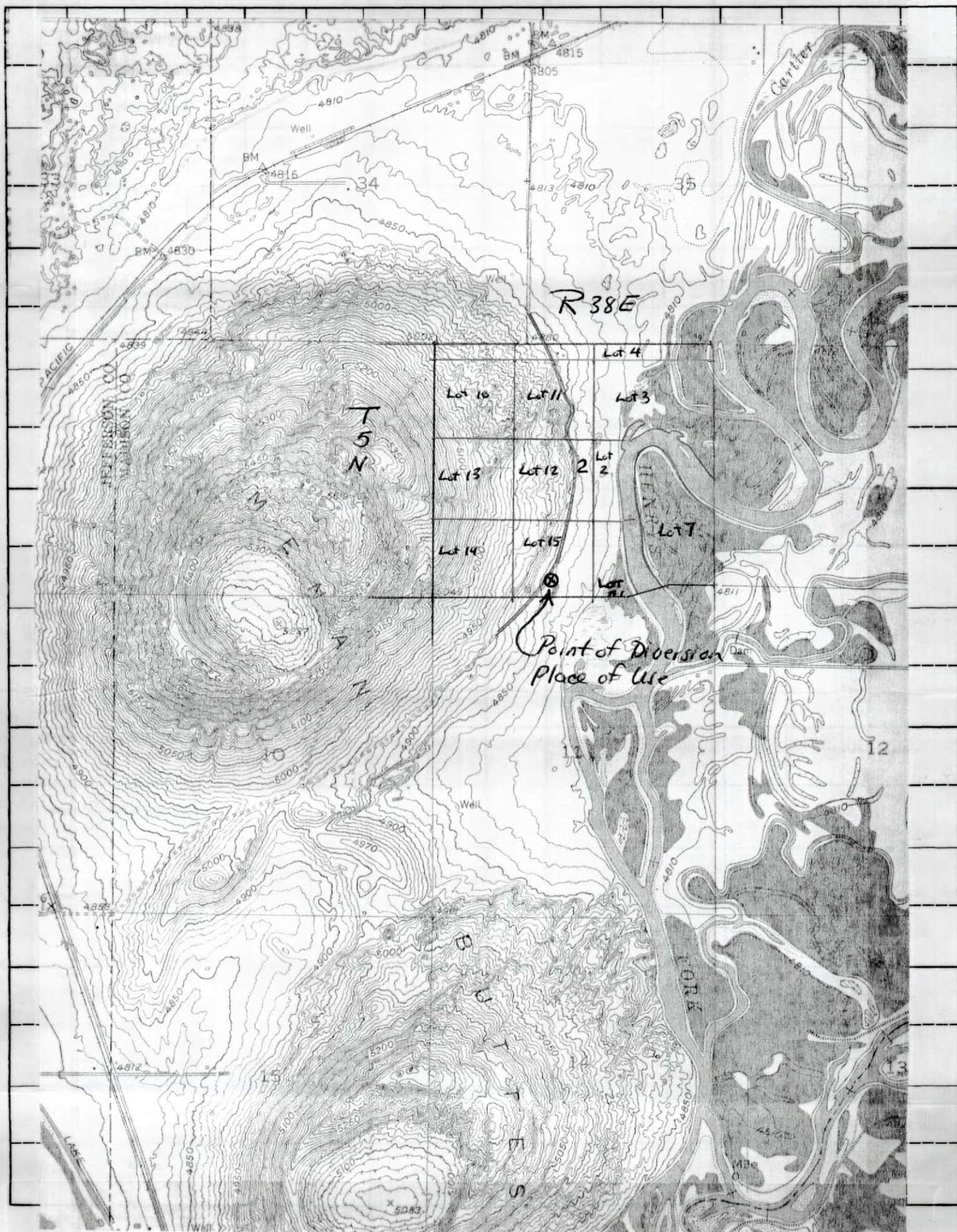


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

MAY 16 1989

Mervil J. Pickett
(Applicant)

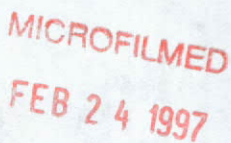
Basin
21

33
12

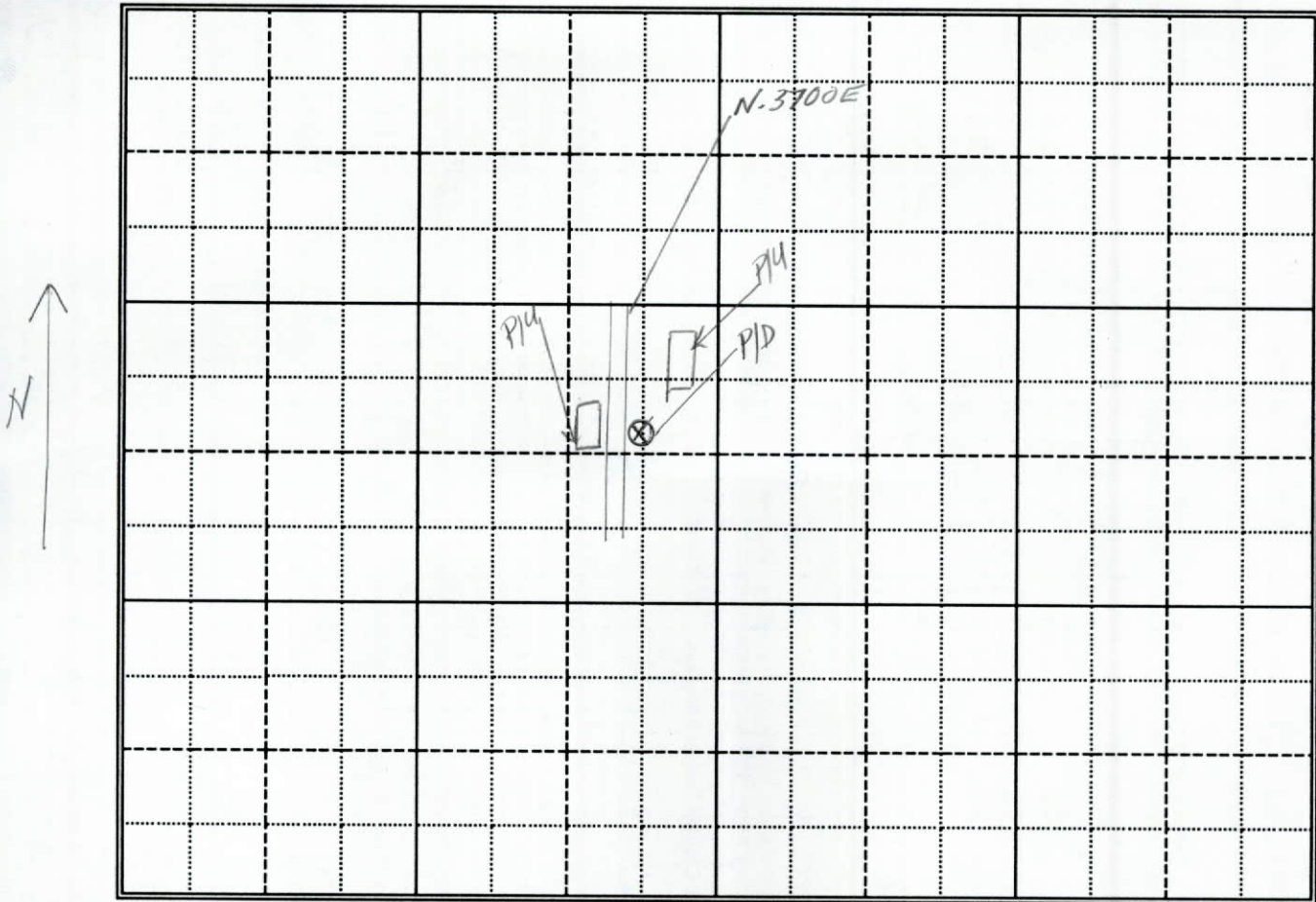
3571 I SE
(DEER PARKS)



3 EAST, OF THE BOISE MERIDIAN, IDAHO.
SVEY AND EXTENSION SURVEY



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
				Jacuzzi submersible	2H 7107641

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

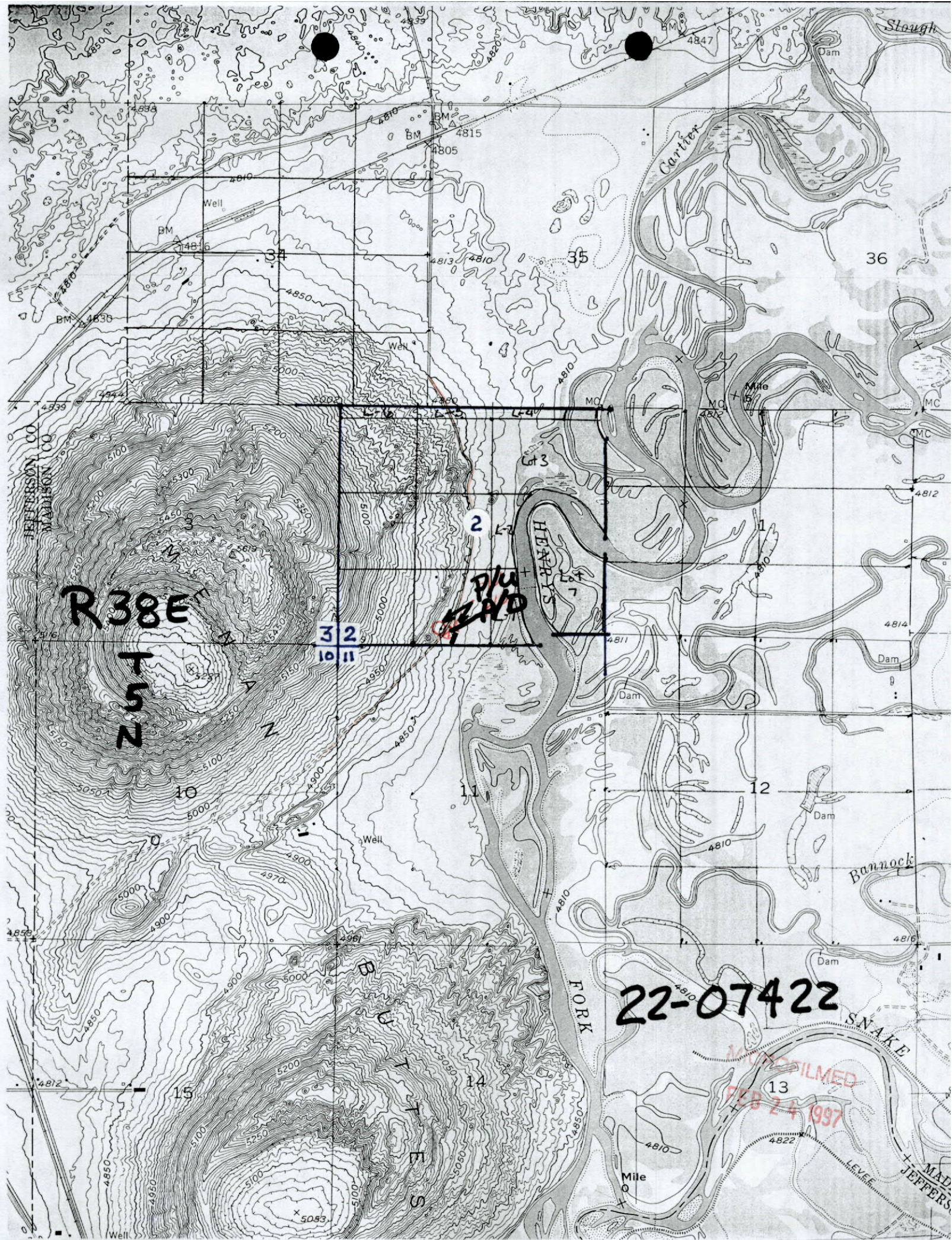
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gauge					0-60	
Theoretical						

2. Measurements: Pressure gauge reading on hydrant - low 25 PSI -
high 46 PSI (Pickett's)
Pressure gauge (Frame's) 30 PSI

MICROFILMED
FEB 24 1997



85

TR 38E
5
N

T-4

(6756)

(6745)

Fay L. Bingham Trust
177138

(6889)

T-8

7047

Merrill J. Pickett
158457.

(7033)

~~James Bill Moss~~
165-248
212 270

7/11 Domestic

FEB 24 1997

22-07422

Well



22-7422

MICROFILMED

FEB 24 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07563

Priority: February 17, 1983

Maximum Diversion Rate:

0.14 CFS

Maximum Diversion Volume:

15.6 AF

This is to certify, that RON FRAME

MERRILL J PICKETT

1120 N 3700 E

MENAN ID 83434

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 17, 1983; and has submitted Proof of Beneficial Use on May 2, 1990. An examination indicates that the works have a diversion capacity of 0.140 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.14 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 15(SESW), Sec. 2, Township 05N, Range 38E
MADISON County

PLACE OF USE: IRRIGATION

TWN RGE SEC

05N 38E 2

ACRES

Lot 15(SESW) 4

ACRES

ACRES

TOTAL

4

Total number of acres irrigated:

4

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

MICROFILMED
FEB 24 1997

CONDITIONS OF APPROVAL AND REMARKS

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

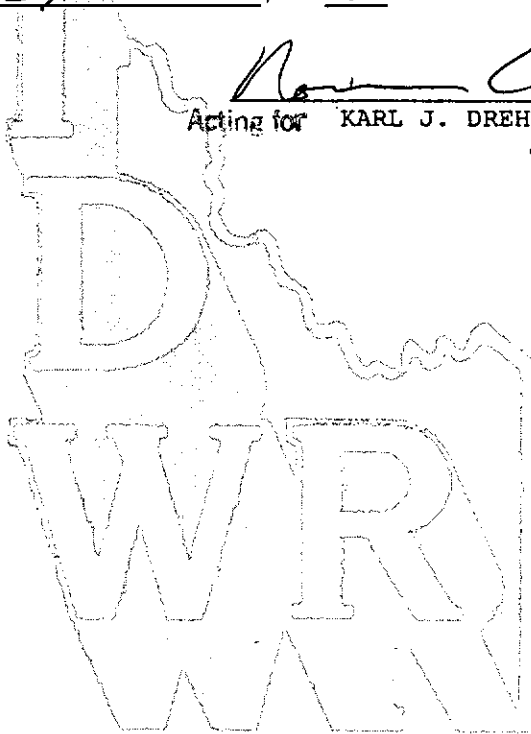
WATER RIGHT NO. 21-07563

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 24TH day of JANUARY, 1997.


Acting for KARL J. DREHER, Director



MICROFILMED

FEB 24 1997

RECEIVED

JAN 17 1997

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07563

Date of Priority: February 17, 1983

Maximum Diversion Rate:

0.14 CFS

Maximum Diversion Volume:

15.6 AF

Comes now

RON FRAME

MERRILL J PICKETT

1120 N 3700 E

MENAN ID 83434

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 21-07563, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.14 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 15(SESW), Sec. 2, Township 05N, Range 38E
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>
05N	38E	2	Lot 15(SESW)	4		4

Total number of acres irrigated: 4

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

MICROFILMED

FEB 24 1997

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 15 day of January, 1997.

Ronald A Frame
Signature

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07563

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Received by Ket # 0037715 Date 1-17-97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 21-07563 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 24TH day of JANUARY, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

FEB 24 1997

RECEIVED
DEC 16 1996

sources

RECEIVED
JUL 26 1996State of Idaho Department of Water Resources
Eastern RegionFor Office Use Only
\$25.00 Filing Fee
Receipt # 6022421
Date 7-26-96 DRM

DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT

JUL 16 1996

To change the ownership of a permit

Department of Water Resources
Eastern Region

I, James W. Moss, hereby assign to Ron Yrame or Merrill J. Pickett
 of 1120 N. 3700 E Menan, Idaho 83434
1119 N. 3700 E
 (Permit Holder) (Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 22-07422
 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
 Permit No. _____ to appropriate the public waters of the State of Idaho.

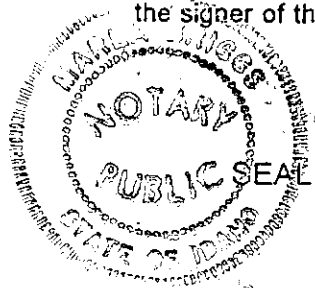
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this 10th day of July, 1996.

James W. Moss
 Permit Holder(s)

State of Idaho)
 County of Jefferson) ss

On this 10th day of July, 1996, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Marla Briggs
 Notary Public

Marla Briggs
 Signature

My commission expires: June 11, 1998

MICROFILMED

FEB 24 1997

Paul

RECEIVED

MAY 02 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$0.00Date 5-2-90Receipt # COL 6636Received by QuinnReviewed by M-5-30-90Sent to region

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. 22-07422Name(s) of Permit Holder: James B. Moss, Merrill J. PickettPost Office Address: 1119 N 3700 E Menan, Id. 83434Telephone No. 208-754-8800Source of Water: Well

Extent of Use:

Domestic 2 (number of households) Stockwater 125 horses & cows (number and type of stock)Irrigation 1 (acres) Other/Remark Total rate and/or volume for which proof is submitted 0.17 cfs acre-feetShow the date water was first diverted and beneficially used under this permit: Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ NoFee enclosed \$50.00
(See License Examination Fee Schedule)Flow Measurement Port: Required? Yes ☒ No
Installed? Yes ☒ No

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

Merrill J. Pickett 208-754-8800
(Name) (Telephone Number)1119 N 3700 E Menan, Id. 83434
(Address)

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.

MICROFILMED

JUN 18 1990

4-29-90
DateMerrill J. Pickett
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Merrill J. Pickett or James B. Moss Phone 754-8800

Post office address Rt. #1, Box 122-W, Menan, Idaho 83434

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

(Lot 15)
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 5N

Range 38E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

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

Amount 0.05 for Stockwater 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)

5. Total quantity to be appropriated:

a. 0.17 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, submersible pump, pressure tank, mainline to domestic home, stock troughs, and sprinklers

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 6 inches; proposed depth of well is 73 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation: (Lot 15)
(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 5N

Range 38E 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 125 head range cattle

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

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

MICROFILMED

MAY 16 1989

DELETED

applicant to make this filing

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

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

Applicant

Applicant

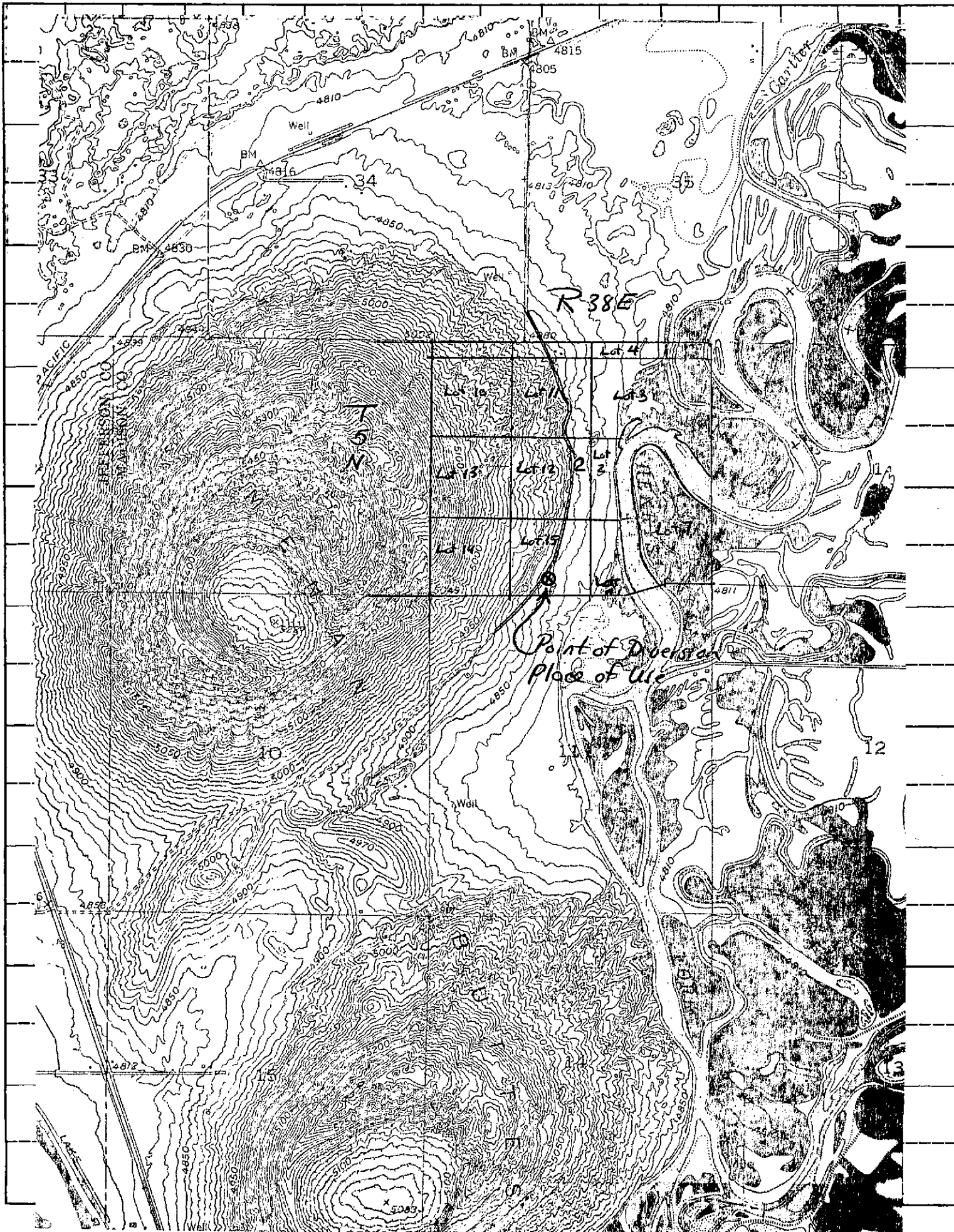
c. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

[illegible]

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

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



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

MAY 16 1989

Merrill J. Pickett
(Applicant)

Proposed Priority 2/17/83

Assisted by Kaw

12-16-82

Received by BP Date 2/17/83 Time 3:00pm

Preliminary check by AWS Fee \$ 50.00

Receipted by CW Date 2-22-83 # 25422

Publication prepared by AB Date 2-8-89

Published in Rexburg Standard-Journal

Publication dates 2-16 & 2-23-89

Publication approved CW Date 3-13-89

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. 22-7422, 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 May 1, 19 90.
- 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 11th day of April, 1989.

J. Glen Saylor

MICROFILMED

MAY 16 1989

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

MAR 7 1989

Department of Water Resources
Eastern District Office

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 February 16, 1989 and the last publication having been made on February 23, 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 24th day of February 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.

[Signature]
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:

22-07422

MOSS, JAMES B.
PICKETT, MERRILL J.
RT 1, BOX 122-W
MENAN, ID 83434
Source: GROUNDWATER
Diversión Pt: LOT 15 (SESW) Sec 2 T
05N R 38E
Use: IRRIGATION (.080 CFS),
STOCKWATER (.050 CFS), DOMESTIC
(.040 CFS)
Date Filed: 2/17/1983
In: T05N R38E S02 Lot 15 (SESW) 4.0
ACRES TOTAL

22-07436

CHURCH OF JESUS CHRIST LATTER
DAY SAINTS
50 E NORTH TEMPLE STREET

SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversión Pt: NENW Sec 36 T 06N R
39E
Use: IRRIGATION (.180 CFS)
Date Filed: 5/13/1983
In: T06N R39E S36 NWNE NENW 9.0
ACRES TOTAL

22-07473

ART PORTER, INC.
P.O. BOX 658
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: NENW Sec 17 T 06N R
40E
Use: IRRIGATION (.650 CFS) IN-
DUSTRIAL (.500 CFS)
Date Filed: 12/23/1983
In: T06N R40E S 17 NENW NWNW
SWNW SENW 33.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 6, 1989.

R. KEITH HIGGINSON
Director

Publ. Feb. 16 and 23, 1989J.

MICROFILMED

MAY 16 1989



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

January 27, 1997

RON FRAME
MERRILL J PICKETT
1120 N 3700 E
MENAN ID 83434

RE: WATER RIGHT NO. 21-07563

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED

FEB 24 1997



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

December 30, 1996

RON FRAME
MERRILL J PICKETT
1120 N 3700 E
MENAN ID 83434

RE: WATER RIGHT NO. 21-07563

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the actual use of water found by a representative of our department at the time of the field examination. The enclosed Application for Amendment contains this information. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

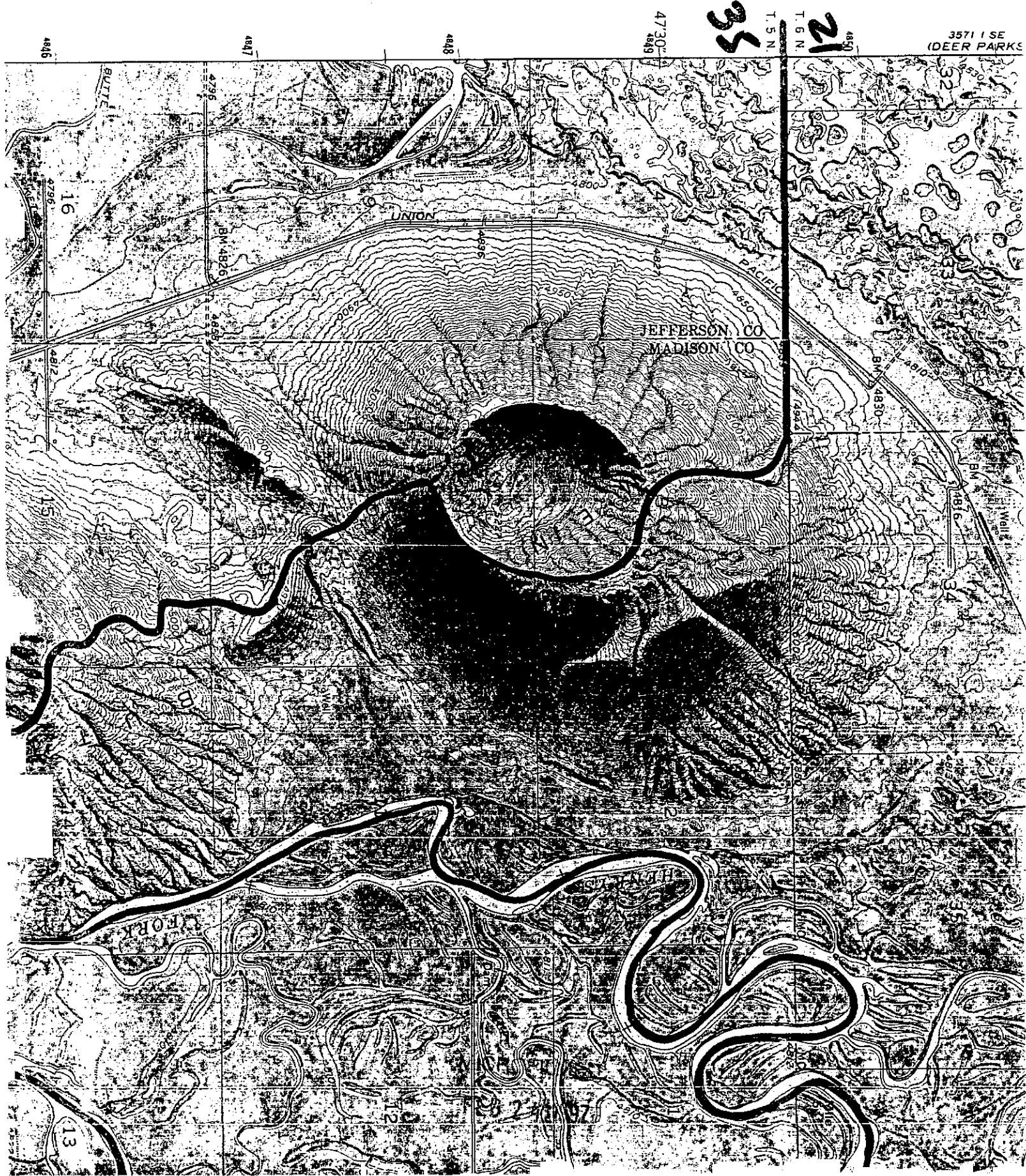
Enclosure

MICROFILMED
FEB 24 1997

Basin
21

33
12

3571 1 SE
(DEER PARKS)



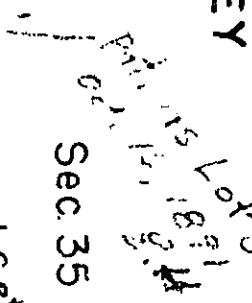
Sec. 34
PARALLEL

Sec 35

Sec 36

Sec. 96

Longitude 111° 55' 01.129'



MICROFILMED
FEB 24 1997

MEMORANDUM

TO: File 21-07563

FROM: Sharla

DATE: December 26, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 21-07563 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.08 cfs	14.0 afa
Stockwater	1/1 - 12/31	0.02 cfs	0.4 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa

The irrigation season of use for this area is 4/15 - 10/15 and the volume is 3.5 af/acre.

The second home can be added under the license; the volume which could have been allowed for the stockwater more than covers the additional domestic volume since the stockwater use found was much less than requested.

Examiner: Steven Garrison
Exam Date: June 19, 1996

MICROFILMED

FEB 24 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 21-07563
22-07422

DATE 12/23/96

REVIEWER: SHARLA

NAME Change OK Address Change processed assignment
SOURCE — ✓ Is change/clarification of originally intended source? —
POINT OF DIV — ✓ If not, prepare Notice of Intent to Void —
Amendment required NO
PLACE OF USE — ✓ Amendment required NO

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .17 cfs
Fee limit .20 cfs \$50⁰⁰
Measured ✓ cfs
Theoretical .22 cfs

Recommended Total Div Rate .14 cfs

ANNUAL VOLUME/ NATURE OF USES

4/15-10/15 season add 2nd home

Use

Volume Calculation
Stock .08 4 x 3.5 = 14.0 af
Dom .02 .4 af
Dom .04 2 x .6 = 1.2 af
SUBTOTAL 15.6 af

Flow rate .08 cfs X 183 days X 1.9835 = 33.9 af
Total volume recommended 15.6 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2 homes irrig not incl.

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

R30 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo

1st Amend Letter P46

2nd Amend Letter P42

Volume
irr. season
add 2nd home

ck basin # change
Basin
21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 06 1996

Department of Water Resources

21-07563

A. GENERAL INFORMATION

1119 N. 3700 E. 1120 N. 3700 E Permit No. 22-7422
1. Owner: Merrill J. Pickett / Ron Frank Phone No. 754-8800
Residence
Current Address: 1119/1120 N. 3700 E. Menan, ID 83434
2. Accompanied by: Mrs. Pickett EXAM DATE: 19 JUN 96
Mailbox
Address: Rt #1, Box 122-W Menan, ID 83434 Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	15		SE	SW	2	05N	38E	Madison	on site

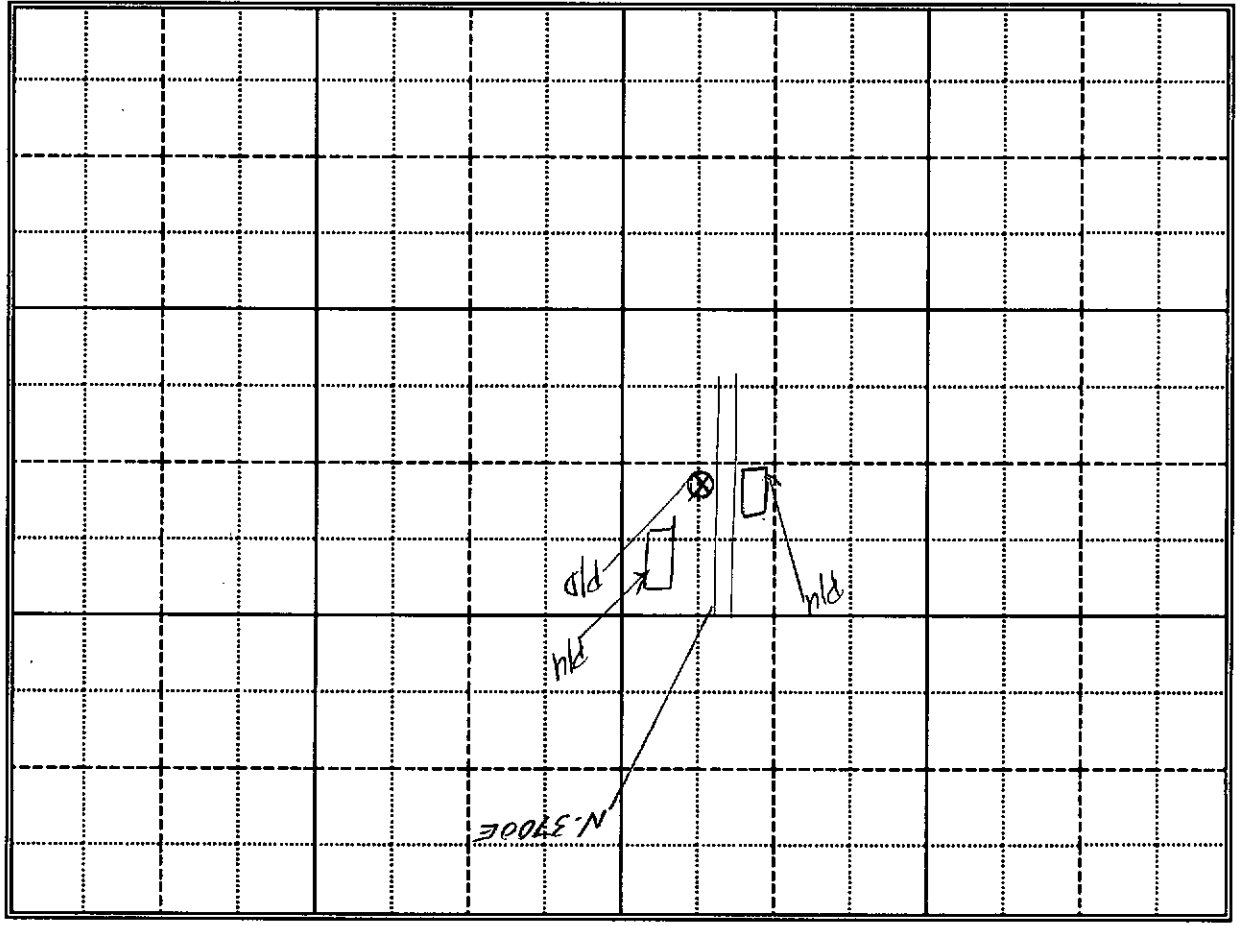
2. Place(s) of Use:

Indicate Method of Determination on site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	38E	2																	4 acres

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3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.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 _____

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
				Jacuzzi submersible	2H 7107641

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

D. FLOW MEASUREMENTS

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gauge					0-60	
Theoretical						

2. Measurements: Pressure gauge reading on hydrant - low 25 PSI -
 high 46 PSI (Pickett's)
 Pressure gauge (Hamm's) 30 PSI

E. NARRATIVE/REMARKS/COMMENTS

Permit #22-7422 - Original permit filed by Merrill J. Pickett and James B. Moss. Since that time James B. Moss sold his property to Ron Frame.

- 1) $\frac{1}{2}$ acre in conjunction with single family domestic located at 1119 N. 3700E (Pickett's). Remaining irrigated land is in conjunction with home located at 1120 N. 3700E.

* Note: Only one domestic covered under this Application for Permit — 1119 N. 3700E. (Pickett's)

* Note: System serves 2 homes located at 1119 and 1122 N. 3700E.

- 2) Stockwater use: 20 head of horses.

- 3) Irrigation: 3.5 acres in conjunction with 1120 N. 3700E; ($\frac{1}{2}$ acre in conjunction with Pickett's, 1119 N. 3700E.) Single family domestic.

* Recommendations prior to licensing:

- Assignment from James Moss to Ron Frame

- Split this right into A & B

22-07422A (PICKETT) Domestic 0.04 cfs; 0.60 AF/A

IRRIGATION 0.01 cfs; 2.0 AF/A; $\frac{1}{2}$ ACRE

22-07422B (Frame) IRRIGATION 0.07 cfs; 14.0 AF/A; 3.5 ACRES

* RECOMMEND CHANGING BASIN TO Basin 21. BASIN 22 IS ON THE OTHER SIDE OF HENRY'S FORK.

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

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FEB 9 & 1997

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.0 \text{ Acres} (4.0 \text{ AF}) = 16.0 \text{ AF/A}$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .08 \text{ cfs} (219 \times 1.9835) = 39.0 \text{ AF}$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 16.0 \text{ AF/A}$$

2. Volume Calculations for Other Uses:

ONE HOME
0.60 AF/A

20 HEAD OF HORSES

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (afa)
4-1	10-31	10-31	0.08 cfs	16.0
1-1	12-31	12-31	0.04 cfs	0.60
1-1	12-31	12-31	0.02 cfs	
Totals: 0.14 cfs				

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

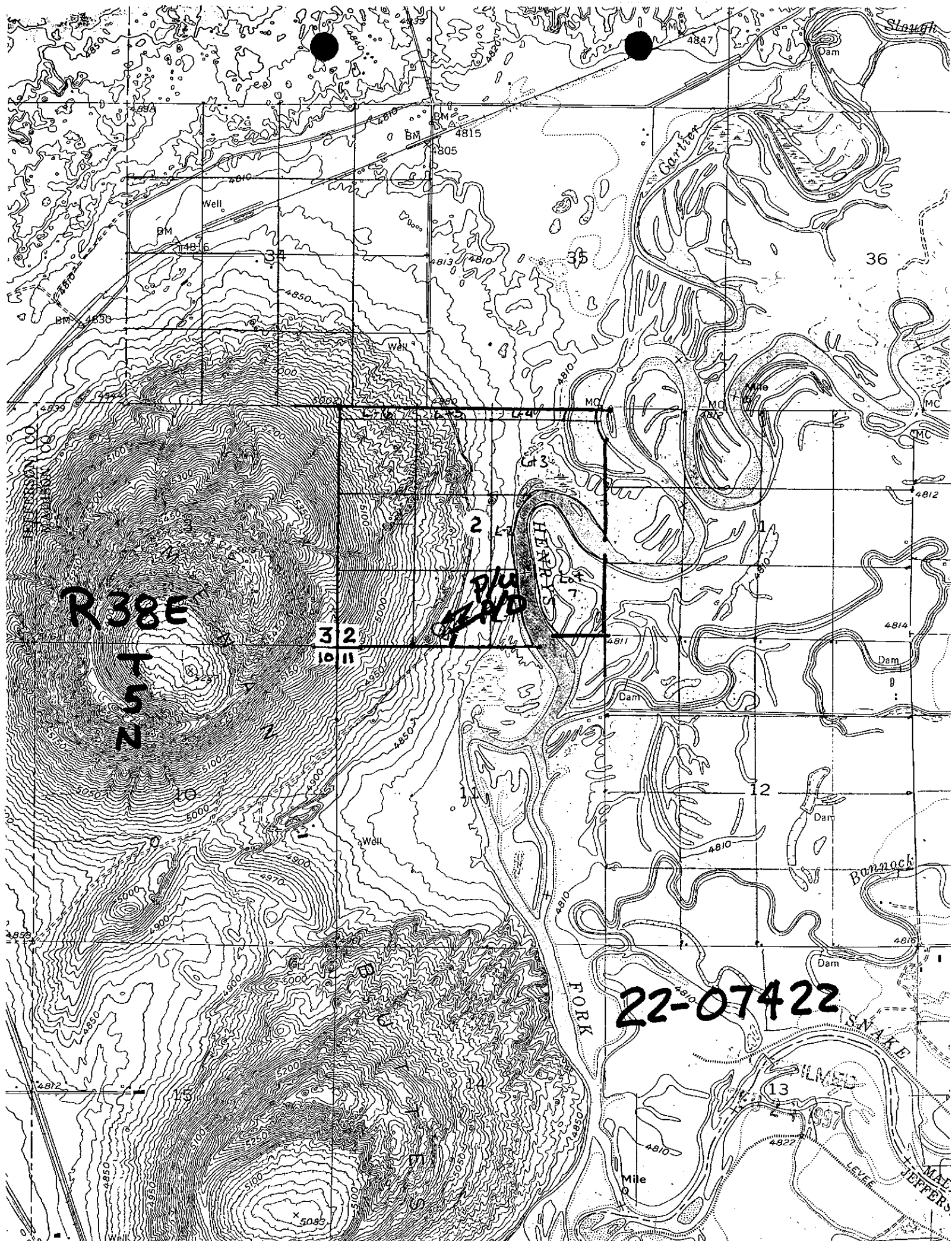
Field Examiner's Name Steven Garrison Date 19 JUN 96
Reviewer [Signature] Date 11/26/96

SEAL

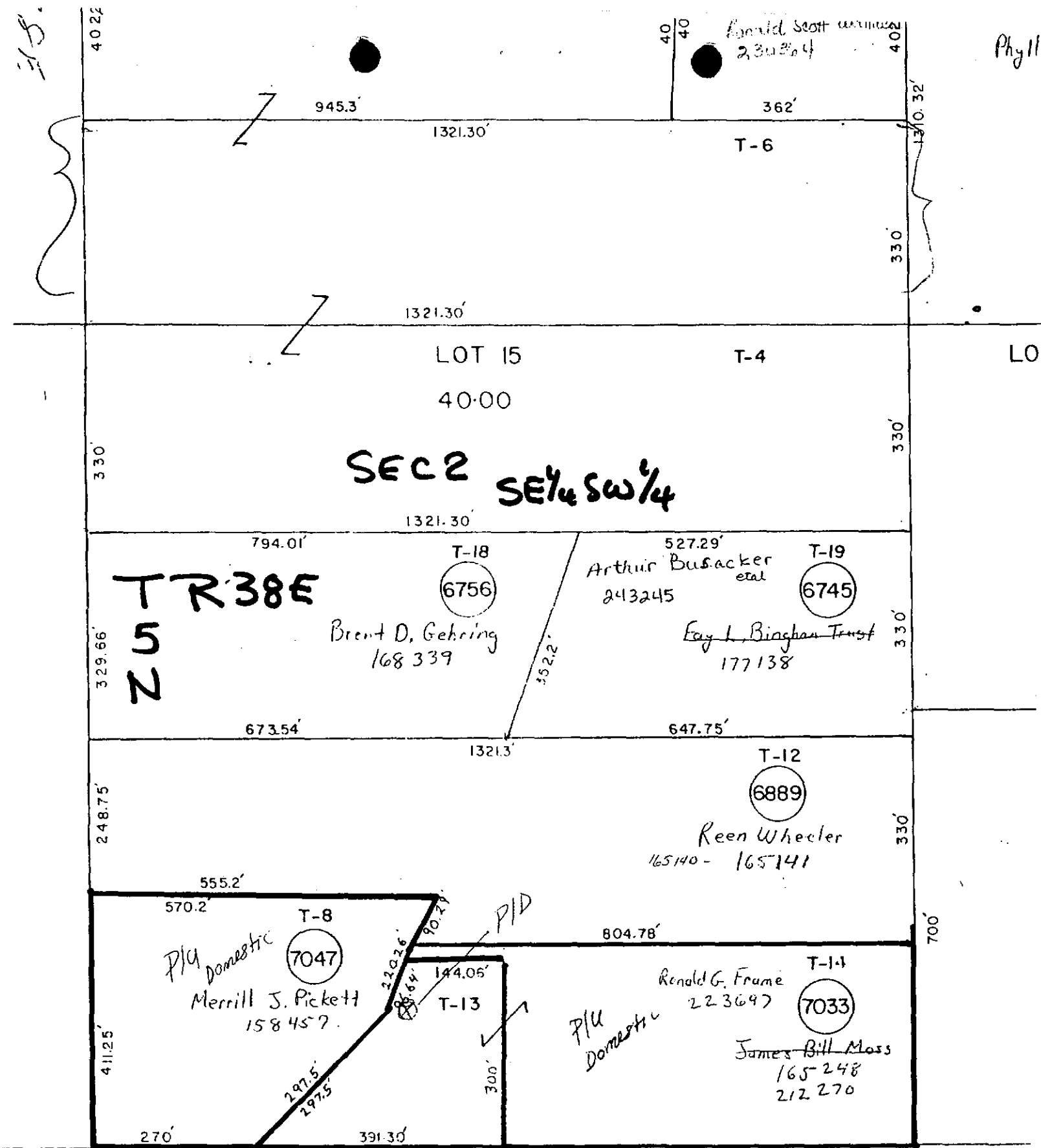
MICROFILMED

FEB 24 1997

REMARKS FOR RECOMMENDATIONS



Phyll



161001

FEB 24 1997

22-07422

Well



22-7422

MICROFILMED

FEB 24 1987

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{26}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Drawdown)}$$

$$\text{Static Water Level} = \underline{20} \text{ ft.}$$

$$\text{Assumed Drawdown} = + \underline{50} \text{ ft.}$$

$$\text{Lift} = \underline{70}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{30} \text{ psi}$$

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{70}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{30.849} \right] \div \left[\underline{139.24} \right]$$

$$Q_{cfs} = \underline{.22} \text{ cfs}$$

PERMIT NO. 22-7422

FEB 24 1967

June 4, 1990

JAMES B. MOSS
MERRILL J. PICKETT
1119 N. 3700 E.
MENAN, ID 83434

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07422

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7422

Date: 5-30-90

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
 NO 1. well log in file 1983
 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:

- NO Is a measuring device or access port required?
_____ Has one been installed?
+ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138189
February 28, 1990

JAMES B. MOSS
MERRILL J. PICKETT
1119 N. 3700 E.
MENAN, ID 83434

PROOF DUE NOTICE
RE: PERMIT NO. 22-07422

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 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

MICROFILMED

JUN 18 1990

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

MICROFILMED

JUN 18 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
April 14, 1989

JAMES B. MOSS
MERRILL J. PICKETT
1119 N. 3700 E.
MENAN, ID 83434

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

RE: PERMIT NO. 22-07422

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.

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.

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.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAY 16 1989

New Address for

Merrill J. Pickett

1119 North,

3700 East

✓ Merari ID 83434

New owner
in place of James
Moss.

Ronald Frame

1120 North

3700 East

Merari 83434

RECEIVED

MAY 16 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWT APPLICATION NUMBER: 22 7422

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. Claim 21-4003 may cover same ground in lot 15
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3-7-89
☒ 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
2-17-1983 Date of priority recommended.
Special conditions of approval or cover letter. _____

App. in TRUST water area - OK, B/L survey held

By: HWT Date: 3-15-89

STATE OFFICE REVIEW:

P23 P16 46 04

- ☐ See attached sheet for more information.
By: KW

Date: 4/5/89



Department of Water Resources

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

22-7422

RECEIVED

SEP 4 1985

Department of Water Resources
Eastern District Office

PICKETT, MERRILL J.
MOSS, JAMES B.

RT. 1, BOX 122-W, MENAN, ID 83434

Source: GROUNDWATER

Date Filed: 02/17/1983

Diversion Pt: LOT 15 (SESW) Sec 02 T 05N R 38E

Use: IRRIGATION	(0.08 CFS)
STOCKWATER	(0.05 CFS)
DOMESTIC	(0.04 CFS)

In: LOT 15 (SESW) Sec 02 T 05N R 38E FOR 4 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 22-7422 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

MICROFILMED

MAY 16 1989

Merrill J. Pickett
(Signature)

September 3, 1985

Department of Water Resources
150 Shoup Suite 15
Idaho Falls, Idaho 83402

RECEIVED

SEP 4 1985

Department of Water Resources
Eastern District Office

Dear Sir:

I have used this water for beneficial use myself since Dec. 1975.

I have used it for household use and to water my lawn and garden.

The prior owner of my place, Mr. Grant Bower used this water
for household use, lawn and garden.

Mr. James B. Moss has used this water from this well to water
livestock since 1975. Mr. Grant Bower used this water before that.

Our neighbor Mr. Reen Wheeler can verify that this water has been
used for beneficial use since 1975 when he moved here.

Sincerely,

Merrill J. Pickett

Merrill J. Pickett

MICROFILMED

MAY 16 1989

February 13, 1989

Merrill J. Pickett or
James B. Moss
1119 N. 3700 E.
Menan, ID 83434

Application for Permit No. 22-07422

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. 22-07422. 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

RECORDED

MAY 16 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 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 MARCH 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MAY 16 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAY 16 1983

22-07422

MOSS, JAMES B.
PICKETT, MERRILL J.
RT. 1, BOX 122-W
MENAN, ID 83434

Source: GROUNDWATER

Diversion Pt: LOT 15 (SESW) Sec 2 T 05N R 38E

Use: IRRIGATION	(.080 CFS)
STOCKWATER	(.050 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 2/17/1983

In: T05N R38E S02 Lot 15 (SESW)

4.0 ACRES TOTAL

MICROFILMED

MAY 16 1989

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 MARCH 6, 1989.

R. Keith Higginson, Director

Published 2/16/1989 & 2/23/1989

MICROFILMED

MAY 16 1989

January 23, 1989

MERRILL J. PICKETT or
JAMES B. MOSS
RT. 1, BOX 122-W
MENAN, ID 83434

RE: APPLICATION FOR PERMIT NO. 22-7422

Dear Applicant:

The department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the department requests the information described below.

From the department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

The department asks that you advise us within 15 days of this letter if you no longer have a continued interest in developing a water right as proposed by the application. If you do not respond in this time period, the department will proceed with the usual processing of the application including advertisement.

Please feel free to contact the department if you have any questions.

Sincerely,

Ronald D. Carlson
EASTERN REGIONAL MANAGER

RDC/rb

MICROFILMED

MAY 16 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 13, 1985

RE: Application for Permit No. 22-7422

Merill J. Pickett
James B. Moss
Rt. 1, Box 122-W
Menan, Idaho 83434

Dear Applicants:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

MAY 16 1989

22-7422

PICKETT, MERRILL J.
MOSS, JAMES B.

RT# 1, BOX 122-W, MENAN, ID 83434

Source: GROUNDWATER

Date Filed: 02/17/1983

Diversion Pt: LOT 15 (SESW) Sec 02 T 05N R 38E

Use: IRRIGATION	(0.08 CFS)
STOCKWATER	(0.05 CFS)
DOMESTIC	(0.04 CFS)

In: LOT 15 (SESW) Sec 02 T 05N R 38E FOR 4 ACRES

MICROFILMED

MAY 16 1989

3/83

IDENT. NO.

22 7422

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

Quoted

WATER RIGHT
DATA ENTRY LOG

[illegible]