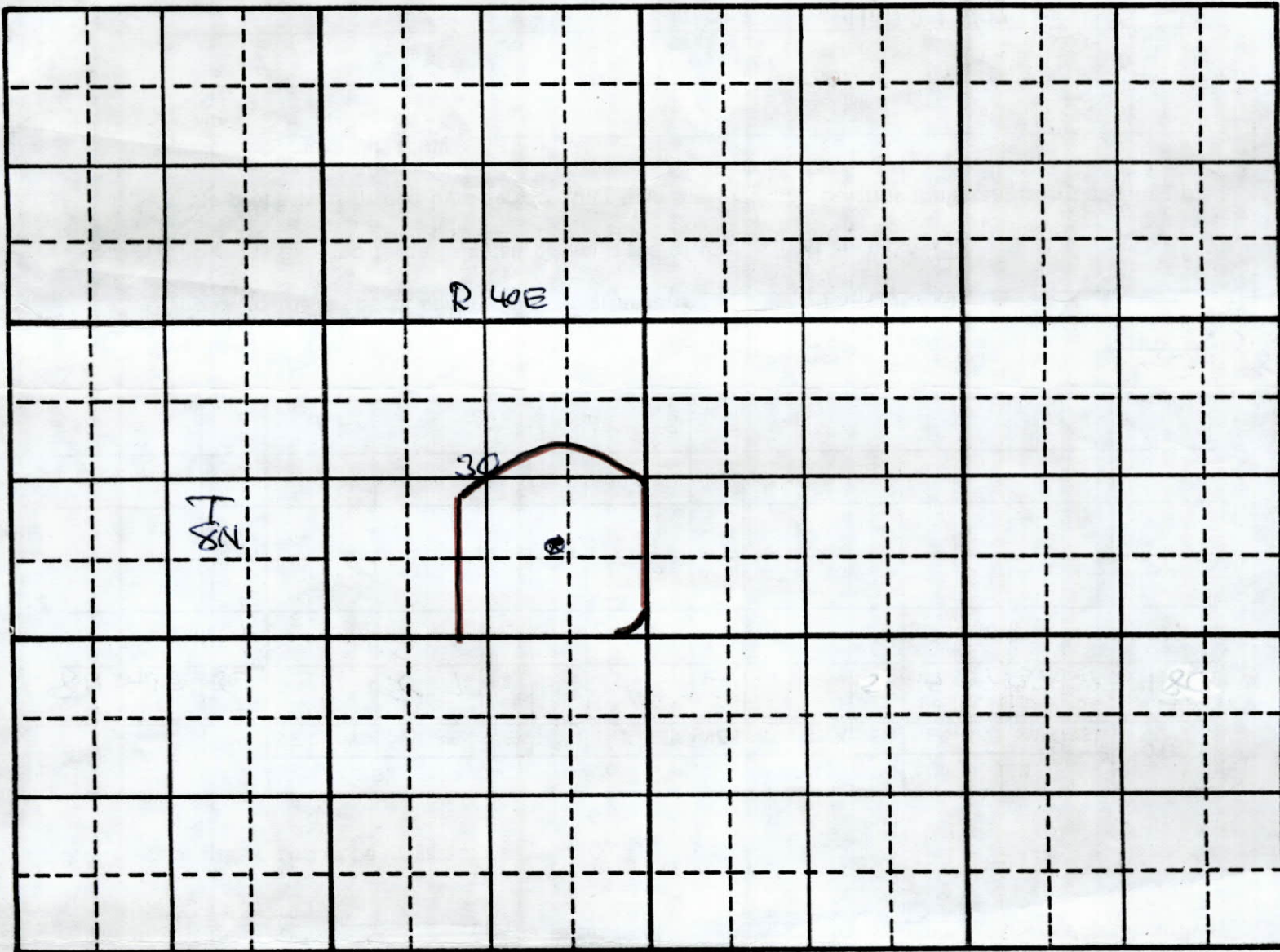


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Idaho Falls, this 5 day of April, 19 90.

Melvin Harris
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KCW Fee = \$20.00 OK Received by HWT Date 4-5-90

Publication prepared by RB Date 10-4-90 Published in _____

Publication dates 10-4-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R KEITH HIGGINSON, Director of the Department of Water Resources hereby
APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT PROVIDED THE
CONDITIONS SET FORTH IN PERMIT NO 35-07310 ARE MET.

Witness my hand this 15TH day of DECEMBER, 19 92.

Norman C. Young
ACTING FOR Director

JAN 21 1993

Re-write of original exam
to reflect intent of assignments

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 11 1991

Department of Water Resources

A. GENERAL INFORMATION

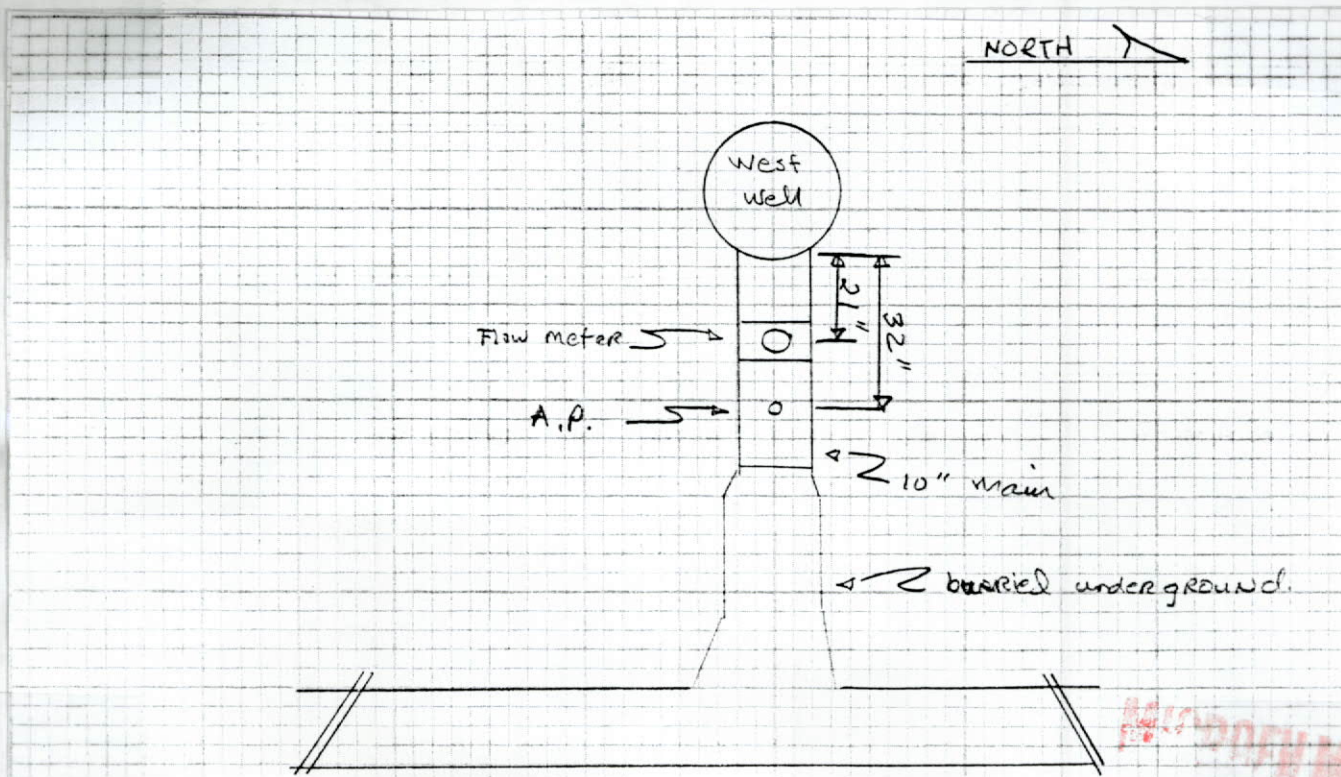
1. Owner: (Delwyn Ellis) Assigned to Melvin Harris Inc. Permit No. 35-07310 B
35-07775 A
Current Address: Box 158 Teton City, ID 83451 Phone No. 458-4950
2. Accompanied by: _____ EXAM. DATE: 7-8-88
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____.

2. ☐ Copy of U.S.G.S. 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 or more).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JAN 21 1993

Melvin Harris Inc
Split portions

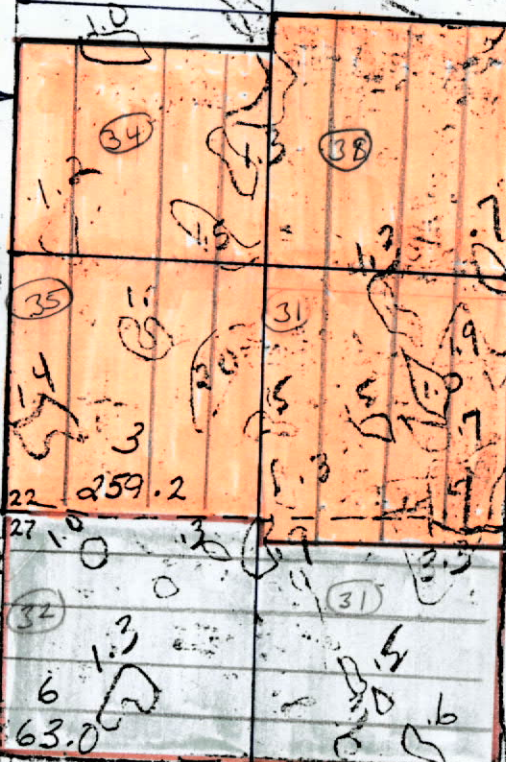
R33E

T1S

35-07775A

70.7

35-07310A



RECORDED

JAN 21 1993

**AMENDMENT SIGNED 12-15-1992
RESULTED IN RENUMBERING**

**FOR PREVIOUS DOCUMENTATION
PLEASE SEE 35-07310**

RECEIVED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07536

Priority: July 19, 1973

Maximum Diversion Rate: 1.97 CFS
Maximum Diversion Volume: 448.0 AF

This is to certify, that MELVIN HARRIS INC

PO BOX 158

TETON CITY ID 834510000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 19, 1973; and has submitted Proof of Beneficial Use on August 21, 1975. An examination indicates that the works have a diversion capacity of 5.860 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.97 CFS	448.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 30, Township 08N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	40E	30	SWNE 7	SENE 7	NESW 6	
			SESW 6	NESE 26	NWSE 26	
			SWSE 24	SESE 26		128

Total number of acres irrigated: 128

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. 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.

APPROVED

JAN 21 1993

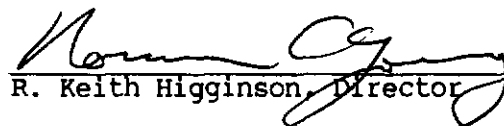
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07536

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of DECEMBER, 1992.


R. Keith Higginson, Director

RECEIVED

JAN 21 1993

RECEIVED
21-07536
APR 10 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

MAY - 9 1990

To change the point of diversion and/or the place of use

APPROVED

Department of Water Resources
Eastern District Office

Comes now Melvin Harris

of (address) Box 158 Teton City, ID 83451, 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. 35-07310 B
35-07715 A, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SE 1/4, Section 30, Township 8N, Range 40E, B.M.,
County of Fremont. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

* 1.97
Amount 2.90 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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8N</u>	<u>40E</u>	<u>30</u>			<u>8</u>	<u>7</u>					<u>6</u>			<u>21</u>	<u>26</u>	<u>26</u>	<u>24</u>	<u>26</u>	<u>135</u> ¹²⁸
					<u>7</u>								<u>6</u>						<u>195</u>

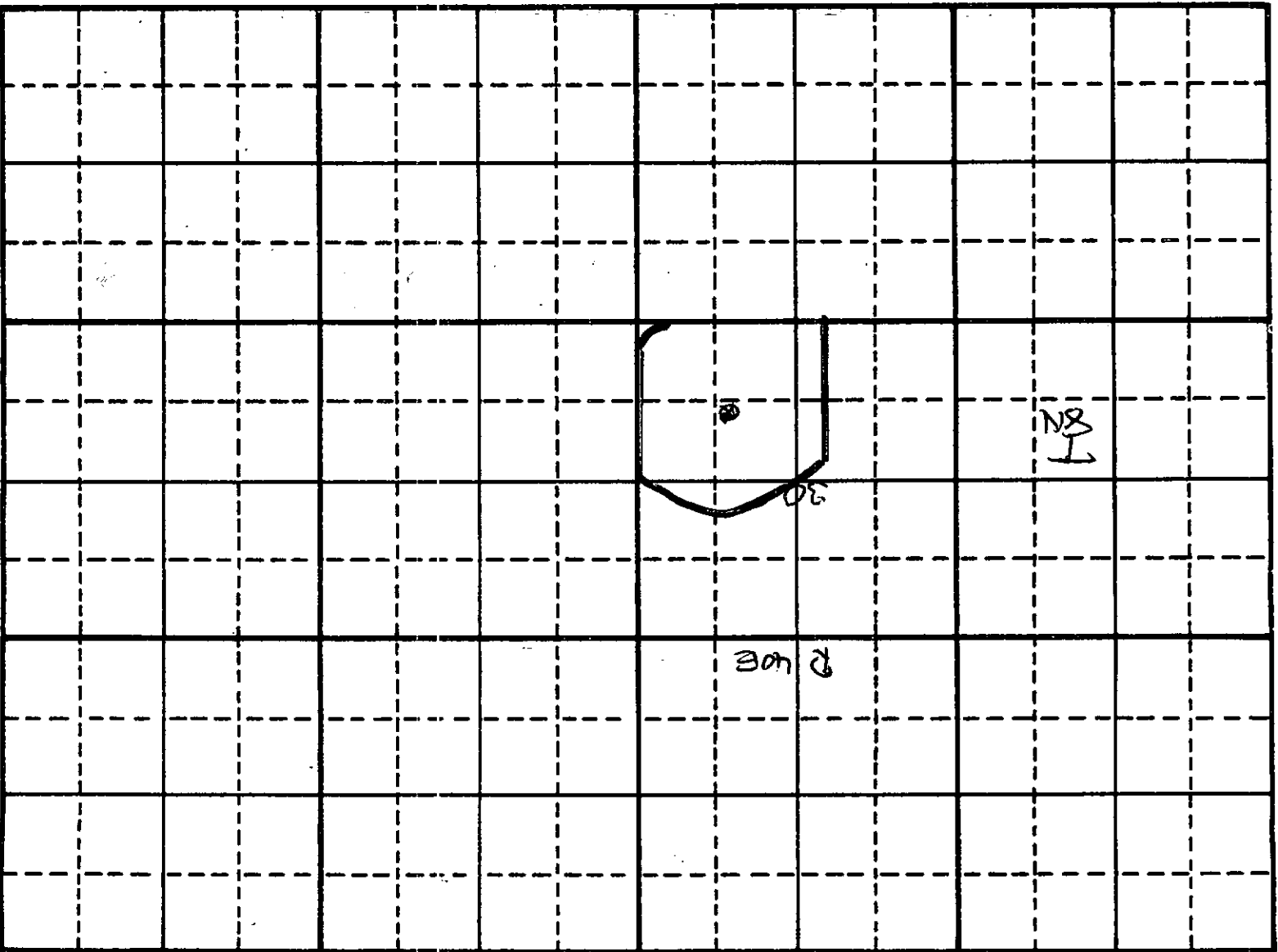
Total number of acres to be irrigated = 195
128 * 5.5
12-3-9

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

JAN 21 1993

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Idaho Falls, this 5 day of April, 1990.

Melvin Williams
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KCL Fee = \$20.00 OK
Publication prepared by RB Date 10-4-90
Published in _____
Publication dates 10-4-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R KEITH HIGGINSON, Director of the Department of Water Resources hereby

APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT PROVIDED THE
CONDITIONS SET FORTH IN PERMIT NO 35-07310 ARE MET.

Witness my hand this 15th day of

DECEMBER, 1992.

JAN 21 1993

ACTING FOR

Director

Melvin Williams



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 17, 1992

MELVIN HARRIS INC
PO BOX 158
TETON CITY ID 83451-0158

RE: WATER RIGHT NO. 21-07536

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with water right No. 35-07310B. The amended point of diversion resulted in renumbering the water right.

Also enclosed is a copy of the Water Right License issued on the above referenced permit.

If you have any questions, please feel free to contact our offices.

Sincerely;

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MAILED
JAN 21 1993

JAN 21 1993

MEMORANDUM

TO: FILES 35-07310 & 35-07775

FROM: PAM SKAGGS *CS*

RE: LICENSE RECOMMENDATIONS

DATE: 7-DEC-1992

=====

These rights have been prepared according to discussions between the right holders, regional staff and Jim Johnson. In order to more accurately reflect the intent of the split rights, the original assignments have been disregarded. The licenses have been prepared with the Harris portion as 35-07310B and 35-07775 renumbered as 21-07536 and 21-07537 respectively, and the Wilcox portion as 35-07310A.

MICROFILMED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 21-07536
35-07310B (HARRIS)

Date 12-03-92
38

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Permitted rate $A+B=4.0$ cfs
	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☐	☒	$128 \times .01538 = 1.97$ cfs (IRR)
	☐	☒	Disagree with Theoretical? _____
	☐	☒	Limited by Capacity? <u>5.86</u> (measured)
TOTAL VOLUME			Rate/ac <u>3.5</u> AFA Irr. Season <u>B</u>
			<u>4-15</u> to <u>10-15</u> Standard Irr. Season
			<u>Same</u> / <u>Reduced</u> fr. Permit Season Recommended
	☐	☒	Disagree with Examiner's Calculations? _____
	☐	☒	$128 \times 3.5 = 448$ afa (IRR)
	☐	☒	Limited by Flow? $1.97 \times 183 \times 1.9835 = 715.1 > 448$
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☒	☐	Verify with Map
	☒	☐	Amendment Needed? <u>Per Amendment</u>
	☐	☐	Is Overlap Analysis a Consideration? _____
P/U	☒	☐	Verify with Map
	☒	☐	Amendment Needed? <u>Per Amendment</u>
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☐	☒	Non-Irr. Uses _____
	☐	☒	Special Overlap Condition <u>A, B = 35-7775 < Capacity</u>
	☐	☒	Other _____
CONDITIONS	<u>R01</u>	☐	Measuring Device
	☒	☐	W/Master Control
	<u>R30</u>	☐	Overlap
	☒	☐	Water Quality
			DATES/MISC
		☒	Water Dist.
		☐	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Split Right per J.J. / Reduced Acce, rate, season
4.0 cfs : 260 Acres = .01538 per Acre

License 10-Day 15-Day ☒ Special Correspondence _____
Amendment Attached
P/D + P/U
Change Basin # _____

DATE: 12/03/92
PAGE: 1

Audit: 12/03/92 SKAGGS

Re-write of original exam
to reflect intent of assignments

RECEIVED
NOV 11 1991

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

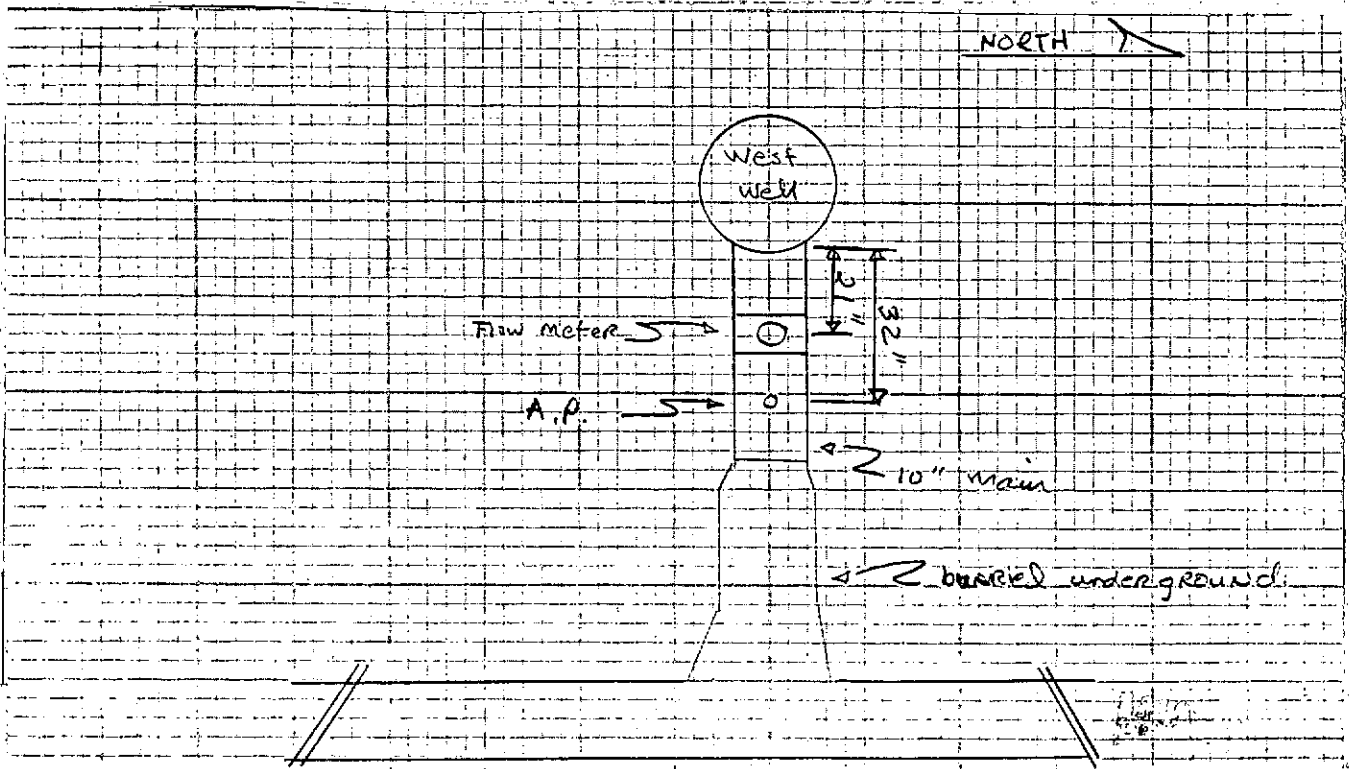
1. Owner: (Delwyn Ellis) Assigned to Melvin Harris Inc. Permit No. 35-07310 B
Current Address: Box 158 Teton City, ID 83451 Phone No. 35-07775 A
2. Accompanied by: _____ EXAM. DATE: 7-8-88
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. 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 or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JAN - 1 1993

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Set
original
Exam

Set
original
exam

4

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

5. Point(s) of Diversion:

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

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

Revised
as per 1982
average total

35-0775A

35-07310A

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

See
original
exam

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

2. Measurements:

See
original
exam

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$

$$\begin{aligned} (60 \text{ acres}) (3.5) &= 210.0 \text{ aFg} \\ (135 \text{ acres}) (3.5) &= 472.5 \text{ aFg} \end{aligned} *$$

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

$$\begin{aligned} 2.45 \times 214 \times 1.9835 &= 1039 \\ 1.00 \times 214 \times 1.9835 &= 424 \end{aligned}$$

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

*

2. Volume Calculations for Other Uses:

RECORDED

JAN 21 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

This exam is for portions of the 35-0775 + 35-07310 that were assigned to Melvin Harris, Inc. CFS recommended that we based on 5.86 cfs and an adjusted average of 323. This average is the 1982 ASGS acres that most reflects irrigated acres of time of proof of beneficial use. Original exam had 377 acres which include some overirrigation.

The 195 acres total found for 35-07754 (135 acres) + 35-073104 (60 acres) will be awarded to Section 30 T&N R40E. See Attached amendment for 35-073104 and revised amendment for 35-07754. Most of the acres reflect 0.018 cfs/acre except in cases where the amt. of the assignment was less.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (af)
35-07754 Irrigation	4-1 11-1	2.45 cfs	472.5
35-073104 Irrigation	4-1 11-1	1.00 cfs	210
Totals:		3.45 cfs	682.5

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Harold W. Jones (Re write)
H. Jones

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED
JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-07310 A
35-07775 B
PERMIT NO.

Event History

- 1/ Melvin Harris Inc and Keith Wilcox + sons visited the I.F. office with a sales contract showing they had purchased parts of two permits. This date was approx April 4, 1990. The owner, Delwyn Ellis said his ground was in the CRP program and he no longer needed the permits. I tried to split the permits based on the sales agreement into 4 assignments.
- 2/ It came to light after the assignments were made that proof had been filed on both permits and an exam was pending. The exam card file indicated that no exam had yet been done. I then prepared an Amendment for Melvin Harris on 35-07775A only to see if approval was possible so Mr. Harris could start drilling a well at his new place of use.
- 3/ Senior Agent Paul Meyer informed me on the week of Dec. 17th, 1990 that he had discovered several field exams done by summer field agent Richard Brunen that had not yet been staffed. Two of these exams were for 35-07310 + 35-07775.
- 4/ I contacted Jim Johnson about this new development and called in Mr. Harris + Mr. Wilcox. We discussed what these applicants needs were and finally decided to split out the field exams according to the amendments (revised) + assignments on record to best fit the intent of each applicant if possible.
- 5/ Mr. Wilcox said he did not yet want to commit to an amended place of use for 35-07310A + 35-07775B. Mr. Harris is ready and I revised his amendment for 35-07775A and made one for 35-07310B. These will be adjacent acreages for a total of 195 acres. The amended plan is in Basin 31 and a number change will have to be made.

UNRECORDED

JAN 21 1993

Harold W. Jones
SIGNATURE

Page 1 of Page 1

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 35-073108 Applicant Arduin Harris

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☒ Approved copy sent to applicant and to Region. By CJ Date 12/16/92

Melvin Harris Inc
Split portions

R33E

T1S

Highway 26

35-07725A

70.7

35-073104

JAN 21 1993

