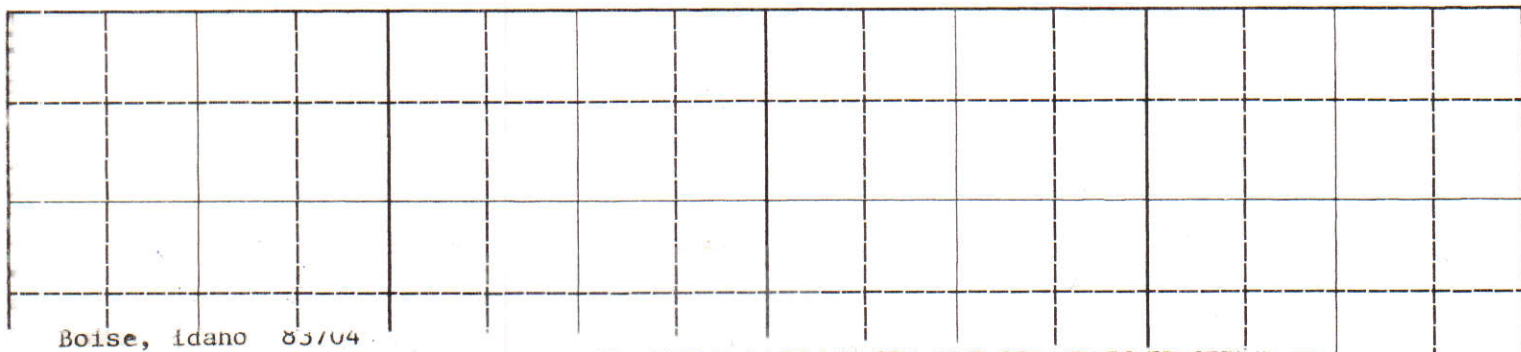
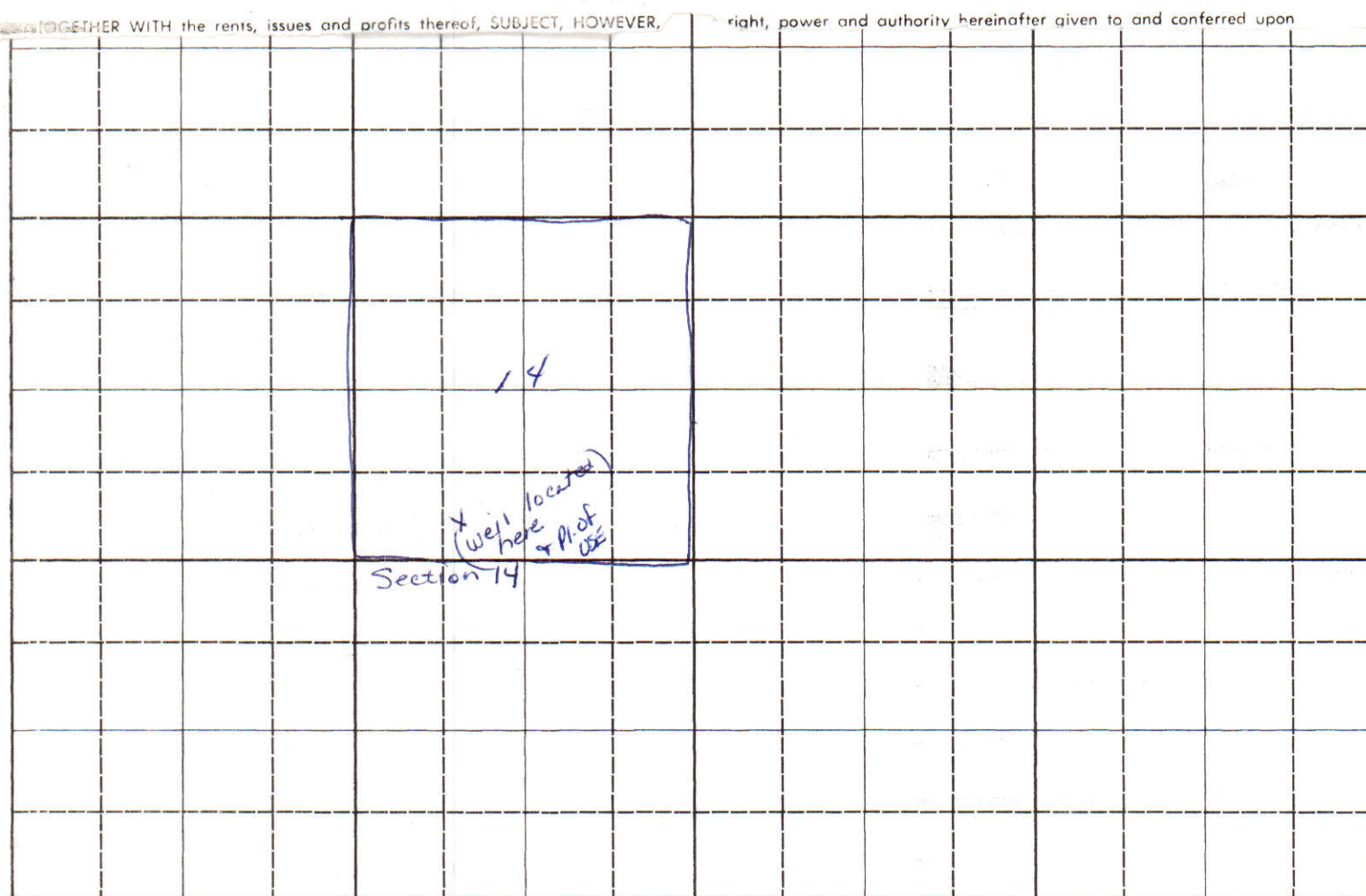


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Boise, Idaho 83704

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, with POWER OF SALE, that property in the County of Ada, State of Idaho, described as follows, and containing not more than twenty acres: That portion of the East half of the Southwest Quarter of Section 14 in Township 4 North, Range 1 East of Boise Meridian, in Ada County, Idaho, described as follows, to-wit: Beginning at the Quarter corner at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 14, Township 4 North, Range 1 East, and running thence North along the Quarter Section Line of said Section 14 a distance of 2124.6 feet to the Southeast corner of Lot 25 of Brose Second Subdivision; thence West along the South line of said Lot 25 310 feet to the point and place of beginning; thence continuing West along the South line of said Lot 25, 350 feet to the Southwest Corner thereof; thence South along the East line of Lots 24, 26, and 27 of said Brose Second Subdivision a distance of 1167.6 feet to a point on the North line of the Boise and Interurban Railroad right of way; thence Southeasterly along the North line of said right of way 384.6 feet more or less to a point due South of the place of beginning; thence North 1327.6 feet more or less to the point and place of beginning in Ada County, State of Idaho.



Scale: 2 inches equal 1 mile.

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

Vicki Witte
WIFE (Applicant)
(PER PHONE CONVO. 10/30/84)
JG

grd.com - 10/30/84

MICROFILMED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Susan K. Mayer

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two

_____ two _____ insertions, beginning with the issue of August 11, 1983, and ending with the issue of August 18, 1983.

Susan K. Mayer,

Subscribed and sworn to before me this 18th

day of August, 19 83.

Dorothy Enggren
Public for Idaho, Residing at Boise

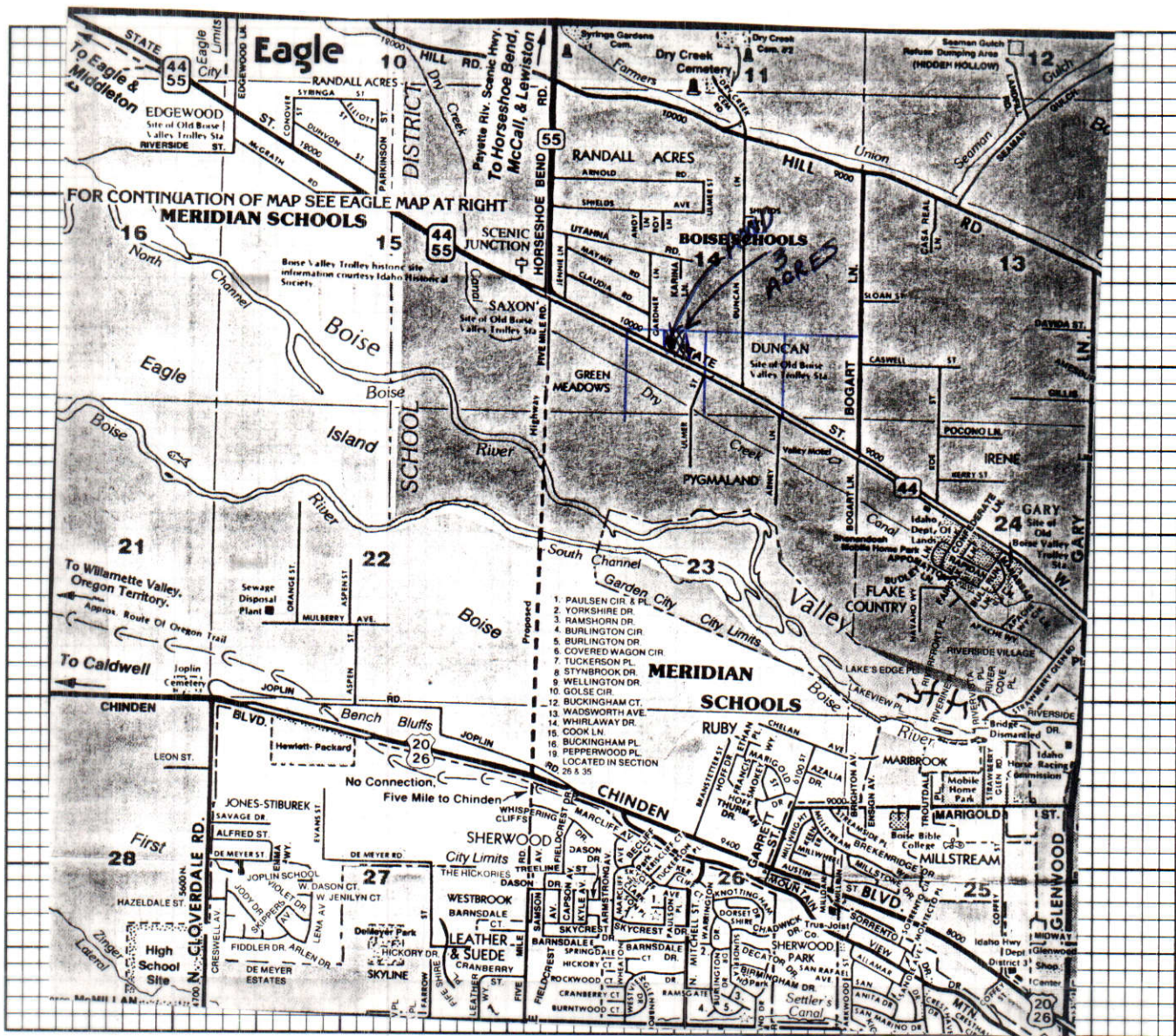
Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED
AUG 19 1983

Department of Water Resources
Western Regional Office

MICROFILMED

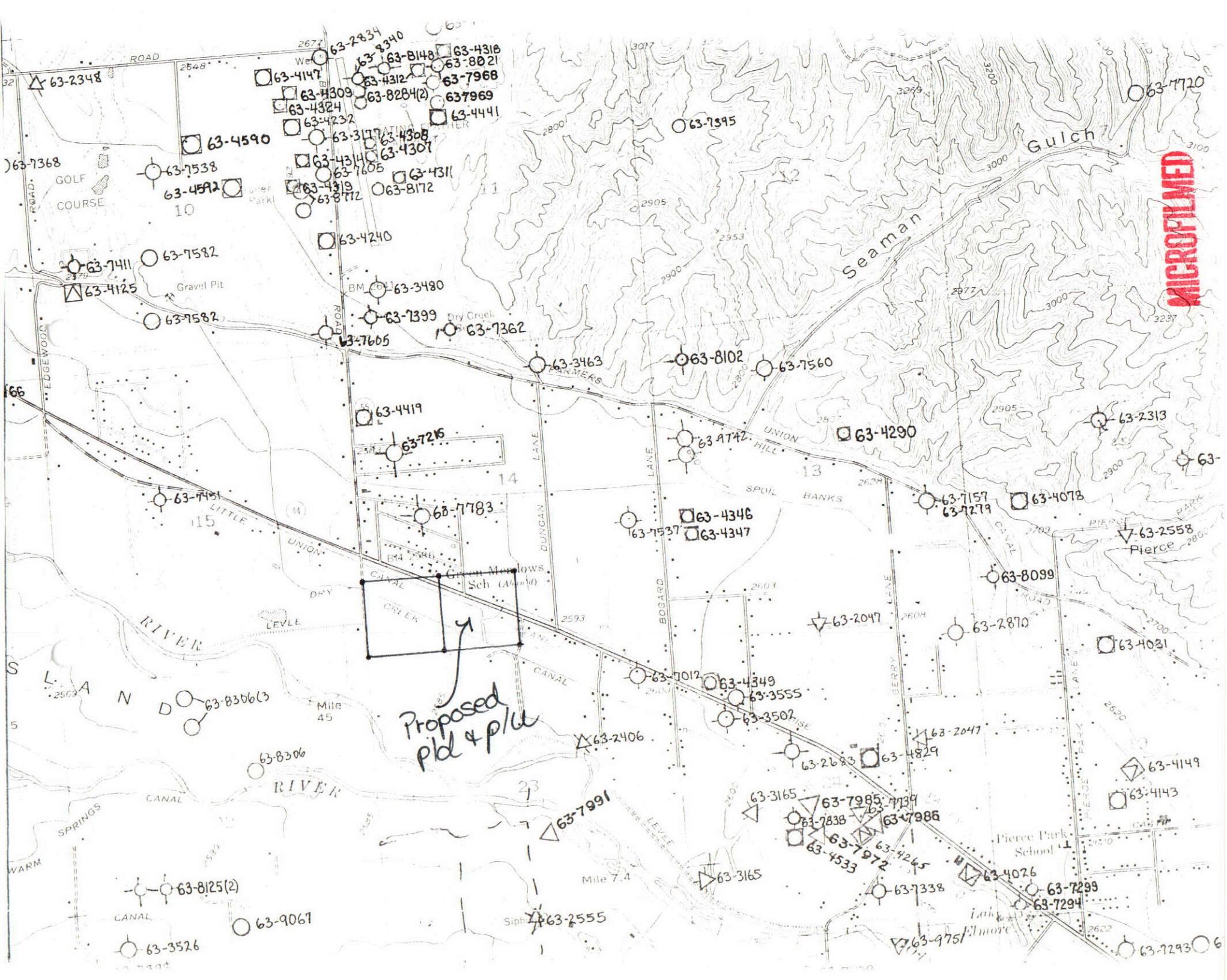
10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
15. 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 |
16. Examiner's/Consultant's Signature Jan Thune Date 3/17/86
- Consultant's License Number DET 3/25/87
- IDWR Director's Authorization to Conduct Beneficial Use Examination 8/27/85 Date

Suggs - 4/10/87 RH
copy - 4/10/87 - RH

CONSULTANT SEAL
MICROFILMED
DEC 23 1988



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Proposed
pld & p/u

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10123

Priority: July 13, 1983 Amount: 0.09 CFS 13.5 AFA

This is to certify, that FRANZ WITTE
3621 HAWTHORNE DR.
BOISE, ID 83703

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 13, 1983, and has submitted proof to the Department of Water Resources on February 8, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .090 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	13.5 AFA

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 14, Township 04N, Range 01E
ADA 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>
04N	01E	14	SESW	3		3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

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 12TH day of DECEMBER, 1988.

Acting for the

Director

Norman Young
MICROFILMED

DEC 23 1988

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 Franz Witte Phone 345-9079
Post office address 9744 W. State St. Boise Idaho 83703
2. Source of water supply Ground Water which is a tributary of _____
* 3. Location of point of diversion is SE of SW ¼ of Section 14 Township 4 N
Range 1 E. B.M. all County, additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount .09 cfs for irrigation purposes from MAR. 15 to November 15 (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. .09 cubic feet per second and/or b. N/A acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2-horse pump

b. Height of storage dam N/A feet, active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet, materials used in storage dam: N/A

Period of year when water will be diverted to storage N/A to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 15 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:

(1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: N/A 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: _____

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* Per phone conv. w/ MR. WITTE 7/27/83
J6

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

~~IV/A~~[illegible]

Total number of acres to be irrigated 3

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

9. a. Who owns the property at the point of diversion Franz Witte buying from Wallace Crossley

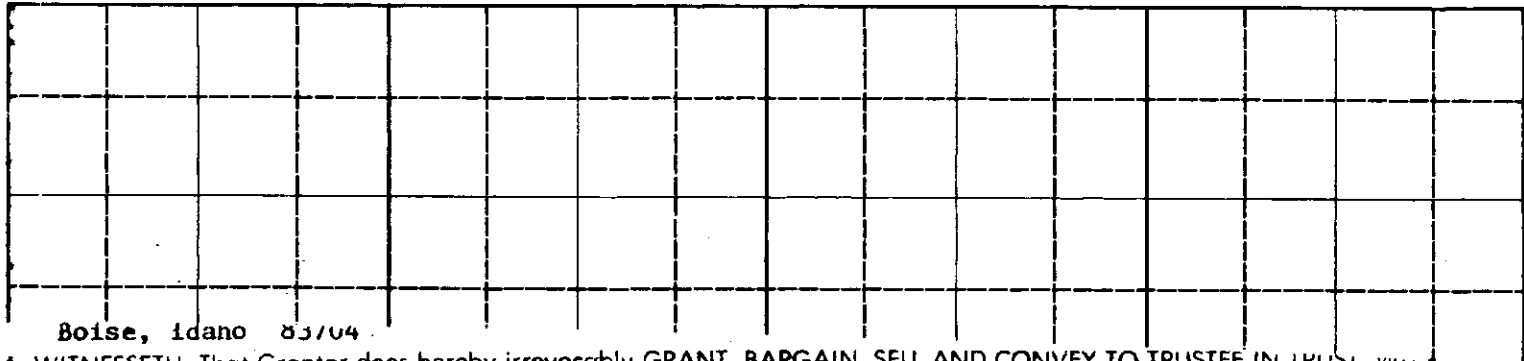
b. Who owns the land to be irrigated or place of use Franz Witte buying from Wallace Crossley

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 _____

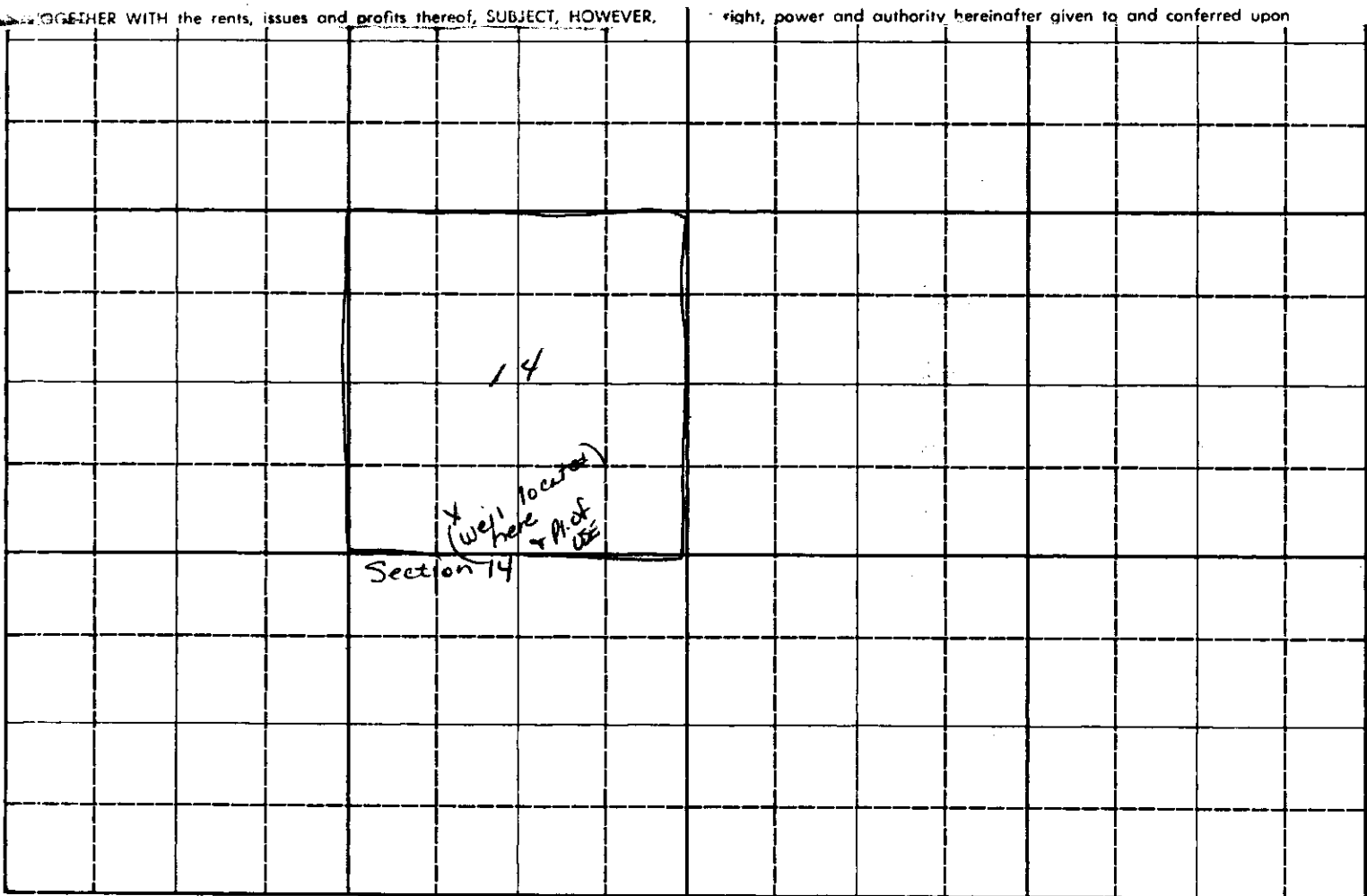
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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



Boise, Idaho 83/04

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, with POWER OF SALE, that property in the County of Ada, State of Idaho, described as follows, and containing not more than twenty acres: That portion of the East half of the Southwest Quarter of Section 14 in Township 4 North, Range 1 East of Boise Meridian, in Ada County, Idaho, described as follows, to-wit: Beginning at the Quarter corner at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 14, Township 4 North, Range 1 East, and running thence North along the Quarter Section Line of said Section 14 a distance of 2124.6 feet to the Southeast corner of Lot 25 of Brose Second Subdivision; thence West along the South line of said Lot 25 310 feet to the point and place of beginning; thence continuing West along the South line of said Lot 25, 350 feet to the Southwest Corner thereof; thence South along the East line of Lots 24, 26, and 27 of said Brose Second Subdivision a distance of 1167.6 feet to a point on the North line of the Boise and Interurban Railroad right of way; thence Southeasterly along the North line of said right of way 384.6 feet more or less to a point due South of the place of beginning; thence North 1327.6 feet more or less to the point and place of beginning in Ada County, State of Idaho.



Scale: 2 inches equal 1 mile.

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

Sicki Witte
WIFE (Applicant)
(PER PHONE CONVO. 10/30/84)
JG

MICROFILMED

Proposed Priority 7/13/83

MICROFILMED

Received by mn Date 7-13-83 Time 4:00 pm

Preliminary check by JG Fee \$ 30.00 # 32384

Receipted by tw Date 7/14/83

Publication prepared by jp Date 8/4/83

Published in stateman

Publication dates 8/11 + 8/18/83

Publication approved ~~JP~~ sec Date 8/24/83

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DAS tw

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. 63-10123, 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 December 1, 19 85.
- 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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.
Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness my hand this 19th day of November, 1984.

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Susan K. Mayer

_____, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two

_____ insertions, beginning with the issue of August 11, 1983, and ending with the issue of August 18, 1983.

Susan K. Mayer

Subscribed and sworn to before me this 18th day of August, 1983.

Archie E. Jensen

Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED
AUG 19 1983

Department of Water Resources
Western Regional Office

MICROFILMED

December 13, 1988

FRANZ WITTE
3621 HAWTHORNE DR.
BOISE, ID 83703

RE: PERMIT NO. 63-10123

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
DEC 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

163-10123
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{2 \text{ HP} \times .8 \times 8.8}{10' + (60 \div .4333)} = \frac{14.08}{148.5} = 0.09 \text{ cfs}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{13.5 \text{ afa}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{43.7 \text{ afa}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{13.5 \text{ afa}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

N/A

2. Overlap Review

- a) Other water rights with same place of use: NONE
- b) Other water rights with same point of diversion: NONE
- c) Analysis:

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DEC 25 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: _____

Address: _____

5. Source: G.W. tributary to _____

[illegible]

IRRIGATION 3/15 11/15 0.09 cfs 13.5 gpa

Allowable Maximums: 0.09 cfs 13.5 cfs

7. Point(s) of Diversion: SAME AS 219A

[illegible]

8. Place(s) of Use *JAME*

[illegible]

9. Recommended Conditions/Remarks: _____

10. 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

11. Examiner's Signature Jan Skute

Checked in Regional Office by WRT

Approved in State Office by Roxanne McCarthy

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DEC 25 1988

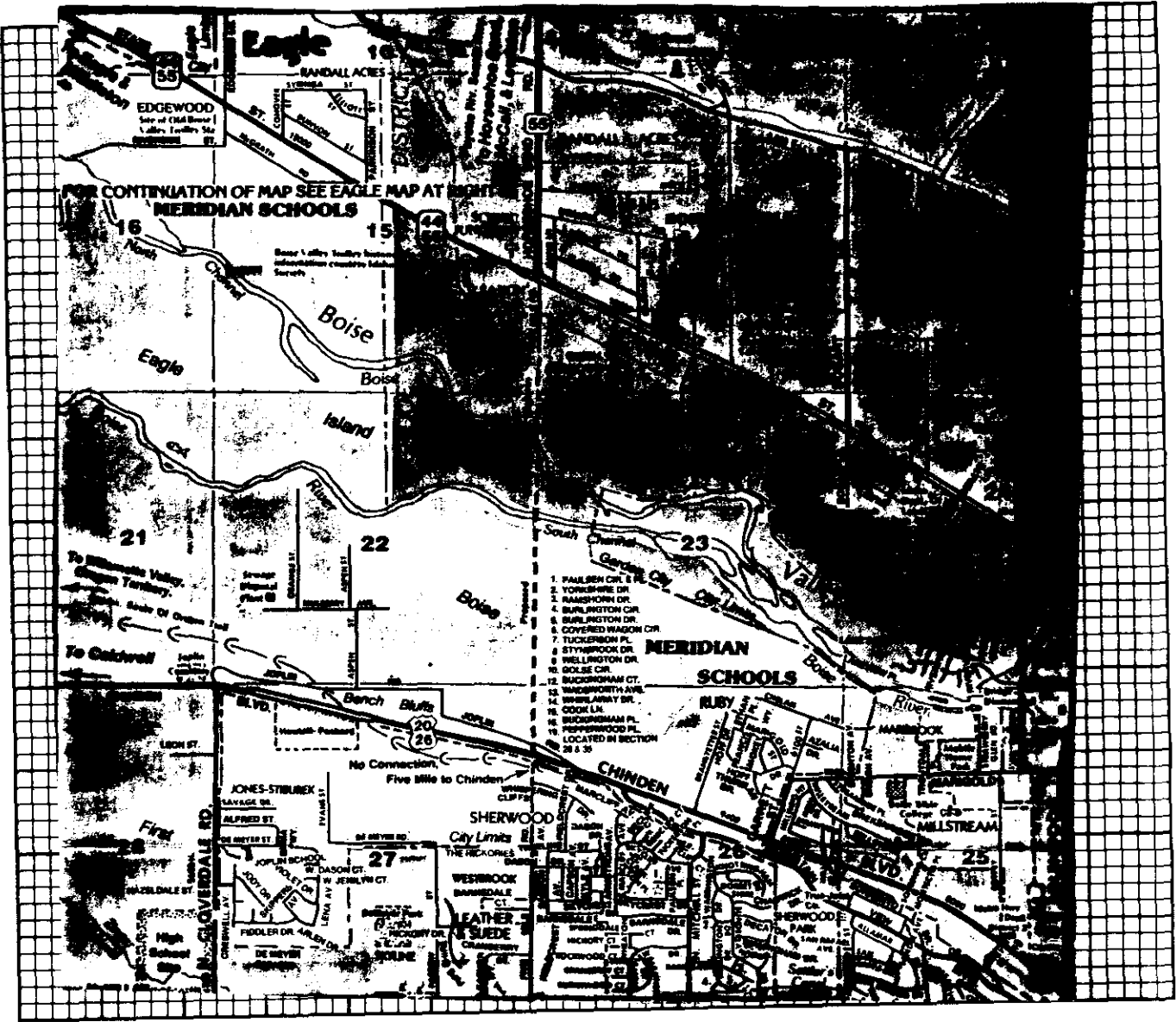
Date 5/17/86

Date 3/25/87

Date 11/9/88

- [illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks
15. 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
16. Examiner's/Consultant's Signature Jan Thunte Date 3/17/86
Consultant's License Number DR 3/25/87
IDWR Director's Authorization to Conduct
Beneficial Use Examination 8/27/85 Date

Suggs - 4/10/87 - RH
Copy - 4/10/87 - RH

CONS. SEAL
MICROFILMED
DE 4-1386

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 10, 1985

FRANZ WITTE
3621 HAWTHORNE DR.
BOISE ID 83703

RE: Permit No. 63-10123

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

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DEC 23 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-10123.

Name(s) of Permit Holder: Franz Witte

Post Office Address: 3621 Hawthorne Drive Boise Idaho 83703
well at
Property at 9744 W. State St, Boise 83703 Tel. No. 345-9079

Source of Water: Ground Water

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 3 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

2-6-85

Date

Franz Witte
Signature of Permit Holder

Franz Wilke

3621 Hawthorne Drive

Boise, Idaho 83703-985



RECEIVED

FEB 8 1965



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

MICROFILMED

January 29, 1985

RE: Permit No. 63-10123

Franz Witte
9744 W. State St.
Boise, ID 83703

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that one of the conditions of approval is that the diversion of water under this permit is subject to the control of a State Watermaster. The reason for this is that some hydrologic studies of rivers in the state indicate that wells constructed in the sand and gravel aquifers of the river areas may intercept water that otherwise would have entered the river. However, the extent of the alluvial material thickness is not known nor is the precise degree of interference of wells with surface water flows. Studies do indicate that as much as 50% of the water diverted from a well located one mile from the river would have reached the river if impermeable layers of clay on hard rock do not separate the river from the aquifer from which the well is producing.

The information available to us at this time does not warrant refusing to issue you a permit but does merit cautioning you that any permit issued by the Department cannot deprive water users, with earlier rights, of their water supply.

The reason for conditioning the permit and explaining the potential interference problem is to make you aware that future tests may definitely show that diversion of water from your well should be administered together with the older surface water priorities of the river and its tributaries. If this were to occur, it would essentially mean that there would not be water available for a 1984 priority diversion from your well since the surface water system is fully appropriated. By locating your well as far from the river as possible and by casing out upper water producing zones as the well is constructed, you may be able to reduce the amount of interference with the river.

MICROFILMED

January 29, 1985
RE: Permit No. 63-10123
Page 2 of 2

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 the statement of beneficial use postcard that must be submitted when your project is completed.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosures

MICROFILMED

[illegible]

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Gruver APPLICATION NUMBER: 63-10123

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. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: August 29, 1983
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/19/83
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 301 32384
☒ Publication dates and paper, recorded on application. Stationer 8/11 + 8/18
☒ 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? 63
7/13/83 Date of priority recommended.
Special conditions of approval or cover letter. I.P. GW letter

By: DBS

Date: 10/24/84

STATE OFFICE REVIEW:

- 216
☐ See attached sheet for more information.
By: kw Date: 11-1-84

Department of Water Resources

Department of Water Resources

MICROFILMED

special
letter
explaining
w.m.
requirement.

Recommendation
this due to
closed river
OCT 26 1984
RECEIVED
04 05 (63, Boise River)

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

September 14, 1983

Franz Witte
9744 W. State St.
Boise, ID 83703

Dear Mr. Witte:

In the final review of your application, it was noticed that you had put your dates of use from February 1st to Nov. 15th.

Normally, the irrigation season begins no earlier than March 15th. Therefore, the Department requires that no earlier date be placed on the application without justification. I am changing the date of use to March 15 to Nov. 15th. If you have any objection or questions, do not hesitate to contact me.

Sincerely,

Jan Grover,
Senior Water Resource Agent

JG:kb

*Changed date to
Mar. 15 to Nov. 15
since applicant filed
no objection. JG*

RECEIVED

63-10123

WITTE, FRANZ

9744 W. STATE ST., BOISE, ID 83703

Source: GROUNDWATER

Date Filed: 07/13/1983

Diversion Pt: SESW Sec 14 T 04N R 01E

Use: IRRIGATION (0.09 CFS)

In: SESW Sec 14 T 04N R 01E FOR 3 ACRES

MICROFILMED

3/83

IDENT. NO. 63-10123

ID 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

WATER RIGHT
DATA ENTRY LOG

[illegible]