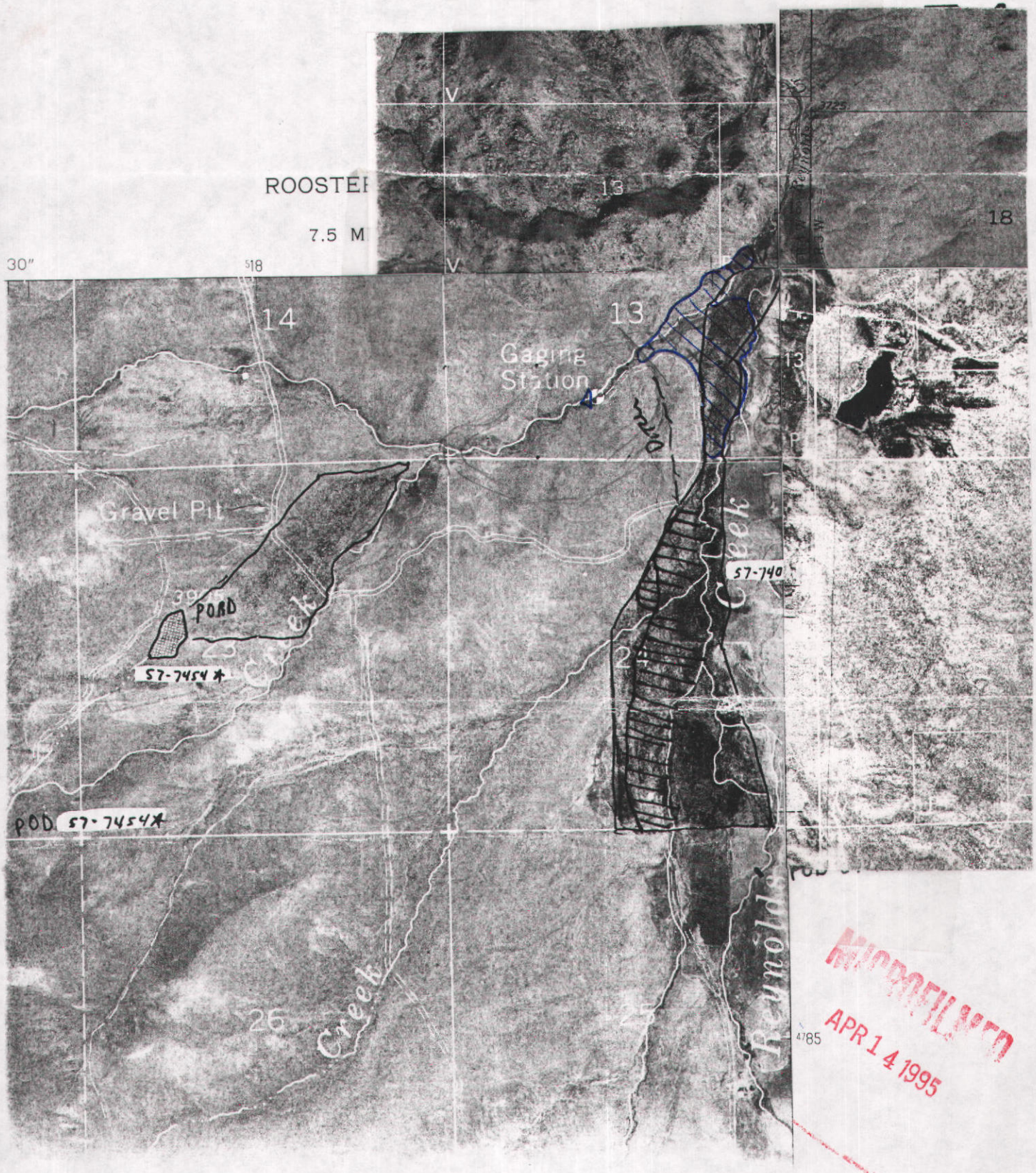
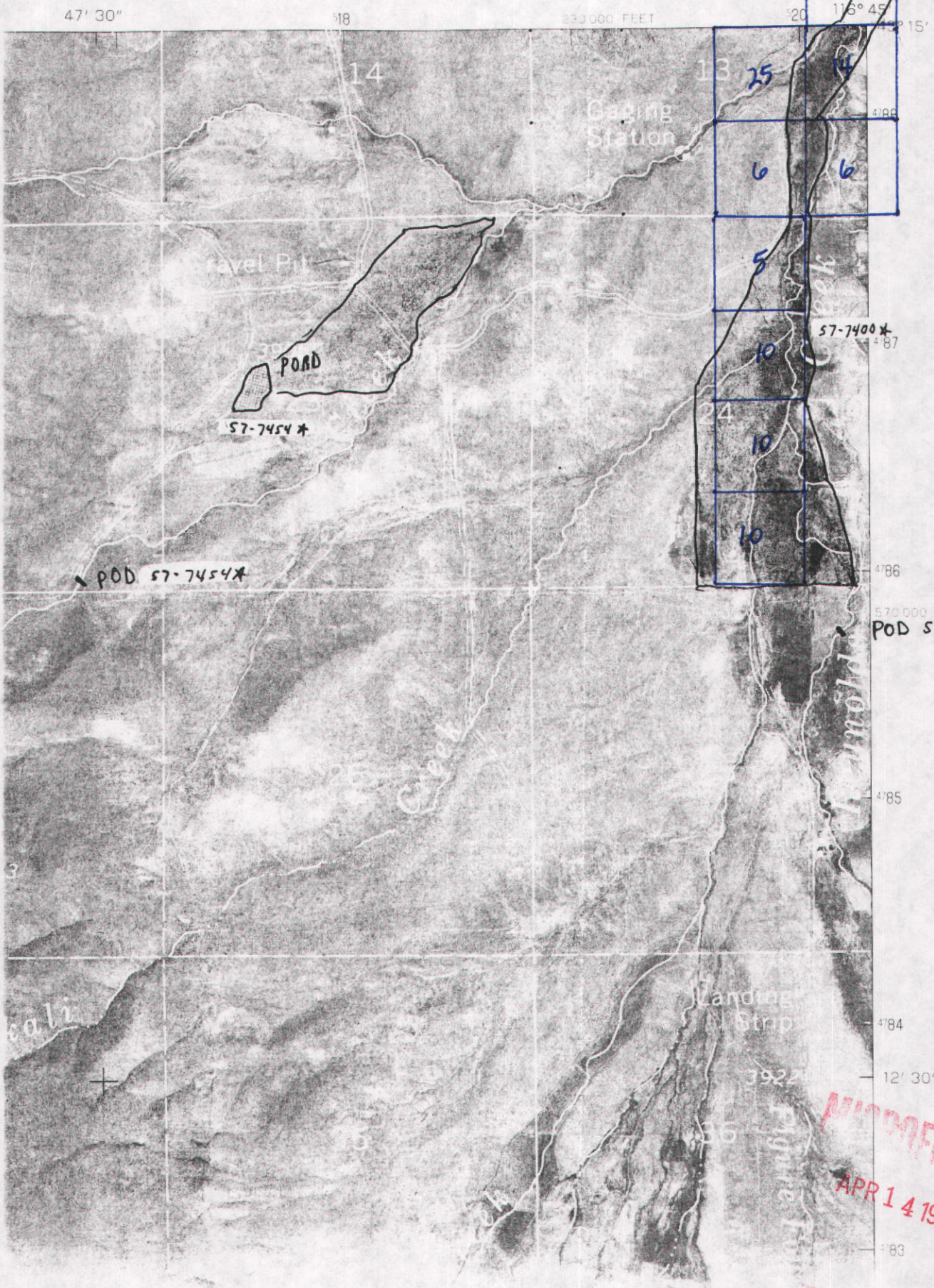
Z-4



MICROFILMED
APR 14 1995

- acres in section 13 distributed per 57-07525.
- acres in section 24 approximately distributed per owners designated irrigated area on attached map.

ROOSTER COMB PEAK NE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)



T2S
R4W
Sec 13 + 24
no Gov Lts

MICROFILMED
APR 14 1995

T2S

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	57 10930A	JOHN P ROMERO, JERRY L HOAGLAND, CATHERINE A ROMERO,	ALKALI CREEK, BABBINGTON CREEK, COTTLE CREEK, HAMILTON GULCH CREEK, MACKS CREEK, MURPHY CREEK, SALMON CREEK	02S04W13	X																0
Right	57 1076	C T RANCH CO,	GROUND WATER	02S04W13													X				0
Permit	57 7473	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13	3			~~3~~									2	3			11
Permit	57 7525	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13				~~5~~									14	25	6	6	56
Permit	57 7583	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13				~~5~~									14	25	6	6	56
Permit	57 7610	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13											10		21			25	56
Right	57 2085	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13											2						2
Right	57 262	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13											12						12
Right	57 7454	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13											2						2
Right	57 7525	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13													13	8	9	7	37
Right	57 7583	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W13			2	5									13	13	9	7	49
Permit	57 7400	JUNAYO RANCH CO,	REYNOLDS CREEK	02S04W13				~~21~~									33			30	84
Right	57 1073	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				14													14
Right	57 1074	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				3									13	8	9	7	40
Right	57 2296	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13													21			25	46
Right	57 2325	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				5									21			25	51
Right	57 248	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				3									13	8	9	7	40
Right	57 249	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				14													14
Right	57 7400	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W13				9													9

NO OK

NO OK

OK w/ 57-1074
-7525
-248

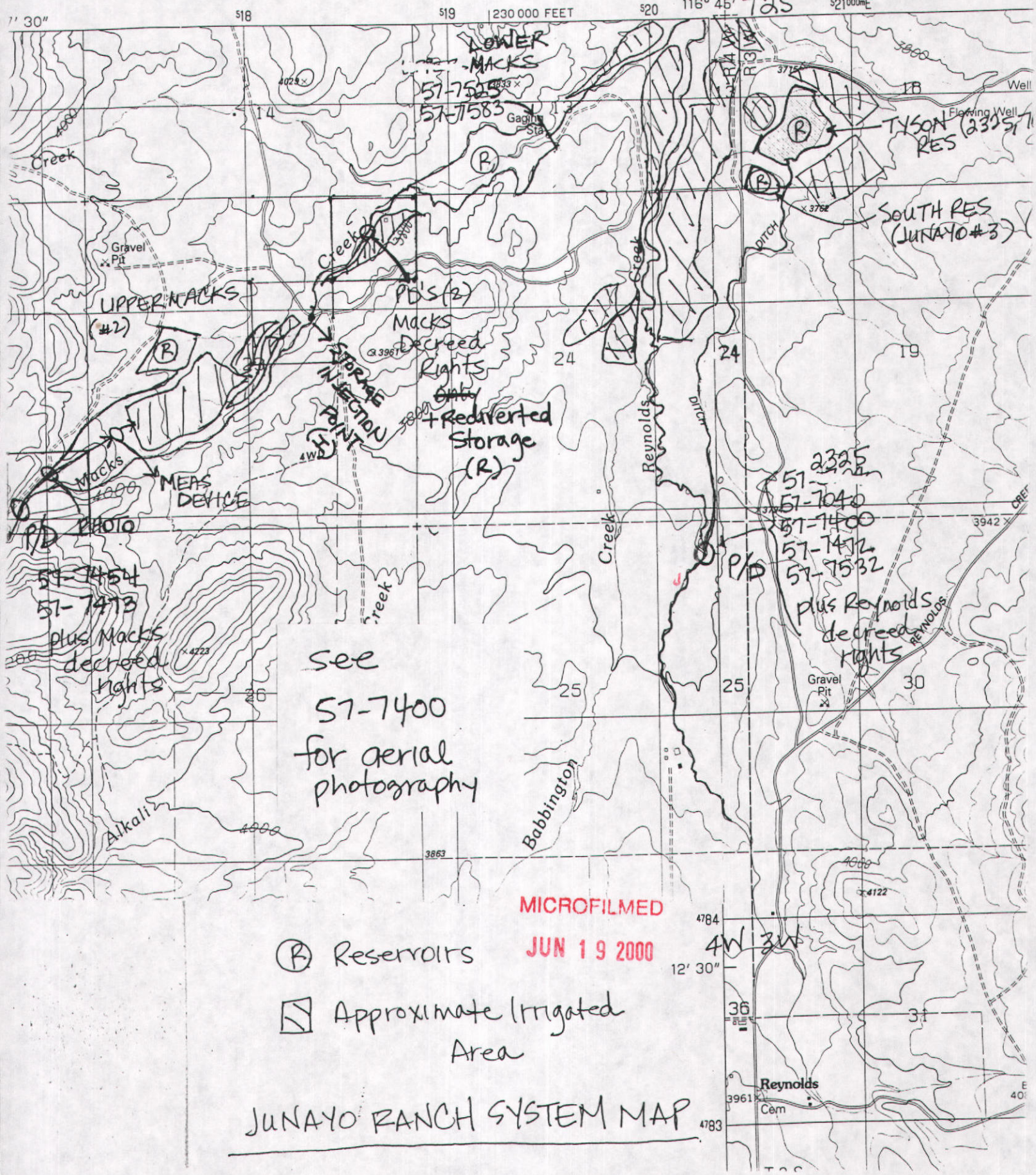
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	57 11509	DOYLE D CALDWELL,	ALKALI CREEK	02S04W24								X									0
Permit	57 7583	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24		5	~~10~~											10	10		35
Permit	57 7610	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24	34	4	~~3~~	14		4											59
Right	57 2085	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24						4											4
Right	57 7454	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24						4											4
Right	57 7525	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24		4	15														19
Right	57 7583	JUNAYO RANCH LTD PARTNERSHIP,	MACKS CREEK	02S04W24		4	15														19
Permit	57 7400	JUNAYO RANCH CO,	REYNOLDS CREEK	02S04W24	25	8	~~15~~	25									14	39	36	28	190
Permit	57 7472	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	14	2	~~6~~	8													30
Permit	57 7532	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	25	4	~~6~~	14													49
Right	57 1070	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	22	4	3	14													43
Right	57 1074	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24		4															4
Right	57 1078	KAREN L BASS, HARRY RICHARD BASS,	REYNOLDS CREEK	02S04W24													4	29	7		40
Right	57 1079	KAREN L BASS, HARRY RICHARD BASS,	REYNOLDS CREEK	02S04W24													10	10	29		49
Right	57 1080	HARRY RICHARD BASS, KAREN L BASS,	REYNOLDS CREEK	02S04W24									2			9				28	39
Right	57 2296	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	12																12
Right	57 243	KAREN L BASS, HARRY RICHARD BASS,	REYNOLDS CREEK	02S04W24													10	10	29		49
Right	57 248	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24		4															4
Right	57 252	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	22	4	3	14													43
Right	57 259	KAREN L BASS, HARRY RICHARD BASS,	REYNOLDS CREEK	02S04W24									2			9				28	39
Right	57 7400	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	22	4	3	14													43
Right	57 7532	JUNAYO RANCH LTD PARTNERSHIP,	REYNOLDS CREEK	02S04W24	22	4	3	14													43
Permit	57 11599	JOHN P ROMERO, CATHERINE A ROMERO,	SPRING	02S04W24															X		0
Right	57 1083	CATHERINE A ROMERO, JOHN P ROMERO,	SPRINGS	02S04W24															X		0
Right	57 1068	JUNAYO RANCH LTD PARTNERSHIP,	WASTE WATER	02S04W24			15														15
Right	57 1084	KAREN L BASS, HARRY RICHARD BASS,	WASTE WATER	02S04W24														26	26	2	54

0 - w/ 57-1068
57-7525
~~57-1068~~
57-248

ROOSTER COMB PEAK QUADRANG
IDAHO-OWYHEE CO.
7.5 MINUTE SERIES (TOPOGRAPHI

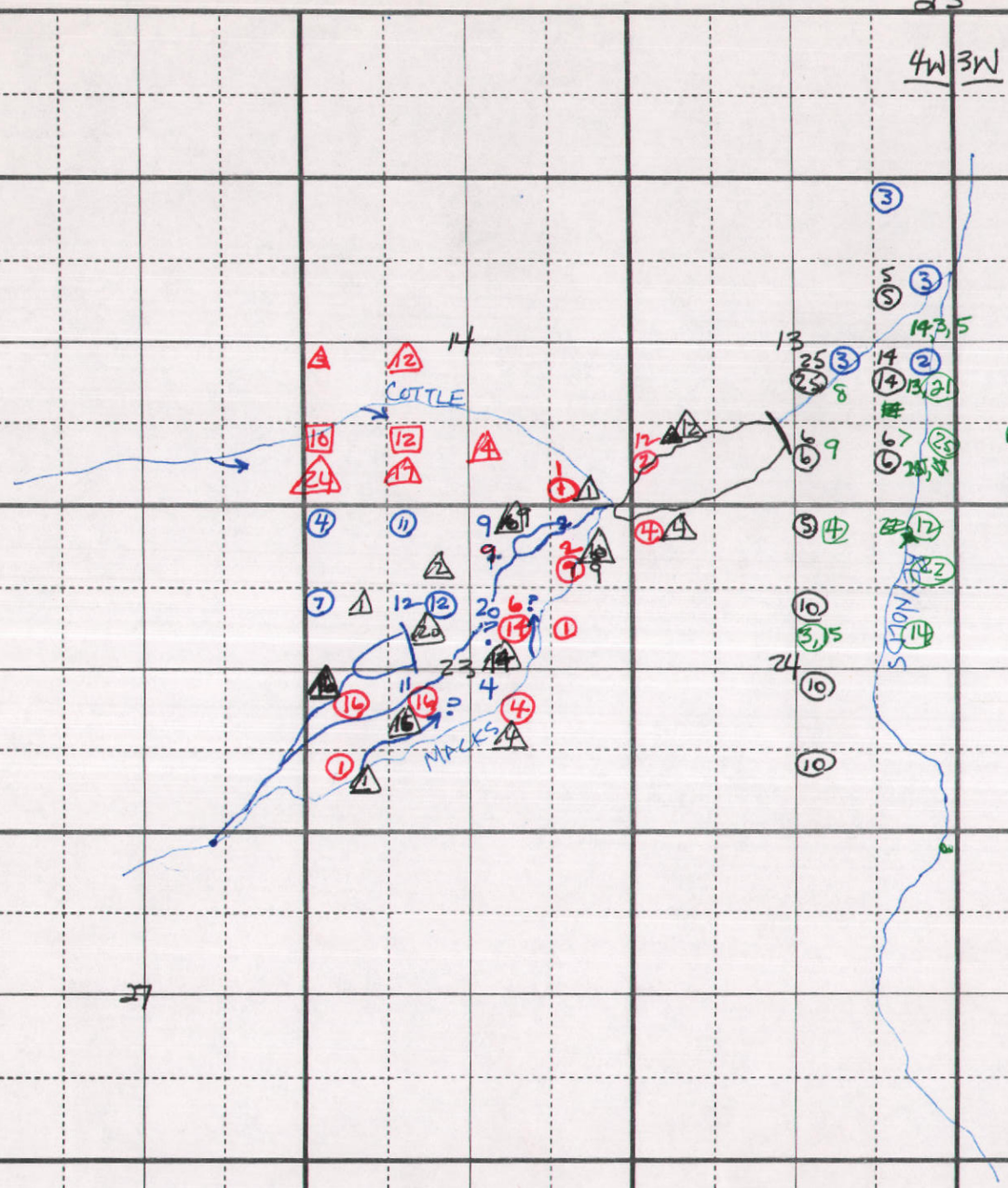
UNITED STATES
PARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



JUNAYO RANCH SYSTEM MAP

SCALE: 2 Inches Equal 1 Mile. Draw In Ink.

NAME OF APPLICANT JUNAYO RANCHES



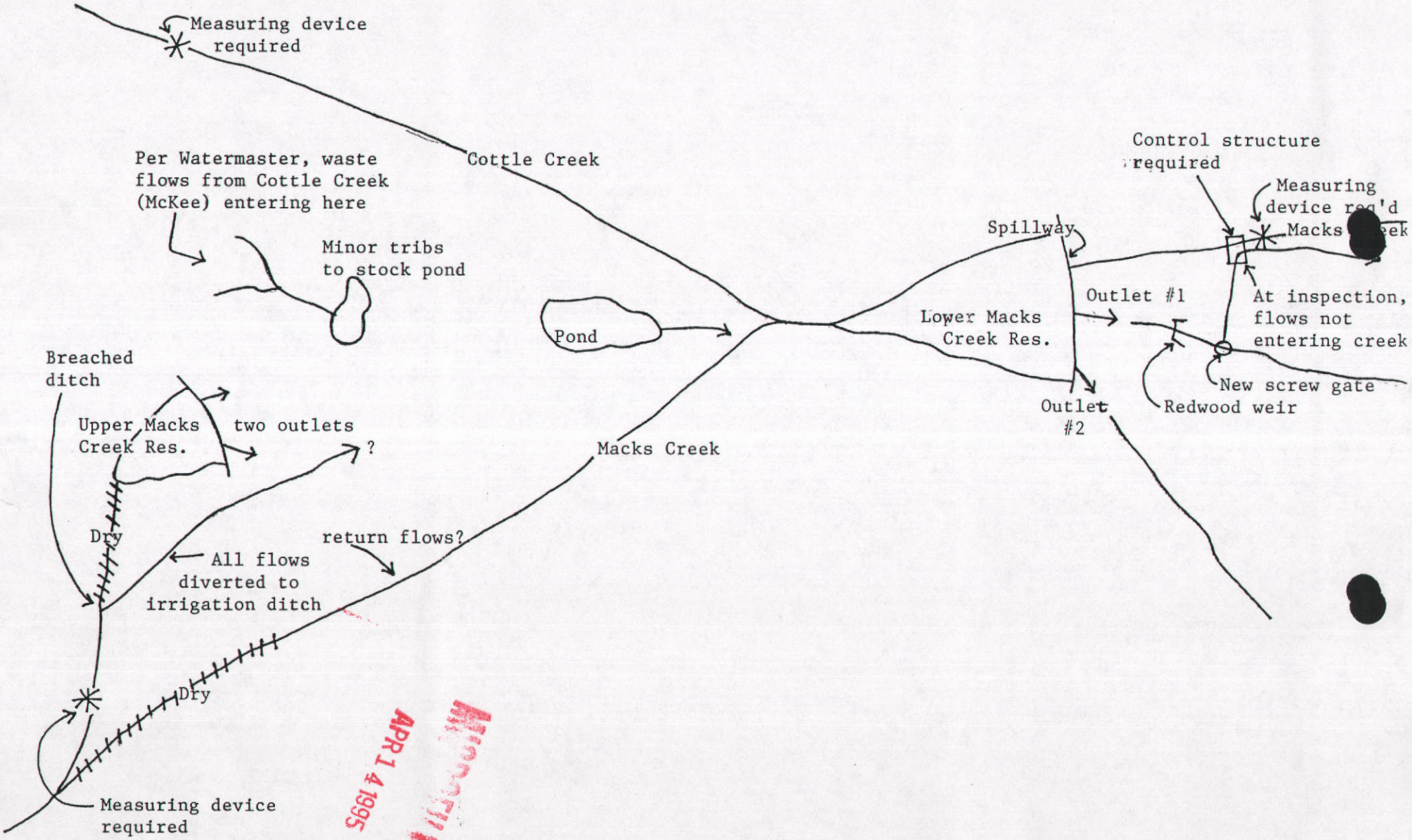
APR 1 4 1995

△ - NEW AP (A)
5 - 57-7525(P) Lower Res
(5) - 57-7583 (A)
12 - 57-7454 (P)
(12) - 57-7473 (P) Upper Res
14 - 57-249 (D)
248 "
1073 " Reynolds Ck
1074 "
2325 "
1070
1076
12 - 57-0262 (D) Macks Creek
(2) - 57-2035 (D)
□ 57-2165 (D) Cattle Creek
△ 57-2192 (D)

Form No. 0

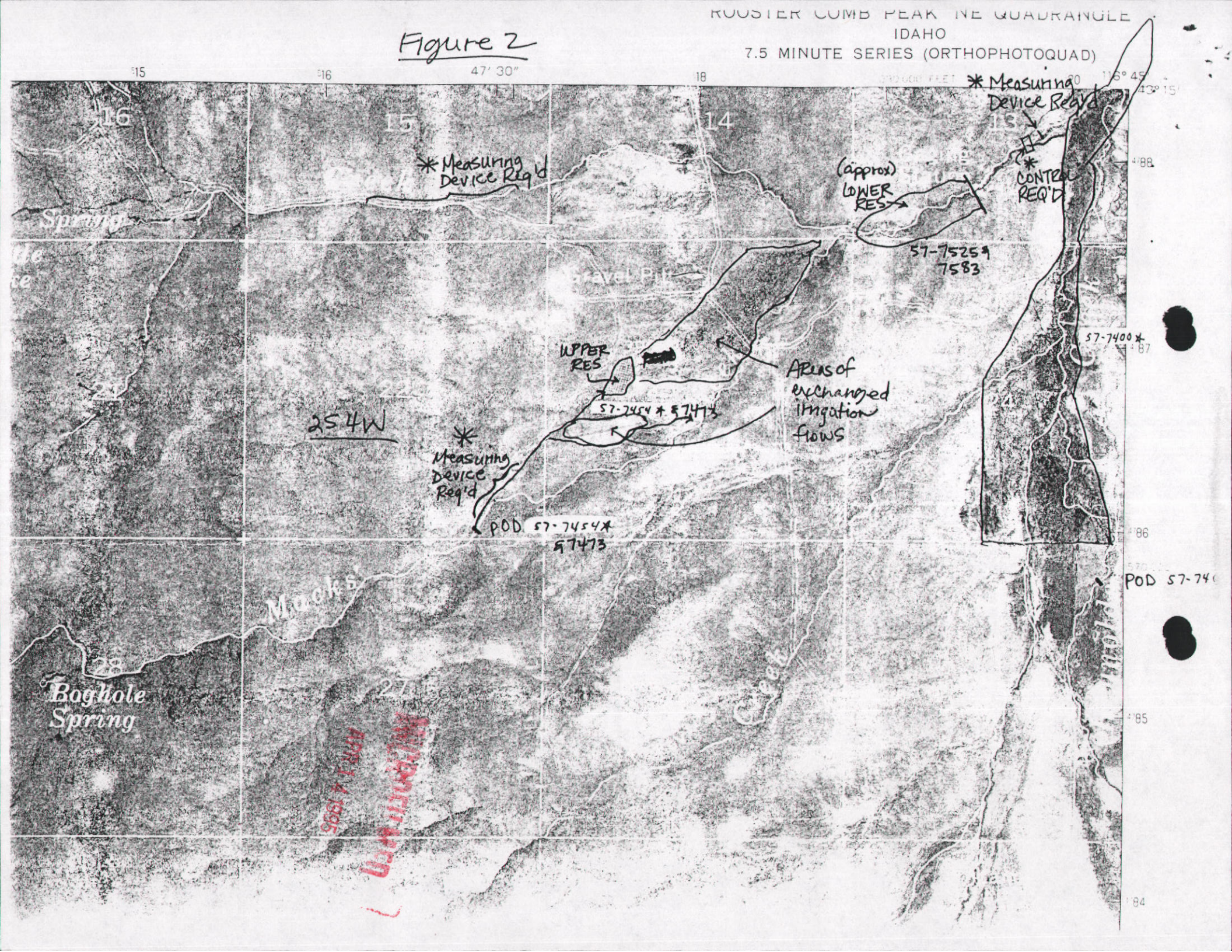
SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

Figure 1.



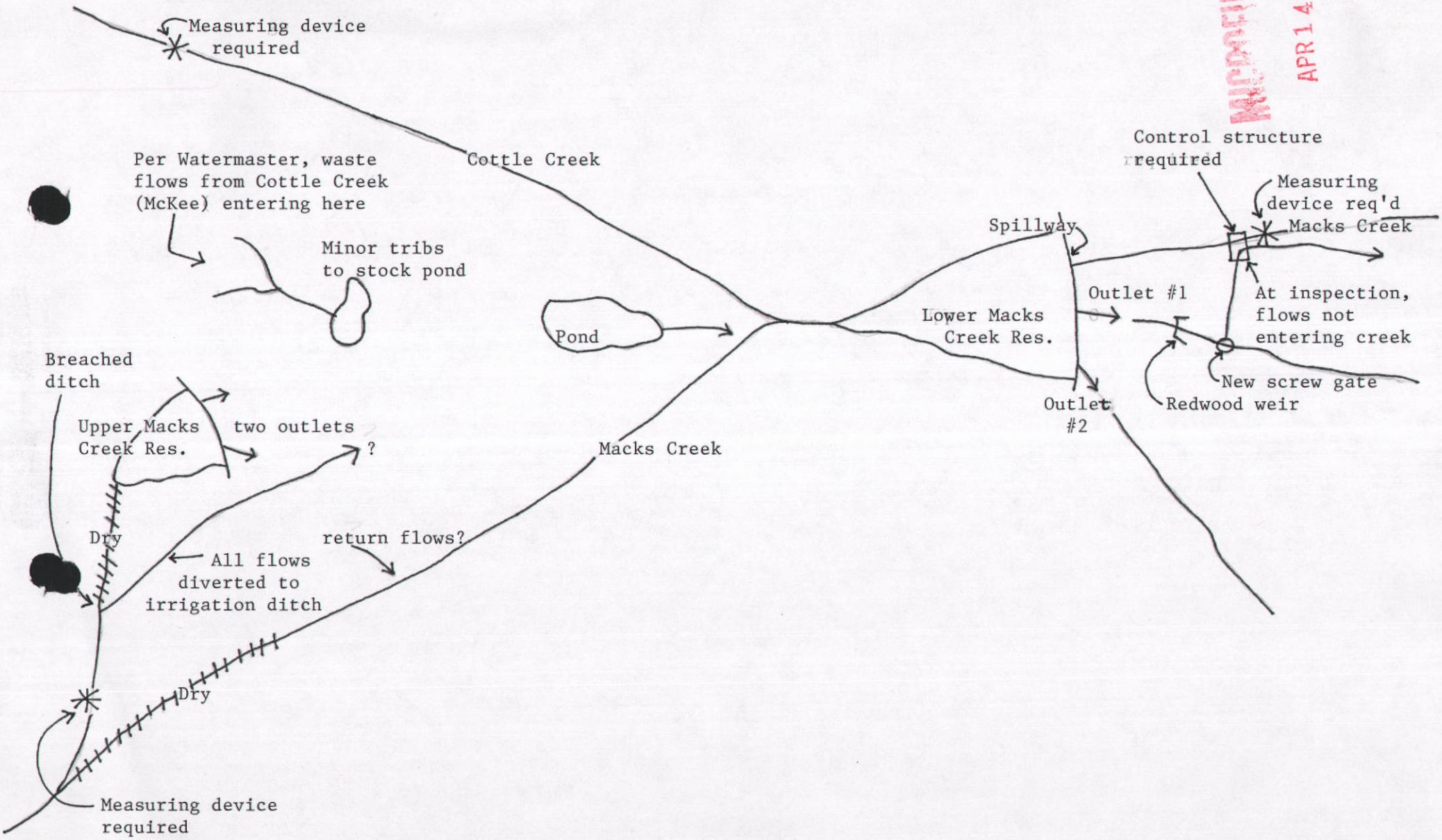
APR 14 1995

Figure 2


ROOSTER COMB PEAK NE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)
47° 30"
* Measuring Device Req'd
* Measuring Device Req'd
(approx) LOWER RES
* CONTROL REQ'D
57-7525 & 7583
Gravel Pit
UPPER RES
Areas of exchanged irrigation flows
57-7454 * & 7473
57-7400 *
254W
* Measuring Device Req'd
POD 57-7454 * & 7473
POD 57-740
Mack's
Boghole Spring
Spring
Creek
Willow
APR 1 4 1986

SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

Figure 1.

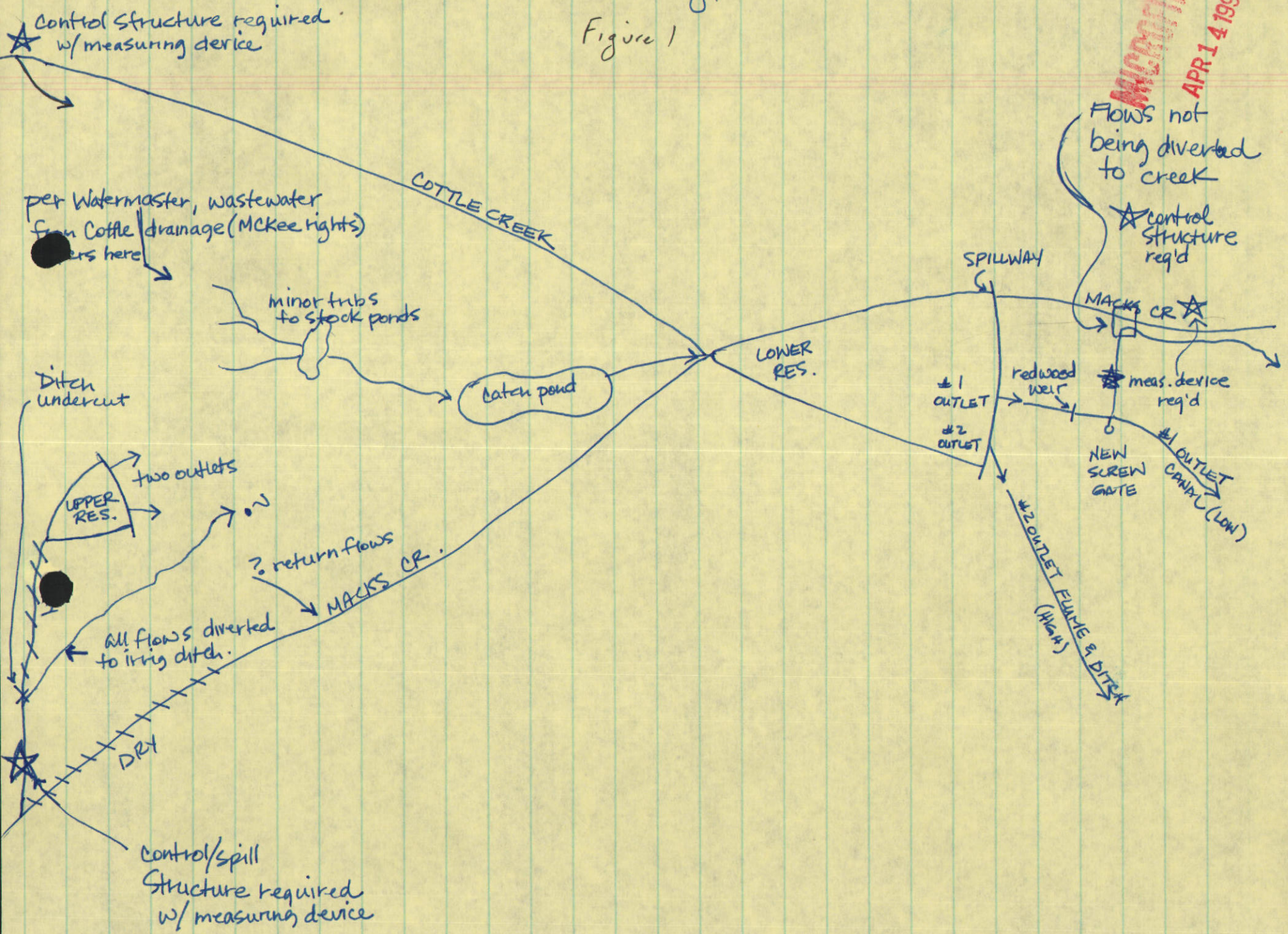


MICROFILMED
APR 14 1995

SYSTEM SCHEMATIC - MACKS CREEK

5/19/94 CJH

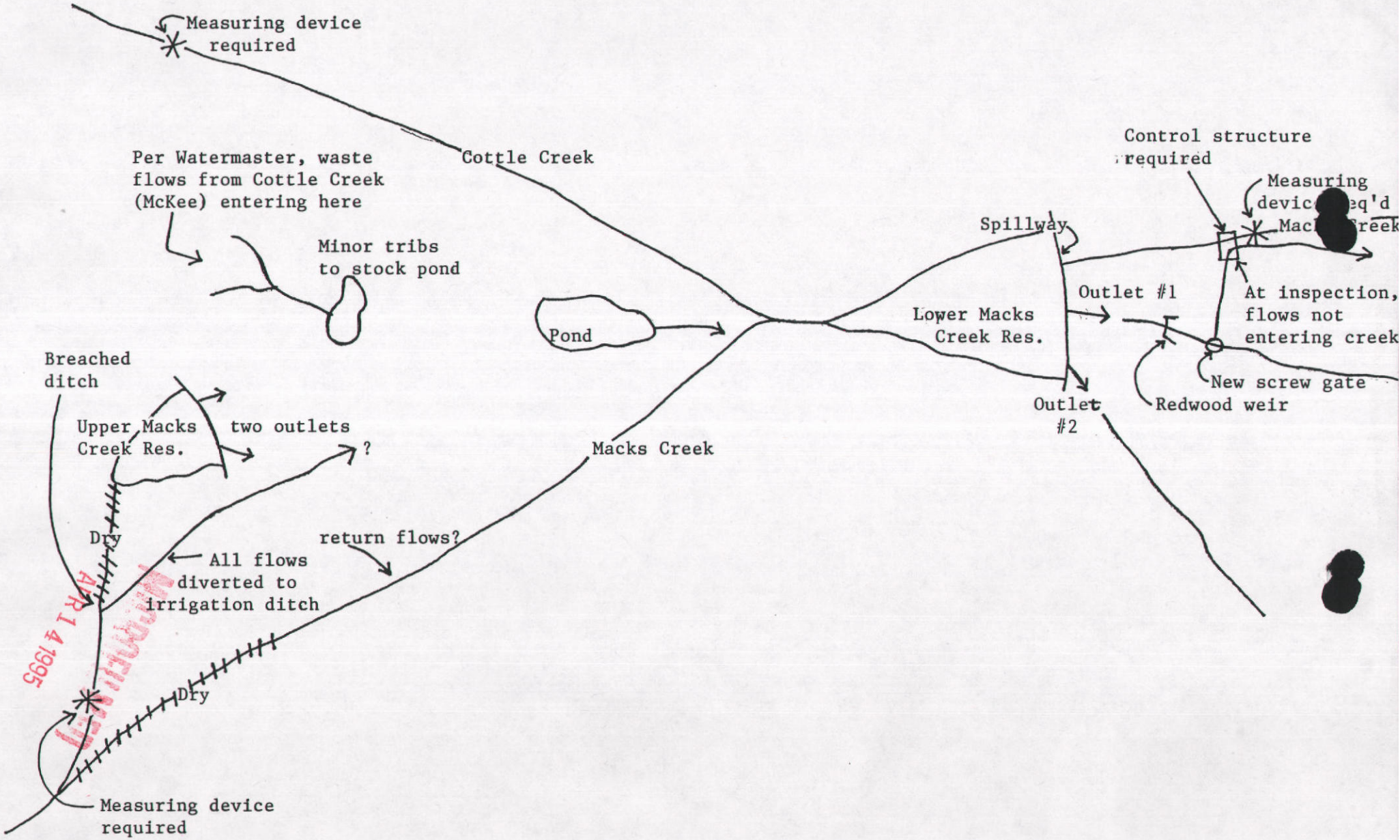
Figure 1



MICROFILMED APR 14 1995

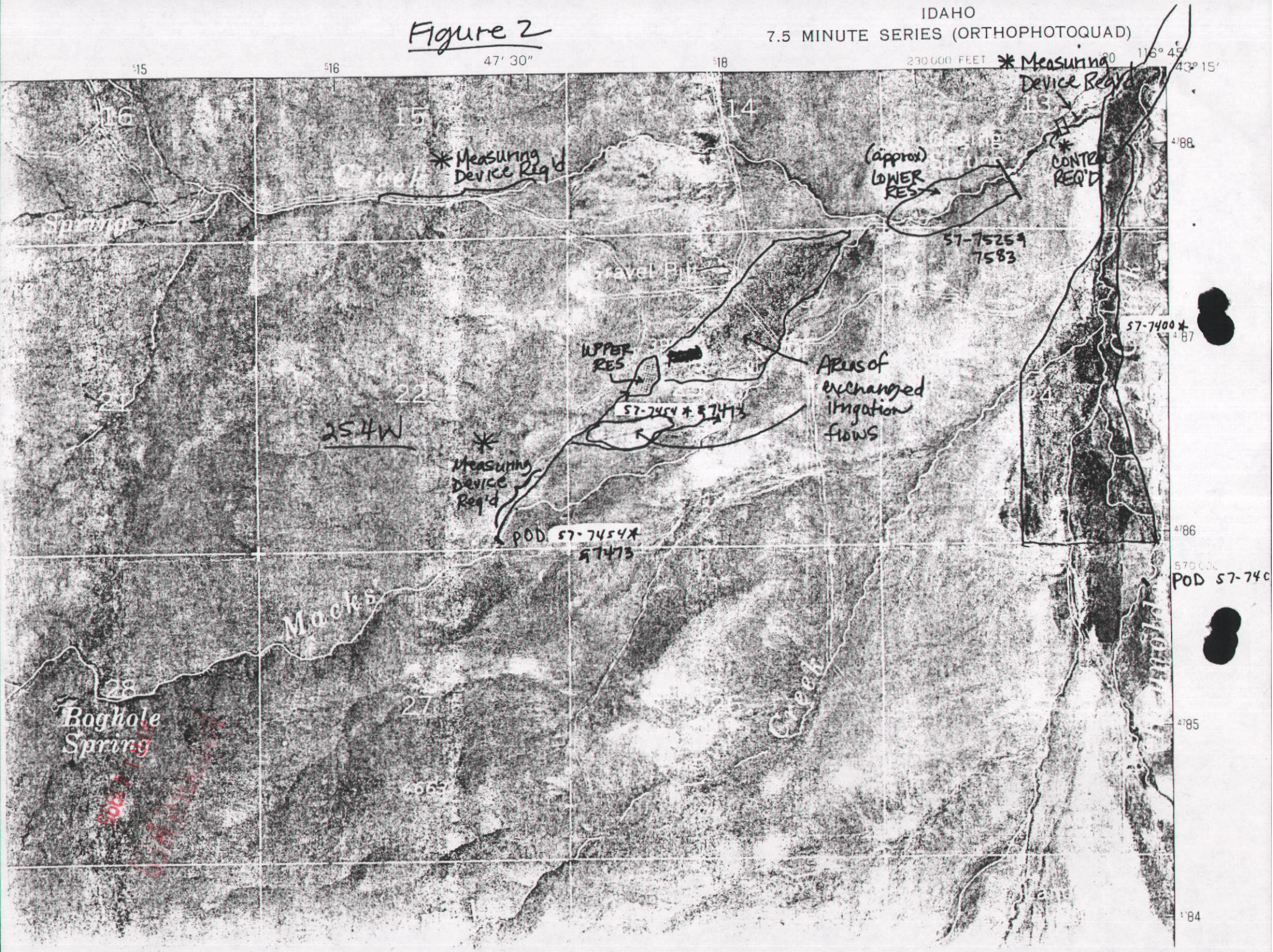
SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

Figure 1.



APR 14 1995

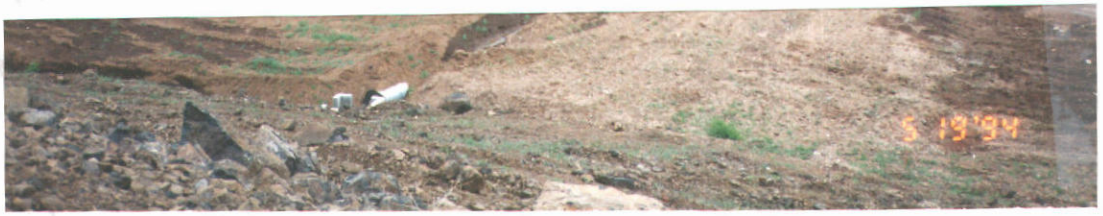
Figure 2


IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)
47' 30"
230 000 FEET
116° 45'
43° 15'
15
16
14
13
21
22
24
25
27
28
25 4W
Measuring Device Req'd
Measuring Device Req'd
Measuring Device Req'd
CONTROL REQ'D
(approx) LOWER RES
57-75259
7583
57-7400
UPPER RES
Areas of exchanged irrigation flows
57-7454 & 57473
POD 57-7454
57473
POD 57-740
Mack's
Creek
Boghole Spring
Gravel Pit
4788
4787
4786
4785
4784

Permit (Ap) file
51-7583

1. Right abutment Spillway, Lower Macks Creek Res.

2. Overview from top of dam. Outlet #1 in bottom center



3. Redwood headwall below outlet #1 (No blade) (looking at face of dam)

4. Concrete headwall & gate for canal turnout (not complete)

5. Ditch from canal.

APR 1 4 1995

6. Released Flow towards Mack's Creek. Flow entering private lateral at arrow. Macks creek behind.

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APR 14 1995

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Permit (Ap) file
57-7583

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2. Overview from top of dam. Outlet #1 in bottom center

3. Redwood headwall below outlet #1 (No blade) (looking at face of dam)

4. Concrete headwall & gate for canal turnout (not complete)

5. Ditch from canal.

APR 14 1995

6. Released Flow towards Mack's Creek. Flow entering private lateral at arrow. Macks creek behind.

51-7583

1. Lower Macks Creek outlet #2 (flume) Seepage from left abutment toe.

APR 14 1995

2. Upper Macks Creek irrigation diversion. Dry channel to right (figure w/ hat in channel)

3. Breached ditch to upper Macks Res. ↓

57-7583

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APR 14 1995

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5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

5 19'94

RECEIVED
FEB 2 8 1994
WATER RESOURCES
WESTERN REGION

THE OWYHEE AVALANCHE
P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in 2 (two) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

Published February 16 + 23, 1994

Signed Joe Aman

Subscribed and sworn to before me this 23rd day of Feb A.D., 1994

Corine Bowlin

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07583

JUNAYO RANCH LTD. PARTNERSHIP
1087 RIVER ST. #230
BOISE, ID 83702
Source: MACKS CREEK
Tributary: REYNOLDS CREEK
Diversion Pt: NESESW Sec 13 T 02S R04W in OWYHEE County.
Use: IRRIGATION STORAGE (200.00 AF)
IRRIGATION FROM STORAGE (200.00 AF)
Total Diversion: (.200 AF)
Date Filed: 1/14/1994
In: OWYHEE County
T02S R04W S13 SENE NESE NWSE SWSE SESE
S24 NWNE SWNE NWSE SWSE
91.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 7, 1994.

R. KEITH HIGGINSON,
Director

Publish February 16 & 23, 1994

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APR 14 1995

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07583

Priority: January 14,1994

Maximum Diversion Volume 90 0 AF

It is hereby certified that JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 14, 1994; and has submitted Proof of Beneficial Use on February 15, 2000 An examination indicates that the works have a storage capacity of 469 0 acre feet of water from

SOURCE
MACKS CREEK **Tributary:** REYNOLDS CREEK

and a water right has been established as follows·

BENEFICIAL USE	PERIOD OF USE	ANNUAL DIVERSION VOLUME
IRRIGATION FROM STORAGE	03/15 to 11/15	90 0 AF
IRRIGATION STORAGE	11/15 to 03/15	90.0 AF

LOCATION OF POINT OF DIVERSION:
MACKS CREEK NE¼SE¼SW¼ Sec. 13, Twp 02S, Rge 04W, B M , OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04W 13			2 0	5 0									13 0	13 0	9 0	7 0	49 0
02S 04W 24		4 0	15 0														19 0

Total Acres 68

CONDITIONS OF APPROVAL

1 Use of water under this water right will be regulated by the watermaster of State Water District No 57R

2 Right 57-07525 is also diverted through the point of diversion described above

3 Rights 57-00248, 57-01074, 57-01068, 57-07525 and 57-07583 when combined shall not exceed the irrigation of 68 acres

4 Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir

MICROFILMED

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07583

5 This right when combined with all other rights shall provide no more than 0 02 cfs per acre nor more than 3 5 afa per acre at the field headgate for irrigation of the lands above

6. Storage facility known as Macks Creek Reservoir

7 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

8 Use of water under this right may be affected by an agreement between the protestant and the right holder

This license is issued pursuant to the provisions of Section 42-219, Idaho Code The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 28th day of June, 2002.

Acting for KARL J. DREHER
Director

MICROFILMED

SEP 2 3 2002

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 57-07583

RECEIVED
JUN 27 2002
Department of Water Resources

Date of Priority: January 14,1994

Maximum Diversion Rate:
Maximum Diversion Volume: 90.0 AF

Comes now JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702 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. 57-07583, and requests that the permit be changed as follows:

Source: MACKS CREEK **Tributary:** REYNOLDS CREEK

BENEFICIAL USE	PERIOD OF USE	ANNUAL VOLUME
IRRIGATION FROM STORAGE	03/15 to 11/15	90.0 AF
IRRIGATION STORAGE	11/15 to 03/15	90 0 AF

LOCATION OF POINT OF DIVERSION:
MACKS CREEK NE¼SE¼SW¼ Sec. 13, Twp 02S, Rge 04W, B.M., OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04W 13			2 0	5.0									13 0	13 0	9 0	7 0	49.0
02S 04W 24		4 0	15 0														19.0

Total Acres: 68

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 this 26th day of June, 2002.

(Signature)

MICROFILMED
SEP 23 2002

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 57-07583

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $50.00 Receipted by [illegible] # C062992 Date 6/27/02

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. 57-07583 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 57R.
2. Right 57-07525 is also diverted through the point of diversion described above.
3. Rights 57-00248, 57-01074, 57-01068, 57-07525 and 57-07583 when combined shall not exceed the irrigation of 68 acres.
4. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Storage facility known as Macks Creek Reservoir.
7. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage
8. Use of water under this right may be affected by an agreement between the protestant and the right holder

Witness my hand this 28th day of June, 2002.

Acting for KARL J. DREHER
Director

MICROFILMED
SEP 23 2002

Form No 21
12/99

FOR OFFICE USE ONLY
Amt of Fee $ 100
Receipt No 048116
Receipt By
Date Receipted 2/15/00

RECEIVED
FEB 15 2000
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

*The Idaho Department of Water Resources considers this form 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, when necessary, **or** be accompanied by a completed field examination report prepared by a certified water right examiner*

1 Permit No. 57-07583 Telephone No. (208) 343-8880

2 Name of Permit Holder(s). Junayo Ranch LTD Partnership

3 Mailing Address. 1087 West River Street, Suite 230

City Boise State ID Zip 83702

4. Source of Water: Macks Creek If **GROUNDWATER** (well), Date Drilled: mo.____ / yr.____

a Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____ - ____

5. Use(s) (as authorized by the water right permit):

Domestic (No of households): ____ Stockwater (No. and type of stock): ____

Irrigation (No of acres) 56 Other: See Exchange of Use Water Right

6. Total rate of diversion and/or volume for which proof is submitted. ____ cfs **OR** 90 acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(*This question is **not optional**. Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)*

Measuring Device: Is a measuring device required? Yes x **or** No ____
Has the measuring device been installed? Yes x **or** No ____
* See Field Report

8 Fee Enclosed: $ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9 Person to contact to accompany the Department representative during field examination of the water system

Name Owen H. Orndorff Telephone Number (208) 343-8880

Address 1087 West River Street, Suite 230, Boise, Idaho 83702

10. ***The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.***

Signature of permit holder Junayo Ranch Limited Partnership Date 2/3/00
(include your title, if on behalf of company or organization)
General Partner

MICROFILMED
1 4 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07583

Proposed Priority: January 14, 1994 Maximum Storage Volume: 200.0 AF

This is to certify, that **JUNAYO RANCH LTD PARTNERSHIP**
1087 RIVER ST #230
BOISE ID 83702
has applied for a permit to appropriate water from:
MACKS CREEK tributary of **REYNOLDS CREEK**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION STORAGE	11/15 to 03/15		200.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		200.0 AF
	Totals		200.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESESW , Sec. 13, Township 02S, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	04W	13	SENE	5.0	NESE	14.0	NWSE	25.0	
			SWSE	6.0	SESE	6.0			56.0
		24	NWNE	5.0	SWNE	10.0	NWSE	10.0	
			SWSE	10.0					35.0

Total number of acres irrigated: 91.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 2000.**
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 57R.
6. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
7. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

APR 1 4 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07583

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of April, 1995.

for R. Keith Higginson, Director

APR 14 1995

RECEIVED

MAR 07 1995

RECEIVED

JAN 18 1994

WATER RESOURCES
WESTERN REGION

Department of Water Resources

Ident. No. 57-07583

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JUNAYO RANCH LTD. PARTNERSHIP 208-343-8880
   Address: 1087 RIVER ST. #230
   BOISE ID 83702

2. Source: MACKS CREEK Trib. to: REYNOLDS CREEK
3. Location of Point of Diversion: NESESW Sec. 13, Township 02S, Range 04W
   OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION STORAGE	11/15	03/15			200.00
IRRIGATION FROM STORAGE	03/15	11/15			200.00

5. Total quantity to be appropriated is:
   CFS (and/or) 200.00 AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
      CONVERTED ARS CONCRETE WEIR INTO A DAM AND DITCHES
   b. Height of storage dam 60 feet; active reservoir capacity 459.00 acre-feet; total reservoir capacity 459.00 acre-feet; period of year when water will be diverted to storage: 11/15 to 3/15 inclusive.
   c. Proposed well diameter is inches; proposed depth of well is feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO
   e. If well is already drilled, when?
      Drilling Firm
      Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION FROM STORAGE

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	04W	13	SENE	5	NESE	14	NWSE	25	
			SWSE	6	SESE	6			56
		24	~~NENE~~	~~5~~	~~NWNE~~	~~7~~	~~SWNE~~	~~23~~	35
*			NWNE	5	SWNE	10	NWSE	10	
			SWSE	10	Total number of acres irrigated:				91

APR 14 1995

* Based on attached maps. Data entered 1/31/94. G

9. a. Who owns the property at the point of diversion?
   APPLICANT
   b. Who owns the land to be irrigated or 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.

10. Remarks:
   Supplements 57-07525.

11. Map of proposed point of diversion and place of use attached? [✓]

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.

* _____
Applicant
Owen Oendorff General Partner

Received by _____ Date 1-14-94 Time 3:30PM Preliminary check by _____

Fee $ 65— Receipted by _____ # C029440 Date 1-14-94

Publication prepared by _____ Date 2-9-94 Published in Owyhee Avalanche

Publication approved _____ Date 3-8-94

(same partnership)

* Ownership requested for 57-07525. 1/24/94

APR 14 1995

NAME OF APPLICANT.....

Form No. 0

R4W

T
2
S

13

25 14

6 6

1 5

23

APR 1 4 1995

57-07583

Dear Mr. Oundorff,
Please designate the
35 acres in section 24. Thx

Lori Graves

(Please return map c/o me)

RECEIVED JAN 2 6 1994

Z-4

APR 14 1995

- acres in section 13 distributed per 57-07525.
- acres in section 24 approximately distributed per owners designated irrigated area on attached map.

ROOSTER COMB PEAK NE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD) 5

T2S
R4W
Sec 13 + 24
no Gov Lts

APR 14 1995

T2S

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 5, 2002

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: License No. 57-7583 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Kay Walker
for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
SEP 2 3 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 57-7583

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

Kari Lynn Townsend
Secretary

MICROFILMED

SEP 2 3 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
SEP 2 3 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H. ORNDORFF

Limited Partner
Harvey H Orndorff

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

Murphy, Idaho
Kuna, Idaho

RECEIVED
JUN 27 2002
Department of Water Resources

June 26, 2002

Kay Walker
Sr. Water Resource Agent
Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Water Right Permit Nos. 57-07472, 57-07454, 57-07525, and 57-07583

Dear Ms. Walker:

Pursuant to your letter dated June 13, 2002, I have enclosed the following.

1 Signed Application for Amendment Water Right No. 57-07583 dated June 26, 2002, and accompanying $50.00 filing fee;
2. Signed Application for Amendment Water Right No. 57-07454 dated June 26, 2002, and accompanying $50.00 filing fee; and
3. Signed Application for Amendment Water Right No. 57-07525 dated June 26, 2002, and accompanying $50.00 filing fee.

Also enclosed is a check for the proof of beneficial use filing fee for permit no. 57-07472 payable to the Idaho Department of Water Resources in the amount of fifty dollars ($50.00). (2062990)

I appreciate your efforts in getting these water rights finalized.

Very truly yours,

Owen H. Orndorff

OHO/dr
Enclosures

MICROFILMED
SEP 23 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2002

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: Water Right Permit Nos. 57-07400, 57-07472, 57-07532, 57-07454, 57-07525, and 57-07583

Gentlemen:

The Department of Water Resources is reviewing the above referenced permits prior to issuing water right licenses By issuing the licenses, the Department confirms that a water right has been established in compliance with the terms of the permits. We have a request to expedite the issuance of these licenses by the Snake River Basin Adjudication (SRBA) staff so your prompt attention to this matter would be greatly appreciated.

The examiner who verified your water use reported that some of the points of diversion and places of use are in a location other than what was described on the permits. Therefore, before licenses can be issued, some of these permits must be amended to depict the water rights as they were actually developed. I have identified the changes, for each permit that must be acted upon, below for your convenience.

Permit 57-07472: I found that we have never received the proof of beneficial use filing fee that should have been submitted with the proof. Could you please check your records for a check that may have been written to the Department on March 5, 1991 in the amount of $50.00. We received the proof statement on March 6, 1991 and one of our staff acknowledged that the proof had been received but I could find no evidence of the fee being received by the Department. If you have some record of the fee being paid, such as a copy of our receipt or your check, we would be glad to update our file. If you have no records of the fee, we will require the $50.00 filing fee be submitted prior to licensing the permit.

Permit 57-07454: This permit was issued with the point of diversion and places of use different than what the examiner found during her field visit. We have also issued an "Order Changing Condition Requiring Measuring Device", based on the field examiner's findings and on the request you submitted on October 4, 1988. Enclosed is a copy of the order for your information.

MICROFILMED
SEP 23 2002

Permit 57-07525: Our examiner found that the place of use is located different than what was permitted. She recommended adding the lands in Sec. 24 that she found irrigated under this permit.

Permit 57-07583: Our examiner found that we should add the lands in SWNE, Sec. 13, to this permit.

Enclosed are licensing amendments for permits 57-07525, 57-07454, and 57-07583. These amendment applications depict the water use and other information, as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please **sign the forms and return them with a $50.00 filing fee, per amendment form, within 14 days,** from the date of this letter.

The remaining permits, **57-07400, 57-07532 and 57-07472** do not require amendments to be licensed. Enclosed, for your review and information, are copies of the draft licenses I have prepared for these permits. Please note that I have prepared the draft license on Permit 57-07472 based on your submittal of the proof of beneficial use filing fee or documentation to show that the proof fee was submitted in March of 1991.

If you have any questions in regard to the licensing amendments, or the draft licenses, please do not hesitate to contact me at 327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

Cc: Candice McHugh, SRBA

MICROFILMED

SEP 2 3 2002

LICENSE REVIEW CHECKLIST

Permit No 57-7583 Date. 6-6-02 Reviewer Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion ok

Does change clarify original intended source? If no, void permit
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use add SW¼NE¼, S13

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps Right(s) 57-07525
File reviewed____ Profile reports printed_____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion

Permitted rate 250AF cfs
Fee Limit 100AF cfs
Measured 469AF cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 90. AF ← per examiner's Overlap Review on narrative

Water Uses ok Change (P46)

Season of Use per new Standards 3/15 11/15

Irrigation Stor	cfs	90.0	af
Stockwater	cfs		af
Domestic	cfs		af
Irr from Stor	cfs	90.	af
	cfs		af
Total	cfs	90.0	af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette – (W22/047/27A)
Stockwater for US (R37)

Volume Determination
_____ cfs x 1 9835 x _____ days = _____ af (vs) _____ acres x 3.5 (FHR) = _____ af

Remarks W36(57-07525) R04, R40, 18C, 2.5(con) 020,

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 – remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? ____ yes ✓ no If yes, explain why below

SRBA Claim? NO

Adjust memo _____

Amend Letters _____ **P87, S06** **Second Amendment Notice** _____ **S06**

Point of Diversion Overlap Review for 57-7525 and 57-7583

Basin	Sequence	Basis	Priority Date	Volume	Owner List	Source Table
57	7525	License	4/17/1990	250	JUNAYO RANCH LTD PARTNERSHIP (Current)	wrWaterRight
57	7525		4/17/1990	250	JUNAYO RANCH LTD PARTNERSHIP (Current)	wrWaterPermit
57	7583	License	1/14/1994	90	JUNAYO RANCH LTD PARTNERSHIP (Current)	wrWaterRight
57	7583		1/14/1994	200	JUNAYO RANCH LTD PARTNERSHIP (Current)	wrWaterPermit
57	7610		2/17/1995		JUNAYO RANCH LTD PARTNERSHIP (Current)	wrWaterApplication

Capacity = 469 AF

6/7/2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	X				[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	0
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	0
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	3			8	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	11
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				5	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	56
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				5	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	56
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]			10		[redacted]	[redacted]	[redacted]	[redacted]	56
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]			2		[redacted]	[redacted]	[redacted]	[redacted]	2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]			12		[redacted]	[redacted]	[redacted]	[redacted]	12
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]			2		[redacted]	[redacted]	[redacted]	[redacted]	2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	37
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]			2	5	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	49
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				21	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	84
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				14	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	14
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				3	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	40
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	46
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				5	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	51
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				3	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	40
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				14	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	14
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]				9	[redacted]	[redacted]	[redacted]	[redacted]					[redacted]	[redacted]	[redacted]	[redacted]	9

NO OL NO OL

CL w/ 57-1074
-7525
-248

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]																					0
						5	10														35
					34	4	9	14													59
																					4
																					4
						4	15														19
						4	15														19
					25	8	15	25													190
					14	2	6	8													30
					25	4	8	14													49
					22	4	3	14													43
						4															4
																					40
																					49
													2			9					39
					12																12
																					49
						4															4
					22	4	3	14													43
													2			9					39
					22	4	3	14													43
					22	4	3	14													43
																					0
																					0
							15														15
																					54

0 - w/ 57-1068
57-7525
~~57-1068~~
57-248

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-248

WATER RIGHT NUMBER 57-248

Owner Type	Name and Address
Original Owner	C T RANCH CO MURPHY, ID 83650
Current Owner	JUNAYO RANCH LTD PARTNERSHIP 1087 RIVER ST #230 BOISE, ID 83702 (208)343-8880

Priority Date 06/01/1871

Basis Decreed

Status Active

Source	Tributary
REYNOLDS CREEK	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	3/15	11/15	0 600 CFS	
		Total Diversion:	0 600 CFS	

Location of Point(s) of Diversion

REYNOLDS CREEK SW1/4NE1/4 Sec 24, Twp 02S, Rge 04W, B M

OWYHEE County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04W 13				3 0									13 0	8 0	9 0	7 0	40 0
02S 04W 24		4 0															4 0

Total Acres 44

Conditions of Approval

Remarks

1 Explanatory RIGHT NO 57-01074 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

2 Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 57-01074 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 44 ACRES IN A SINGLE IRRIGATION SEASON

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-248

Comments

Dates and Other Information

Licensed Date
Decreed Date 9/9/1997
Water Supply Bank Enrollment Accepted
Water Supply Bank Enrollment Removed
Enlargement Use Priority Date
Enlargement Statute Priority Date
Formal Action Date
State or Federal S
Owner Name Connector
Water District Number 57R
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Decree Defendant.
Decree Plaintiff
Civil Case Number
Judicial District
Swan Falls Trust or Nontrust
Swan Falls Dismissed:
DLE Act Number
Carey Act Number:
Mitigation Plan False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-1068

WATER RIGHT NUMBER 57-1068

Owner Type	Name and Address
Original Owner	C T RANCH CO MURPHY, ID 83650
Current Owner	JUNAYO RANCH LTD PARTNERSHIP 1087 RIVER ST #230 BOISE, ID 83702 (208)343-8880

Priority Date 06/01/1920

Basis Decreed

Status Active

Source	Tributary
WASTE WATER	REYNOLDS CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	0 300 CFS	
	Total Diversion.	0 300 CFS	

Location of Point(s) of Diversion

WASTE WATER SW1/4NE1/4 Sec 24, Twp 02S, Rge 04W, B M

OWYHEE County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04W 24			15 0														15 0

Total Acres 15

Conditions of Approval

1 G01 THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT, OR TO RECAPTURE IT

2 G02 THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL SOURCE TO WHICH THE WASTE IS TRIBUTARY

Remarks

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-1068

Comments

1 WHITE 7/16/1992 DATA ENTRY
Comment ADDED CONDITION CODES G01 AND G02, PER LKH

Dates and Other Information

Licensed Date
Decreed Date 12/15/1997
Water Supply Bank Enrollment Accepted
Water Supply Bank Enrollment Removed
Enlargement Use Priority Date
Enlargement Statute Priority Date
Formal Action Date
State or Federal: S
Owner Name Connector
Water District Number 57R
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Decree Defendant
Decree Plaintiff
Civil Case Number
Judicial District
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-1074

WATER RIGHT NUMBER 57-1074

Owner Type	Name and Address
Current Owner	JUNAYO RANCH LTD PARTNERSHIP 1087 RIVER ST #230 BOISE, ID 83702 (208)343-8880
Original Owner	C T RANCH CO MURPHY, ID 83650

Priority Date 09/21/1911

Basis Decreed

Status Active

Source	Tributary
REYNOLDS CREEK	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	0 280 CFS	
	Total Diversion	0 280 CFS	

Location of Point(s) of Diversion

REYNOLDS CREEK SW1/4NE1/4 Sec 24, Twp 02S, Rge 04W, B M

OWYHEE County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04W 13				3 0									13 0	8 0	9 0	7 0	40 0
02S 04W 24		4 0															4 0

Total Acres 44

Conditions of Approval

Remarks

1 Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO 57-00248 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 44 ACRES IN A SINGLE IRRIGATION SEASON

2 Explanatory RIGHT NO 57-00248 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-1074

Comments

Dates and Other Information

Licensed Date
Decreed Date 7/2/1997
Water Supply Bank Enrollment Accepted
Water Supply Bank Enrollment Removed
Enlargement Use Priority Date
Enlargement Statute Priority Date
Formal Action Date
State or Federal. S
Owner Name Connector
Water District Number. 57R
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Decree Defendant
Decree Plaintiff
Civil Case Number
Judicial District
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

MEMORANDUM

June 26, 1998

TO: Junayo Ranch Files (see below)

FROM: Cindy Hodges cjl

RE: Field Exam and Review Information

The following storage permits are all located at the Junayo Ranch on Reynolds Creek. They represent storage in four different reservoirs and should be reviewed for licensing together:

57-07400 Tyson Reservoir (Reynolds Creek Reservoir)

57-07472 Junayo #3 (Reynolds South Reservoir)
57-07532

57-07525 Macks Creek Reservoir (at old ARS gaging site)
57-07583

57-07454 Upper Macks Creek Reservoir (Junayo #2)
57-07473

For the most part, all stored flows are supplemental to decreed Reynolds Creek or Macks Creek natural flow rights, although there are a few acres developed under permits 57-07400 and 57-07583 which do not have any other appurtenant rights. As much as possible I have matched recommended acres with SRBA acres.

Areas of influence under the reservoirs may be separated into three distinct irrigation systems (my descriptions):

1. Reynolds East- Lands east of Reynolds creek, served by the Tyson and Junayo #3 reservoirs.

2. Reynolds West- Lands west of Reynolds Creek and below (east of) Macks Creek Reservoir, including areas situated both north and south of Macks Creek channel; served by Macks Creek reservoir.

3. Macks Creek- Lands above (west of) Macks Creek Reservoir, along Macks Creek both north and south of the channel; served by Upper Macks Creek reservoir.

Rough notes, overlap reviews, and original maps depicting the entire project may be found in 57-07400.

Application 57-07610 filed by Junayo Ranches is protested and still at the Region. Its place of use overlaps the Macks Creek irrigation system and is meant to legitimatize an exchange of flows which is found to be going on there (stored flows in Macks Creek reservoir for natural Macks Creek flows above the reservoir). Its approval would not alter or implicate any of my recommendations. In fact, it has occurred to me that the new exchange legislation may be a better vehicle to show the actual water use than the appropriation. I will be following up on that idea with Gary S.

MICROFILMED
2000

Form 219
6/92

RECEIVED
JUN 26 1998
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 57-7583

1. Owner: Junayo Ranch Phone No. 343.8880

Current Address: 1087 River St #230 Boise ID 83702

2. Accompanied by: Owen Orndorf, Don Eason EXAM DATE: 5.21.97

Address: Phone No. 495.1120 (Ranch)

Relationship to Permit Holder: owner, Ranch Mgr

3. Source: Macks Creek tributary to Reynolds Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 57-7525, 00248, 1074, 1068,

2. Other water rights with the same point of diversion: 57-7525

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	·	NE	SE	SW	13	2S	4W	Owyhee	Site Visit, Map

2. **Place(s) of Use:** Indicate Method of Determination CFS Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	4W	13			2*	5*									13	13 (5*)	9	7	49
		24		4	15														19
																			=
																			68

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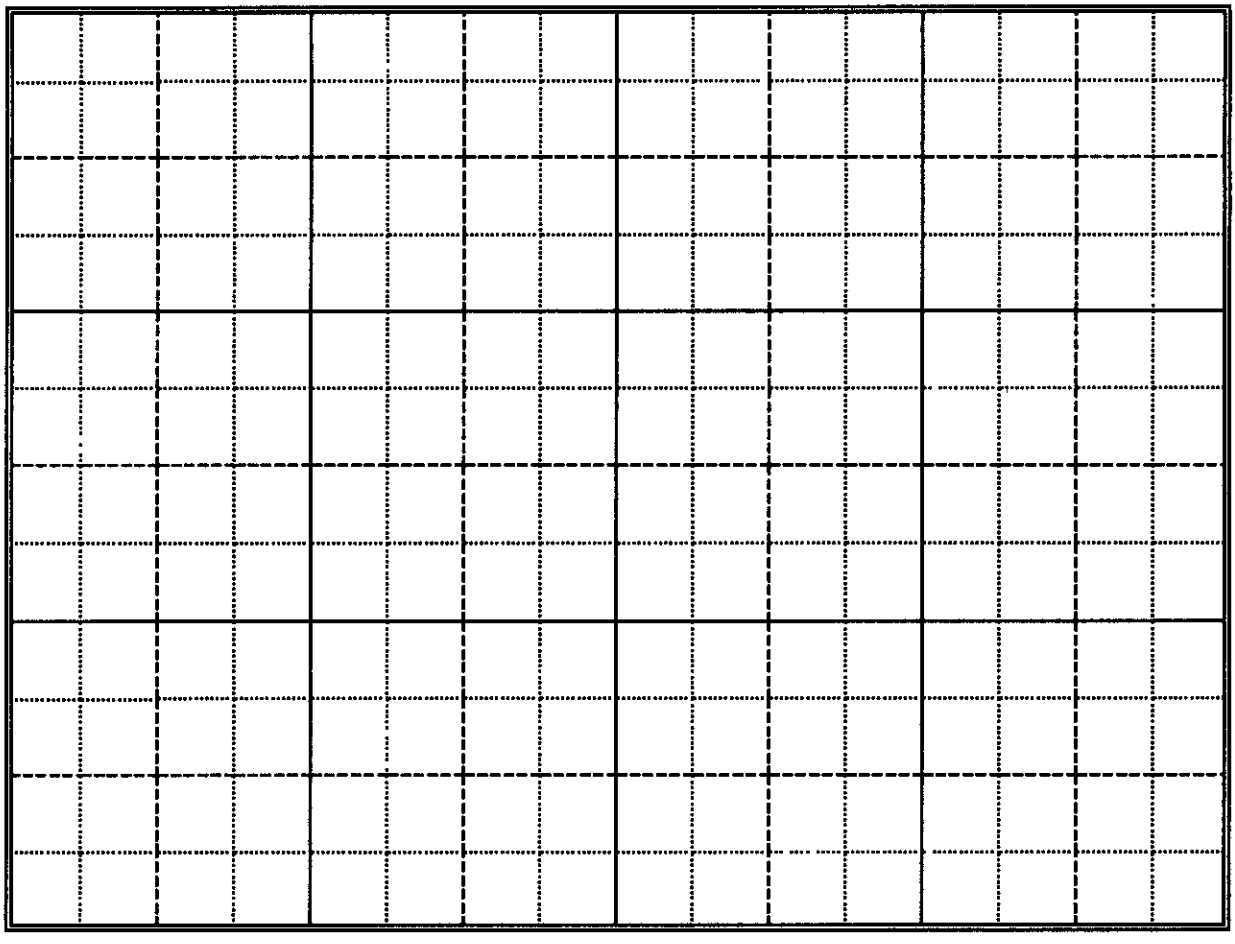
*12 astericked acres not included on 57-7525
See comments.

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. See attached



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

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** N/A

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JUN 19 2000

E. NARRATIVE/REMARKS/COMMENTS

aka Macks Creek Dam, Total Capacity 469 AF. 250 AF developed under 57-7525 on 56 acres. Additional 90 AF developed under this right as follows:

Max allowable Storage for 56 ac = 280 (@ 5AF/ac)
280 - 250 (57-7525) = 30 AF for overlapping 56 acres
12 New acres @ 5AF/ac = 60 AF
90 AF total developed.

All acres but 9 have decreed Reynolds Creek Rights (57-00248, 1074, 1068). Nine acres irrigated ~~also~~ to the North of the Macks Creek channel and below the reservoir in Sec 13 do not have any appurtenent natural flow rights. ~~No~~ Some natural flow from Macks Creek may be diverted here (and technically available due to flooding of 12 ~~as~~ irrigated acres above Reservoir, see 57-7454), but ~~no~~ no transfer has been filed formalizing this change.

Irrigated area under this right is West of Reynolds Creek, North and South of Macks Creek, and partially overlaps acres on 57-7525.

System description same as for 57-7525.

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JUN 1 9 2000

Have conditions of permit approval been met? ✓ yes ___ no

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = _____

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

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

2. Volume Calculations for Other Uses:

Dam Summary Sheet dated 8-4-97
Reservoir Capacity 469 AF
250 AF recommended for 57-7525

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION STORAGE	11-15	3-15		90.0
IRR FR STOR	3-15	11-15		90.0
		Totals:		90.0

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

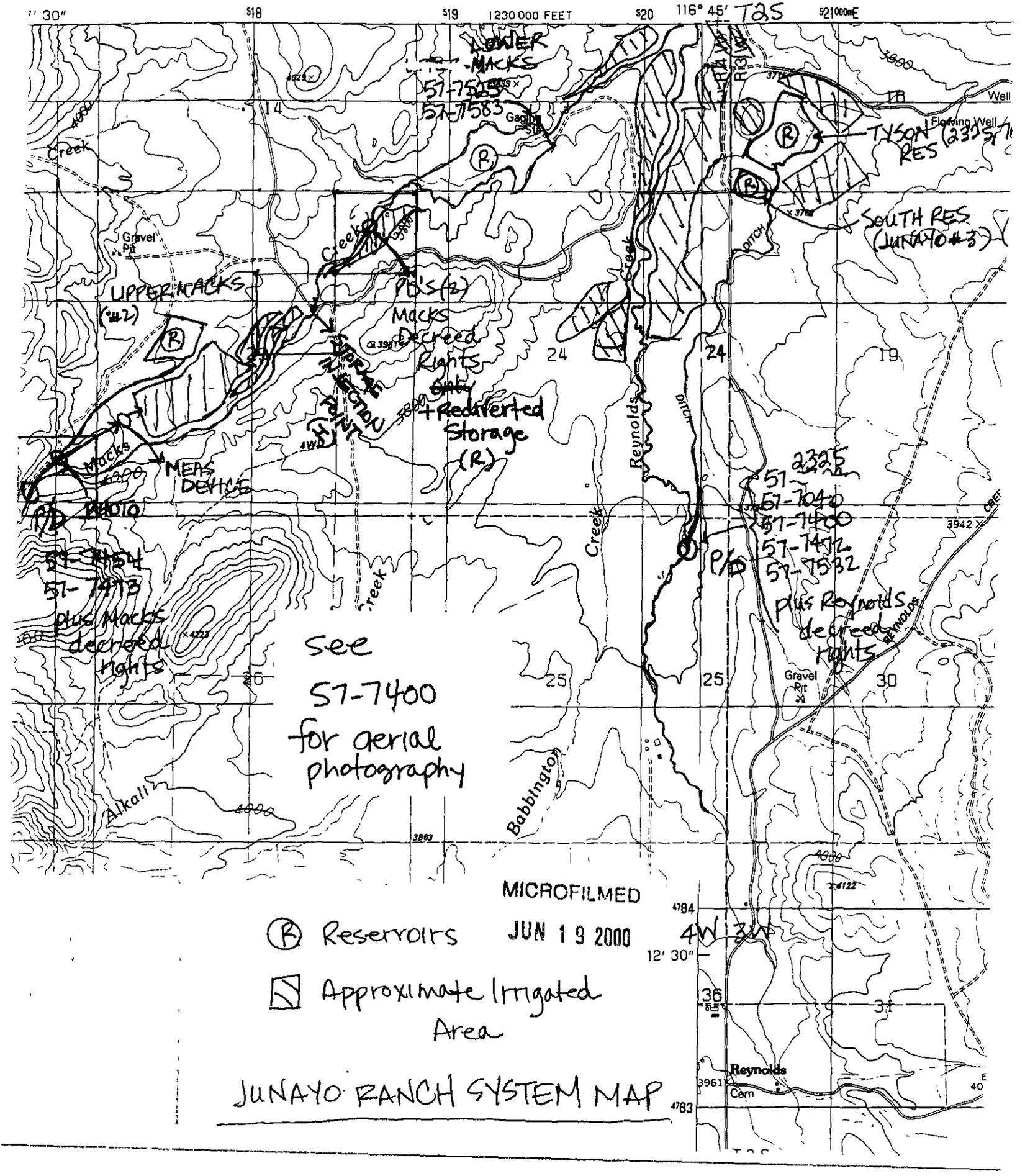
Field Examiner's Name CJ Hodges Date 6-25-98

Reviewer _____ Date _____ SEAL

MICROFILMED

JUN 19 2000

ROOSTER COMB PEAK QUADRANG UNITED STATES
IDAHO-OWYHEE CO. PARTMENT OF THE INTERIOR
7.5 MINUTE SERIES (TOPOGRAPHI GEOLOGICAL SURVEY



MICROFILMED
JUN 19 2000

JUNAYO RANCH SYSTEM MAP

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

March 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNAYO RANCH LTD PARTNERSHIP
1087 WEST RIVER STREET STE 230
BOISE ID 83702

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07583

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah Drew-Ellis

Deborah Drew-Ellis
Administrative Asst. I, Water Allocations

c: IDWR - Regional Office

MICROFILMED
JUN 13 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 57-07583 Reviewed by [illegible] Date 2-29-00

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received? Correct Uses? yes

If not, complete calculation below.

TYPES OF USE

Irr - 56 ac

SOURCE OF WATER

✓ Surface water source

____ Ground water source

____ Drilling permit required?

____ Copy in the file? Drilling Permit No. ____

____ Amount paid for permit ____ Correct?

____ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

90 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

— Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

none - acknow proof Submittal

DATA ENTRY

New Address ____ Proof Made 2-15-00

3/6/00 [illegible]

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:
C048116

Date:
Time: 2/15/2000
15:04:45

Received
From: ORNDORFF OWEN DBA JUNAYO

Type of Payment		Program Acct		Amount
BENEFICIAL USE	#57-07583	56104	229 21 1155	100.00

Total $ 100.00

CHECK 6616

Region: STATE

Signature: Jean Maui

MICROFILMED
JUN 19 2000

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H ORNDORFF

Limited Partner
Harvey H Orndorff

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

Murphy, Idaho
Kuna, Idaho

RECEIVED
FEB 15 2000
Department of Water Resources

February 3, 2000

Glen Saxton
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 57-07583

Dear Julie:

Enclosed please find the Proof of Beneficial Use Permit along with the license examination fee of $100.00.

If you have any questions please do not hesitate to call.

Very truly yours,

Owen H. Orndorff

OHO/dr
Enclosure

MICROFILMED
JUN 19 2000

December 31, 1999

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

PROOF DUE NOTICE

RE: PERMIT NO. 57-07583

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 March 1, 2000. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
JUN 1 4 2000

CERTIFIED MAIL
NO. 269 224 691

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 10, 1995

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07583

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

Shelley Walte Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

APR 14 1995

M E M O R A N D U M

DATE: April 7, 1995

TO: File 57-07583

FROM: Shelley W. Keen SWK

RE: Land irrigated with exchange water

==========

Some of the correspondence in this file recommends that this application or another be amended to include land in Section 23 that is irrigated by exchanging storage water for natural flow. New Application for Permit No. 57-07610 was filed for the exchange instead of amending the existing applications.

MICROFILMED
APR 1 4 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 35-7583 **Name:** Junayo Ranch Ltd. Ptn. **Date:** 3/8/95 **Ad OK?** ✓
Correct Fee? ✓ **Receipt #:** 2029440 **Priority:** 1/14/94 ✓ **Gvmt Lts:** ✓

AREA OF CONCERN? - No/Yes _____Mor _____GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - 26A-**P17**
GROUNDWATER: <√ *FLO-CH*>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (*POU cmp*) - 01M, 803(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. ___-___-___-____-____, **P99**
No WD permit? - 046-46B-**P23** (post 7/1/87)
irr. in WD - **P05** (new well)
SURFACE WATER <√ *FLO-CH*>(Surface water that *doesn't sink*):
Water District(~~*dom*~~) - 005 (*req*) WD # 57R <SEE MAP & LISTING>
+ 0.2 cfs - ~~01J-**P08** or 01M~~ USE 18A
- 0.2 cfs - 01H-**P01** or No MD
+ 5 a. irr. - ~~01M~~ (*POU cmp*)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (*POU cmp*)
RIVER BASINS (**Surface water*):
Snake R (01) - 11A-**P04**, NA
(02/03) - 007-**P07** (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-**P04**(Payette Lake), NA
USE:
Domestic (*surface*) - 021(Boise R ↑ L Peak); 064(Payette R); NA
Fish Propagation - 07A-042(*rq*)-010/06A/09E(WQ)-**P10**;044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (*req*) & 06A/010/09E-**P10**
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-**P18**; 17G(FERC) or 17M(~~FERC~~); 18B-**P09**
Storage(✓ *3 compo.*) - 18A(multi MD in WD), 18B-**P09**(+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (~85° GW temp only)
In-stream dev. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - _____ <SEE CONDITION CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: - _____ _____ _____
STANDARD REMARKS: - _____
_____
BENEFICIAL USE DUE: - 3-1-~~1990~~ 2000
COMMENTS: - _____

4/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: G DATE: 1/24/94 APPLICATION: 57-07583

REQUIRED INFORMATION

✓ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
✓ Address:
✓ Source: (See USGS Quad for names of water sources)
✓ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
✓ County:
✓ Quantity: (flow and/or volume)
✓ Period of use:
✓ Nature of proposed use: (Include description of use)
✓ Description of diverting works:
✓ Time required for beneficial use of water:
✓ Place of use or acres irrigated:
✓ Map:
✓ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
✓ Fee:
✓ Yes ____ No* In form to receipt:

Gov't. Lots:
✓ P/D
✓ P/U

RECEIVED
MAR 27 1995
Department of Water Resources

ADDITIONAL INFORMATION

YES	NO	
✓		Overlapping place of use: (Describe source & relationship to present application on the back.)
✓		Overlapping point of diversion:
		Field check required: Field check by: _____
		Field report attached:
	✓	Critical groundwater area:
	✓	Groundwater management area:
	✓	1992 moratorium
	✓	Copy to SCA staff (perennial stream, non-pump diversion):
	✓	Send dam safety information:
	✓	Send power requirement letter:
	✓	Send fish farm requirement letter:
	✓	Power residency affidavit:
	✓	Power efficiency form:
	✓	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
	✓	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
✓		*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
		Map/specify acres in section 24
		DATE REQUESTED: 1/24/94
✓		Additional information on reverse side:

PROCESSING

YES	NO	
✓		In form advertising:
	✓	Statewide advertising: (> 10 cfs &/or 1000 af)
✓		Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES	NO		YES	NO	
	✓	I.D. Health and Welfare		✓	U.S. BLM
	✓	I.D. Fish and Game		✓	U.S. Forest Svc.
	✓	I.D. Lands	✓		Water Dist. # 57-R
	✓	Adjudication Bureau	✓		Other (Commit Brandon + John Wiestra - Dam Safety)

FINAL REGIONAL PROCESSING REVIEW

YES	NO	
✓		Affidavit of publication received:
✓		Application published correctly: If not, record action taken.
	✓	Publication dates and paper recorded on application:
	✓	Protests received. Final date for protest 3-7-94
	✓	Protest dates, resolution of protest recorded on application:
	✓	Recommendations attached: Approve, DM
✓		Measuring device required:
	✓	Measuring port required:
✓		Water delivered by water master? District #
✓		Special conditions of approval or cover letter:

05 (57-R, Reynolds Cr & Tribs), 18A, 18B

	✓	See below for additional information

Recommended Date or Priority 1/14/1994

Recommended by: DM Date 2/28/1995

STATE OFFICE REVIEW

___ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

57-07525 originally filed for a 250 AF reservoir and 56 acres. The reservoir capacity was found @ 459 af. This application represents the additional volume of the reservoir.

Overlapping P/U rts are from a different source except 57-07473 + 57-07525.

See attached.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 18, 1995

OWEN ORNDORFF
JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: Macks Creek Reservoirs

Dear Mr. Orndorff:

Thank you for your letter dated January 5, 1995. This response is to supply you with information regarding measuring device selection, and to confirm an on-site meeting scheduled at Lower Macks Creek Dam on January 24. This meeting will be attended by IDWR personnel Mike Stubblefield, John Westra and Cindy Hodges, and by Watermaster Connie Brandau.

Portable measuring devices are satisfactory and acceptable to this Department, provided they are adequately sized for the anticipated rates of flow and properly installed. I agree that portable devices would best suit your needs for all three required measurement locations. Attached is information which will help with device selection and sizing.

Although several types of measuring devices may be adapted to non-permanent applications, portable weir plates are by far the simplest to construct, install, and maintain. Other devices such as Parshall flumes are also acceptable. Measuring device sizing is dependant upon the flows which must be measured during the time the Watermaster is on duty. For example, Ms. Brandau has indicated that a maximum combined inflow of 150 miners inches, or 3.0 cfs, is typical above the Macks Creek Reservoirs during regulatory periods. Based on this estimate, rectangular contracted weirs with two foot crest length should be of sufficient size for use above the reservoirs at both the Macks Creek and Cottle Creek diversions. A similar weir with a three foot crest length should be adequate for the location below Lower Macks Creek Dam. Ms. Brandau should be consulted prior to weir sizing to confirm expected peak flows in these drainages during her term of service. Weir sizing information is included on page 8 of the enclosed booklet.

Portable weir plates may be fabricated on-site using steel, aluminum, or wood, so long as the crest is sharpened. Specifications are contained within the enclosed material. If you wish to purchase a manufactured device, we are compiling a list of local manufacturers whom you may contact. That list will be forwarded to you when completed.

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The time in the delivery season when regulated deliveries may cease for the Macks Creek drainage is the time at which measured inflows, when released from Lower Macks Creek Reservoir, would be of no benefit to downstream rights. It is within the Watermaster's jurisdiction to recognize and act upon a futile call for water. Based on Ms. Brandau's previous experience in the Reynolds Creek drainage, I believe that a combined minimum inflow may be defined for Macks and Cottle Creeks which would automatically invoke the futile call. When combined flows fall to this rate each season, regulation may cease for Macks Creek and weirs may be removed, regardless of activity elsewhere in Reynolds Creek. It would be to the advantage of Junayo Ranch and the Watermaster to establish and agree upon this minimum rate of flow based on experience gained during this delivery season.

With regard to requested amendments to your storage permits, Cindy Hodges is preparing draft permit amendment applications which will reflect the exchange of stored and live flows on upper lands. She will bring the partially completed applications to the meeting for your review and action.

With the combined input of all parties attending the upcoming meeting, we look forward to the resolution of all the above issues.

Sincerely,

David R. Tuthill, Jr.

David R. Tuthill, Jr., P. E.
Manager, Western Region Office

DRT:ch

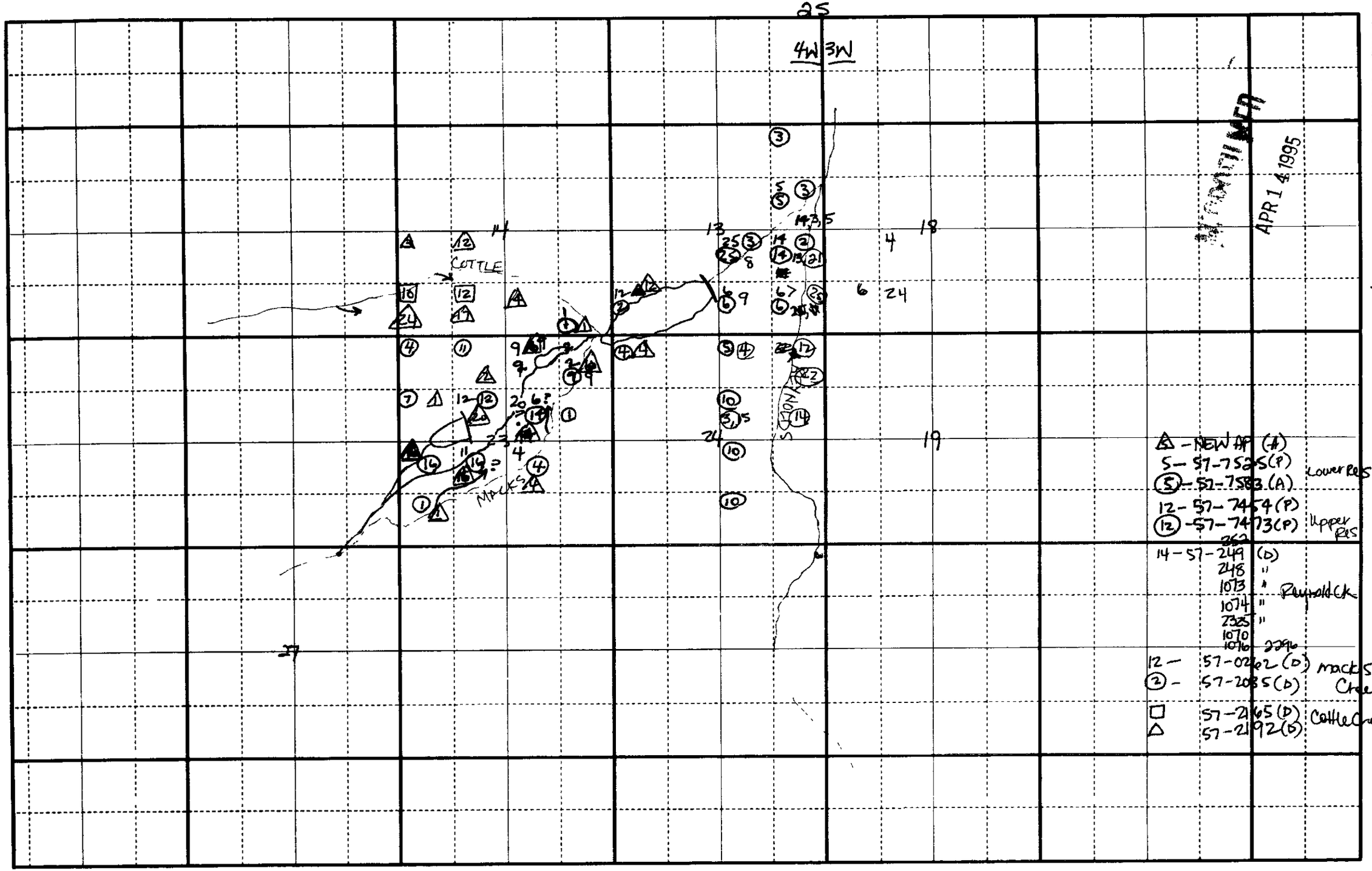
Enclosures

cc: Connie Brandau, Watermaster
Carl Myers
(no enclosures)

APR 14 1995

SCALE: 2 Inches Equal 1 Mile. Dra In Ink.

NAME OF APPLICANT LUNA'S RANCHES



Form No. 0

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H ORNDORFF

Limited Partner
Harvey H Orndorff

Murphy, Idaho
Kuna, Idaho

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

January 5, 1995

RECEIVED
JAN 0 6 1995
WATER RESOURCES
WESTERN REGION

Mr. David R. Tuthill, Jr.
Manager, Western Region Office
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Macks Creek Reservoir

Dear Mr. Tuthill:

With respect to your December 28, 1994 letter following up our July 27, 1994 meeting and conversations in May of 1994, I'm disappointed that the Department has been unable to focus on addressing these issues sooner. I have attached your July 1, 1994 letter to which many issues remain unanswered. As you are aware, the seasons have substantially changed and much of the work we discussed on Macks Creek can only be done in the fall.

In any case, your letter of December 28, 1994, requires further clarification in order that these matters can be resolved on a satisfactory basis:

1. With respect to the type and location of measuring devices discussed in paragraph 2 of page 2, we had in our July meeting discussions as to what type of measuring device given the wide variation of flows in Macks Creek. Connie Brandau and I subsequent to the July meeting discussed a form of portable measuring device that could be installed in a ditch. Perhaps Connie Brandau could call me or Don Eason at the Ranch (495-1120) with the preferred locations and where I could buy the portable measuring devices if such devices were satisfactory to the Department.

2. With respect to the large new Macks Creek dam, Ron Yoshikane has been finishing the installation of a reservoir measuring scale and measuring devices in each outlet. Together with finishing the rock facing and spillway work requested by Mike Stubblefield, I am hopeful the dam construction will be final.

3 With respect to the quoted language in the Stipulation cited on page 2, such language only refers to storage that existed as of the date of the Stipulation. The

APR 1 4 1995

large Macks Creek dam was permitted initially in 1990 and to my knowledge no timely objection to any pending water right has been filed. In any case, it is my understanding that on-season water cannot be stored and must be discharged once the water master comes on duty to fulfill lower rights consistent with the Stipulation.

4. The storage facility section referred to on page 3 concerned only existing facilities whose capacities have not been increased consistent with the Stipulation. In any case, all parties to the Stipulation and the Department had notice of the new reservoirs and to my knowledge there has been no objection. My guess is that no objection has been timely filed because all lower Reynolds users obtain significant benefits from the waste water discharged from the new Macks Creek reservoir.

On page 3 of the July 1, 1994 letter, you discuss a flow exchange filing. It would be helpful if we could discuss how to correctly complete the forms for appropriate filing incorporating if necessary the resolution of the measuring devices and locations we otherwise agree upon.

With respect to actual flows to be measured, I note with some concern the Department's willingness to "average" flows knowing the data show huge, short term run offs and very limited flows thereafter. Consistent with this, the field study of May 19, 1994, conducted by the Department showed 0.3 cfs one and one-half miles upstream from the old gauging station and apparently no measurable flow at Cottle Creek. Junayo Ranch will obviously comply with whatever is necessary but I hope that a balanced measuring program can be adopted that recognizes that at some level of flows in upper Macks Creek and Cottle Creek no flows can reach the lower users.

I believe that the Water Master and Don Eason (or me) can hopefully resolve locations and weir types. With respect to the filing, perhaps we should meet to complete the form and otherwise schedule and further inspection at some appropriate time. I'm anxious to resolve the Department's concerns as soon as possible.

Very truly yours,

Owen H. Orndorff

OHO/sm
Encl.
cc: Don Eason
Connie Brandau

APR 1 4 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 1, 1994

RECEIVED JUL - 5 1994

OWEN ORNDORFF
JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: Pre-permitting Inspection, Water Right Application No. 57-07583

Dear Mr. Orndorff:

On Thursday, May 19, 1994 a field inspection was conducted at the Macks Creek Reservoir sites by Cindy Hodges of this office and Connie Brandau, Watermaster of Reynolds Creek Water District 57R. The purpose of the inspection was to determine measuring device requirements for the Macks Creek Reservoirs, with respect to the above application for additional storage in the lower reservoir, in order to ensure adequate Watermaster control over priority deliveries in the Reynolds Creek drainage.

The field inspection found that the Lower Macks Creek Reservoir, in Section 13, T02S R04W, is being operated in conjunction with an upper, off-stream reservoir on Macks Creek in Section 23, an off-stream reservoir on Reynolds Creek in Section 18, T02S R03W, and decreed live flow rights from Macks Creek, Cottle Creek and Reynolds Creek (see Figure 1, attached). Both the Macks Creek and the Cottle Creek drainages are within the jurisdiction of Reynolds Creek Water District 57R and are subject to regulation by the Watermaster. Any flows arising in either of these tributary streams may be called on to satisfy senior downstream water rights in Reynolds Creek.

For onstream impoundments with junior storage rights, measuring devices are required both above and below the impoundment during regulatory periods so that incoming surface flows may be passed through the reservoir by the Watermaster for deliveries below. Because Cottle Creek confluences with Macks Creek in Section 13 just above the Lower Macks Creek Reservoir, inflows from both drainages must be accounted for during watermaster regulatory periods.

On the day of the field inspection, the inflow above the Upper Macks Creek Reservoir in Section 23 was estimated at approximately 15 miner's inches, or 0.3 cfs. An inflow estimate for Cottle Creek was not obtained. From Watermaster records for May 19, only the first 18 priority ranked rights were being satisfied from available flows in Reynolds Creek. Also from Watermaster records, the Junayo and McKee rights diverted above the lower reservoir are ranked 22, 47, 52 and 54. All flows originating above Upper Macks Creek Reservoir should have been turned into the Macks Creek channel on that day to help satisfy downstream rights.

Also on the day of the inspection, a redwood measuring device was found under construction in the canal downstream from the Lower Macks Creek Reservoir outlet #1. Wooden headwalls had been erected but no weir blade had been installed.

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The partial structure was not level, and if the installation is completed without being properly leveled, the measuring device will not be considered satisfactory. The device is positioned to measure the outflow from outlet #1, but it is not in a location which will properly measure return flows to Macks Creek. A similar device for outlet #2 was not inspected, as flows discharged from this point are not directly tributary back to Macks Creek.

A new cement headwall and screw gate were being installed immediately below the redwood weir at outlet #1 to provide a turnout from the outlet canal. However, flows which were being turned out of the canal on the day of the inspection were not being returned to the Macks Creek channel but into a lateral ditch serving Junayo Ranch lands. Because there is no control structure or measuring device at this location, the Watermaster is not being allowed sufficient control over the routing of these flows.

The Macks Creek system is unique in that stored flows in the lower reaches of Macks Creek provide an opportunity for irrigation flow exchange, allowing irrigation to continue on lands in upper reaches of Macks Creek which have junior priority live flow rights and which would not, under strict priority delivery, normally be able to receive water after May or June of each year. Live flows appropriated above the reservoir for this irrigation must be replaced or compensated by a release of stored flows to Macks Creek. This exchange is acceptable to both IDWR and the Watermaster provided that 1) all measuring devices are in place, and 2) the Macks Creek storage permits are modified to reflect the use of the exchanged storage water on the upper lands.

Accordingly, a minimum of three measuring devices and one control structure will be required to satisfy the concerns of the Watermaster and the conditions of all pending water rights relevant to the Macks Creek Reservoirs. If flow exchange is to continue, appropriate action must also be taken to modify existing water right storage permits. The required measuring sites and modifications are as follows (see Figure 1 for approximate locations):

- An inflow measurement device is to be located in the upper Macks Creek diversion ditch in NE Section 27 or SE Section 22, T02S R04W, at a site to be approved by IDWR and/or the Reynolds Creek Watermaster. After spring runoff and during typical regulatory periods when measurement must occur, the upper reach of Macks Creek appears to be completely dewatered by the upper diversion. It is not necessary to turn flows back to the dry channel for measurement so long as all incoming flows pass through the device. Measuring device capacity should be at least equal to average runoff flows after March 15 of each year. Before March 15 and before the Watermaster is called to duty, excess flows may be spilled to the Macks Creek channel to avoid washing out the device.

- An inflow measurement device is to be located in the Cottle Creek channel in Section 15, T02S R04W, above all McKee diversions and at a site to be approved by IDWR and/or the Reynolds Creek Watermaster. If only one diversion is used from Cottle Creek and if summer diversion conditions are similar to the Macks Creek diversion, the device may also be located within the diversion ditch.

Administration
APR 14 1995

- An outflow measurement device is to be located in the Macks Creek channel below the lowest Macks Creek dam in SESW Section 13, T02S R04W. The device must be situated below a control structure which is also required. The control structure is to be situated at the head of the existing Junayo Macks Creek diversion, and must have the ability to control the routing of flows turned out of the #1 outlet canal to either the Macks Creek channel or to the Junayo ditch. The canal turnout gate, the control structure and the measuring device must all have the capacity to divert and measure flows of up to 13 cfs, the rated capacity of outlet #1.

- For flow exchanges, amendments must be filed for the above application and for water right permit no. 57-07525, to add irrigation from storage in Section 23. Currently, these filings show storage in lower Macks Creek Reservoir and irrigation from storage below the reservoir in Sections 13 and 24 only. Filing fees for each amendment are $50.00.

Additional measuring devices may also be required in the future if the currently required devices cannot adequately address the present concerns, or if unforeseen system constraints do not allow sufficient compensatory flow passage. These devices would likely increase overall system flexibility, and may be installed with prior approval at the following sites:

- Measurement devices may be located at one or two central irrigation return flow collection sites just prior to discharge into Reynolds Creek. With adequate quantification, credit for return flows could be given against the required compensatory discharges from Lower Macks Creek Reservoir.

- An outflow measurement device may be installed below the outlet of the Reynolds Creek Reservoir in Section 18, T02S R03W. If sufficient compensatory releases are not possible from Lower Macks Creek Reservoir, or if use of all available discharge is desired directly from Lower Macks Creek Reservoir, the required releases could be made from the Reynolds Creek Reservoir.

The Department has requested the installation of proper measuring devices above and below the Macks Creek Reservoir system on at least two occasions (May 3 and November 29, 1993 file correspondences). The last correspondence required those devices be present by March 15, 1994. At the time of the May 19 inspection, no measuring devices were present above the Macks Creek reservoir, and devices below the reservoir were improperly placed. No further significant work had been completed by June 1, 1994, the projected finish date of the project.

Until work on all required measuring devices is satisfactorily completed, IDWR will take no further action toward approval of the above permit. Exchanged flows in excess of the available capacity of Upper Macks Creek Reservoir (Section 23) will not be allowed until amendments have been filed and approved. In addition, no licenses will be issued pursuant to the outstanding water right permits for Upper or Lower Macks Creek or Reynolds Creek Reservoirs, until all water right permitting and dam safety issues have been addressed at all locations.

MICROFILMED
4 1995

Please contact Cindy Hodges of this office prior to the installation of the necessary measuring devices or to file amendments.

Sincerely,

David R. Tuthill, Jr., P. E.
Manager, Western Region Office

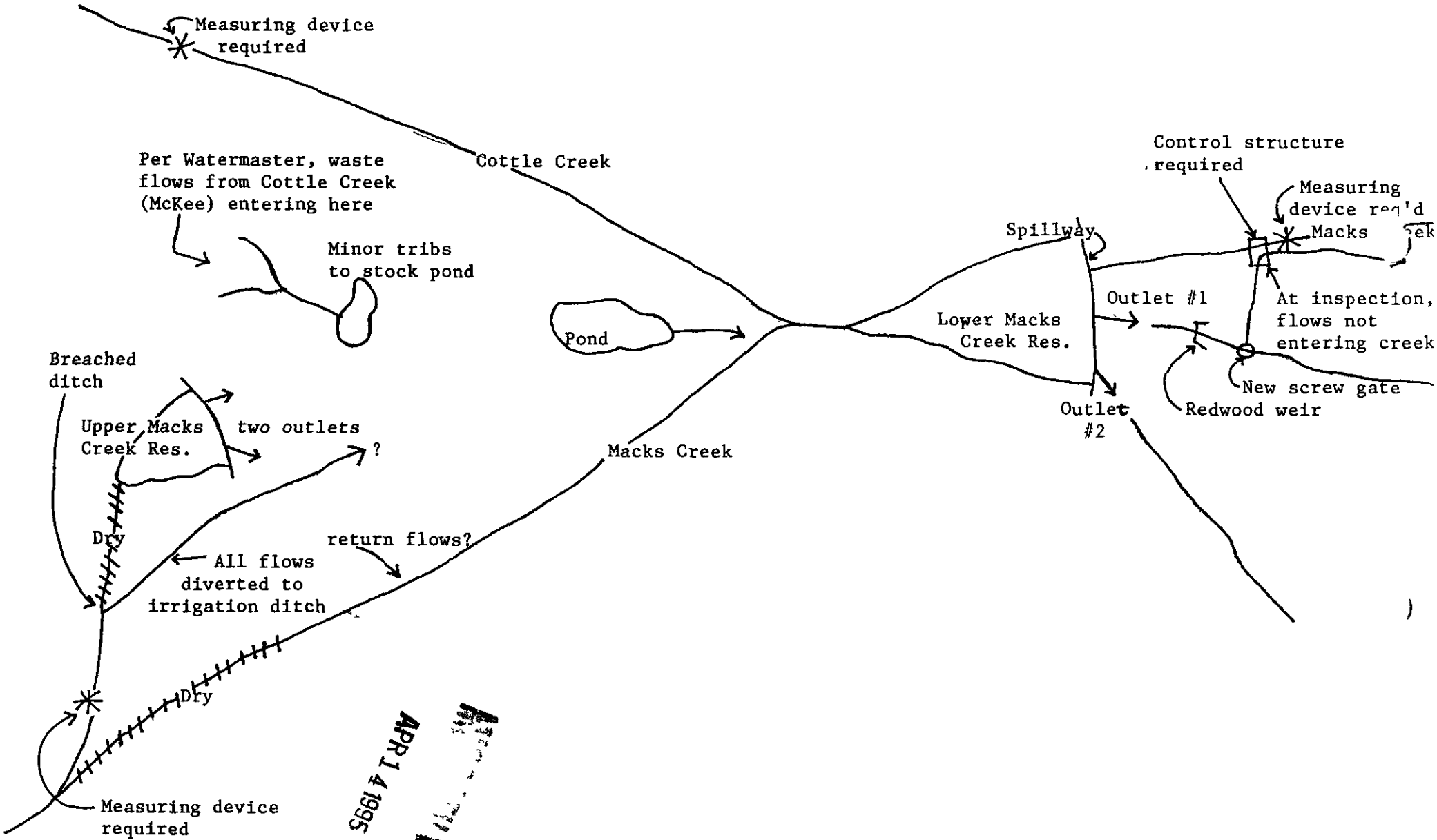
Enclosure

cc: Carl Myers, Myers Engineering
Mike Stubblefield, IDWR
Connie Brandau, 57R Watermaster

MICROFILMED
APR 1 4 1995

SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

Figure 1.



APR 14 1995

ROOSTER COMB PEAK NE QUADRANGLE
IDAHO
7 5 MINUTE SERIES (ORTHOPHOTOQUAD)

Figure 2

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1994

OWEN ORNDORFF
JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: Macks Creek Reservoirs

Dear Mr. Orndorff:

Since our last meeting of July 27, 1994, we have reviewed the portion of the "Stipulation by Certain Defendants for Entry of Decree Adjudicating Water Rights" which addresses the administration and delivery of the Reynolds Creek water rights as listed in the proposed finding. The language from this portion of the stipulation was included verbatim in the 1988 Reynolds Creek Decree. As such, it applies to all users in the entire basin.

You indicated during our meeting that measuring device requirements do not or should not apply to the diversions on Macks and Cottle Creeks which are located above the Lower Macks Creek Reservoir. Conclusion of Law #19 in the Reynolds Creek Proposed Findings clearly requires all users of irrigation water rights to install and maintain lockable controlling works and measuring devices at their points of diversion. At no place in the stipulation nor within the final decree can we find language to the contrary. The presence of reservoirs within the Macks Creek drainage does not alter or exempt the measuring device requirement.

You stated that the measuring device requirement needs to be enforced uniformly throughout the Reynolds Creek Water District. We agree. On September 12, we spoke with Watermaster Connie Brandau and asked her where the measuring and/or control device discrepancies were occurring within her administrative area. Besides the Macks and Cottle Creek drainages, there are no devices present on Dobson Creek at the Seven High diversion, on Babbington Creek at the Rueck diversion(s), or on Salmon Creek at the Boston diversion(s), where Junayo Ranch is leasing land. In addition, some devices on the Bass Ranch are unsatisfactory. Ms. Brandau acknowledges that both the Babbington and Salmon Creek drainages are generally dry by the time she is called to duty, but indicates that Macks and Cottle Creeks typically flow for at least a few weeks during the delivery period. On Babbington and Salmon Creeks, devices will be required only if diversions are desired after the Watermaster is called. Measuring device infractions in all other locations will be enforced prior to the 1995 irrigation season.

APR 14 1995

The determination and regulation of compensatory outflows from Lower Macks Creek Dam based on negotiated flows, as proposed in Carl Myers' letter of July 18, 1994, is not acceptable. Direct accountability of flows through physical measurements is the only practical and equitable method of ensuring priority deliveries. At a certain point as flows diminish each year, the passage of flows through Lower Macks Creek Dam will become futile to the fulfillment of downstream rights, and regulation of Macks Creek may cease at that time. Perhaps a better position to negotiate should be the flow at which a futile downstream call may be determined.

The measuring device requirements for Macks and Cottle Creeks, as set forth in my July 1, 1994 letter still appear to be appropriate. Mr. Myers' letter cites data collected at the Lower Macks Creek Dam site which shows that average runoff flows in March are 6.88 cfs, in April are 6.05 cfs, and in May are 2.47 cfs. If the Watermaster is called to duty on March 15, there can be 4 to 6 weeks of appreciable flows in an average year in the Macks and Cottle Creek drainages which could be delivered, all or in part, to downstream rights. In April alone, at an average rate of flow of 6.05 cfs, 360 acre-feet of water could be generated within the Macks Creek drainage. We consider this to be a significant amount of water which is worthy of delivery.

Further study of the stipulation revealed additional inconsistencies which must be resolved before any new rights are issued to Junayo Ranch. Paragraph 6 of the stipulation states:

> "Junayo Ranch...agrees that its water rights other than No. 57-02325 and No. 57-07040 do not entitle it to divert water to storage during the irrigation season, even thought it may be physically possible to divert water into its storage facilities during the irrigation season, and that no diversion to storage is authorized under their rights Nos. 57-02325 and 57-07040 during the irrigation season unless all prior water rights on Reynolds Creek are being satisfied."

The intent of this passage is to avoid storage of those irrigation season flows which might be beneficially used downstream in priority order. Diversions authorized under right nos. 57-02325 and 57-07040 from Reynolds Creek have been conditioned by the stipulation and may be regulated at the Reynolds Creek Reservoir diversion. Diversions to storage from Macks or Cottle Creeks during the irrigation season are not presently authorized by decreed rights or permits currently held by you. Without measuring devices, there is no accountability regarding storage within the Macks Creek drainage. Please provide information which would exempt you from the obligation to show accountability for Macks Creek diversions.

4 1995

Paragraph 5 of the stipulation states:

> "The Upper Users shall not increase the capacities of their diversion facilities or their storage facilities as the capacities of those facilities existed on June 22, 1987, or were authorized by water permits issued, or applications for permits filed with the Director, prior to October 14, 1987."

Permits no. 57-07525, 57-07532, and application for permit no. 57-07583 were all submitted after October 14, 1987. Each proposes a development or an expansion of a facility which was not in place by June 22, 1987. Please explain why development under these rights would not be in opposition to the stipulation contained within the Reynolds Creek decree as related to new storage development with dates of priority after October 14, 1987.

Unless we are notified to the contrary, we will expect that all required measuring and control devices on Macks and Cottle Creeks be installed at the specified locations within two days after the Watermaster is called to duty. If these devices are not installed, no irrigation diversions from Macks or Cottle Creeks will be allowed by the Watermaster. All available flows will be passed through Lower Macks Creek Dam, based on the Watermaster's best estimate of inflow.

We invite you to submit any further comments or interpretation of this measurement requirement analysis.

Sincerely,

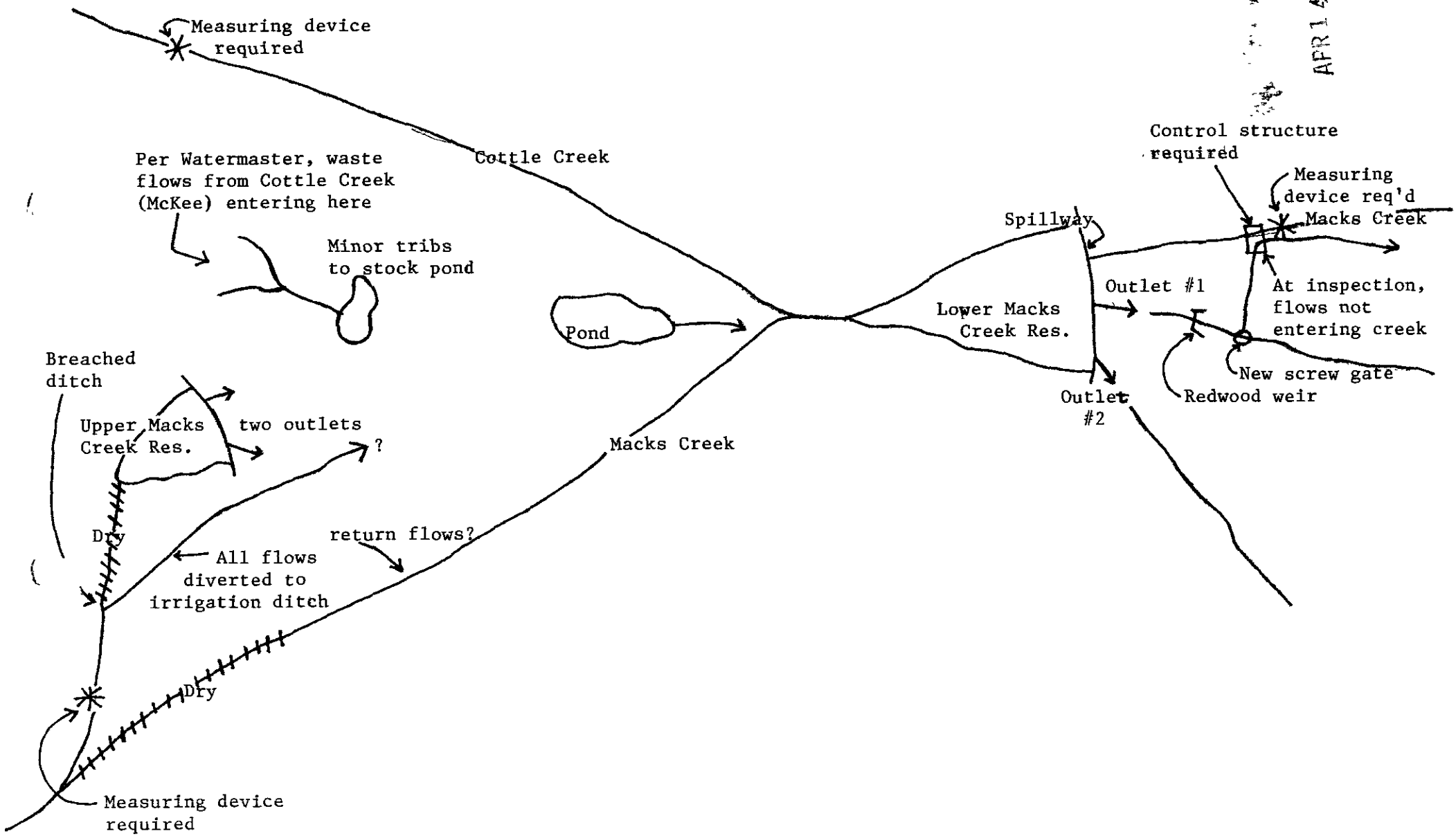
David R. Tuthill, Jr., P. E.
Manager, Western Region Office

DRT:ch

cc: Connie Brandau, Watermaster
Carl Myers

SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

Figure 1.

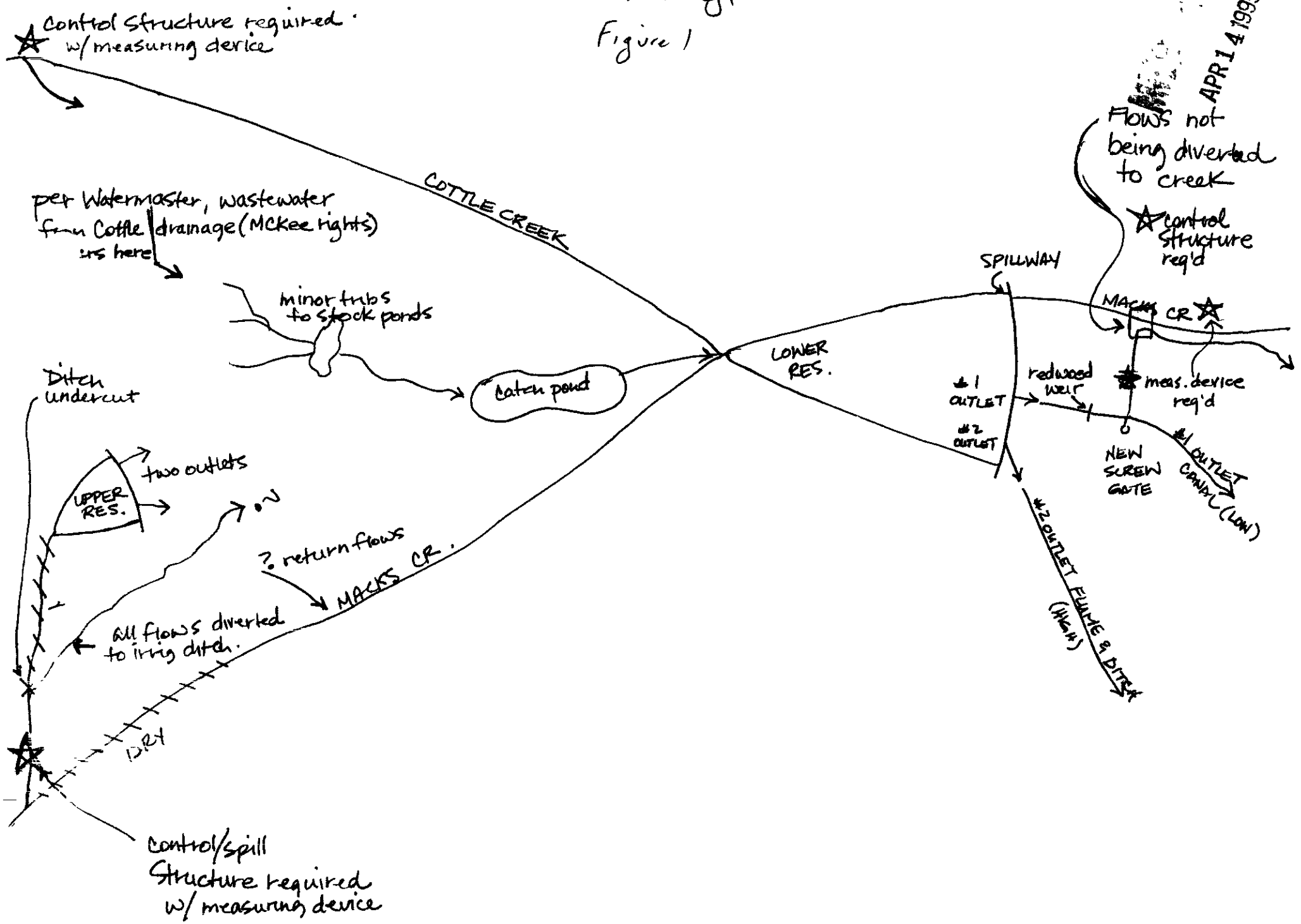


APR 1 4 1995

SYSTEM SCHEMATIC – MACKS CREEK

5/19/94 CJH

Figure 1



APR 14 1995

MEMORANDUM

TO: FILE NO. D57-7525
FROM: MIKE STUBBLEFIELD
RE: INSPECTION OF MACKS CREEK DAM
DATE: July 27, 1994

On Monday, July 25th, I inspected the Macks Creek Dam. Very little work has been done since our last inspection on June 1st. At the time of inspection, water was being released through the upper outlet (approximately 1/2 to 1 cfs). The reservoir elevation was at approx. 3760 ft, approximately 20 feet below the dam crest. By the reservoir capacity curve, about 80 ac-ft of storage remains in the reservoir. Seepage from the left abutment had dried up completely, and seepage from the left abutment and from the rock toe drain at the maximum section was down to only several gpm (estimated). Most of the seepage areas have dried up.

No work was being done at the time of inspection; however, it appears that work is continuing to widen the auxiliary spillway at the right abutment of the dam. The spillway has been widened to about 150 feet and the rock from the excavation has been piled to be used as riprap on the upstream slope of the dam. I could not see that any riprap has been placed at this time. Work had also been done to clean out and widen the main spillway at the left abutment of the dam. The spillway had been widened to about 11-12 feet. The lower end of the spillway had been extended several hundred feet so that it will discharge into a natural gulley, instead of down the hillside. The new alignment should be more stable and help prevent excess erosion in the spillway outfall. No pictures were taken.

Work that needs to be completed before the project can be approved includes the following:

-Riprap the upper 5-6 feet of the upstream slope.

-Install a workable staff gauge on the reservoir.

-Install the flow measuring devices above and below the reservoir as directed by Water Allocation.

Once the items above are completed, the final as-built drawings, engineers final report and the operation plan need to be submitted for approval.

APR 1 4 1995

MYERS ENGINEERING COMPANY, P.A.
Consulting Engineers

750 Warm Springs Avenue
Boise, Idaho 83712
Telephone. (208) 336-1425
Fax # 208-342-5245

RECEIVED
JUL 19 1994
WATER RESOURCES
WESTERN REGION

July 18, 1994

Mr. David Tuthill, Jr.
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705

Re: Your letter of July 1, 1994
Water Right Application 57-07583
Macks Creek

Dear Mr. Tuthill:

I have studied your above letter to Owen Orndorff and have some questions and comments as follows:

1) What is wrong with operating the 3 reservoirs and the decreed rights jointly? How else should it be done?

2) Why are the tributaries of Reynolds Creek (Macks and Cottle) singled out as sources for downstream rights? Why not Reynolds Creek? What about diversions from Reynolds upstream of Orndorff's developments? Are all these measured?

3) What purpose would a measuring device on the canal feeding upper Macks Creek reservoir serve for determining bypass flows?

4) What is the meaning of paragraph 5 on page 2 which says "it is not necessary to turn flows back to the dry channel for measurement so long as all incoming flows pass through the device?" How can you pass all Macks Creek flow through a measuring device in the canal and then spill some or all of it back to Macks Creek without a major diversion structure in Macks Creek with gates and spillway designed for the high flows that occur in Macks Creek?

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5) If the above theory is applicable to Macks Creek it must also be valid for every tributary of Reynolds Creek plus the main stream. Are all diversions arranged like this?

6) It is well known that the entire Reynolds Creek basin is a low-water area. Runoff from snow melt is relatively minor, frequently occurring before irrigation starts. Summer thunderstorms sometimes produce short term high peak-low volume runoff which is only useful if it can be captured in reservoirs. Consequently Reynolds Creek does not meet the conventional concepts of water administration, and special procedures must be considered. For example at the site of the lower Macks Creek dam, the recorded runoff averaged for 18 years (1965-1982) ranged from 0.0624 cfs in September to 6.8810 cfs in March, with a peak of 25.9852 cfs in February of 1982. Measurements were secured and recorded by a very massive cross-channel concrete structure built by the Northwest Water Research Center, USDA-ARS. This structure is now part of the corewall of the lower Macks Creek Dam.

   Flow at this point (station 046084) during the irrigation season, for the period of record averaged from 2.4722 cfs in May progressively downward to .0624 in September. April was 6.0532 and September was 0.1524. Records at an upper station on Reynolds Creek (Tollgate) ranged from over 60 cfs to less than 1 cfs, averaged for 16 years of records with a peak of over 96 cfs in May 1982.

It seems quite clear that Macks Creek including its tributary Cottle Creek does not yield enough water during the irrigation season to be worth the expense and trouble of trying to delineate the fractional part of a cfs that may belong to some downstream right. A more practical way might be to negotiate a minimum stream flow to be released from the lower Macks Creek Dam during each irrigation season. This would be an annual procedure, related to the projected runoff for that year.

Sincerely,

Carl L. Myers, P.E.

cc: Owen Orndorff

APR 3 4 1986

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 1, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

OWEN ORNDORFF
JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

RE: Pre-permitting Inspection, Water Right Application No. 57-07583

Dear Mr. Orndorff:

On Thursday, May 19, 1994 a field inspection was conducted at the Macks Creek Reservoir sites by Cindy Hodges of this office and Connie Brandau, Watermaster of Reynolds Creek Water District 57R. The purpose of the inspection was to determine measuring device requirements for the Macks Creek Reservoirs, with respect to the above application for additional storage in the lower reservoir, in order to ensure adequate Watermaster control over priority deliveries in the Reynolds Creek drainage.

The field inspection found that the Lower Macks Creek Reservoir, in Section 13, T02S R04W, is being operated in conjunction with an upper, off-stream reservoir on Macks Creek in Section 23, an off-stream reservoir on Reynolds Creek in Section 18, T02S R03W, and decreed live flow rights from Macks Creek, Cottle Creek and Reynolds Creek (see Figure 1, attached). Both the Macks Creek and the Cottle Creek drainages are within the jurisdiction of Reynolds Creek Water District 57R and are subject to regulation by the Watermaster. Any flows arising in either of these tributary streams may be called on to satisfy senior downstream water rights in Reynolds Creek.

For onstream impoundments with junior storage rights, measuring devices are required both above and below the impoundment during regulatory periods so that incoming surface flows may be passed through the reservoir by the Watermaster for deliveries below. Because Cottle Creek confluences with Macks Creek in Section 13 just above the Lower Macks Creek Reservoir, inflows from both drainages must be accounted for during watermaster regulatory periods.

On the day of the field inspection, the inflow above the Upper Macks Creek Reservoir in Section 23 was estimated at approximately 15 miner's inches, or 0.3 cfs. An inflow estimate for Cottle Creek was not obtained. From Watermaster records for May 19, only the first 18 priority ranked rights were being satisfied from available flows in Reynolds Creek. Also from Watermaster records, the Junayo and McKee rights diverted above the lower reservoir are ranked 22, 47, 52 and 54. All flows originating above Upper Macks Creek Reservoir should have been turned into the Macks Creek channel on that day to help satisfy downstream rights.

Also on the day of the inspection, a redwood measuring device was found under construction in the canal downstream from the Lower Macks Creek Reservoir outlet #1. Wooden headwalls had been erected but no weir blade had been installed.

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The partial structure was not level, and if the installation is completed without being properly leveled, the measuring device will not be considered satisfactory. The device is positioned to measure the outflow from outlet #1, but it is not in a location which will properly measure return flows to Macks Creek. A similar device for outlet #2 was not inspected, as flows discharged from this point are not directly tributary back to Macks Creek.

A new cement headwall and screw gate were being installed immediately below the redwood weir at outlet #1 to provide a turnout from the outlet canal. However, flows which were being turned out of the canal on the day of the inspection were not being returned to the Macks Creek channel but into a lateral ditch serving Junayo Ranch lands. Because there is no control structure or measuring device at this location, the Watermaster is not being allowed sufficient control over the routing of these flows.

The Macks Creek system is unique in that stored flows in the lower reaches of Macks Creek provide an opportunity for irrigation flow exchange, allowing irrigation to continue on lands in upper reaches of Macks Creek which have junior priority live flow rights and which would not, under strict priority delivery, normally be able to receive water after May or June of each year. Live flows appropriated above the reservoir for this irrigation must be replaced or compensated by a release of stored flows to Macks Creek. This exchange is acceptable to both IDWR and the Watermaster provided that 1) all measuring devices are in place, and 2) the Macks Creek storage permits are modified to reflect the use of the exchanged storage water on the upper lands.

Accordingly, a minimum of three measuring devices and one control structure will be required to satisfy the concerns of the Watermaster and the conditions of all pending water rights relevant to the Macks Creek Reservoirs. If flow exchange is to continue, appropriate action must also be taken to modify existing water right storage permits. The required measuring sites and modifications are as follows (see Figure 1 for approximate locations):

- An inflow measurement device is to be located in the upper Macks Creek diversion ditch in NE Section 27 or SE Section 22, T02S R04W, at a site to be approved by IDWR and/or the Reynolds Creek Watermaster. After spring runoff and during typical regulatory periods when measurement must occur, the upper reach of Macks Creek appears to be completely dewatered by the upper diversion. It is not necessary to turn flows back to the dry channel for measurement so long as all incoming flows pass through the device. Measuring device capacity should be at least equal to average runoff flows after March 15 of each year. Before March 15 and before the Watermaster is called to duty, excess flows may be spilled to the Macks Creek channel to avoid washing out the device.

- An inflow measurement device is to be located in the Cottle Creek channel in Section 15, T02S R04W, above all McKee diversions and at a site to be approved by IDWR and/or the Reynolds Creek Watermaster. If only one diversion is used from Cottle Creek and if summer diversion conditions are similar to the Macks Creek diversion, the device may also be located within the diversion ditch.

APR 14 1995

- An outflow measurement device is to be located in the Macks Creek channel below the lowest Macks Creek dam in SESW Section 13, T02S R04W. The device must be situated below a control structure which is also required. The control structure is to be situated at the head of the existing Junayo Macks Creek diversion, and must have the ability to control the routing of flows turned out of the #1 outlet canal to either the Macks Creek channel or to the Junayo ditch. The canal turnout gate, the control structure and the measuring device must all have the capacity to divert and measure flows of up to 13 cfs, the rated capacity of outlet #1.

- For flow exchanges, amendments must be filed for the above application and for water right permit no. 57-07525, to add irrigation from storage in Section 23. Currently, these filings show storage in lower Macks Creek Reservoir and irrigation from storage below the reservoir in Sections 13 and 24 only. Filing fees for each amendment are $50.00.

Additional measuring devices may also be required in the future if the currently required devices cannot adequately address the present concerns, or if unforeseen system constraints do not allow sufficient compensatory flow passage. These devices would likely increase overall system flexibility, and may be installed with prior approval at the following sites:

- Measurement devices may be located at one or two central irrigation return flow collection sites just prior to discharge into Reynolds Creek. With adequate quantification, credit for return flows could be given against the required compensatory discharges from Lower Macks Creek Reservoir.

- An outflow measurement device may be installed below the outlet of the Reynolds Creek Reservoir in Section 18, T02S R03W. If sufficient compensatory releases are not possible from Lower Macks Creek Reservoir, or if use of all available discharge is desired directly from Lower Macks Creek Reservoir, the required releases could be made from the Reynolds Creek Reservoir.

The Department has requested the installation of proper measuring devices above and below the Macks Creek Reservoir system on at least two occasions (May 3 and November 29, 1993 file correspondences). The last correspondence required those devices be present by March 15, 1994. At the time of the May 19 inspection, no measuring devices were present above the Macks Creek reservoir, and devices below the reservoir were improperly placed. No further significant work had been completed by June 1, 1994, the projected finish date of the project.

Until work on all required measuring devices is satisfactorily completed, IDWR will take no further action toward approval of the above permit. Exchanged flows in excess of the available capacity of Upper Macks Creek Reservoir (Section 23) will not be allowed until amendments have been filed and approved. In addition, no licenses will be issued pursuant to the outstanding water right permits for Upper or Lower Macks Creek or Reynolds Creek Reservoirs, until all water right permitting and dam safety issues have been addressed at all locations.

APR 14 1995

Please contact Cindy Hodges of this office prior to the installation of the necessary measuring devices or to file amendments.

Sincerely,

David R. Tuthill, Jr., P. E.
Manager, Western Region Office

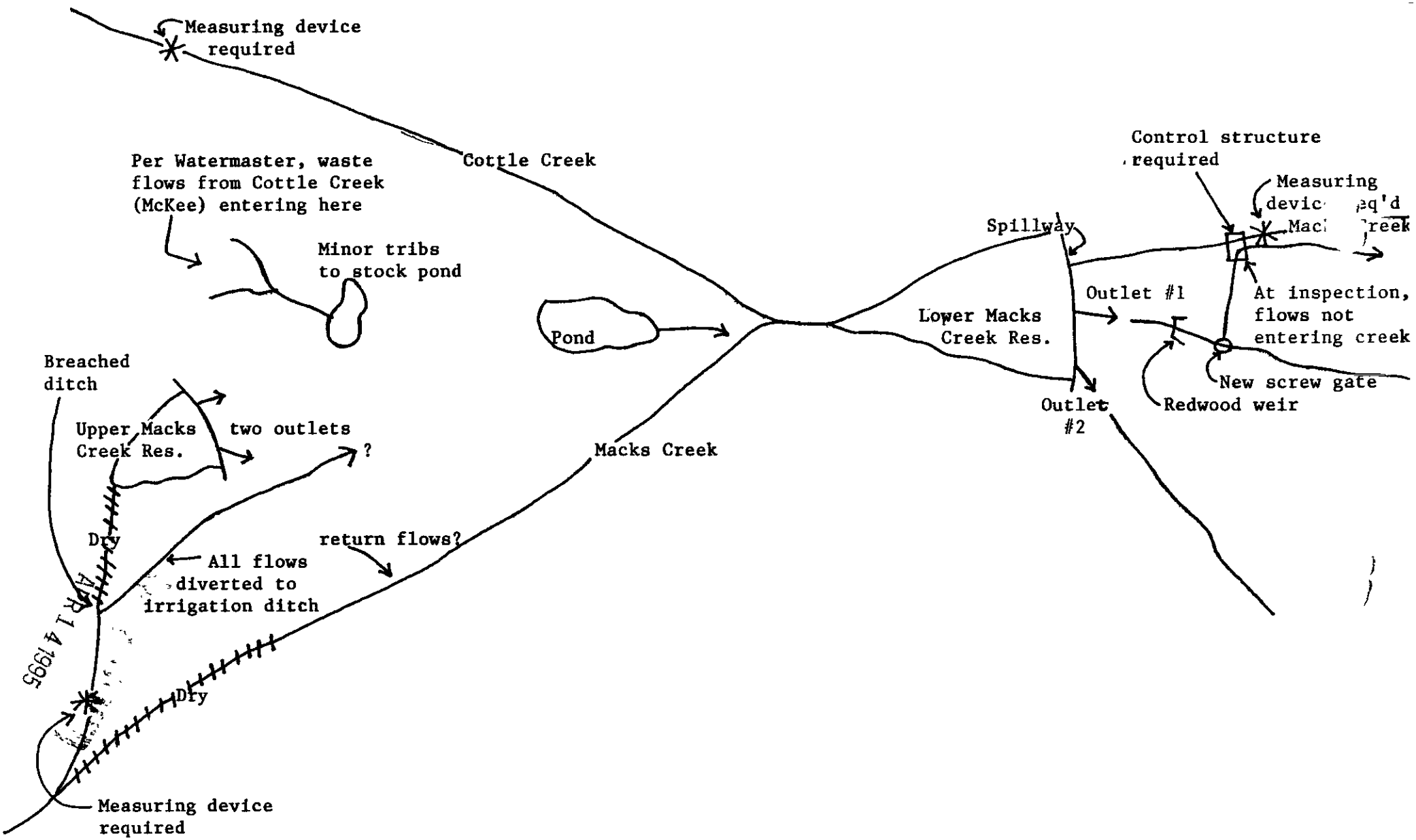
Enclosure

cc: Carl Myers, Myers Engineering
Mike Stubblefield, IDWR
Connie Brandau, 57R Watermaster

APR 14 1995

SYSTEM SCHEMATIC - MACKS CREEK
5/19/94

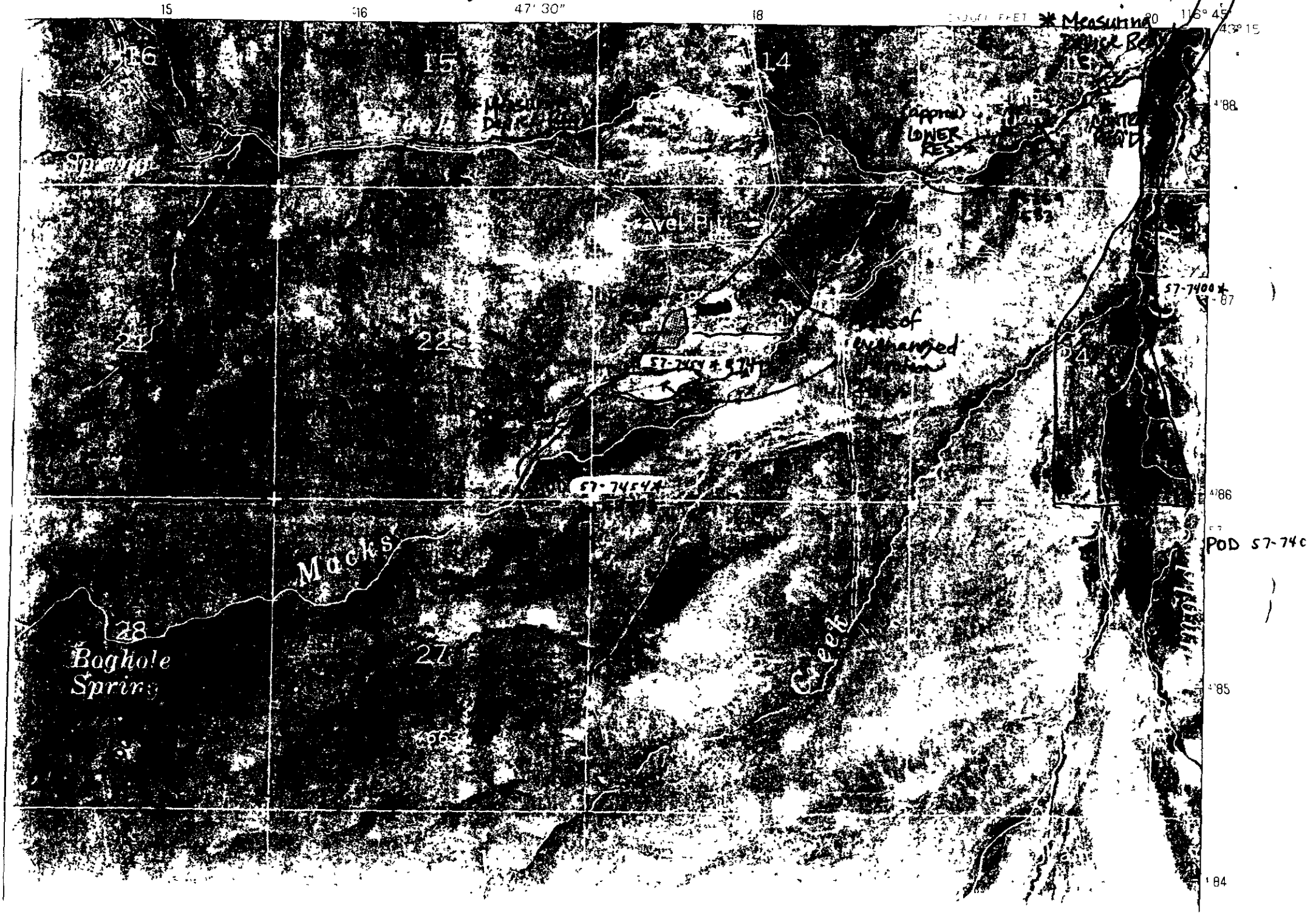
Figure 1.



APR 14 1995

Figure 2

IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)



File No. 5 583

STATE OF IDAHO
Department of Water Resources

FIELD INSPECTION REPORT

1. Date: 5/19/94 Time: 10:00 Photos: ✓ Yes ___ No (add'l photos in file)

2. Inspection involves: ✓ Water Rights ✓ Dam Safety ___ Well Construction or Driller ___ Waste Well ___ Stream Channel Alteration ✓ Water Distribution ___ Other

3. Reason for inspection: Measuring device req'ments for Macks Ck System. Assisted by Connie Brandau.

4. Stream name: Macks Ck trib Reynolds Ck

5. Stream characteristics: High desert, rocky meandering channel, high spring runoff flows drop to nothing in summer.

6. Stream width: ___ Depth: ___ Gradient: ___ Q: .30 est. ✓ meas. ___

7. Location: ___ 1/4 ___ 1/4, Sec. 13 & 23 Twp. 2S, Rge. 4W, County Owyhee

Landmark:

8. Person(s) contacted: None (Owen Orndorf by telephone prior to visit)

9. Dam name: Mack's Creek #2 (ORNDORF) Spilling: ✓ No ___ Yes Q ___

Outlet open: ___ No ✓ Yes Q ___ Spillway open: ___ Yes ___ Flbrd ___ Gate open

Freeboard: Spillway ___ Crest ___ Res. stage: ___ Rising ✓ Falling ___ Rate

10. Area characteristics: High Desert, agriculture.

11. Weather conditions: Cool, scattered rain

12. Describe activity/conditions inspected: Operation of Macks Creek dams (upper & lower) and suitable positioning of measuring devices to allow Watermaster control.

13. Are all requirements being met? ___ Yes
If not, check type violated: ✓ Statutory ___ Rules & Regs ✓ Permit

14. Describe impact on others: Out of priority diversions, flows not passed through Macks Cr. dam for delivery to Senior rights.

APR 14 1995

15. Describe alternatives: Suitable measuring & control devices for Watermaster during effective delivery period. Exchange of live flows & released stored flows.

16. Remarks No devices found. Partially completed device not suitable, not level, not correctly placed. Owner/applicant uncooperative - does not see need for measuring devices. There is an effective regulatory period of 8-10 weeks where flows are available for passage to senior rights.

17. Followup Necessary: ✓ Yes ___ No Describe: ↘ letter requiring compliance. No further action on all outstanding permits or on application or on storage certification.

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point
See attached.

19. Action taken at time of inspection: None.

Other rights: 57-7525 (lower Macks dam), 57-7473 & 7454 (upper Macks dam), 57-7400, 7472, 7532 (Reynolds Ck res). See status analysis in ~~file~~ 57-7583 file

20. Signed: Cindy J. Hodges

---

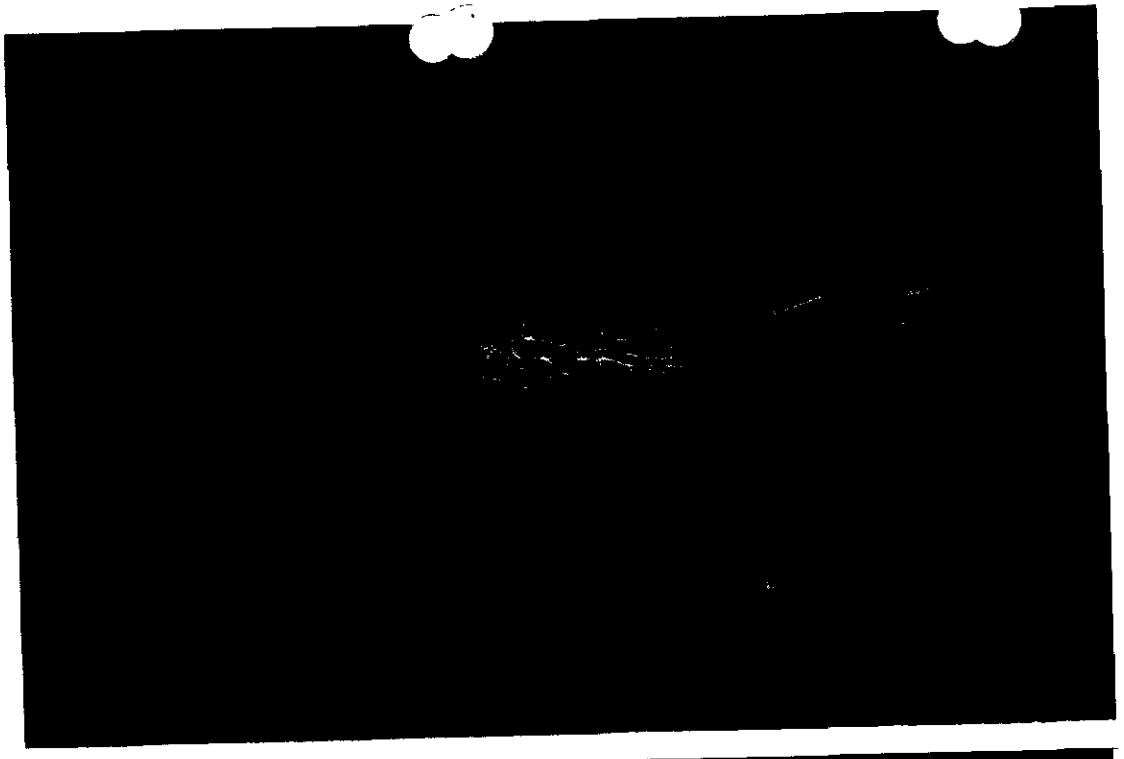
21. Follow up action: Date: _____ Additional Memo Prepared: ___ Yes ___ No

Describe: _____

APR 14 1995

22. Signed: _____

Permit (Ap) file
57-7583

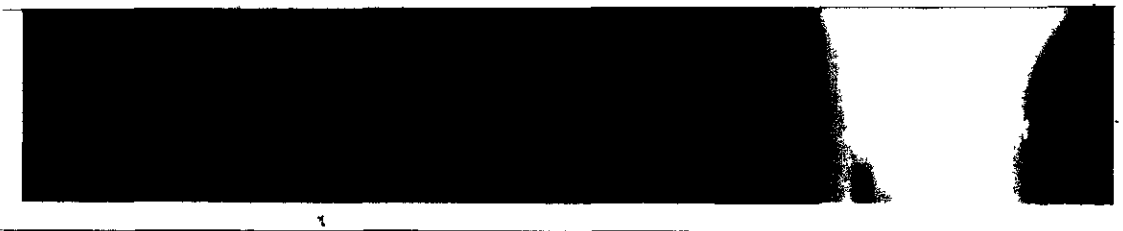


1. Right abutment Spillway, Lower Macks Creek Res.

2. Overview from top of dam. Outlet #1 in bottom center

3. Redwood headwall below outlet #1 (No blade) (looking at face of dam)

4. Concrete headwall & gate for canal turnout (not complete)



5. Ditch from canal.

APR 14 1995

6. Released Flow towards Mack's Creek. Flow entering private lateral at arrow. Macks creek behind.

Permit (Ap) file
57-7583

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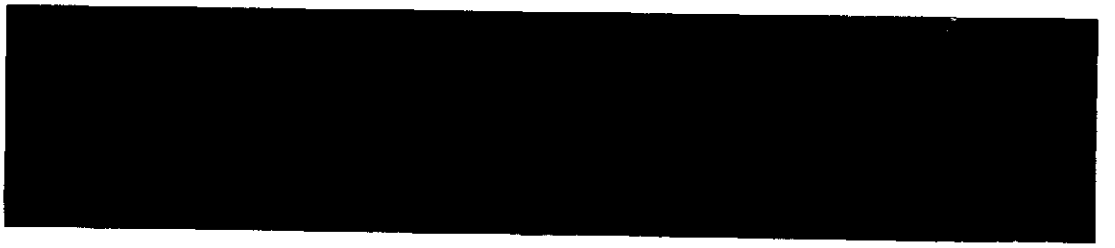

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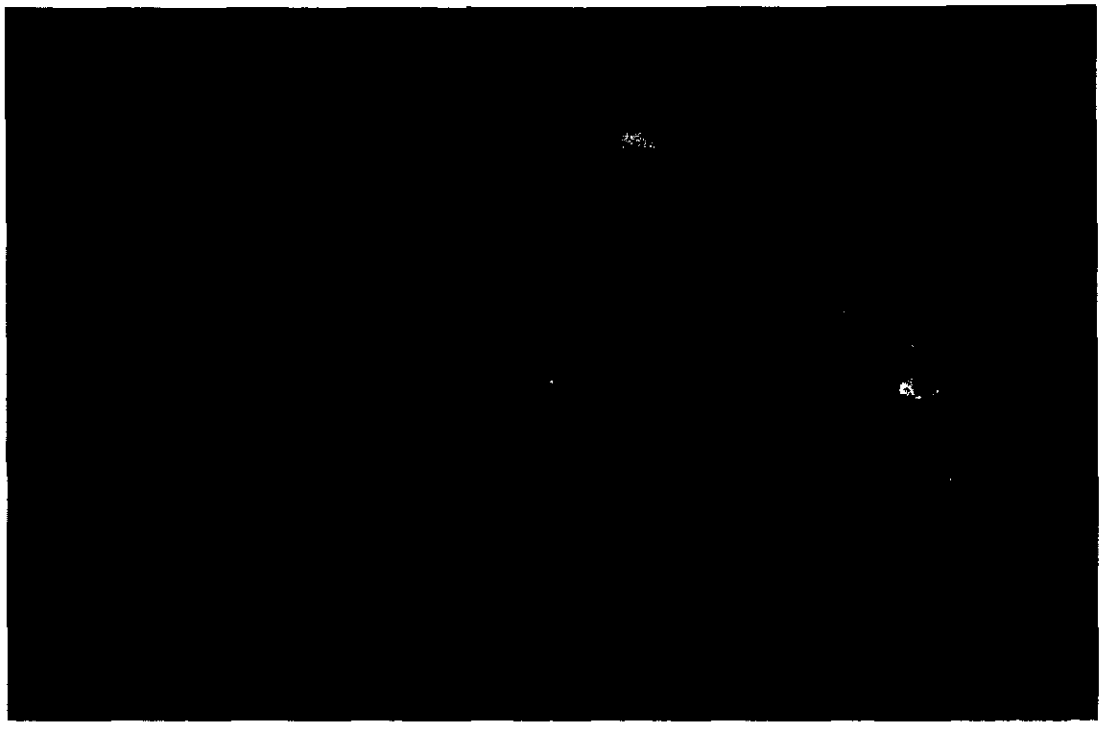

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APR 14 1995

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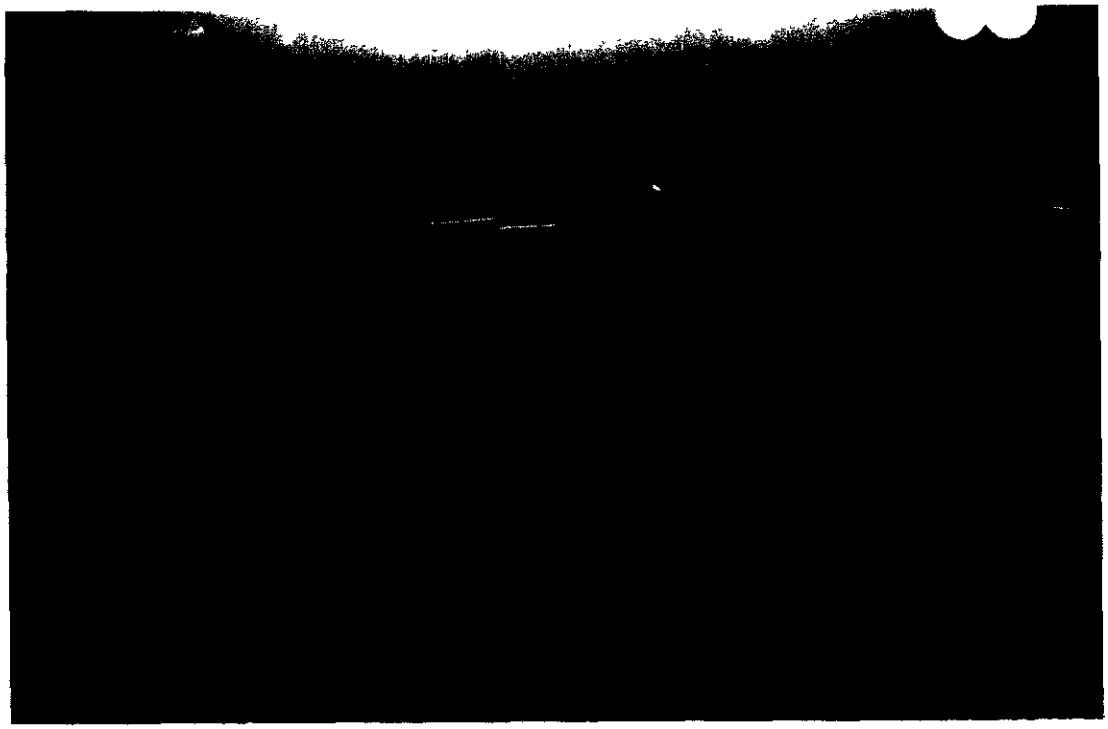
57-7583



1. Lower Macks Creek outlet #2 (flume) Seepage from left abutment toe.

APR 1 4 ...

2. Upper Macks Creek irrigation diversion. Dry channel to right (figure w/ hat in channel)

3. Breached ditch to upper Macks Res. ↓

57-7583

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APR 1 4 1995

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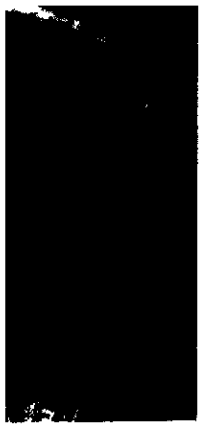

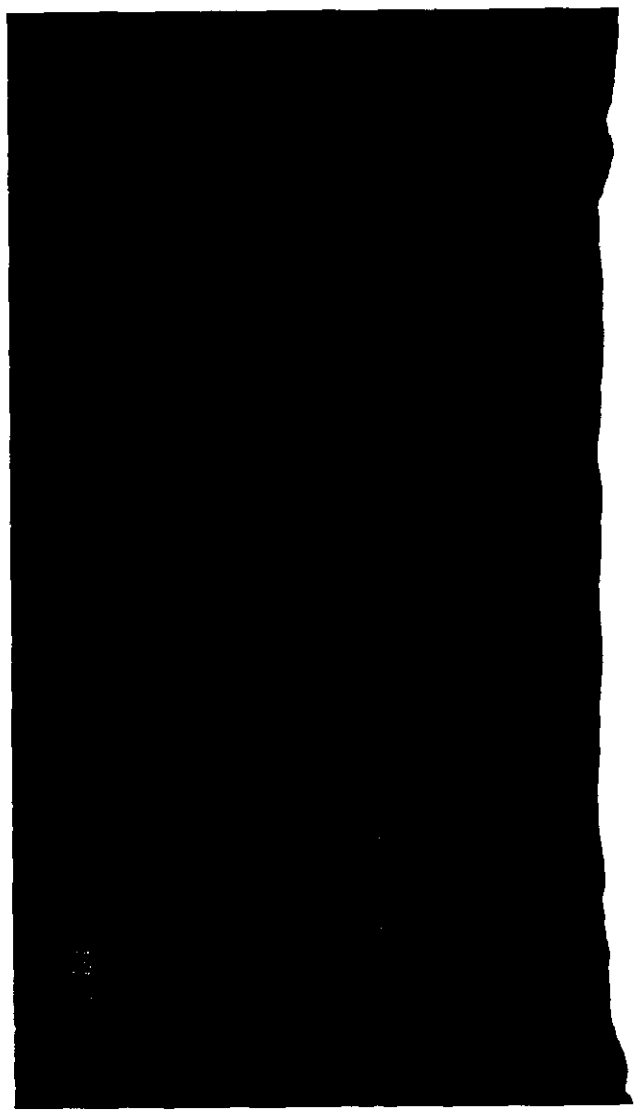

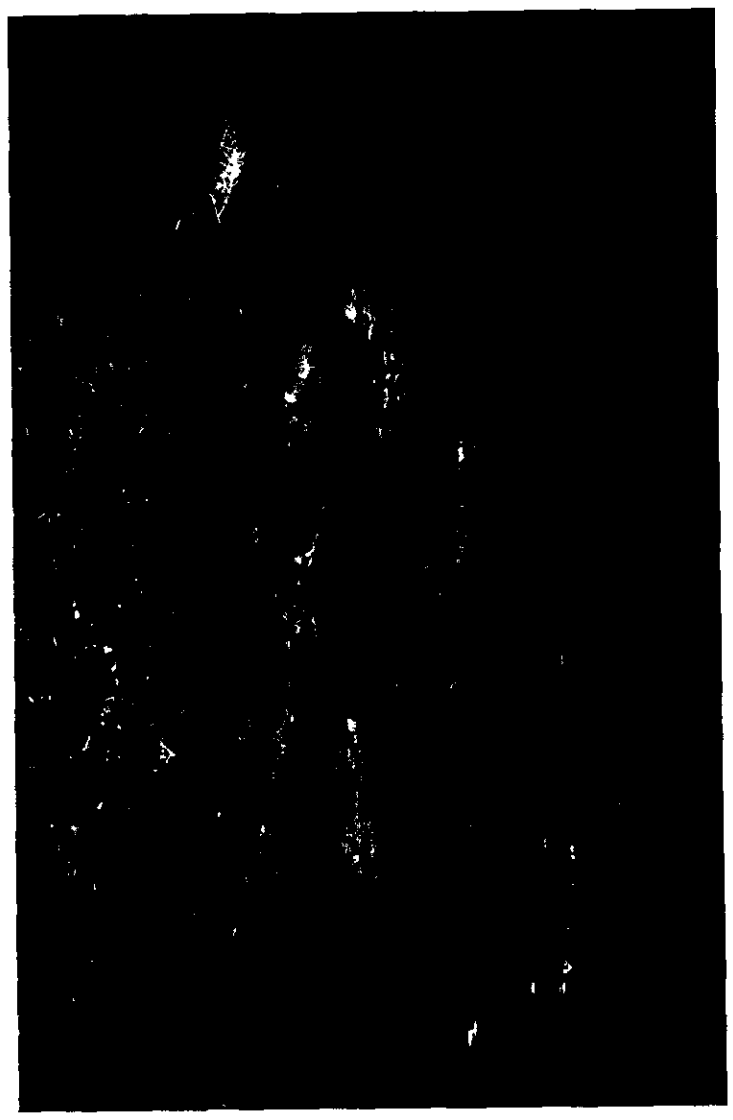

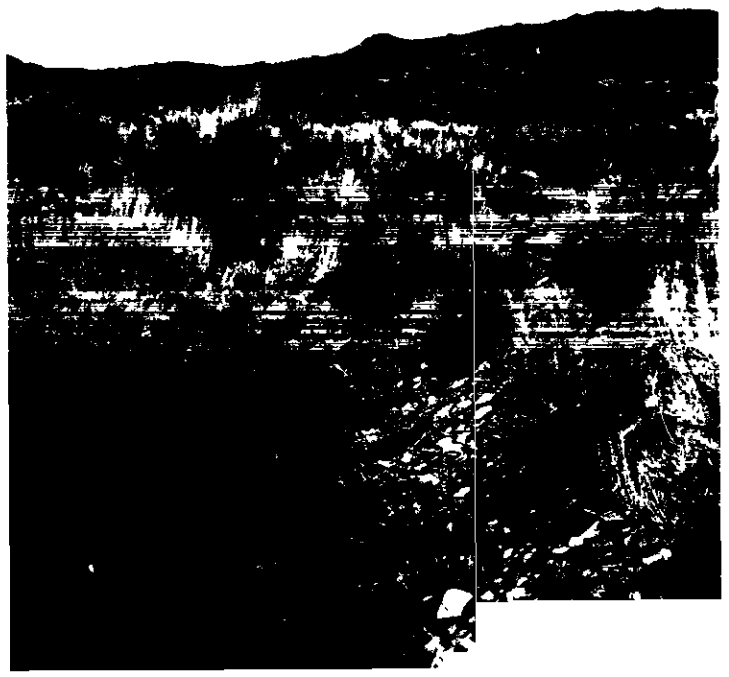

Date 5/19/94 Subject Additional photos taken on field exam

604 PW

MACK'S CK - ADDITIONAL PHOTOS

Photos

INTER-DEPARTMENT MEMO

TO: 57-7583

SUBJECT: Pre-Permit Exam

FROM: D. Tuthill

DATE: 5/6/94

Connie Brandau, Watermaster WD 57-R / Response to my 5/2/94 Ltr.

Connie has some concerns about the M.d. requirement for this water rt.

We determined that a pre-permit exam with Connie and a Junago Ranch rep would be most beneficial.

R 14 1995

( ) For your information

(X) Response required

Dave
signature

connie = 495 2529

Dave - Ohndorf report & draft response letter, Macks Cr.
I have all related WR files in my office. (Storage)

Cindy

Cindy "the sooner the better" 5-6 ,,

Please arrange with Connie & Applicant to conduct pre-permit exam. Dave said Connie has some concerns c applicant's existing ditch(es) & worried that jr. right(s) adversely impacting sr. WR due to diversion works etc. Perhaps this new appl. is vehicle to require repairs or changes per Connie's concerns.

Thanks - SC

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 2, 1994

CONNIE BRANDAU
HC 79 BOX 61
MELBA ID 83641

Re: Application for Permit No. 57-7583 in the Name of Junayo Ranch Ltd. Partnership

Dear Watermaster:

Enclosed is another copy of Owen Orndorff's response to your comments on the above-referenced application.

Please review this and let us know if it acceptable to you. Please sent us your comments as soon as possible as we cannot continue processing this application without your response.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Orndorff letter

APR 14 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 23, 1994

CONNIE BRANDAU
WATERMASTER, WD 57-R
HC 79 BOX 61
MELBA ID 83641

Re: Application for Water Right No. 57-7583

Dear Watermaster:

Enclosed is a copy of the response from Owen Orndorff to your comments on the above-referenced water right application.

Please let us know if this is acceptable to you before we proceed with the processing of this application.

Sincerely,

Dave

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Encl.

APR 14 1995

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H ORNDORFF

Limited Partner
Harvey H Orndorff

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

Murphy, Idaho
Kuna, Idaho

RECEIVED
MAR 16 1994
WATER RESOURCES
WESTERN REGION

March 15, 1994

Mr. David R. Tuthill, Jr., P.E
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Water Right No. 57-7583

Dear Mr. Tuthill:

With respect to Connie Brandau's comments, I presume the new water right application will have measuring devices which are otherwise required for the existing storage right at the reservoir. The measuring devices will be shortly installed in each of the outlets as proposed in the engineer's drawings.

With respect to the measuring device for the inlet, a staff gauge will be installed as soon as the water level drops to permit installation as has previously been agreed with the Department.

With respect to Cottle Creek, it presently discharges into the Macks Creek Reservoir as part of Macks Creek upstream from where Macks Creek discharges into the new reservoir. Junayo Ranch presently leases the Ann McKee property which is the source of irrigation water for the McKee property several miles upstream from the Macks Creek Reservoir. The storage right for the Macks Creek Reservoir in question and diverting Cottle Creek water several miles upstream are unrelated to the application for Water Right No. 57-7583. To the extent any such diversion discussed in Connie Brandau's comments for Cottle Creek is not otherwise permitted by existing water rights during the irrigation season, such diversion is impermissible.

I hope this is helpful and do no hesitate to call me if you have comments or questions.

Very truly yours,

Owen H. Orndorff

APR 14 1995

OHO/sp
cc Ron Yoshikane

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

JUNAYO RANCH LTD PARTNERSHIP
1087 RIVER ST #230
BOISE ID 83702

Re: Application for Water Right No. 57-7583

Dear Applicant:

Enclosed is a copy of the comments sent to the Department by Connie Brandau, Watermaster of water district 57-R.

Before we can proceed with the processing of this application we need a response from you regarding these comments.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Encl.

APR 14 1995

RECEIVED
FEB 24 1994
WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT FOR WATER RIGHT

NO. 57-7583

RECOMMENDATION OF WATERMASTER

I, Connie M. Brandau, watermaster of Reynolds Creek of Water District No. 57-R, County of Owyhee, State of Idaho, whose address is NC 79 Box 61 Melba, Idaho 83641, have read the attached copy of the application for permit for a water right in the name of Juanajo Ranch Ranch LLC/Owen Ornderff Jr. Paul.

A. I hereby endorse the above numbered application and recommend that the Director of the Department of Water Resources approve the application subject to the following conditions: that all measuring devices both above & below (at inlet & outlet) of reservoir are in place prior to final approval by D.W.R. and that water from Cattle Creek not be diverted to the Mack OR Creek Reservoir or drainage (as is possible.)

B. I do not endorse approval of the above numbered application for water right as requested for the following reasons:

Dated at Melba, Idaho, this 17th day of February, 1994.

Connie M. Brandau
(signature)

APR 14 1995

Please use reverse side if needed.

CONVERSATION MEMORANDUM

DATE 3/4/94

FILE 57-7583

NAME OF PARTY Connie Brandau

EMPLOYEE Cindy Hodges

RE: Attached Watermaster Recommendation, Connie B.

I spoke to Connie to see if there was any info relative to the upcoming Water District meeting that I needed to bring. She asked about the meas. device requirements for this ap & 57-7525. Orndorff has requested those requirements be removed and IDWR has denied. As of 11/17/93 devices had not been installed (See dam safety letter 11/18/93, in file).

Sounds as if Connie would like to see us withhold approval of this permit contingent upon the installation of those devices. I will verify this during my attendance at Reynolds Creek meeting & will add any additional info if necessary.

APR 14 1995

RECEIVED
FEB 2 8
WATER RESOURCES
WESTERN REGION

THE OWYHEE AVALANCHE
P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in 2 (two) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

Published February 16 + 23, 1994

Signed Joe Aman

Subscribed and sworn to before me this 23rd day of Feb A.D., 1994

Orin B Overlin

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

APR 14 1995

57-07583

JUNAYO RANCH LTD. PARTNERSHIP
1087 RIVER ST. #230
BOISE, ID 83702

Source: MACKS CREEK Tributary: REYNOLDS CREEK

Diversion Pt: NESESW Sec 13 T 02S R 04W in OWYHEE County

Use:	IRRIGATION STORAGE	(200.00 AF)
	IRRIGATION FROM STORAGE	(200.00 AF)
	Total Diversion:	(200.00 AF)

Date Filed: 1/14/1994

In: OWYHEE County

T02S R04W S13	SENE	NESE	NWSE	SWSE
	SESE			
S24	NWNE	SWNE	NWSE	SWSE

91.0 ACRES TOTAL

APR 1 4

State o ho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1994

CONNIE BRANDAU
HC 79 BOX 61
MELBA ID 83641

Re: Application for Permit No. 57-7583 in the Name of Junayo Ranch Ltd. Partnership

Dear Watermaster:

Enclosed is an application(s) for water right(s) within your water district. Also enclosed is a form for your recommendation concerning this application for permit.

Please review the application and return your recommendation within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

APR 1 4 1995

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H ORNDORFF

Limited Partner
Harvey H Orndorff

Murphy, Idaho
Kuna, Idaho

RECEIVED
JAN 27 1994
WATER RESOURCES
WESTERN REGION

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

January 26, 1994

Ms. Lori A. Graves
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Map

Dear Ms. Graves:

Enclosed is the map you requested concerning the 35 acres in Section 24.

Very truly yours,

Owen H. Orndorff lsp

Owen H. Orndorff

OHO/sp
Enclosure

APR 14 1995

MEMO

TO: File 57-07583
FROM: Lori Graves
DATE: 1/24/1994
RE: Allowable Acre Feet of Storage

The reservoir capacity was measured at approximately 459 af.

Permit 57-07525 has been approved for 56 acres and 250 af of storage in the reservoir. Each acre is entitled to 5 af/ac. Eight of the 56 acres already had 1.11 af/ac from Macks Creek on permit 57-07473. Total af/ac allowed for the 56 acres is:

(8)(3.89)	=	31.12 af
(48)(5)	=	240.00 af
Total		271.12 af

Since 57-07525 was permitted at 250 af, 21.12 af remains to be covered for the 56 acres is section 13.

Application 57-07583 was filed for an additional 200 af of storage in the reservoir and 35 additional acres. The 35 acres in section 24 are entitled to 5 af/ac from Macks Creek. Eight of the remaining 56 acres in section 13 have been fully appropriated on permits 57-07473 and 57-07525. The remaining 48 acres of the 56 acres in section 13 are entitled to an additional 21.12 af as described above for their full 5 af/ac.

(35)(5)= 175 af + 21.12 af = **196.12** af allowed for the 91 acres described in application 57-07583.

The conditions of approval that apply to permit 57-07525 also apply to this application.

APR 1 4 1995

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

November 18, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Owen Orndorff
1087 River Street
Suite 230
Boise, ID 83702

(also applies to 57-07583)

RE: Macks Creek Dam D57-7525

Dear Mr. Orndorff:

The Department received a copy of your engineer's November 15, 1993 letter, advising you about the status of construction at Macks Creek Dam. The project was examined November 17th and found to be essentially completed. However, the following items still need to be finished, and must be completed before the Department considers construction to be completed at the project:

- Remove debris and slough material from the left abutment spillway. The spillway width was measured to be only 11.5 ft wide, the plans call for it to be 16 feet wide. This matter was discussed with John McDaniels, and it was decided that excavating the channel wider could cause more sloughing to occur since the rock is very fractured in the channel. John indicated he would clean out the channel, which would probably increase the basewidth to 12-13 ft, which should be adequate.

- Install bigger thrust blocks for the gate controls on both outlets. Ron Yoshikane indicated that he planned to pour the concrete for the thrust blocks today, November 18th. The larger thrust blocks are needed so that the outlet gates can be operated easily.

- The gate control stems and vent pipes for both outlets are elevated several feet above the surface of the upstream slope of the dam, which makes them very susceptible to damage by ice. The plans show the stems and vent pipes being covered by a half round cmp and buried.

- The downstream slope of the dike section near the left abutment of the dam is very steep and irregular. John McDaniels indicated he planned to add material to flatten and dress the slope.

- Complete work and cleanup in the lower right abutment spillway channel and to the rock berm. John McDaniels indicated he planned to add some earth material to the rock to seal it, to prevent seepage from the upper spillway area from flowing through the rock berm and continuing along the toe of the dam.

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- Finish the reservoir staff gauge and mark it in at least 1/2 foot intervals. The staff gauge elevations shall be marked at least every 5 feet along the gauge.

- Complete both outlets and install flow measuring devices. If another type of flow measuring system is proposed, other than weirs, a plan shall be submitted to the Department for review and approval.

- Install settlement-alignment pins on the dam and abutments as shown in the plans. Ron Yoshikane indicated he would get in touch with Carl Myers to determine pin locations.

- An inspection of the upstream slope revealed that benching has occured along the slope, mainly at the high water line. John McDaniels indicated that where the erosion occured is the area where no riprap was placed because the dam crest was raised this spring to increase freeboard. Since it appears that the reservoir will be operated at or near full pool, it is imperative that rock riprap be added to the upper portion of the upstream slope of the embankment to protect the dam from further erosion due to wave action.

Once these items are completed, please notify me so that a final inspection can be conducted. Also have you engineer, Carl Myers submit the final engineering report and as-built drawings, the operation plan and initial settlement-alignment pin survey for final review and approval. Also, submit the application and fee (if necessary) for the final raise.

Our September 14, 1993 letter to you indicated that either the dam was to be completed and all engineering information submitted by November 1, 1993, or the outlet was to be opened and storage released. Since it appears that you are working diligently to complete the dam, we will allow you to continue to store water, even though the deadline has passed. However, if you do not continue to work towards completing the dam in a timely manner, the Department will pursue opening the outlet and releasing storage.

Should you have any questions please contact me, phone 327-7952.

Sincerely,

A. Michael Stubblefield, P.E.
Dam Safety Section

cc: IDWR - Western Region, Carl Myers, Ron Yoshikane

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