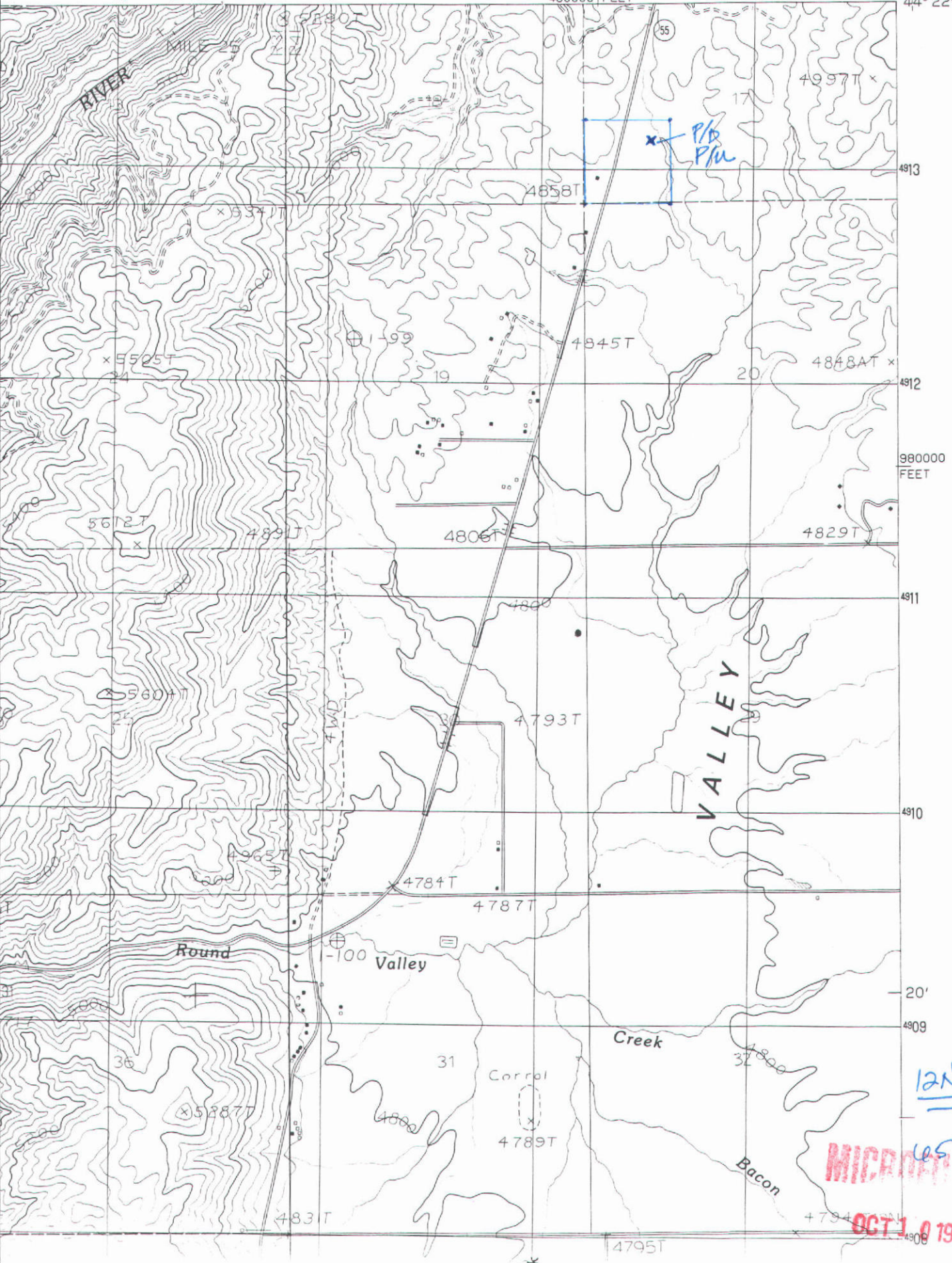
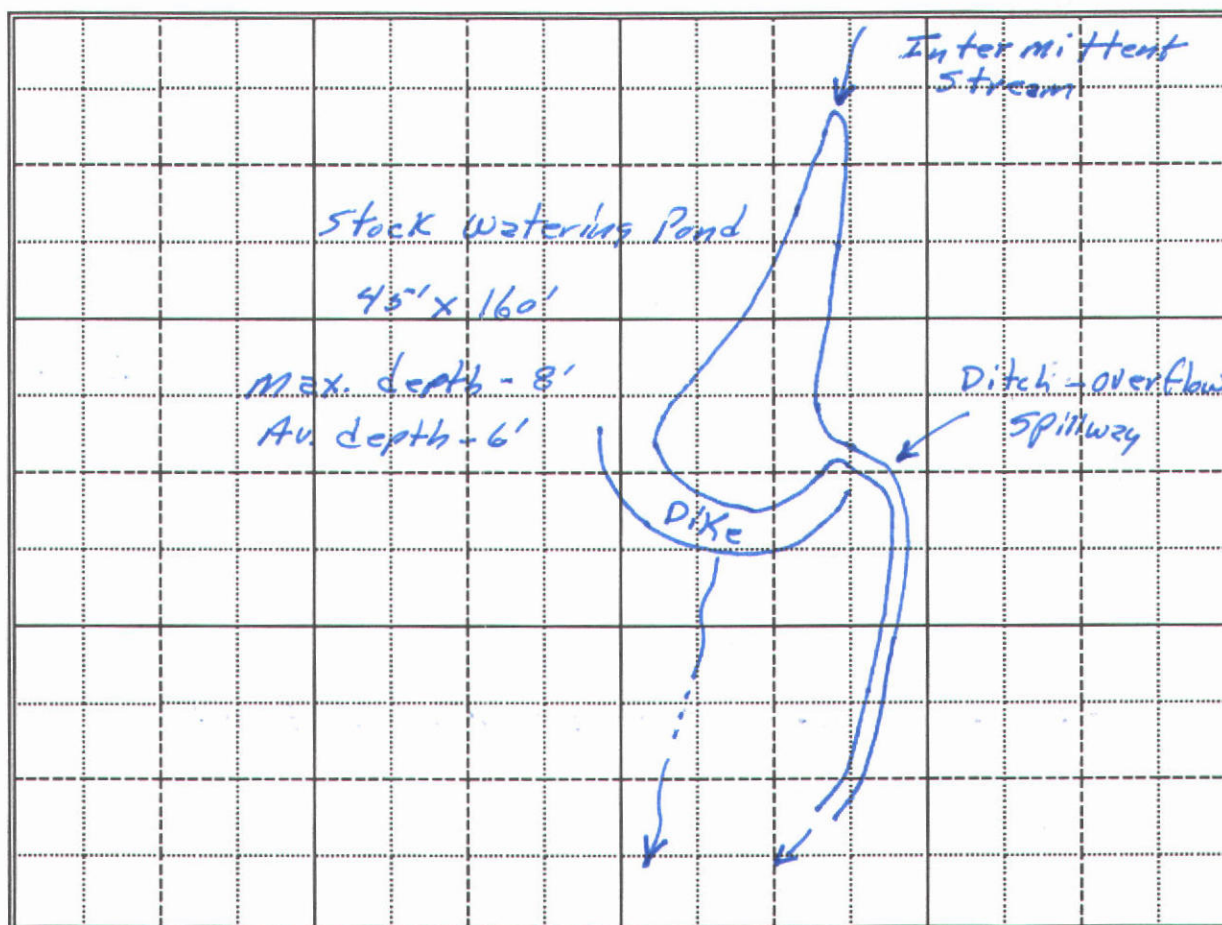


SMITHS FERRY QUADRANGLE
IDAHO-VALLEY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

576 2' 30" 577 430000 FEET 579 116° 00' 44° 22' 30"



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



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

No flow into pond at time of exam.

1.

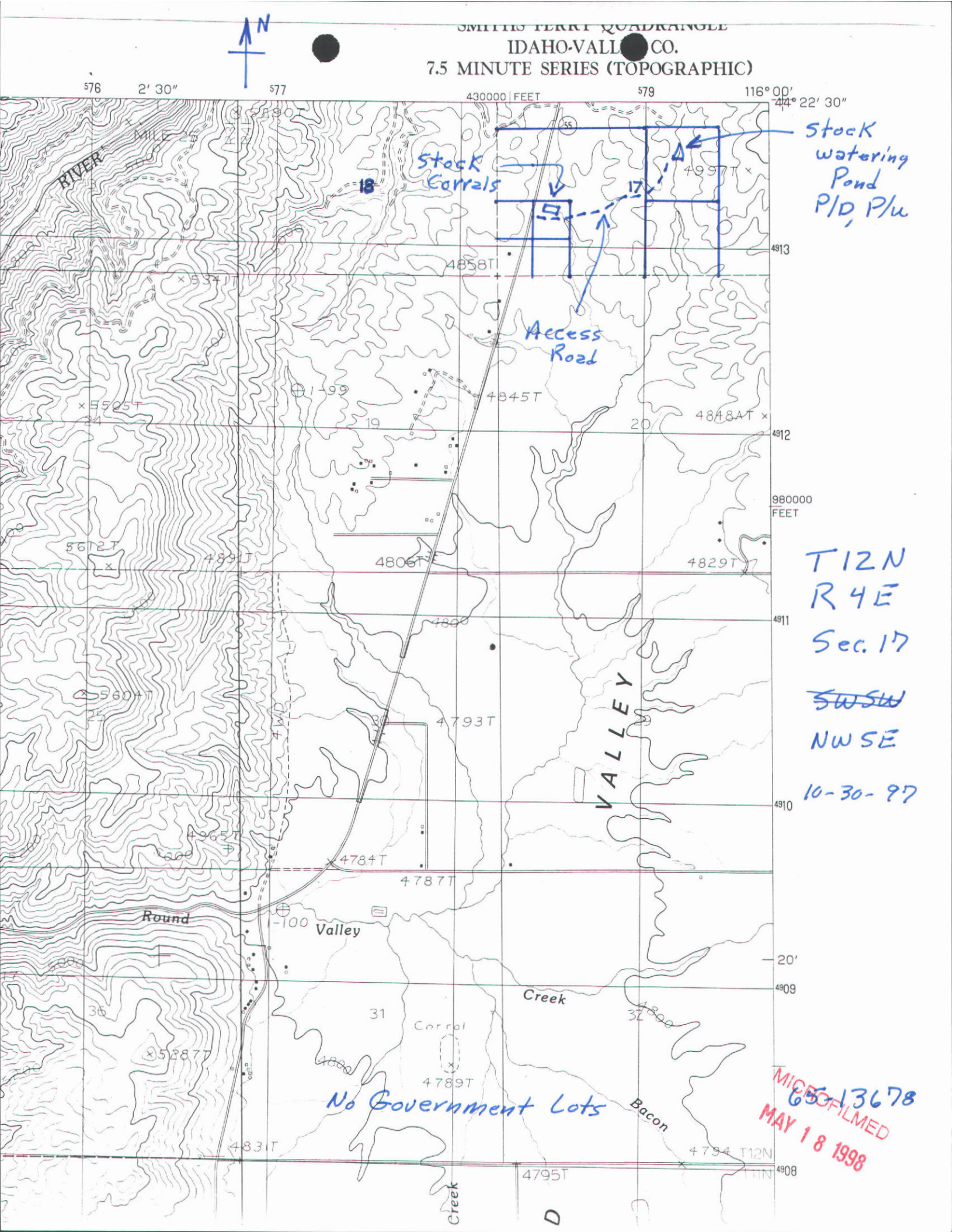
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None taken

MICROFILMED

MAY 18 1998

SMITHS FERRY QUADRANGLE
IDAHO-VALLEY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)





P/O
P/u
Stock
Pond
View
Looking
South



P/O
P/u
Stock
Pond
View
Looking
North

MICROFILMED
MAY 18 1998

65-13678

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13678

Priority: July 10, 1996

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.0 AF

This is to certify, that KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126

NAMPA ID 83652-9126 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 10, 1996; and
has submitted Proof of Beneficial Use on September 23, 1997. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

UNNAMED STREAM

tributary to **ROUND VALLEY CREEK**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	0.5 AF
STOCKWATER STORAGE	01/01 to 12/31		0.5 AF
	Totals	0.03 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 17, Township 12N, Range 04E
VALLEY County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

12N 04E 17

NWSE

PLACE OF USE:

STOCKWATER, same as STOCKWATER STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

MICROFILMED

MAY 18 1998

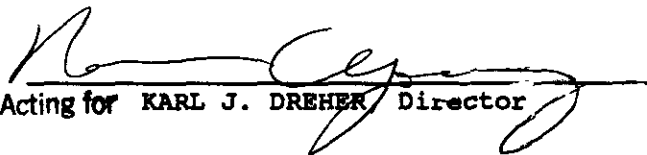
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13678

CONDITIONS OF APPROVAL AND REMARKS

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

MAY 18 1998

State of Idaho
Department of Water Resources

RECEIVED
FEB 04 1998
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13678

Date of Priority: July 10, 1996 Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.0 AF

Comes now KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
Nampa ID 83652-9126 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. 65-13678, and requests that the permit be changed as follows:

Source: UNNAMED STREAM tributary to ROUND VALLEY CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	0.5 AF
STOCKWATER STORAGE	01/01 to 12/31		0.5 AF
	Totals	0.03 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 17, Township 12N, Range 04E
VALLEY County

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC
12N 04E 17 NWSE

PLACE OF USE:
STOCKWATER, same as STOCKWATER STORAGE use

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

Signed at Nampa, ID, this 2 day of February, 19 98.
George Kawai
(Signature)

MICROFILMED

MAY 18 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13678

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by BS # CO4137 Date 2/4/98

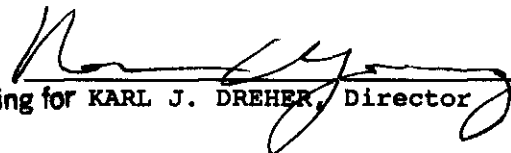
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13678 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Witness my hand this 13TH day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

MAY 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 23 1997

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 who has been appointed by the department.

1. Permit No. 65-13678 Telephone No. 208 466 4129
2. Name(s) of Permit Holder(s): Kawai Brothers Ltd Partnership
3. Mailing Address: PO Box 9126 Nampa, ID 83652-9126
4. Source of Water: Springs If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____
 - b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 60 range cattle
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR 1.0 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 ____	or	No <u>X</u>
	Has the measuring device been installed?	Yes ____	or	No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	or	No <u>X</u>
	Has the measurement port been installed?	Yes ____	or	No ____
8. Fee Enclosed: \$ 50.00 (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: George Kawai Telephone Number: 208 466 4129
Address: PO Box 9126 Nampa Idaho 83652-9126
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: George Kawai Date: 19 Sep 97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13678

Proposed Priority: July 10, 1996 Maximum Diversion Rate: 0.03 CFS

This is to certify, that **KAWAI BROTHERS LTD PARTNERSHIP**
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652-9126

has applied for a permit to appropriate water from:
SPRINGS tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	
STOCKWATER STORAGE	01/01 to 12/31		1.0 AF
	Totals	0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESWSW , Sec. 17, Township 12N, Range 04E
VALLEY County

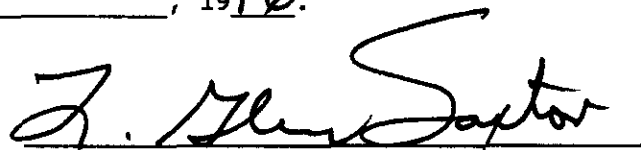
PLACE OF USE: STOCKWATER
TWN RGE SEC
12N 04E 17 SWSW

CONDITIONS OF APPROVAL AND REMARKS

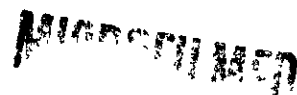
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1997.
2. Subject to all prior water rights.
3. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.
4. Stockwater use is for 60 range cattle.

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 October, 1996.


Karl J. Dreher, Director

for



OCT 10 1996

RECEIVED

SEP 30 1996

Department of Water Resources

Ident. No. 65-13678

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: KAWAI BROTHERS LTD PARTNERSHIP 208-466-4129
Address: C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652
2. Source: SPRINGS Trib. to: SINKS
3. Location of Point of Diversion: NESWSW Sec. 17, Township 12N, Range 04E
VALLEY County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			1.00
5. Total quantity to be appropriated is:
0.030 CFS (and/or) 1.00 AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
EXCAVATED POND
 - b. Height of storage dam feet; active reservoir capacity 1.00
acre-feet; total reservoir capacity 1.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 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 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC
12N 04E 17

SWSW

SEP 30 1996

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:

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.

X. Stowen
Applicant

Received by igl Date 7/10/96 Time 1140 Preliminary check by ly

Fee \$ 50.00 Receipted by igl #W021171 Date 7/10/1996

Publication prepared by dt Date 8-14-96 Published in Long Valley Adv.

Publication approved dt Date 9-18-96

RECEIVED

OCT 10 1996

Ident. No. 65-13678

Comments: Date: 7/10/1996 User-ID: CHODGES

Subject: APPLICATION INFO

Stockwater is for 60 head range cattle or cow/calf pairs.
Pond size approx. 1/2 ac X 2" depth. Spring is located in
bottom of pond.

Limited Partnership: George Kawai, William Kawai, General
partners.

Assume = 2 ft
not 2" depth
JK 9/26/96

RECEIVED

OCT 1 0 1996

60 range cattle

.03



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

KARL J. DREHER
DIRECTOR

January 12, 1999

Kawai Brothers LTD Partnership
attn George Kawai
Po Box 9126
Nampa ID 83652

RE: Proof of Beneficial Use Submittal for 65-13678

Dear Mr. Kawai:

The department is in receipt of the Proof of Beneficial statement and \$50.00 license examination fee you submitted in connection with the above referenced water right. The right was licensed in February of 1998, and therefore, no proof or fee is required. I have enclosed a copy of the license for your information. I am returning the proof statement and I have initiated the process to refund the \$50.00 exam fee you submitted.

You should receive the refund within seven (7) to ten (10) business days under separate cover.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: Fiscal
IDWR - Regional Office

MICROFILMED

FEB 05 1999

7/94

RECEIVED

DEC 29 1998

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. 1244213Receipt By: BLSDate Received: 12-29-98

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 who has been appointed by the department.

- Permit No. 65-13678 Telephone No. 208 466 4129
- Name(s) of Permit Holder(s): Kawai Brothers LTD Partnership
- Mailing Address: c/o George Kawai PO Box 9126 Nampa ID 83652-9126
- Source of Water: Unnamed Creek If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
 - OPTIONAL:
 - Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
- Use(s) (as authorized by the water right permit):
 - Domestic (No. of households): _____ Stockwater (No. and type of stock): 60 cows + calves
 - Irrigation (No. of acres): _____ Other: _____
- Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR 6.0 acre feet/yr
- 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 ____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes ____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes ____	or	No <u>✓</u>
- Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.

Name: George Kawai Telephone Number: 208 466 4129

Address: PO Box 9126 Nampa ID 83652-9126
- The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]

(include your title, if on behalf of company or organization)

Date: 28 Dec 98



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

February 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652-9126

RE: WATER RIGHT NO. 65-13678

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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FEB 18 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

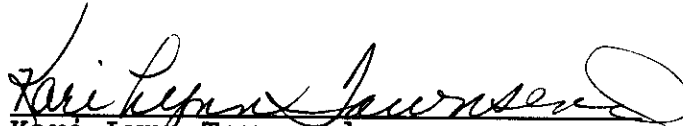
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13678

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652-9126


Kari Lynn Townsend
Secretary

MICROFILMED
MAY 18 1998



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

January 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652-9126

RE: WATER RIGHT NO. 65-13678

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
MAY 18 1998

MEMORANDUM

TO: File 65-13678

FROM: Sharla

DATE: January 29, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 65-13678 are based on the following:

H. RECOMMENDATIONS

Stockwater	1/1 - 10/31	0.03 cfs	0.5 afa
Stockwater Storage	1/1 - 12/31		0.5 afa
	TOTALS	0.03 cfs	1.0 afa

The storage volume is based on the size of the pond, no additional amount is given for losses

Examiner: Dan Tomich
Exam Date: October 30, 1997

MICROFILMED
MAY 18 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13678

DATE 1/28/98

REVIEWER: SHARLA

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

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>.03</u> cfs
Fee limit	<u>.20</u> cfs \$50 ⁰⁰
Measured	<u>.5</u> cfs <u>af</u>
Theoretical	<u>—</u> cfs

Recommended Total Div Rate .5 cfs af

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u> Use <u>Stock Stor.</u> <u>Stock</u> <u>60 head</u> <u>.03 ok</u> <u>af</u>	cfs	Volume Calc
	<u>.5</u>	<u>.5</u> af
	<u>.03</u>	<u>.5</u> af
	<u>—</u>	<u>—</u> af
	<u>—</u>	<u>—</u> af
SUBTOTAL		<u>1.0</u> af

Flow rate — cfs X — days X 198 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

<New app. referenced in examiner's
narrative is 65-13768.

CONDITIONS

R04 Watermaster Control WD# 65
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo use for
(on stream)

1st Amend Letter P37 P38
2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 16 1997
Department of Water Resources

A. GENERAL INFORMATION.

Permit No. 65-13678
1. Owner: Kawai Brothers LTD Partnership
C/o George Kawai Phone No. (208) 466-4129
Current Address: P.O. Box 9126 Nampa ID 83652-9126 mobile 250-2302
2. Accompanied by: Bill Kawai, Elmon Thompson EXAM DATE: 10-30-97
Address: 15117 Dahlia, Caldwell, ID 83605 Phone No. (208) 457-3262
Relationship to Permit Holder: Bill Kawai (Brother); E. Thompson (Friend)
3. Source: Unnamed Stream tributary to Round Valley Creek

B. OVERLAP REVIEW

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	17	12N	4E	Valley	Site Visit, Map

2 Place(s) of Use:

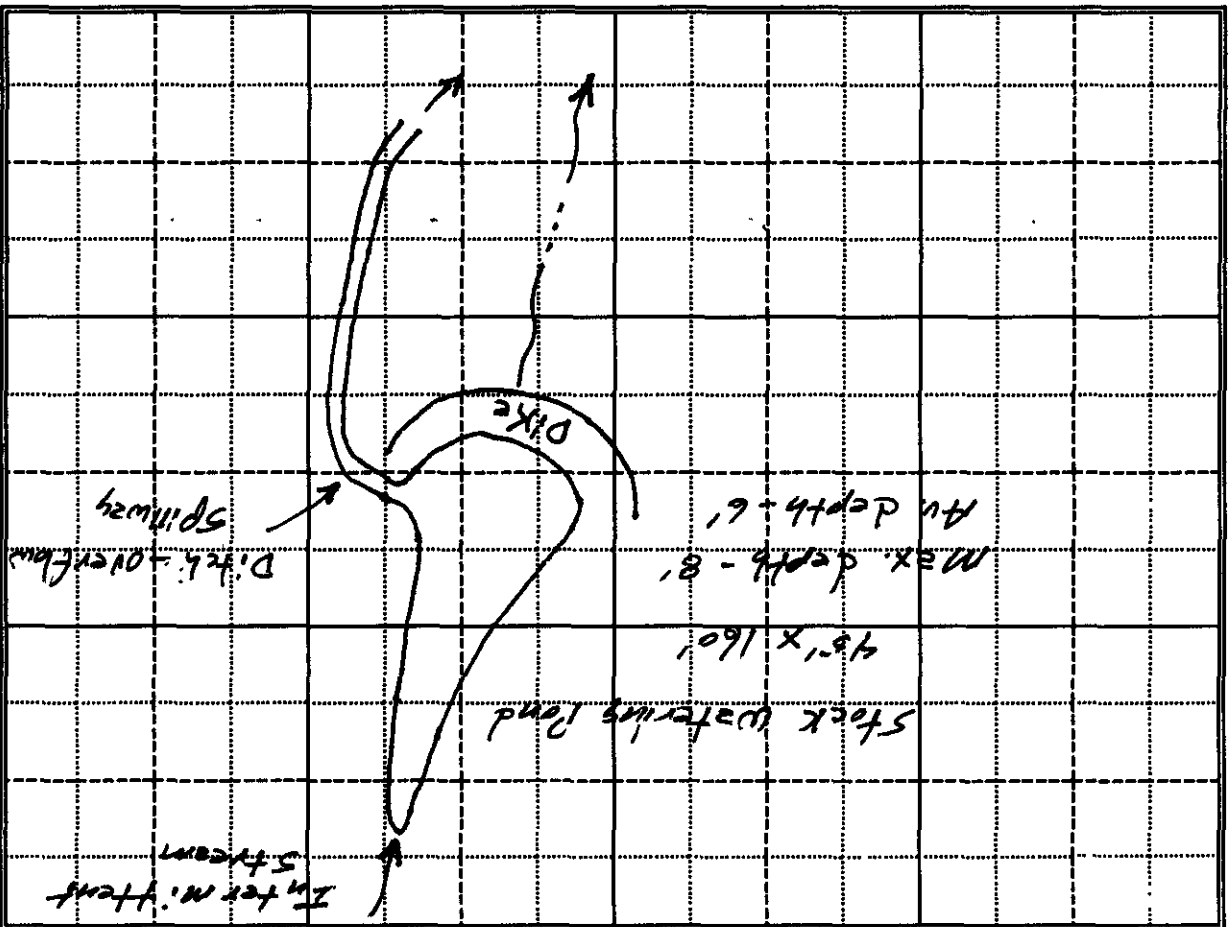
Indicate Method of Determination Site Visit Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	4E	17														5			

MICROFILMED

MAY 18 1998

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



Scale: 1" = 100' No. 5 scale

✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

✓ Aerial Photo Attached of 10+ acres (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

Well or Diversion 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 No flow into pond at time of exam.

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

2. Measurements:

Plans taken

MICROFILMED

MAY 18 1998

E. NARRATIVE/REMARKS/COMMENTS

1. Although the Permit is for a stockwater pond located in the NE SW SW of Sec 17, the actual location was found to be in NW SE, Sec 17. The source of the water for the pond was found to be a intermittent stream, not a Spring as shown in the permit. The pond is filled each year from snowmelt and rain runoff.
2. The owner had also developed a Spring in the SE NE NW, Section 20, and thought that it should also be included in this permit. After the exam of 10-30-97, he filled out an application for a new permit for this spring development. The spring development consists of about 200' of PVC pipe from the spring to a intermittent stream bed for stockwater purposes.
3. 60 head of stock use the pond.
4. The stock normally use the pond from April 1 to Nov. 1 each year.

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

except: 1) Location was incorrect.

2) Source of water was incorrect.

3) He had developed two water sources, instead of one - see item 2 above.

MICROFILMED
MAY 18 1998

SEAL

Reviewer _____ Date _____

Field Examiner's Name John Zornick Date 12-1-97

I. AUTHENTICATION

☒ Change P.D. as reflected above
☒ Change P.U. as reflected above

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

2. Recommended Amendments

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	From 01/01 To 12/31	0.03 cfs	1.0
Stockwater Storage	From 01/01 To 12/31	0.03	1.0
Totals:		0.03	1.0

1. Recommended Amounts

H. RECOMMENDATIONS

$$\text{Vol. of Pond} = \left(\frac{1}{2}\right) \left(\frac{45}{100}\right) (160') (6' \text{ depth}) \left(\frac{43,560 \text{ ft}^2}{\text{Acre}}\right) = 0.496 \approx 0.5 \text{ AF (capacity)}$$

+ losses $\approx 1.0 \text{ AF Storage}$
+ losses

$$\begin{aligned} &\approx 0.5 \text{ AFA} \\ &+ \text{losses} \\ &\approx 1.0 \text{ AFA} \end{aligned}$$

$$\text{AFA} = \left(\frac{12 \text{ Gal}}{\text{Day} \cdot \text{Acre}}\right) \left(\frac{1}{60 \text{ Head}}\right) \left(\frac{1}{210 \text{ Day}}\right) \left(\frac{327,850 \text{ Gal}}{\text{AFA}}\right) = 0.464$$

2. Volume Calculations for Other Uses: Stockwater

$$\begin{aligned} V &= \text{Smaller of } V_R \text{ and } V_{DR} = \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \\ V_R &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \end{aligned}$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

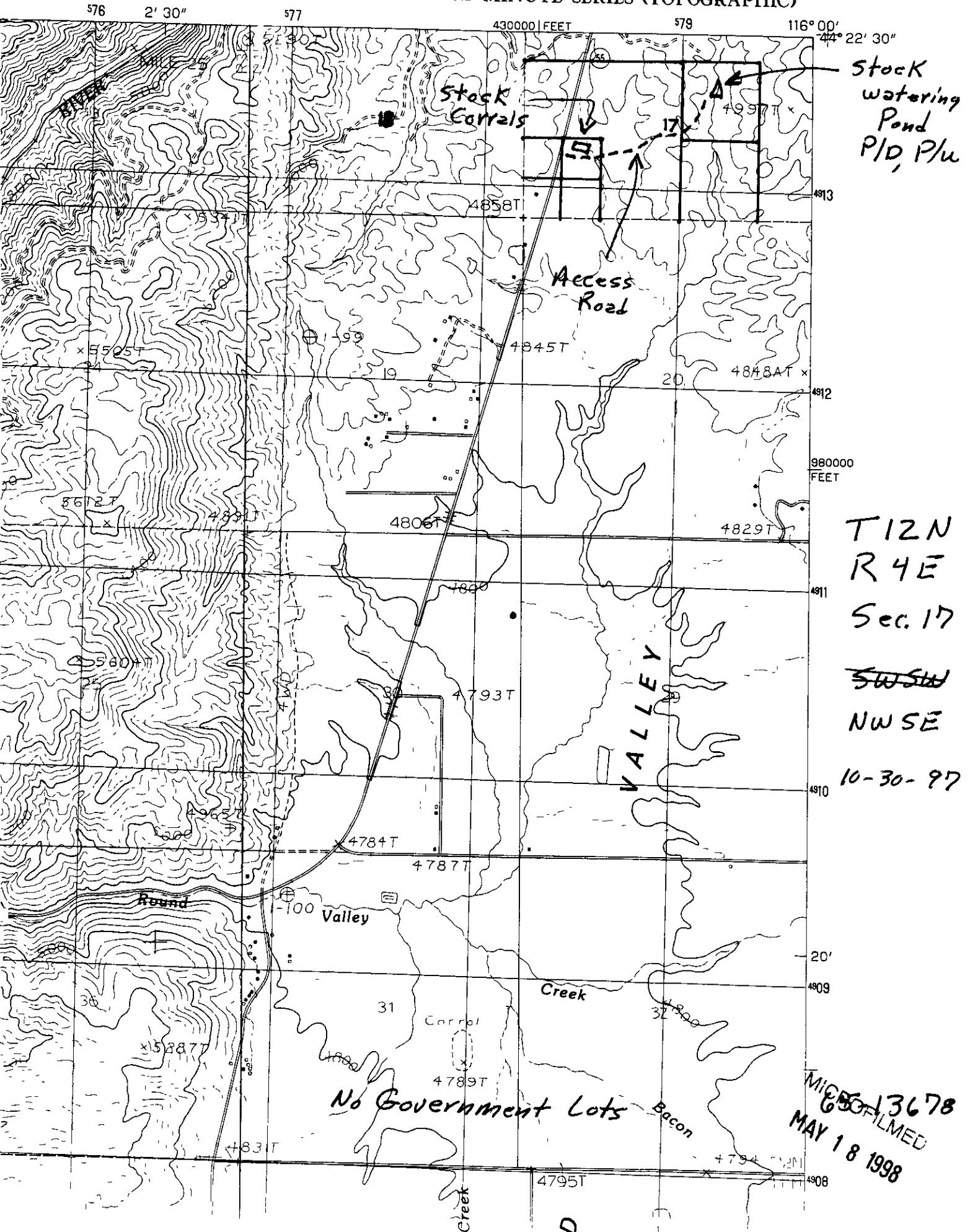
Measured Method:

None taken - no inflow into pond.

For 60 head of stock, allow 0.03 cfs diversion rate.

Change P.D. + P.U.
to NUSE
Sec. 17.

SMITHS FERRY QUADRANGLE
IDAHO-VALL CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)





P/D
P/U
Stock
Pond
View
Looking
South



P/D
P/U
Stock
Pond
View
Looking
North

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13678 Reviewed by Jay Date 8-16-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

stock

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

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

MEASURING DEVICE

yes Required?

no Required?

50- Amount Submitted

☐ Installed?

yes Correct?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 9-23-97



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

KARL J. DREHER
DIRECTOR

October 20, 1997

Kawai Brothers Ltd Partnership
PO Box 9126
Nampa ID 83652-9126

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13678

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.

Please 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 department's WESTERN Regional Office in Boise at (208) 334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

C: IDWR - Regional Office

FILED

OCT 22 1997

July 31, 1997

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 836529126

7590662110

PROOF DUE NOTICE

RE: PERMIT NO. 65-13678

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 October 1, 1997.

(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

92-12-07



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

October 8, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA ID 83652-9126

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13678

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

RECEIVED

OCT 10 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 65-13678 Name: Kauai Bros LP Date: 10/4/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: W02/171 Priority: 7/10/96 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim 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. - 01M, 065(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 is regulated):

Water District(dam) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
Spr/sinks In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - *WB5(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(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), *W07

LOCATION:

42-248 area - In 20/30/40/50/60/70/80 (87) basin? ~~P04~~
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - _____ <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner**OTHER CONDITIONS:****STANDARD REMARKS:**

* ① W07 ② W02/60 RC

BENEFICIAL USE DUE:

10-1-1997

COMMENTS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Encl - Pkg give copy to John

INITIAL REVIEW BY: lg DATE: 8/6/96 APPLICATION: 65-13678

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: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ 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

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ 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 &/or any mining).
- ☒ ☒ Copy to Dam Safety staff: (for any storage)
- ☐ ☒ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
- ☐ ☒ Send power requirement letter:
- ☐ ☒ Send fish farm requirement letter:
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Power efficiency form:
- ☐ ☒ 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

DATE REQUESTED _____

ADDITIONAL INFORMATION ON REVERSE SIDE:

PROCESSING

APP. NO.

65-13678

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for 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 & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands
☐ ☒ Adjudication Bureau☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

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 9-9-96

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # non trib. source in WD #65

Special conditions of approval or cover letter:

Storage is 1-time fill where natural flow provides refills. No water district controls etc. needed for non-trib. source.

See below for additional information

Recommended Date or Priority 7-10-1996Recommended by: RL - approve Date: 9/26/96

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

P/N overlap: 65-03851 DonP/D + P/N " - 03816 Don

ATTORNEY AT LAW

STATE OF IDAHO COUNTY OF VALLEY

I, Michael C. Stewart, being duly sworn deposes, and says, I am the Publisher of The Long Valley Advocate Subscriber, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Application for water right, a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began 8/21, 1996, and ended 8/28, 1996.

Michael C. Stewart

Michael C. Stewart

Signed this the 9th day of Sept., 1996

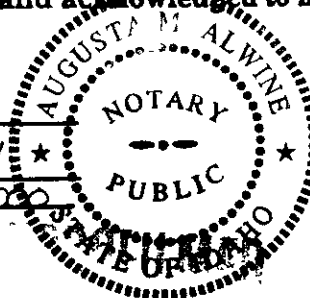
STATE OF IDAHO)

: SS.

COUNTY OF VALLEY)

On this the 9th day of Sept., 1996, before me, a Notary Public in and for said State, personally appeared Michael C. Stewart, known or identified to me to be the person whose name is subscribed to the within Instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Augusta Alwine
Notary Public State of Idaho
Residing at: Cascade, Id.
Commission Expires: 1/20/2000



177 0 1996

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The following applicant have been
filed to appropriate the public water of
the State of Idaho

6 3678

KAWAI BROTHERS LTD PARTNER-
SHIP
C/O GEORGE KAWAI
P.O. BOX 9126
Nampa, ID 83652

Source SPRINGS
Tributary SINKS
Diversion Pt NESWSW Sec 17 T 12N
R 04E in VALLEY County
Use STOCKWATER (030 CFS)
STOCKWATER STORAGE (1.00 AF)
Total Diversion (030 CFS)

Date Filed 7/10/1996
In VALLEY County
T12N R04E S17 SWSW

Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec 42-203A, Idaho
Code. Any protest against the approval
of this application must be filed with the
Director, Dept of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a
protest fee of 425.00 on or before SEP-
TEMBER 9, 1996. The protestant must
also send a copy of the protest to the
applicant.
KARL J. DREHER, Director
Publish 8/21, 8/28 - #021

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3515 to subscribe

65-13678

KAWAI BROTHERS LTD PARTNERSHIP
C/O GEORGE KAWAI
PO BOX 9126
NAMPA, ID 83652

Source: SPRINGS

Tributary: SINKS

Diversion Pt: NESWSW Sec 17 T 12N R 04E in VALLEY County.

Use: STOCKWATER	(	0.030 CFS)	
STOCKWATER STORAGE			(1.00 AF)
Total Diversion:	(	0.030 CFS)	

Date Filed: 7/10/1996

In: VALLEY County
T12N R04E S17 SWSW

RECEIVED
OCT 10 1996