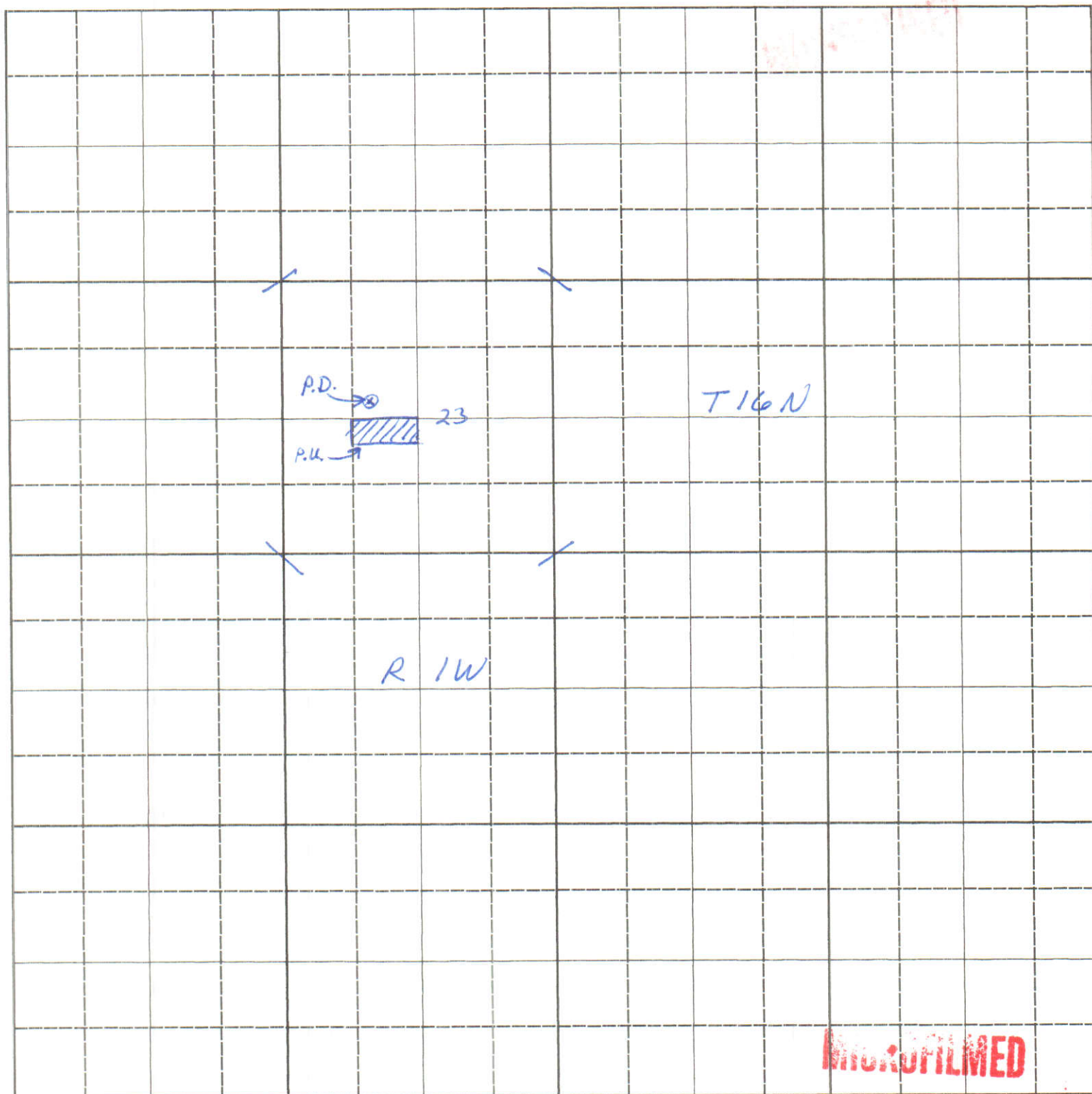


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

MAR 14 1990

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.

*Richard A. Fisher*  
(Applicant)

## Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

Kuehn, Lorraine-Kuehn, Richard

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two ( 2 ) consecutive weeks, the first publication of the

same being made in the issue dated October 19, 1989

and the last in the issue dated October 26, 1989 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 26th

day of October, 1989

Notary Public for Idaho,  
Residing at Council, Idaho

NOTICE OF APPLICATION  
FOR WATER RIGHT  
The Following application(s)  
have been filed to appropriate  
the public waters of the State  
of Idaho:

67-07785

KUEHN, LORRAINE  
KUEHN, RICHARD  
P.O. BOX 178  
COUNCIL, ID 83612  
Source: GROUNDWATER  
Diversion Pt: SWSE1W Sec 23 T

Use: IRRIGATION ( .200 CFS)  
COMMERCIAL ( .040 CFS) 07785

Date Filed: 9/01/1989

In: T16N R01W S23 NESW  
10.0 ACRES TOTAL

The permit(s) will be subject  
to all prior water rights. Pro-  
tests must be filed with the Di-  
rector, Dept. of Water Resourc-  
es, Western Region, 2735 Airport  
Way, Boise, Idaho 83705 on or  
before NOVEMBER 6, 1989.

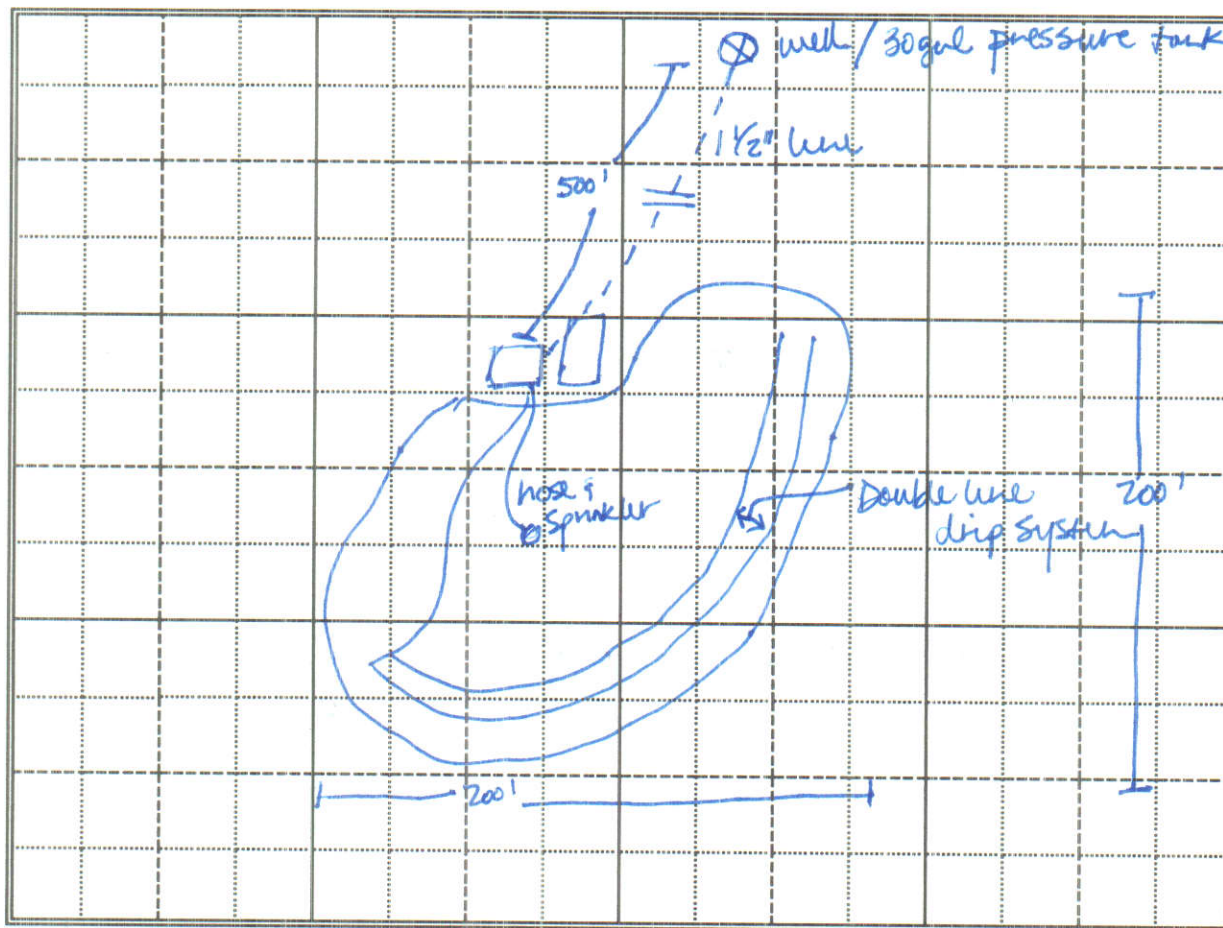
R. KEITH HIGGINSON,  
Director

Pub. 10/18/1989 & 10/25/1989

RECORDED

MAR 14 1990

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



Scale: 1" = NTS

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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | Franklin   | 3  | Sub.             |           | 2" ? (covered in heat tape)       |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

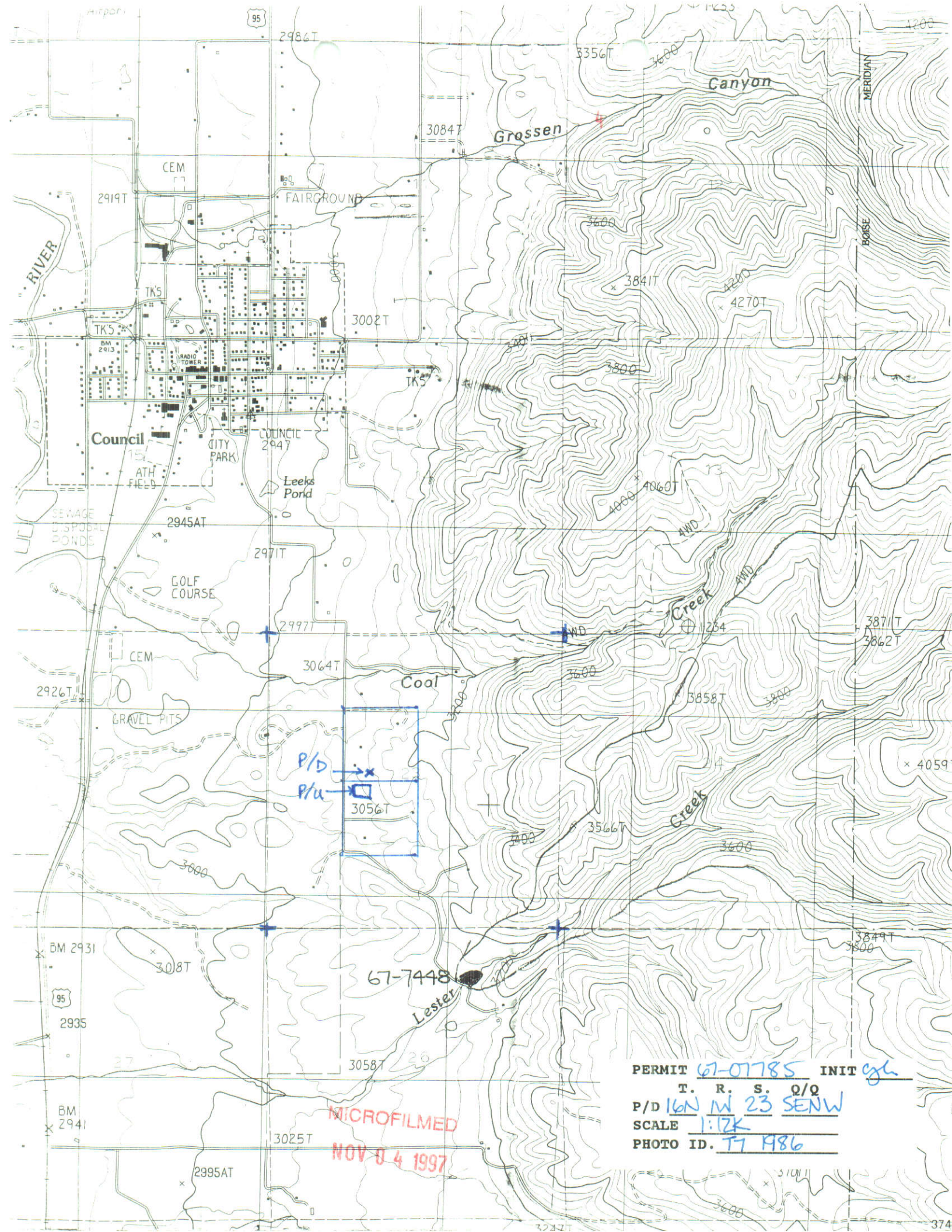
1.

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

2. Measurements: pressure 60-80 psi pump depth - ? unknown

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NOV 0 1 1967



MICROFILMED  
NOV 04 1997

PERMIT 67-07785 INIT cyh  
T. R. S. Q/Q  
P/D 16N W 23 SENW  
SCALE 1:12K  
PHOTO ID. T7 1986



P/O a pressure tank

↓ overview of P/u from well  
(view to S.)



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NOV 04 1997

67-7785

Cyl



P/u South of  
house



P/u east of  
house

MICROFILMED  
NOV 04 1997

67-7785  
cjh

## PROCESSING

APPLICATION NO. 67-07785

YES NO

☒ ☐  
☐ ☒  
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

## SEND COPIES TO

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

U.S. BLM

U.S. Forest Svc.

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 November 6, 1989

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # 67-P05

Special conditions of approval or cover letter:

26 A is not regd - existing well. Recommend that 2 yrs be allowed for completion of system.

See below for additional information

Recommended Date or Priority 9/1/1989Recommended by: DMDate 11/7/89

## STATE OFFICE REVIEW

P05, P23P1746 26See below for additional information. By KWDate 12/4/89

## ADDITIONAL INFORMATION

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 67-07785

Priority: September 1, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.6 AF

This is to certify, that RICHARD KUEHN  
LORRAINE KUEHN

3933 PALOUSE ST  
BOISE ID 83705

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 1, 1989; and has submitted Proof of Beneficial Use on December 2, 1993. An examination indicates that the works have a diversion capacity of 0.400 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.03 CFS                 | 4.0 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
|                       | Totals               | 0.04 CFS                 | 4.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 23, Township 16N, Range 01W  
ADAMS County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 16N        | 01W        | 23         | NESW         | 1            |              | 1            |

Total number of acres irrigated: 1

PLACE OF USE:

DOMESTIC, same as IRRIGATION 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

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NOV 04 1997

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 67-07785

## CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17<sup>th</sup> day of OCTOBER, 1997.

Acting for  KARL J. DREHER, Director

MICROFILMED  
NOV 04 1997

State of Idaho  
Department of Water Resources

RECEIVED

OCT 03 1997

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 67-07785**

Department of Water Resources

Date of Priority: September 1, 1989      Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 4.6 AF

Comes now      RICHARD KUEHN  
LORRAINE KUEHN

3933 PALOUSE ST  
BOISE ID 83705

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. 67-07785, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.03 CFS                 | 4.0 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
|                       | Totals               | 0.04 CFS                 | 4.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:      SENW , Sec. 23, Township 16N, Range 01W  
ADAMS County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 16N        | 01W        | 23         | NESW         | 1            |              | 1            |

Total number of acres irrigated: 1

PLACE OF USE:

DOMESTIC, same as IRRIGATION 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 1844 So. Exeter, this 1<sup>ST</sup> day of Oct, 1997

Council, Id 83612  
Adams County

MICROFILMED  
NOV 04 1997

[Signature]  
(Signature)

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 67-07785**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by SWK Fee = 50.00 Received by LB # 0210000 Date 10/3/97

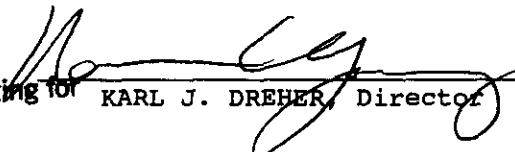
**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 67-07785 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 17<sup>th</sup> day of OCTOBER, 1997.

  
Acting for KARL J. DREHER, Director

MICROFILMED  
NOV 04 1987

RECEIVED

DEC 02 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 12-2-93

Receipt No. 5929140

Receipt by JW

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 67-07785 Telephone No. 336-0968
2. Name(s) of Permit Holder(s): Richard M. Kuehn
3. Mailing Address: 3933 Palouse ST Boise Id 83705
4. Source of Water: Well

If **GROUNDWATER**, Well Driller's Name: \_\_\_\_\_ Date Drilled: 1978

OPTIONAL:

Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use (as authorized by the permit):

Domestic 2 (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)  
Irrigation 2 (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 2 cfs OR \_\_\_\_\_ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? \_\_\_\_\_ Yes ✓ No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

OR

Flow Measurement Port: Required? \_\_\_\_\_ Yes ✓ No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Richard M Kuehn 336-0968  
Name Telephone No.

3933 Palouse ST Boise Id 83705  
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/30/93  
Date

Richard M Kuehn  
Signature (and title, if on behalf of a company or organization)

JAN 20 1994

RECEIVED

NOV 25 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Received by AB  
Date 11/25/91  
Receipt # 6022444

Department of Water Resources

**REQUEST FOR EXTENSION OF TIME  
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 67-07785

Name(s) of Permit Holder: Richard Kuehn OR LORRAINE Kuehn

Post Office Address: PO Box 178, Council ID 83612

Telephone No. (208) 336-0968

Date Proof is Due: JAN. 1, 1992

Describe what work has been completed toward the development of this water right: 100 Lodge pole  
(This must be filled out! If no work has been completed, show "none".)

pinus planted for wind break & water lines to them, \$300  
Five fruit trees, 4 nut trees, 20 berry bushes, 10 shade  
trees & water lines \$250, Fencing to keep deer out of  
orchard \$500, since we are an organic (over)posting \$1700

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

My job as a field service engineer has forced me to travel more than usual this past  
year. The current recession has caused a business slowdown at our retail store  
outlet.

Permit holder(s) request an extension to JAN 1, 1994. [Signature]  
(1 yr. minimum) (Signature)\*

FEE: \$15.00

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED  
and the time within which to submit proof of beneficial use is extended to  
January 1, 1994.

Signed this 27<sup>th</sup> day of November, 19 91.

[Signature]  
Chief, Water Allocation Bureau

DEC 27 1991

Chemical free farm bug eating birds of water fowl and geese \$75; recently purchases a 1,700 gallon aluminum water storage tank, \$650.

Total of development to date

|                         |        |
|-------------------------|--------|
| wind break trees        | \$300  |
| Fruit, nut, berry trees | \$250  |
| Fencing                 | \$500  |
| water tank              | \$650  |
|                         | <hr/>  |
|                         | \$1700 |

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 67-07785

Proposed Priority: September 1, 1989      Maximum Diversion Rate: 0.20 CFS

This is to certify, that **RICHARD KUEHN**  
**LORRAINE KUEHN**  
P.O. BOX 178  
COUNCIL, ID 83612

has applied for a permit to appropriate water from: **GROUNDWATER**  
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> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.20 CFS                 |
| COMMERCIAL            | 01/01 to 12/31       | 0.04 CFS                 |
|                       | Totals               | 0.20 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:      SWSEW      Sec. 23, Township 16N, Range 01W  
ADAMS County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 16N        | 01W        | 23         | NESW         | 10           |              | 10           |

Total number of acres irrigated: 10

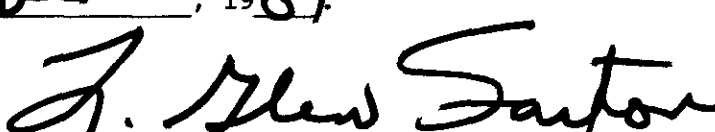
PLACE OF USE: COMMERCIAL, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Commercial use is for a greenhouse.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

14<sup>th</sup> day of December, 1989

*for*   
R. Keith Higginson, Director

MicroFILMED

MAR 14 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard and/or Lorraine Kuehn Phone 336-0968  
Post office address P.O. Box 178 Council, ID 83612
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 23 Township 16 N Range 1 W B.M. Adams County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.20 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.04 for Commercial purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Existing well,  
sprinklers and drip system
  - b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.
  - c. Proposed well diameter is 8 inches; proposed depth of well is 350 feet.
  - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
3 years (minimum 1 year).

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MAR 14 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e. Other; describe fully. Commercial use in greenhouse  
(20' x 25' approximately)

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 16N | 1W    | 23   |     |     |     |     |     |     |     |     | 10  |     |     |     |     |     |     |     | 10     |
|     |       | 23   |     |     |     |     |     |     |     |     | C   |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. None

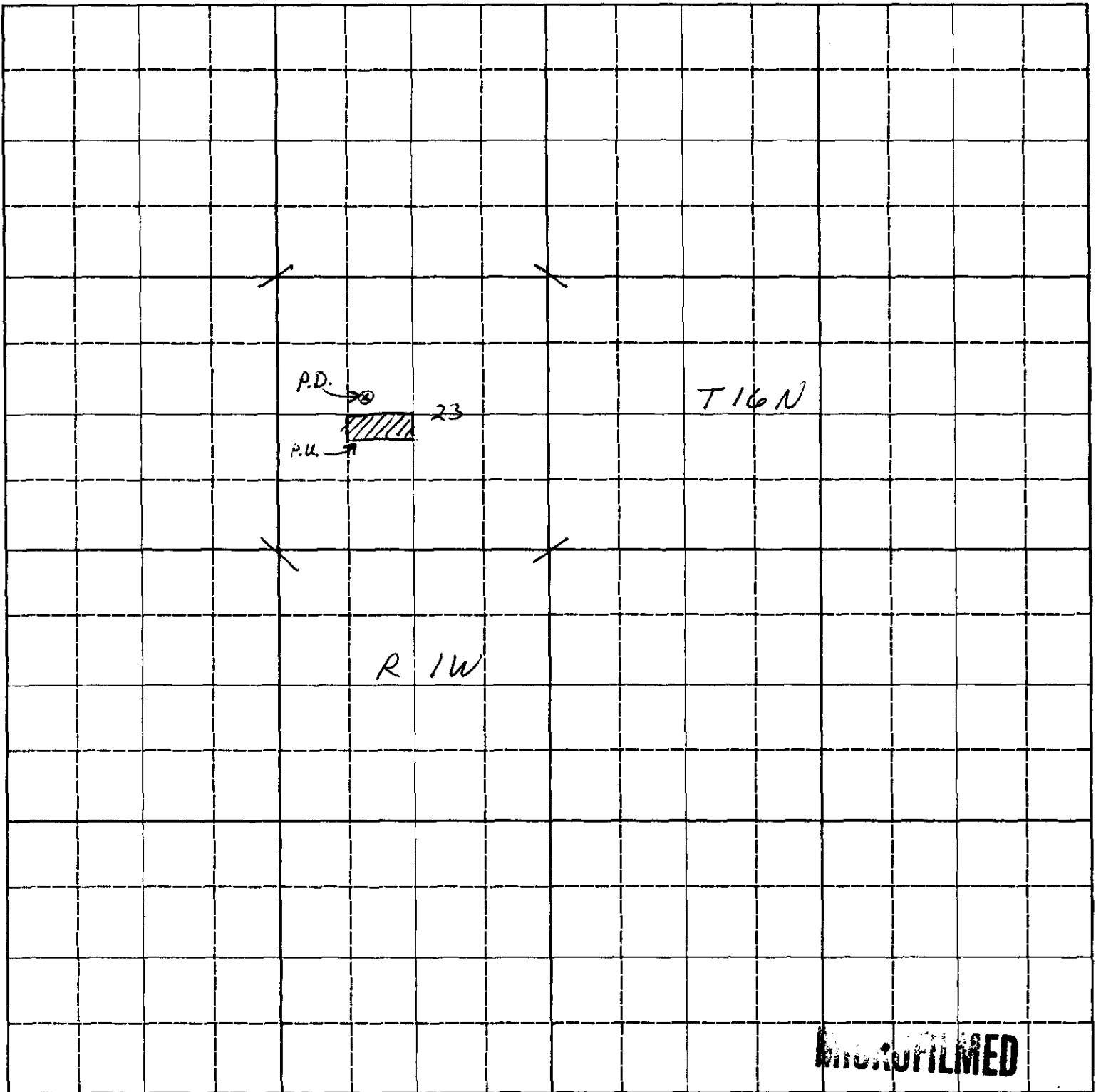
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

**RECORDED**

MAR 14 1990

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



Scale: 2 inches equal 1 mile.

MAR 14 1990

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.

*Richard A. Hurd*  
(Applicant)

Received by Ms. C.A. Date 9-1-89 Time 2:00pm Preliminary check by PW  
Fee \$ 30.00 Received by C.A. # CO10796 Date 9-1-89  
Publication prepared by GG Date 10-11-1989 Published in Adams County Leader  
Publication approved st Date 11-6-89  
10/18 & 10/25/89

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

**MICROFILMED**

**MAR 14 1990**

## Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

Kuehn, Lorraine-Kuehn, Richard

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two ( 2 ) consecutive weeks, the first publication of the

same being made in the issue dated October 19, 1989

and the last in the issue dated October 26, 1989 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 26th

day of October 19 89

Notary Public for Idaho,  
Residing at Council, Idaho

## NOTICE OF APPLICATION FOR WATER RIGHT

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

67-07785

KUEHN, LORRAINE  
KUEHN, RICHARD  
P.O. BOX 178  
COUNCIL, ID. 83612  
Source: GROUNDWATER  
Diversion Pt: SWSNW Sec 23 T  
16N R 01W

Use: IRRIGATION ( .200 CFS)  
COMMERCIAL ( .040 CFS) 07785

Date Filed: 9/01/1989

In: T16N R01W S23 N1E  
10.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2785 Airport Way, Boise, Idaho 83705 on or before NOVEMBER 6, 1989.

R. KETH HIGGINSON,  
Director

Pub. 10/18/1989 & 10/25/1989

RECEIVED

MAR 14 1990



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

October 20, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RICHARD KUEHN  
LORRAINE KUEHN  
3933 PALOUSE ST  
BOISE ID 83705

RE: WATER RIGHT NO. 67-07785

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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### 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.

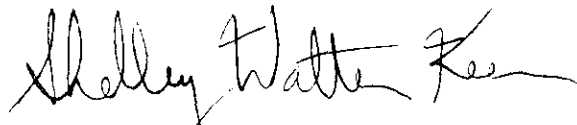
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NOV 04 1987

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.

Sincerely,



Shelley W. Keen  
Water Rights Supervisor

SK:klt

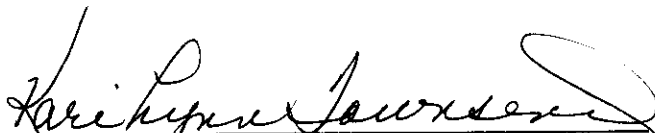
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of October, 1997, 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. 67-07785

RICHARD KUEHN  
LORRAINE KUEHN  
3933 PALOUSE ST  
BOISE ID 83705

  
Kari Lynn Townsend  
Secretary

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**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

September 18, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RICHARD KUEHN  
LORRAINE KUEHN  
3933 PALOUSE ST  
BOISE ID 83705

RE: WATER RIGHT NO. 67-07785

Dear Permit Holder(s):

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

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

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

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

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NOV 04 1997

## MEMORANDUM

**TO: File 67-07785**

**FROM: Sharla Curtis**

**DATE: September 17, 1997**

**RE: Recommendation Adjustment(s)**

The final license recommendations for Permit No. 67-07785 are based on the following:

### H. RECOMMENDATIONS

|            |             |          |         |
|------------|-------------|----------|---------|
| Irrigation | 4/1 - 10/31 | 0.03 cfs | 4.0 afa |
| Domestic   | 1/1 - 12/31 | 0.02 cfs | 0.6 afa |
|            | TOTALS      | 0.04 cfs | 4.6 afa |

The domestic use is in-house only; the rate has been adjusted accordingly.

Examiner: Cindy Hodges  
Exam Date: August 6, 1996

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# LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07785

DATE 9/9/97

REVIEWER: SHARLA

NAME Change OK

Address Change use street addr. on blu

SOURCE Change OK

Is change clarification of originally intended source? Yes

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void Amendment required NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? Yes no

OVERLAPS P/D P/U

## RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$50<sup>00</sup>

Measured        cfs

Theoretical .04 cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/  
NATURE OF USES ✓

| Use        | cfs        | Volume Calc |    |
|------------|------------|-------------|----|
| <u>Dom</u> | <u>.03</u> | <u>4.0</u>  | af |
| <u>Dom</u> | <u>.02</u> | <u>.6</u>   | af |
|            |            |             | af |
|            |            |             | af |
| SUBTOTAL   | <u>.04</u> | <u>4.6</u>  | af |

Flow rate .03 cfs X        days X 1.98 =        af

Total volume recommended        af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS

CONDITIONS Watermaster Control WD#

R31 GW Measurement/Measuring Device

Overlap

Advancement of Priority Date Required Yes no

SRBA Claim Filed N/A

Adjustment Memo to house dom. 02 cfs

1st Amend Letter P46, P38

2nd Amend Letter P42

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

APR 24 1997

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 67-7785

1. Owner: RICHARD KUEHN Phone No. 253-0041

Current Address: PO Box 178 Council ID

2. Accompanied by: owner EXAM DATE: 8/6/96

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: owner

3. Source: ground water tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 67-00122

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 |
|-----------|-----------|-----|-----------|-----------|-----------|------------|-----------|--------------|---------------------------------|
|           |           |     |           |           | <u>#6</u> |            |           |              |                                 |
|           |           |     | <u>SE</u> | <u>NW</u> | <u>23</u> | <u>16N</u> | <u>1W</u> | <u>Adams</u> | <u>Map, Site Visit</u>          |
|           |           |     |           |           |           |            |           |              |                                 |
|           |           |     |           |           |           |            |           |              |                                 |

**2. Place(s) of Use:**

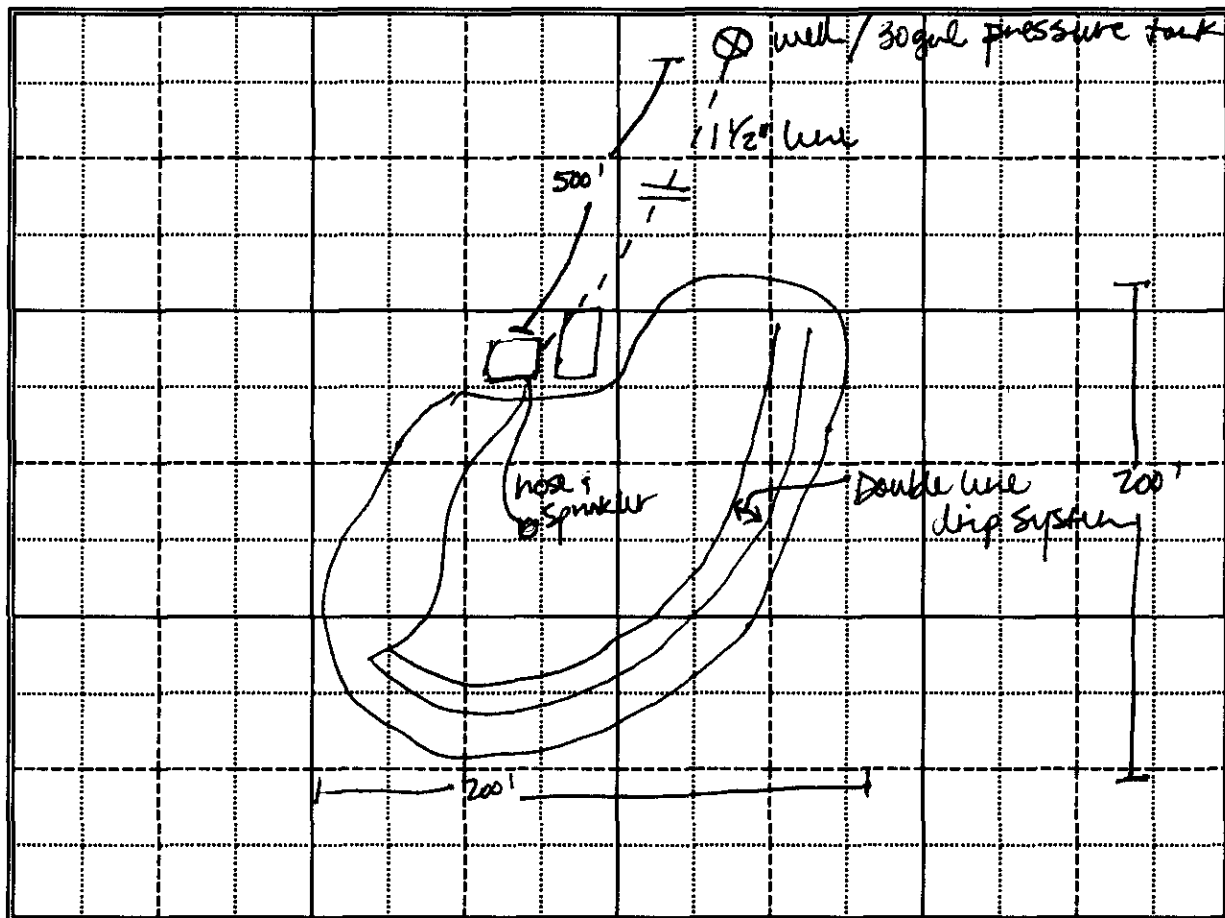
Indicate Method of Determination pacu

| TWP        | RGE       | SEC       | NE |    |    |    | NW |    |    |    | SW        |    |    |    | SE |    |    |    | Totals   |
|------------|-----------|-----------|----|----|----|----|----|----|----|----|-----------|----|----|----|----|----|----|----|----------|
|            |           |           | NE | NW | SW | SE | NE | NW | SW | SE | NE        | NW | SW | SE | NE | NW | SW | SE |          |
| <u>16N</u> | <u>1W</u> | <u>23</u> |    |    |    |    |    |    |    |    | <u>16</u> |    |    |    |    |    |    |    | <u>1</u> |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |
|            |           |           |    |    |    |    |    |    |    |    |           |    |    |    |    |    |    |    |          |

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



Scale: 1" = NTS

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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | Franklin   | 3  | Sub.             |           | 2" ? (covered in heat tape)       |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*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: pressure 60-80 psi pump depth - ? unknown

E. NARRATIVE/REMARKS/COMMENTS

Single well serving one home and small amount irrigation - mostly conifers, fruit trees & yard, using combination sprinkler & drip system. Well has a 30-gal pressure tank, 500' of buried 1 1/2" supply line. Well is on adjacent property. Permit holder has permanent easement.

System not fully completed under this permit. Owner intends to refile for expanded use, including a small pond (see photo). <sup>Delivery</sup> System likely also to be reconfigured.

Commercial use (greenhouse) not developed.

One domestic use was found. Recommend this use ~~be~~ be added, in lieu of commercial use.

Overlap (P/u) shows a right carried in East Fork Ditch.

It does not appear that this right is used on this land. Right is claimed in SRBA as A67.11413 and does not include these AQ's.

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

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**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

$$\text{Theoretical } \frac{3 \times 8.8 \times .7}{280 + (70 \times 2.3)} = .042 \text{ cfs}$$

allow .03 for irr of 1 ac.

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4 = 4.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 214 \times 1.9835 = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0$$

## 2. Volume Calculations for Other Uses:

$$\text{Domestic internal} = .6 \text{ AFA}$$

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | * STD SEASON<br>Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|-------------------------------|-------|------------------------------|--------------------------|
|                | From                          | To    |                              |                          |
| IRRIGATION     | 4-1                           | 10-31 | .03                          | 4.0                      |
| DOMESTIC       | 1-1                           | 12-31 | .04                          | .6                       |
|                |                               |       |                              |                          |
|                |                               |       |                              |                          |
|                |                               |       |                              |                          |
| Totals:        |                               |       | .04                          | 4.6                      |

## 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 Change conn. to Dom.

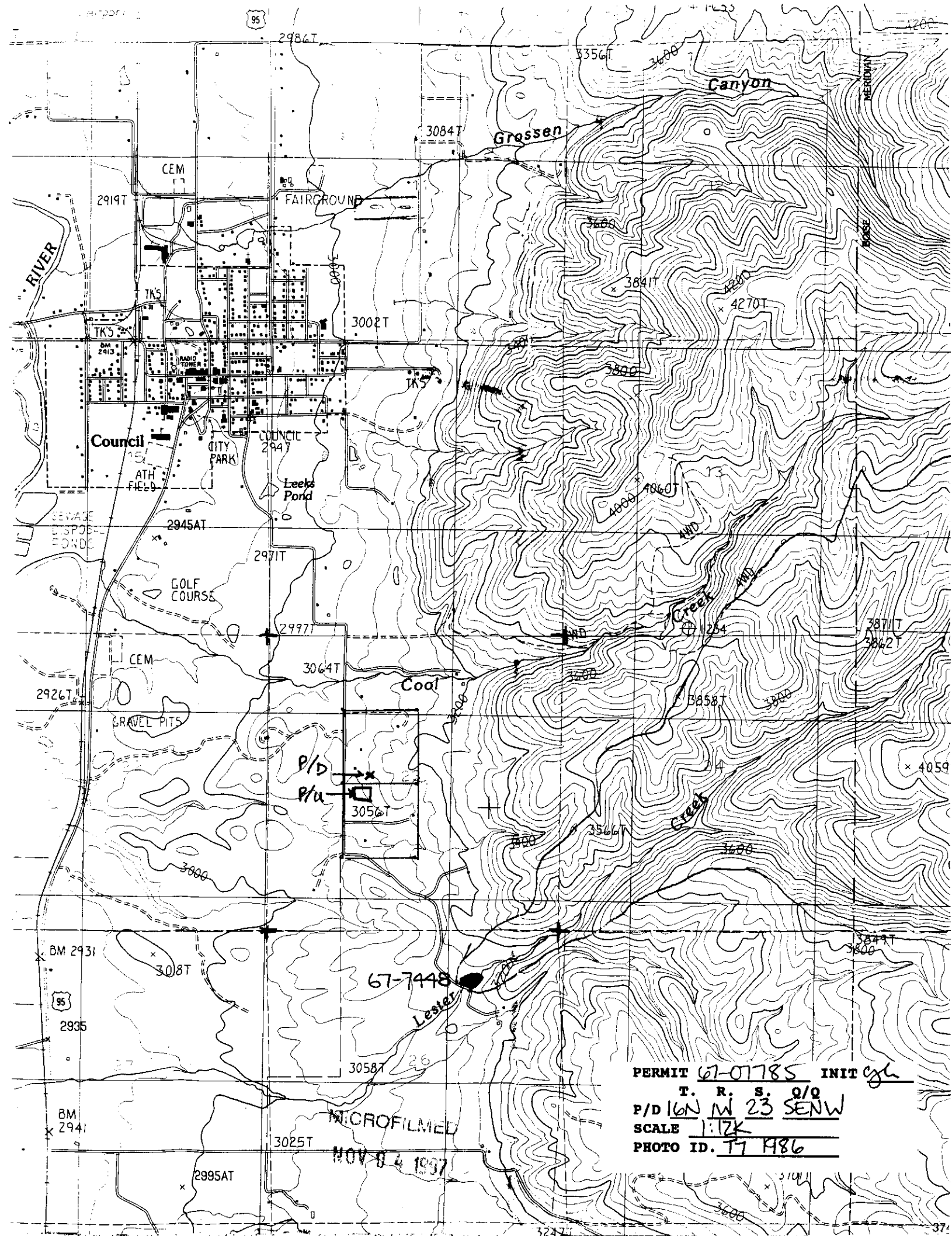
**I. AUTHENTICATION**Field Examiner's Name Cindy J. Hodges Date 3-13-97

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

.. SEAL

MICROFILMED

NOV 0 1997



PERMIT 67-01785 INIT cyh  
T. R. S. O/O  
P/D 16N W 23 SE NW  
SCALE 1:12K  
PHOTO ID. T7 1986

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NOV 8 1997



P/O a pressure tank

↓ overview of P/O from well  
(view to S.)

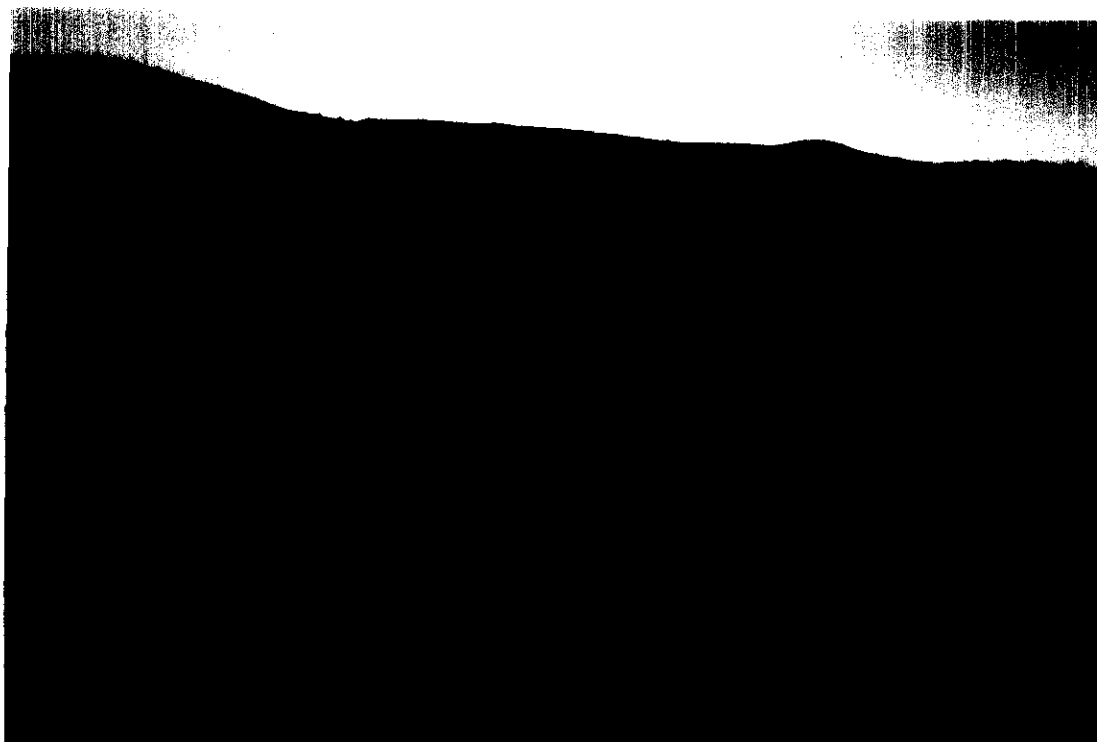


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NOV 04 1997

67-7785

col



P/u South of  
house



P/u east of  
house

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NOV 14 1987

67-7785  
cyl

## IDAHO DEPARTMENT OF WATER RESOURCES

### WELL INSPECTION FORM

1. DRILLING PERMIT NO: N/A OTHER APPLICABLE NO: 67-07785
2. OWNER: Unknown Water User: Richard Kuehn Phone: 253-0041  
(DeGrot?)  
Address: PO Box 178 Council 83612
3. WELL LOCATION: Twp 16N, Rge. 1W, Sec. 23, SE 1/4 NW 1/4  
County ADAMS (Provide sketch map and photo on reverse.)
4. DRILLER: Goodrich Lic. No. 56  
When Drilled? 1978
5. WELL CONSTRUCTION: TD=312  
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No  
Casing  $\geq$  12 inches above ground? ☒ Yes ☐ No - Describe \_\_\_\_\_  
Depth of Casing 56 ft. Method Drilled Cable  
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_  
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No  
Condition of Piping and Valving OK  
Auger to a depth of \_\_\_\_\_ ft. Evidence of Annular Seal ☐ Yes ☐ No  
Are there obvious construction problems that may be a source for contamination or waste of water?  
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:  
Depth to Static Water 230 ft. Water Temperature COLD °F  
Flowing Artesian ☐ Yes ☒ No Pressure: \_\_\_\_\_ (psi)  
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_  
Water Quality Measurements/Observations (Describe) \_\_\_\_\_
7. WELL USE:  
☒ Domestic ☒ Irrigation ☐ Stock  
☐ Test ☐ Municipal ☐ Industrial  
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used  
☐ Other: \_\_\_\_\_

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8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. **REMARKS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Hodge SR WR Agent  
Signature of Dept. Representative & Title

8-6-96  
Inspection Date

**PHOTOS, DRAWINGS, OTHER ATTACHMENTS:**

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NOV 04 1997

**State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.**

[illegible]

January 11, 1994

RICHARD AND LORAIN KUEHN  
3933 PALOUSE ST  
BOISE ID 83705

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 67-07785

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

RECEIVED

JAN 20 1994

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 67-07785

Reviewed by Jy

Date 1-11-94

**GENERAL CONSIDERATIONS**

yes Name same as permit?  
no Address same as permit?  
yes Proof timely received?  
If not, complete calculation below.

**TYPES OF USE**

Dom. Irr.

Correct Uses? no

**SOURCE OF WATER**

       Surface water source

✓ Ground water source

no 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?  
50.00 Amount Submitted  
yes Correct?

**MEASURING DEVICE**

       Required?  
       Installed?  
       Waiver requested?

**PRIORITY CALCULATION**

|                     |               |   |               |
|---------------------|---------------|---|---------------|
| Date proof received | <u>      </u> |   | <u>      </u> |
| Date proof due      | <u>      </u> | - | <u>      </u> |
| No. of days late    | <u>      </u> | = | <u>      </u> |
| Priority Date       | <u>      </u> | + | <u>      </u> |
| New Priority Date   | <u>      </u> |   | <u>      </u> |

**DEFICIENCIES OR ACTION ITEMS**

Proof acceptable

**DATA ENTRY**

New Address 3933 Palouse St  
Boise Id 83705

Proof Made 12-2-93

October 31, 1993

RICHARD KUEHN  
LORRAINE KUEHN  
P.O. BOX 178  
COUNCIL ID 83612

PROOF DUE NOTICE

RE: PERMIT NO. 67-07785

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 January 1, 1994.

(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,

Karen L. Gustafson  
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140896

10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

November 27, 1991

Richard or Lorraine Kuehn  
P.O. Box 178  
Council, ID 83612

Re: Permit No. 67-07785

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1994.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

*Karen L. Gustafson*  
Karen L. Gustafson  
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MISSOURI MED

DEC 27 1991

## STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 63-12290  
74-0724Reviewed by KLGDate 11/27/91

## BASIC INFORMATION

11/25 Date stamp received  
yes Extension received timely (not too early not too late)  
yes Fee received and receipted  
yes Name and signature same as permit  
no Address change

## BASIS FOR EXTENSION REQUEST

✓ Has adequate work been completed to demonstrate due diligence?  
 \_\_\_\_\_ Has the cost incurred been adequate to demonstrate an intent to complete the project?  
 \_\_\_\_\_ Has the permit been involved in litigation?  
 a. Swan Falls \_\_\_\_\_ Dismissed from Swan Falls \_\_\_\_\_  
 Other \_\_\_\_\_ Identify \_\_\_\_\_  
 b. Is supporting documentation needed to complete the file? \_\_\_\_\_  
 Requested \_\_\_\_\_  
 c. Calculate the period of delay

Date litigation completed \_\_\_\_\_

Date litigation began \_\_\_\_\_

Total period of delay = \_\_\_\_\_

Present proof due date + \_\_\_\_\_

NEW PROOF DUE DATE = \_\_\_\_\_

Is delay by a government agency?

Is supporting documentation needed to complete the file? \_\_\_\_\_

Requested? \_\_\_\_\_

## ACTION TAKEN

*approved Based on due diligence*  
*extend to 1/1/94*

Reinstate Date extension received \_\_\_\_\_ = \_\_\_\_\_

Proof due date \_\_\_\_\_ = \_\_\_\_\_

No. of days late \_\_\_\_\_ = \_\_\_\_\_

Priority date \_\_\_\_\_ = + \_\_\_\_\_

ADJUSTED PRIORITY DATE \_\_\_\_\_ = \_\_\_\_\_

## DATE ENTRY

11/27/91 KRG Change proof due date  
 \_\_\_\_\_ Priority date change

Address change

138219  
October 31, 1991

RICHARD KUEHN  
LORRAINE KUEHN  
P.O. BOX 178  
COUNCIL ID 83612

PROOF DUE NOTICE

RE: PERMIT NO. 67-07785

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 January 1, 1992. (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,

Nina Shields  
Secretary/Records Manager

Enclosures

RECORDED

DEC 27 1991

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

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Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
December 14, 1989

RICHARD KUEHN  
LORRAINE KUEHN  
P.O. BOX 178  
COUNCIL, ID 83612

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

RE: PERMIT NO.      P67-07785

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

**RECORDED**

MAR 14 1990

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**Noted**

MAR 14 1990

Form No. 202a.  
3/89

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: RW DATE: 10/31/89 APPLICATION: 67-07785

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: Gov't. Lots: N P/D  
☒ Nature of proposed use: (Include description of use) N P/U  
☒ 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:

ADDITIONAL INFORMATION

YES NO

- N Overlapping place of use: (Describe source & relationship to present application on the back.)  
N Overlapping point of diversion:  
Field check required: Field check by: \_\_\_\_\_  
Field report attached:  
Critical groundwater area:  
Groundwater management area:  
Diversion within interim protected river area  
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: (If yes, attach Large Diversion supplementary analysis sheet.)  
\*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: \_\_\_\_\_  
Additional information on reverse side:

NOV 03 1989  
Department of Water Resources

## PROCESSING

APPLICATION NO. 67-07785

YES NO

☒ ☐  
☐ ☒  
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

## SEND COPIES TO

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

U.S. BLM

U.S. Forest Svc.

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 November 6, 1989

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Special conditions of approval or cover letter:

26 A is not reg'd - existing well. Recommend that 2 yrs be allowed for completion of system.

See below for additional information

Recommended Date or Priority 9/1/1989Recommended by: DNR Date 11/7/89

## STATE OFFICE REVIEW

P05, P23P1746 26See below for additional information. By FW Date 12/4/89

## ADDITIONAL INFORMATION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region  
2735 AIRPORT WAY

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Boise, Idaho 83705  
(208) 334-2190

OCTOBER 11, 1989

Adams County Leader  
P.O. Box 23  
Council, ID 83612

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 6, 1989.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

**MICROFILMED**

MAR 14 1990

67-07785

Kuehn, Lorraine  
KUEHN, RICHARD  
P.O. BOX 178  
COUNCIL, ID 83612

Source: GROUNDWATER

Diversion Pt:

Use: IRRIGATION  
COMMERCIAL

Date Filed: 9/01/1989

In: T16N R01W S23

SWSENW Sec 23 T 16N R 01W

( .200 CFS)  
( .040 CFS)

NESW

10.0 ACRES TOTAL

**MICROFILMED**

MAR 14 1990