

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

B/W

T 4N

18

Rd 104

Scale: 2 inches equal 1 mile.

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

x Ronald S. Kugler
(Applicant)

MEMORANDUM

To: Sharla Curtis *SC*

From: Rob Whitney *RW*

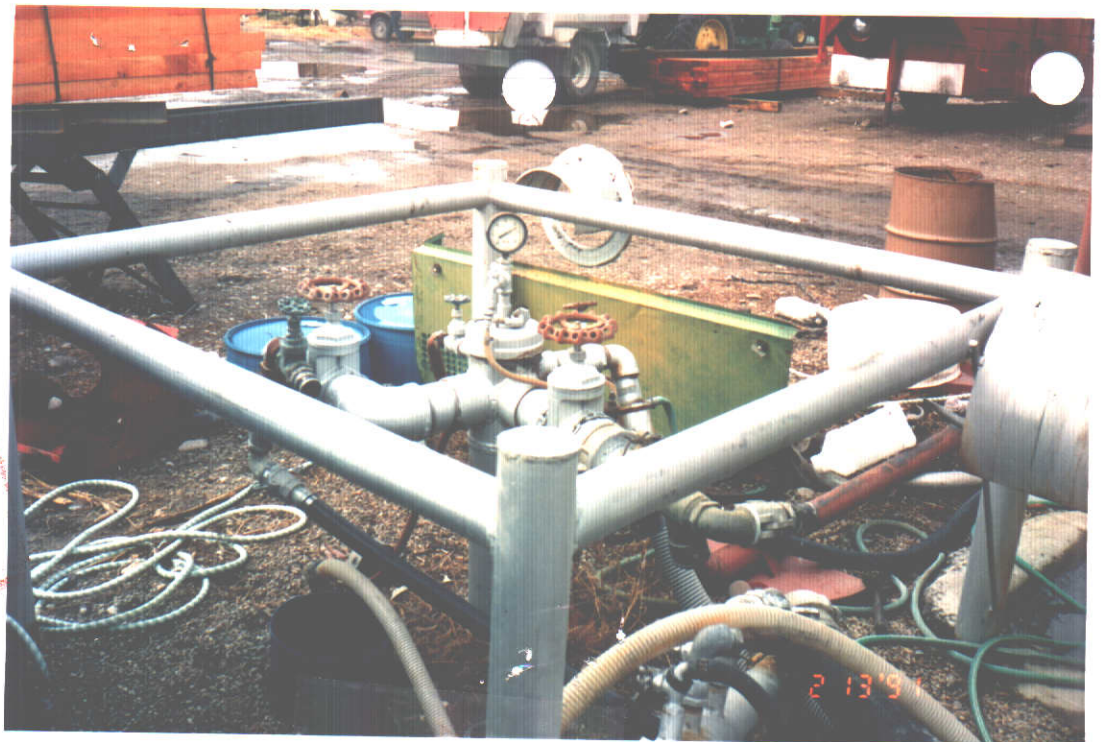
Subj.: Well inspection file #63-9960 (Kuenzli)

Date: 2/22/1991

The subject well was inspected on 2/13/1991 for compliance with this department's minimum well construction standards. I found the well to be in good condition and is equipped with appropriate control valves so that the well can be shut in. (photo and well inspection form attached)

Thanks,

RW

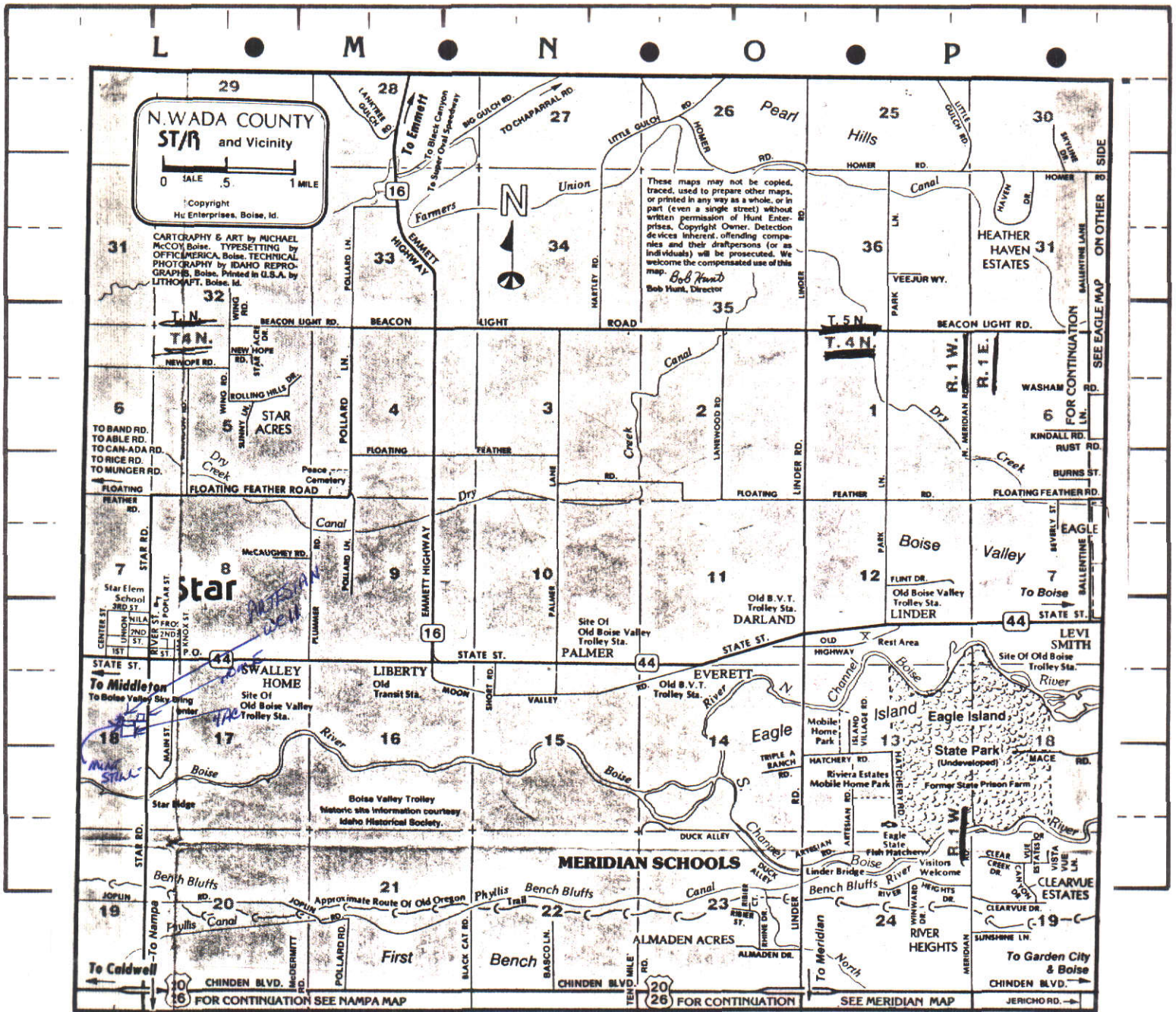


MICROFILMED

MAR 18 1991

2 13 91

MAP (Attach Aerial Photo)



Point(s) of diversion: JENE, S. 18, T. 4N, R. 1W.

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1W	18				4													4
						X COMMERCIAL													

MICROFILMED

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

MAR 18 1991

Examiner's Signature Jan Shurt

Checked by 625

Approved by ADM

Date 2/24/86

Date 3/11/86

Date 3/31/89

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09960

Priority: December 1, 1982

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.45 CFS
78.0 AF

This is to certify, that RONALD KUENZLI
MARIE KUENZLI

P.O. BOX 284
STAR, ID 83669

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 1, 1982; and has submitted Proof of Beneficial Use on February 16, 1983. An examination indicates that the works have a diversion capacity of .450 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	03/15 to 11/15	0.12 CFS	18.0 AF
COMMERCIAL	07/01 to 10/01	0.33 CFS	60.0 AF
	Totals	0.45 CFS	78.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 18, Township 04N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	01W	18	SENE	4		4

Total number of acres irrigated: 4

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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. Commercial use is for a mint still.

MICROFILMED

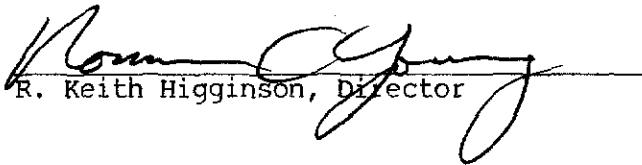
MAR 8 1981

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-09960

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12TH
day of MARCH, 1991.

Acting for


R. Keith Higginson, Director

MAR 1 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ronald &/or Marie Kuenzli Phone 286-7481
286-7868

Post office address Box 284 Star, ID. 83669

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 4N

Range 1W B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .33 for Commercial purposes from 7/1 to 10/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .12 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .45 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 6inch Artesion Well With Pipeline

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

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

c. Proposed well diameter is 6 inches; proposed depth of well is 430 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 4N

Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: Commercial use for Mint Still

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

[illegible]

Total number of acres to be irrigated _____ 4

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

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

Scale: 2 inches equal 1 mile.

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

x Ronald S. Kugler
(Applicant)

Proposed Priority 12/1/1982

Received by 6LS Date 12/1/82 Time 3:30

Preliminary check by 6LS Fee \$ 45.00 23036

Receipted by SP Date 12/1/82

Publication prepared by SP Date 12/8/82

Published in Idaho Statesman

Publication dates 12/10 & 12/23/82

Publication approved SP Date 12/28/82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9960, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 20th day of January, 1983.

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

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

two _____ insertions, beginning with the
issue of December 16, 19⁸², and ending with the
issue of December 23, 19⁸².

Lusan F. Mayers
Subscribed and sworn to before me this 23rd
day of December, 1982.

Shirley Englund
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-9960 438
KUNZLI, RONALD &/or MARIE
P.O. BOX 284, STAR, ID 83669
Source: GROUNDWATER
Dated Filed: 12/01/1982
Diversion Point: SENE Sec 18 T 04N

Use: IRRIGATION (0.12 CFS)
COMMERCIAL (0.33 CFS)
In: SENE Sec 18 T 04N 01W FOR 4
ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83726 on or before JANUARY 3, 1983.

A. KENNETH DUNN, Jr.
Director
Pub. Dec. 16, 23, 1982 4901

REC 50

**Department of Water Resources
Western Regional Office**

March 14, 1991

RONALD KUENZLI
MARIE KUENZLI
P.O. BOX 284
STAR, ID 83669

RE: WATER RIGHT NO. 63-09960

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MEMORANDUM

To: Sharla Curtis *SC*

From: Rob Whitney *RW*

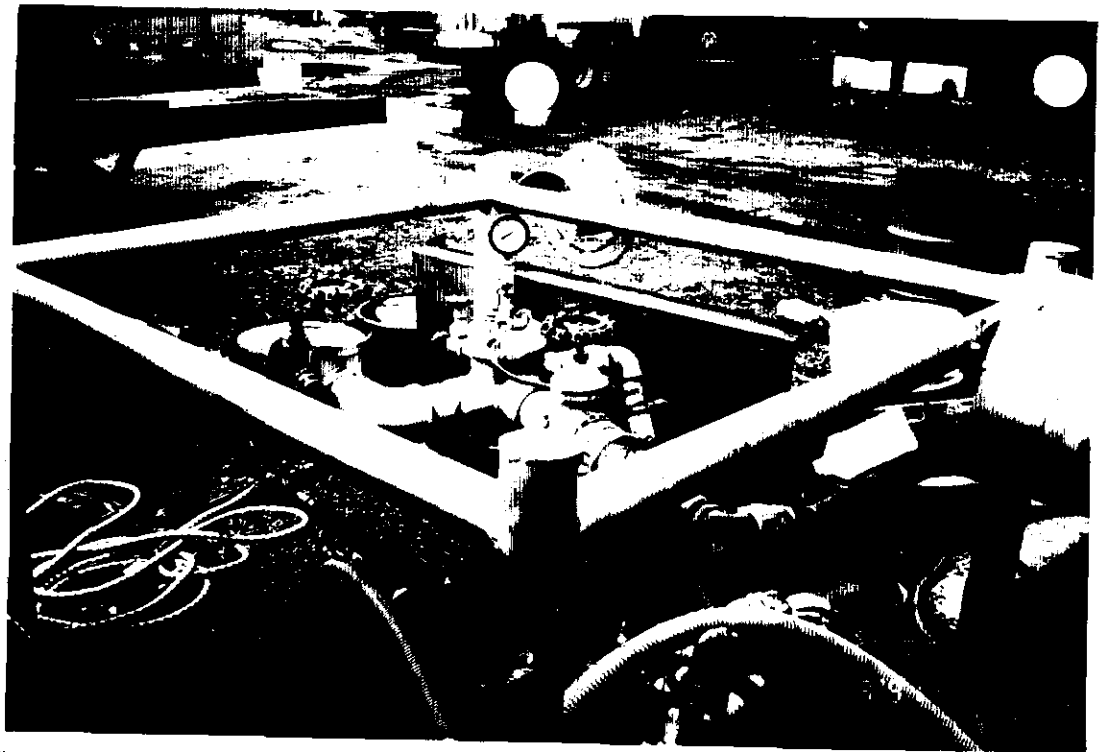
Subj.: Well inspection file #63-9960 (Kuenzli)

Date: 2/22/1991

The subject well was inspected on 2/13/1991 for compliance with this department's minimum well construction standards. I found the well to be in good condition and is equipped with appropriate control valves so that the well can be shut in. (photo and well inspection form attached)

Thanks,

RW



Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 63-9960

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP____, Rge____, Sec.____, ____ 1/4 ____ 1/4
or Lot____.

2. Owner: Ron Kuenzli
Address Star Rd, City Star, St____

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐

4. Access Port: Yes ☐ No ☒ Static Water Level: Artesian Flow
Pressure Gauge: Yes ☒ No ☐ Casing Diameter: 6"
Flowing: Yes ☒ No ☐ Temperature: N/A
Properly Valved: Yes ☒ No ☐

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: Well in good Condition - No obvious
Waste or uncontrolled Flow

RB Whiter



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 6, 1990

RE: Permit No. 63-9960

Ronald &/or Marie Kuenzli
Box 284
Star, ID 83669

Dear Mr. and Mrs. Kuenzli:

We are in the process of reviewing the above referenced permit for licensing. When our examiner conducted the field inspection on your system, she found that the artesian well being used for irrigation and commercial uses was flowing uncontrolled.

Section 42-1601, Idaho Code, requires a flowing artesian well to be capped, equipped or furnished with a mechanical appliance to prevent unnecessary flow and waste of water from the well. For this reason we request that you send us photos of your well in its completed form and photos showing any uncontrolled flow of water. If we do not receive these photos, we will ask one of our staff from the Groundwater Protection Section to make an inspection of the system and obtain the photos.

We will withhold license processing of this right until we have resolved this matter. If you have any questions, please feel free to contact us.

Sincerely,

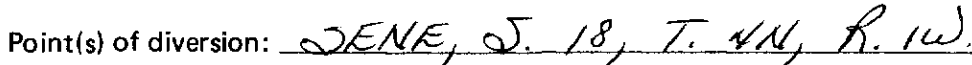
A handwritten signature in cursive script that reads 'Sharla Curtis'.

SHARLA CURTIS
Technical Records Specialist

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
6309960	04N	01W	18	SE	NE	GROUNDWATER	KUENZLI, RONAL
6303007						GROUNDWATER	NEAL, CATHERIN

L ● M ● N ● O ● P



Microfilm

MAR 18 1991

Date 2/24/86
Date 3/11/86
Date 3/31/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 18, 1983

RONALD KUENZLI
P.O. BOX 284
STAR

ID 83669

RE: Permit No. 63-9960

Dear Permit Holder:

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

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

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

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

Sincerely,
s/Judy Pense
Secretary

RECEIVED

MAR 18 1983

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9960.

Name(s) of Permit Holder: RONALD +/or MARIE KUENZLI

Post Office Address: P.O. Box 284

STAR, IDAHO 83669 Tel. No. 286-7481 - 286-7868

Source of Water: Ground Water

Extent of Use:

☐ Domestic	<u>2</u>	(number of households)
☐ Stockwater		(number and type of stock)
☐ Irrigation	<u>3</u>	(acres)
☐ Other	<u>Commercial - mint Distillery</u>	

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

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

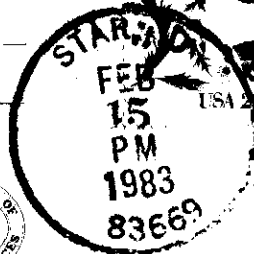
Feb 15 - 1983
Date

Marie Kuenzli
Signature of Permit Holder

Ronald L. Luengi

Box 284

Star Idaho 83669



RECEIVED
FEB 16 1983

DEPARTMENT OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

February 9, 1983

RE: Permit No. 63-9960

Ronald &/or Marie Kuenzli
Box 284
Star, ID 83669

Dear Mr. and Mrs. Kuenzli:

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

Please be advised that numerous prior applications for permit have been filed to appropriate water from your source, to be used on desert land entry and/or Carey act lands. Development of these water rights is currently prevented by the U.S. Bureau of Land Management. However, if the lands are released for development, the associated water rights will receive water prior to your water right enclosed. Therefore, be sure to analyze the future impact of these rights before making a major investment in a water supply system.

The exercise of this permit may also be affected by the outcome of a case that has recently been decided by the Idaho Supreme Court entitled Idaho Power Company vs. State of Idaho, et al., Idaho Supreme Court Case No. 13794. The decision, filed on November 19, 1982, indicates that flows of water through the power plant at Swan Falls are entitled to protection from uncompensated depletion of flows upstream of Swan Falls. The court found that such flows in the Hells Canyon reach of the Snake River are not similarly protected, but rather are subordinated to future upstream depletions for consumptive uses. The full impacts of this decision are not yet clear, and the case has been partly remanded to the District Court so further litigation on the matter is forthcoming. The Department of Water Resources has been advised that Idaho Power Company is not waiving any rights to contest or limit the exercise of your permit or subsequent license.

We have enclosed instructions entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is the statement of beneficial use postcard that must be submitted when your project is completed.

Sincerely,

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

DRT:kw
Enclosures

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: bhs

APPLICATION NUMBER: 63-9960

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 1/3/1983
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/12/82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 45.00/23030
☒ Publication dates and paper, recorded on application. 12/10 & 12/23/82
☒ Protests, dates, withdrawal, etc., recorded on application. None
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
12/11/82 Date of priority recommended.
Special conditions of approval or cover letter. I.P. GW letter

By: OBS

Date: 1/3/83

STATE OFFICE REVIEW:

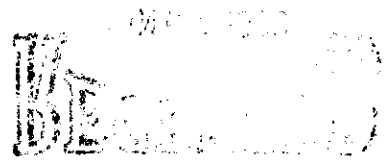
- ☐ See attached sheet for more information.
By: SLW

Date: 1/10/83

RECEIVED
JAN 04 1983

POINT OF DIVERSION AND STREAM INDEX INFORMATION

5010000, 01 0000 00000000



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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

DECEMBER 8, 1982

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

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 JANUARY 3, 1983.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 3, 1983.

KEN DUNN, Dir.

Published 12/16 & 12/23/82.

63-9960.

KUENZLI, RONALD &/or MARIE

P.O. BOX 284, STAR, ID 83669

Source: GROUNDWATER

Date Filed: 12/01/1982

Diversion Pt: SENE Sec 18 T 04N R 01W

Use: IRRIGATION	(0.12 CFS)
COMMERCIAL	(0.33 CFS)

In: SENE Sec 18 T 04N R 01W FOR 4 ACRES

WATER RIGHT
DATA ENTRY LOG

[illegible]