

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07658

Priority: July 8, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that JACK F DUNCAN
DANIEL C WALTON

425 E BASELINE

RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 5, 1989; and has submitted Proof of Beneficial Use on December 4, 1990. An examination indicates that the works have a diversion capacity of 0.020 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>
COMMERCIAL	01/01 to 05/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 20, Township 09S, Range 25E
CASSIA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 25E 20

SESE

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use to implement accepted standards of diversion.
2. This water right is appurtenant to the place of use.
3. This right is subject to other 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 potato cellar humidifiers.

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 24TH day of MAY, 1995.

Acting for

KARL J. DREHER, Director

JUN 07 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-7658 IN THE
NAME OF JACK F. DUNCAN AND DANIEL C. WALTON

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1990; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

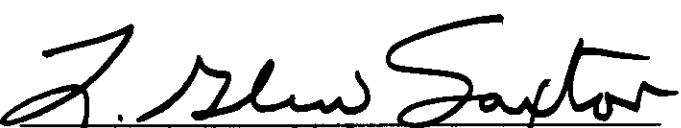
WHEREAS, on December 1, 1990 the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on December 4, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 45-7658 be REINSTATED and the priority advanced to July 8, 1989.

Dated this 18th day of January, 1991.


L. GLEN SAXTON, Chief
Water Allocation Board

RECEIVED

FEB 07 1991

RECEIVED
DEC 04 1990

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 45-07658 Telephone No. 208-436-6848

Name(s) of Permit Holder(s): Jack Duncan & Dan Walton

Post Office Address: Rt #1 Box 293 A

Source of Water: underground

If ground water, well driller's name: Harry King Date drilled: Aug 26, 1975

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Cellar - Potatoes

Total rate and/or volume for which proof is submitted .033 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1975

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Jack Duncan 436-6848
Name Telephone No.

Rt #1 Box 293 A. Rupert Idaho
Address

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.

RECORDED
FEB 07 1991

26 Nov 90
Date

Jack Duncan
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07658

Proposed Priority: July 5, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **JACK F. DUNCAN**
DANIEL C. WALTON
RT.1 BOX 293A
RUPERT, ID 83350

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

10/01 to 06/30

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSESE

Sec. 20, Township 09S, Range 25E
CASSIA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 25E 20

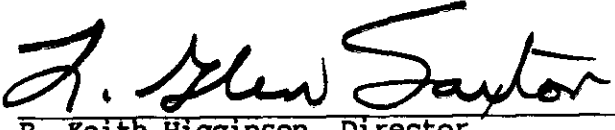
SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1990.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for potato cellar humidifiers.

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

30th day of October, 1989.

for 
R. Keith Higginson, Director

MICROFILMED

NOV 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jack F. Duncan &/or Daniel C. Walton Phone 436-6848
Post office address c/o Jack Duncan, Rt. 1 Box 293A, Rupert, ID 83350
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 SE $\frac{1}{4}$, Govt. Lot _____
Sec. 20 Township 9S Range 25E B.M. Cassia County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04cfs for Commercial purposes from Oct 1 to Jun 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 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 & pump
 - 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 6 inches; ~~proposed~~ depth of well is 58 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
one years (minimum 1 year).

NOV 18 1985

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Commercial - run humidifiers in a potato cellar

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
9S	25E	20																C	

C is commercial use

Total number of acres to be irrigated _____

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? Applicants

b. Who owns the land to be irrigated or place of use? "

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: System was developed in the Fall of 1975 without a water permit.

FILED

NOV 13 1989



288 35' R. 25 E.

289

3269 11 NE
(ACEQUIA)

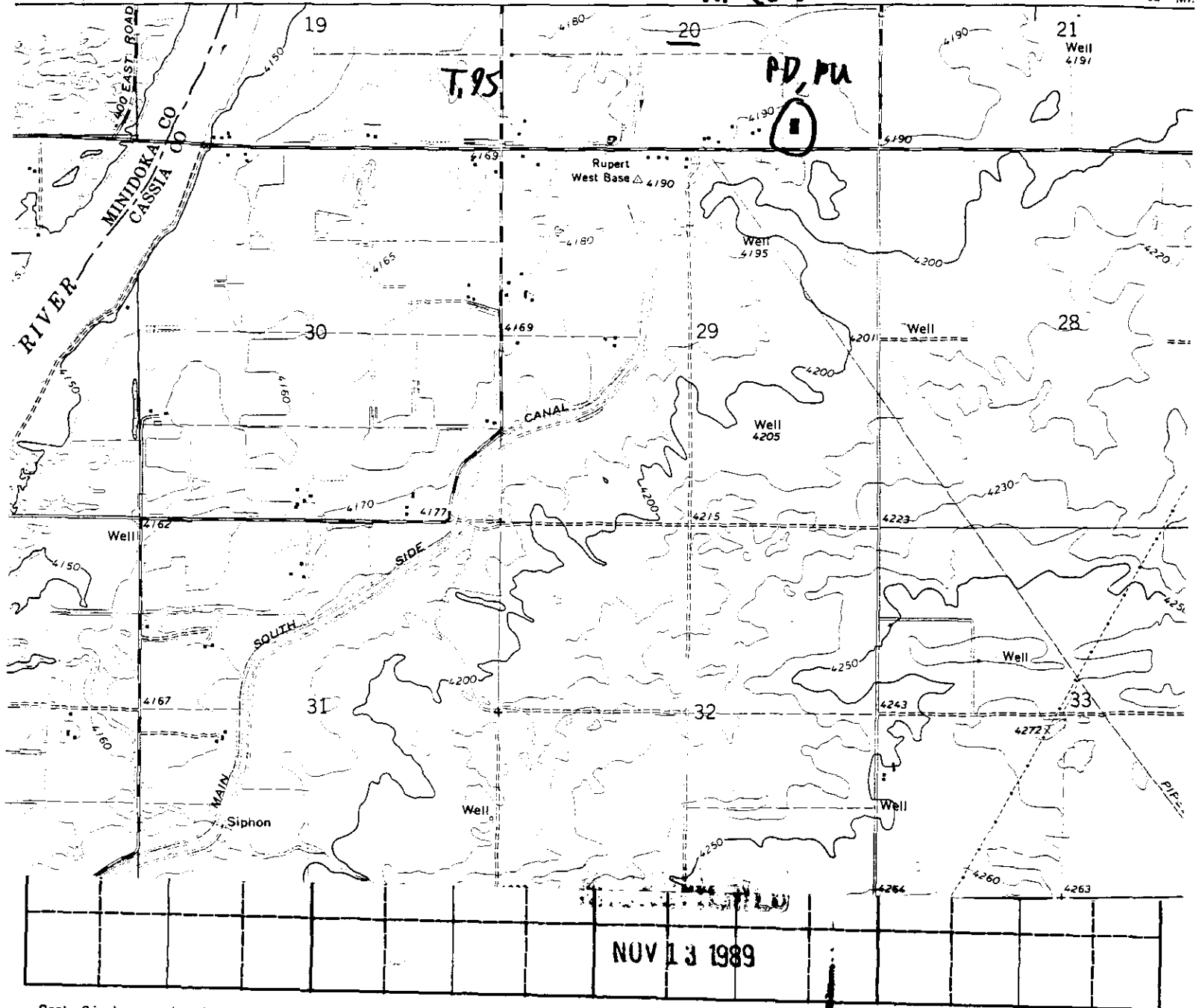
290

R. 25 E

291

32'30"

292 MI.



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.

Jack P. Duman
(Applicant)

Received by 56 J. F. Stanton Date 7/5/89 Time 2:40pm Preliminary check by Ex attached
Fee \$ 20.00 Receipted by J. F. Stanton # 5008449 Date 7-5-1989
Publication prepared by M. Baldwin Date 7/14/89 Published in So. F.D. Press
Publication approved M. Baldwin Date 8/22/89

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:

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NOV 13 1989



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 1995

JACK F DUNCAN
DANIEL C WALTON
425 E BASELINE
RUPERT ID 83350

RE: WATER RIGHT NO. 45-07658

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JUN 07 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

45-07658
RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

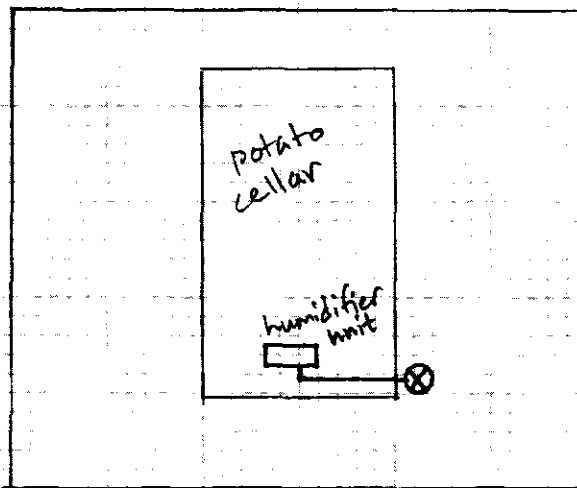
1. Owner: Jack Duncan & Dan Walton Permit No. 436-6848
Current Address: Rt #1 Box 293A, Rupert, ID 83350 Phone No. 436-6848
2. Accompanied by: Jack Duncan EXAM. DATE: 7/17/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = 30'

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well provides water for humidifier.
50 gal. pressure tank.

In use roughly 50% of the time between
Oct - May

☐ See Remarks on page 4 for continuation

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SE	20	9S	25E	Cassia	Quad map inspection

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	25E	20																C	

MADEIRA

Do not use this space

JUN 07 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
4-gallon bucket						

2. Measurements:

Measured 4 gallons per 40 sec.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: bucket measurement

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$V = 6 \frac{\text{gal}}{\text{min}} \cdot \frac{60 \text{ min}}{\text{hr}} \cdot \frac{12 \text{ hr}}{\text{day}} \cdot \frac{210 \text{ days}}{\text{year}} \cdot \frac{\text{af.}}{325850 \text{ gal}}$$

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

~~System capacity corresponds to permitted rate within margin of error.~~

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	10/1	12/31	~~0.04~~ 0.02	~~12.8~~ 1.2
"	1-1	5-31	0.02	1.6
Totals:			~~0.04~~ 0.02	2.8

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

J. AUTHENTICATION

Field Examiner's Name

Brian Block

Signature

Brian Block

Certification Date

Field Report Preparation Date

7/17/91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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JUN 07 1995

MEMORANDUM

TO: File 45-07658 / Jack Duncan
FROM: Brenda Chapman
DATE: May 15, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

Rather than calculate the volume requirements from the rate of flow, the recommendation has been decreased to .6 afa using guidelines provided in Terry Blau's 9/2/80 memo for calculating potato cellar humidifier requirements. (Copy of memo attached)

Volume for 2 humidifiers was allowed. Generally there are two units per spud cellar. Also, the permit did list "potato cellar humidifiers".

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Commercial	10-01 to 5-31	.02	.6

RECORDED
JUN 07 1995

DATE September 2, 1980

FROM Terry Blau

TO Staff

SUBJECT Field exams on potato storage facilities

After talking with 2 suppliers and installers of ventilating and humidifying equipment for potato storage. The following are some rules of thumb which maybe helpful in doing exams.

Max. rate of flow - 1 gal/hr/1000 cwt of spuds (2.4 cubic feet/100 lbs)

Max length of storage 11 months

Volume 1/2 gal/hr/1000 CWT/year

Alt method

36 gal/hr per humidifier (max)

Use would be less than 25% of max during winter months

Vol. use 36 gal/hr x 12hrs/day/ 365 days or #days of use

Terry Blau

SIGNATURE

JUN 07 1980

FLOW MEASUREMENT: 45-07658

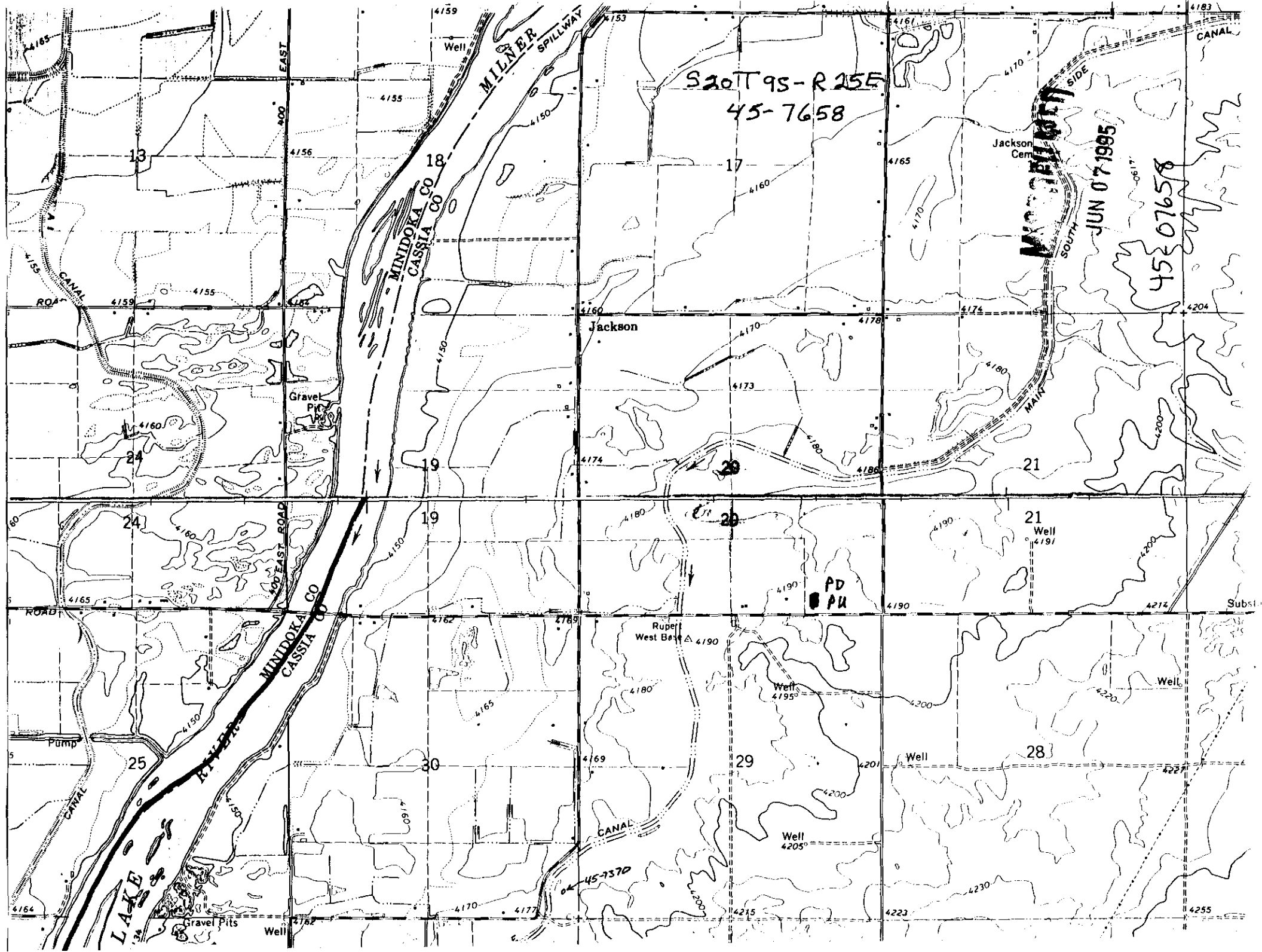
bucket measurement.

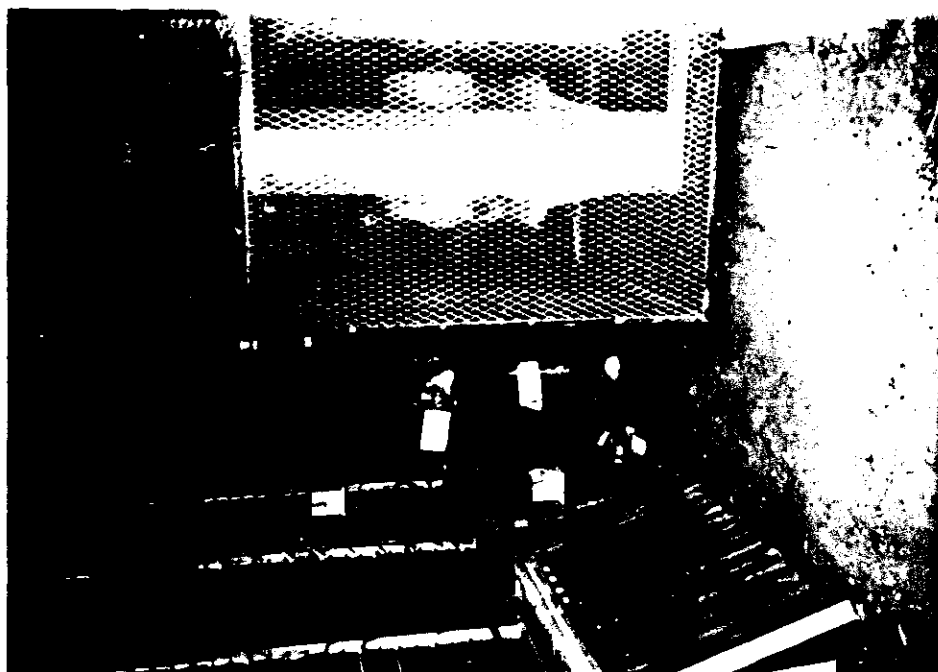
$$V = 4 \text{ gal} \quad t_1 = 40 \text{ sec}$$

$$Q = \frac{4 \text{ gal}}{40/60 \text{ min}} = 6.0 \frac{\text{gal}}{\text{min}} = \boxed{0.02 \text{ cfs}}$$

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JUN 07 1995





January 22, 1991

JACK F. DUNCAN
DANIEL C. WALTON
RT.1 BOX 293A
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07658

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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 SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

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FEB 07 1991

138429

September 30, 1990

JACK F. DUNCAN
DANIEL C. WALTON
RT.1 BOX 293A
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 45-07658

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 December 1, 1990. (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.

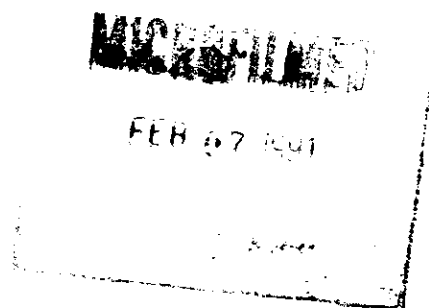
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Rita Fleck
Secretary/Records Manager

Enclosures



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

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 30, 1989

JACK F. DUNCAN
DANIEL C. WALTON
RT.1 BOX 293A
RUPERT, ID 83350

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

RE: PERMIT NO. P45-07658

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.

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

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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NOV 13 1989

14-Jul-1989

Jack F. Duncan &/or Daniel C. Walton
c/o Jack F. Duncan
Rt. 1 Box 293A
Rupert, ID 83350

Re: Application for Permit No. 45-07658

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the South Idaho Press on 8/3 & 8/10/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

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NOV 13 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO

... Cheryl Blauer being first

duly sworn, deposes and says that she is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2)

consecutive weeks, commencing with the issue

dated August 3, 1989, and ending

with the issue dated August 10, 1989

Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 16th day of August in the year of 1989, before me, a Notary Public, personally appeared Cheryl Blauer, known or identified to me to be the person whose name 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.

Marge D. Dwyer
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: 2-1-94

Cost of Publication 24.96
Notary Fee 50
Total Cost 25.46

OK
MB
8/23/89

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NOV 13 1989

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AUG 18 1989

Department of Water Resources
Southern Region Office

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
... Cheryl Blauer being first
duly sworn, deposes and says that she is the
... Cheryl Blauer of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated August 3, 1989, and ending
with the issue dated August 10, 1989.
... Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 16th day of August in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer,
known or identified to me to be the person whose name 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.

Notary Public for Idaho

Residing at

My commission expires:

Cost of Publication 24.96
Notary Fee 50
Total Cost 25.46

OK
MB
8/23/89

89-384

NOTICE OF APPLICATION
FOR WATER RIGHT

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

45-07658

DUNCAN, JACK F.
WALTON, DANIEL C.
RT. 1 BOX 293A
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 20 T 09S R
25E

Use: COMMERCIAL (.040 CFS)

Date Filed: 7/05/1989

In: T09S R25E S20 SESE

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before AU-
GUST 21, 1989.

R. KEITH HIGGINSON, Director
Published in the South Idaho Press on
August 3 and 10, 1989.

RECEIVED

AUG 18 1989

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JULY 14, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

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 AUGUST 21, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

NOV 13 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following app. lication(s) have been filed appropriate the public waters of the State of Idaho:

NOTIFIED

NOV 13 1989

45-07658

DUNCAN, JACK F.
WALTON, DANIEL C.
RT.1 BOX 293A
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 20 T 09S

Use: COMMERCIAL

(.040 CFS)

Date Filed: 7/05/1989

In: T09S R25E S20

SESE

MICROFILMED

NOV 13 1989

89-384

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

45-07858

DUNCAN, JACK F.

WALTON, DANIEL C.

RT. 1 BOX 283A

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 20 T 09S R
25E

Use: COMMERCIAL (.040 CFS)

Date Filed: 7/05/1989

In: T09S R25E S20 SESE

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before AU-
GUST 21, 1989.

R. KEITH HIGGINSON, Director

Published in the South Idaho Press on
August 3 and 10, 1989.

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JUL 27 1989

Department of Water Resources
Southern Region Office

OK
MB
7/27/89

RECEIVED

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NOV 13 1989

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before AUGUST 21, 1989.

R. KEITH HIGGINSON, Director

Published 8/03/1989 & 8/10/1989

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NOV 13 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jack Duncan
Rt. 1 Box 293A
Rupert, ID
83350

June 30, 1989

Dear Mr. Duncan;

We are returning your application for permit and check for \$25. We have prepared a new application for your signature. Please return the form (signed by either you or Mr. Walton) and filing fee of \$30. to this office for processing. If you have any questions, please feel free to contact this office.

Sincerely,

James E. Stanton
James E. Stanton
Sr. Water Resource Agent

MICROFILMED

NOV 13 1989

45-07658