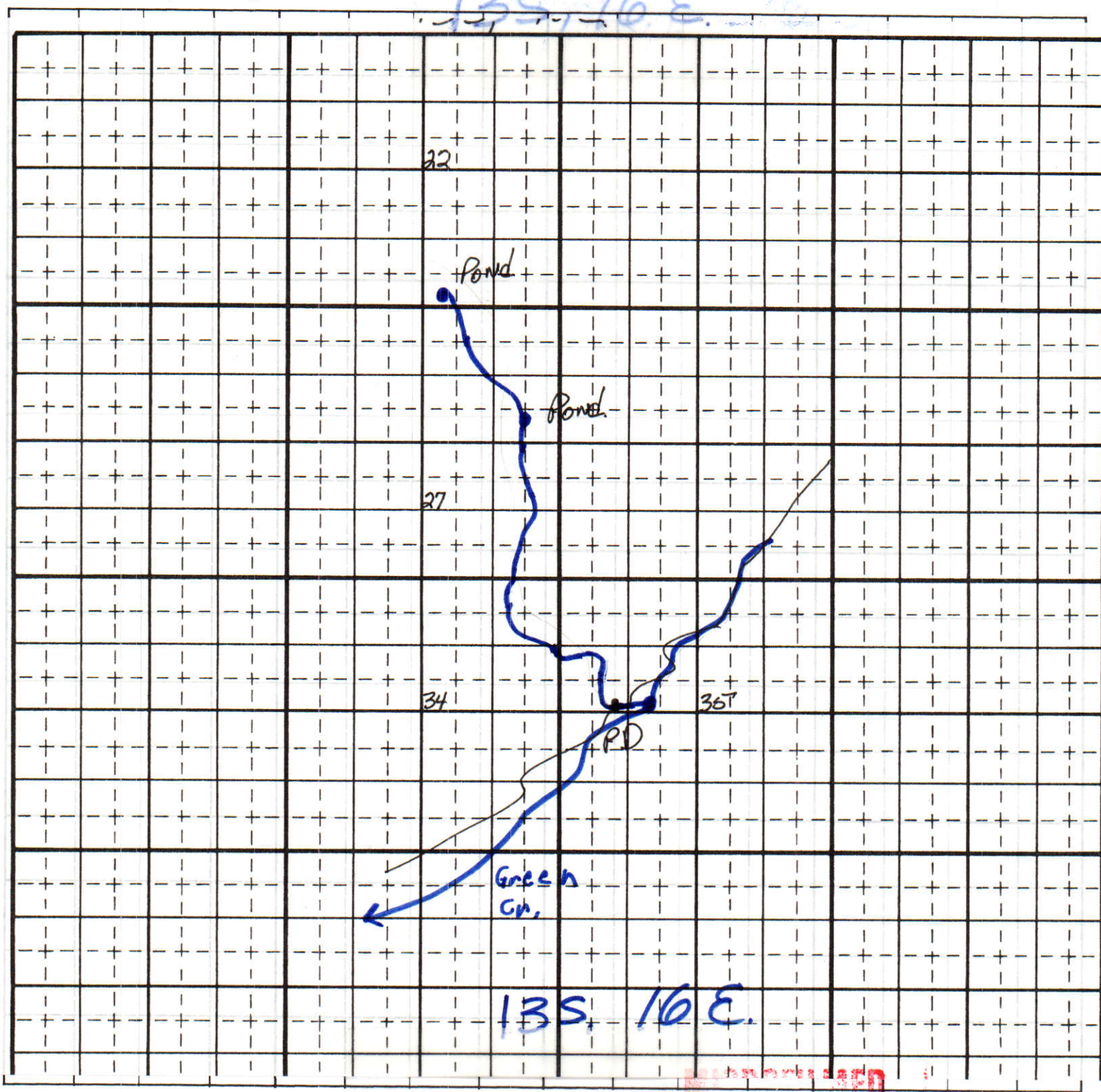


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

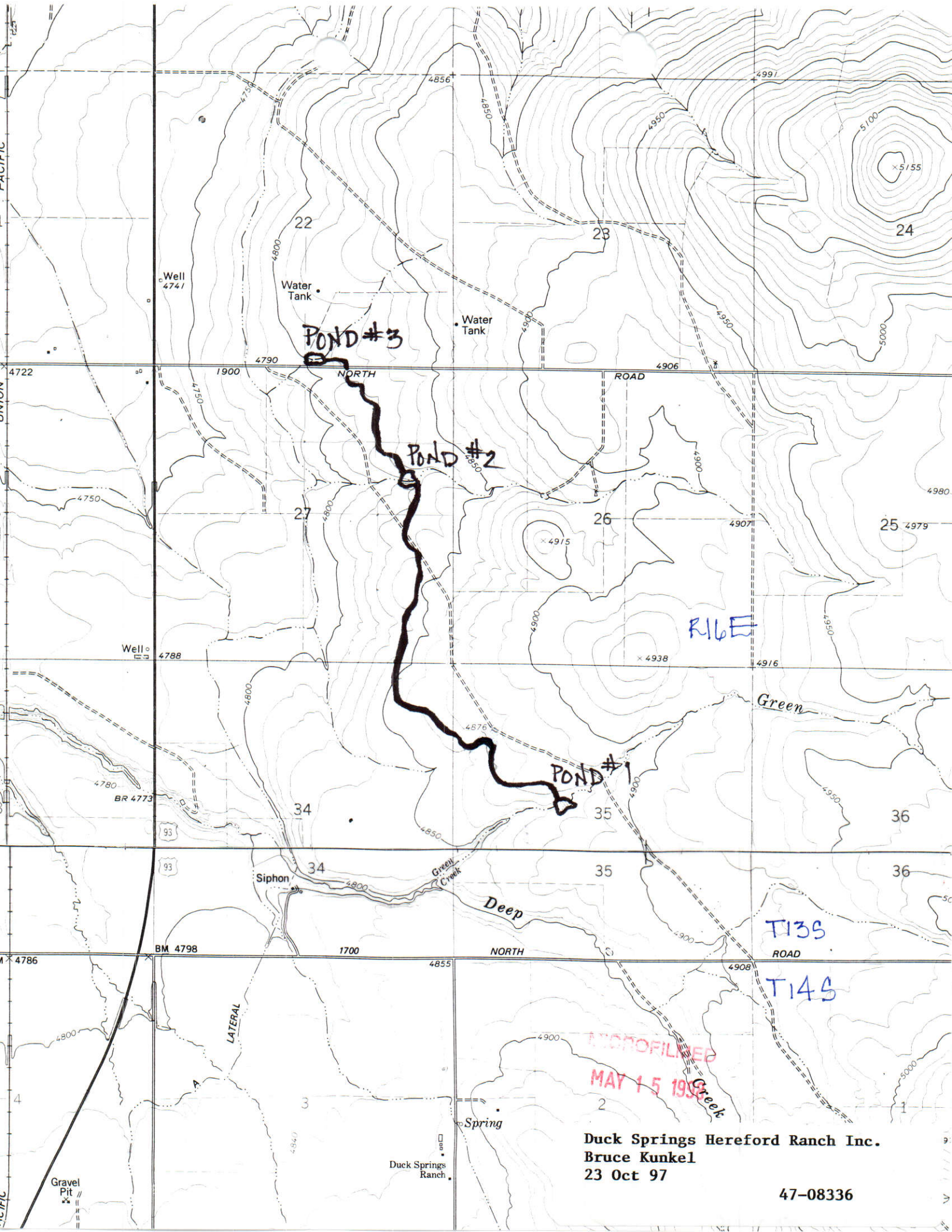


Scale: 2 inches equal 1 mile.

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.

AUG 26 1993

Duck Spring, Hereford Rd. Sec.
By Bruce Kuehl, Pres.
(Applicant)



POND #3

POND #2

POND #1

RILE

Green

Deep

T13S

T14S

MICROFILMED
MAY 15 1992

Duck Springs Hereford Ranch Inc.
Bruce Kunkel
23 Oct 97

47-08336



ditch dumps into Pond #3

photo looking north

10/24/97



photo looking E'ly

10/24/97



Storage Pond #3 Sec 22, T13S, R16E SWSE 1/4

Pond #3

photo looking SW'ly

10/24/97

1/3

MICROFILMED

MAY 15 1998

Duck Springs Hereford Ranch Inc.
Bruce Kunkel 1100 hrs. 23 Oct 1997
Examiner: Satterlee 47-08336

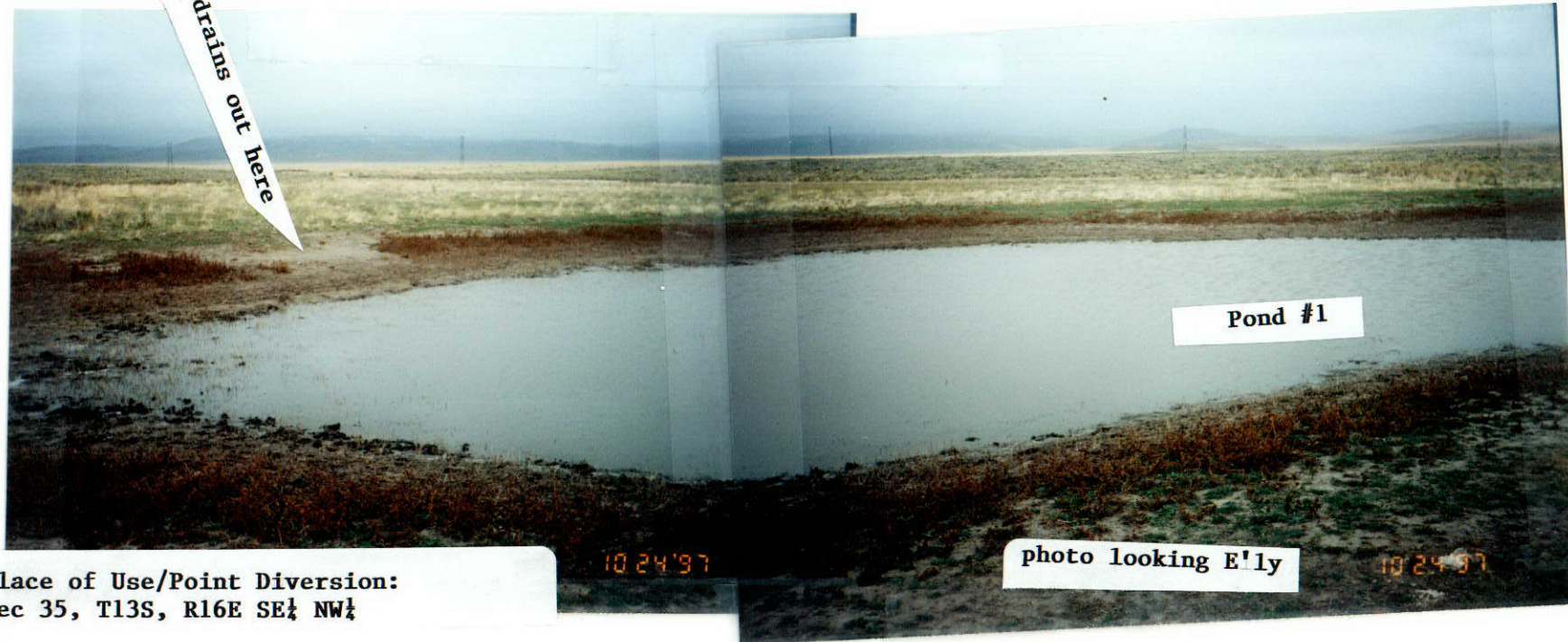
447-13487



Storage Pond #2 Sec 27, T13S, R16E SENE $\frac{1}{4}$

MICROFILMED
MAY 15 1998

2/3



Place of Use/Point Diversion:
Sec 35, T13S, R16E SE $\frac{1}{4}$ NW $\frac{1}{4}$



photo looking N'ly

MICROFILMED

MAY 15 1998

Clarissa Kunkel (mother) Bruce Kunkel (son)
23 Oct 1997 1100 hrs.
Examiner: Satterlee

See 47-08336

A47-13487

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

47-08336

DUCK SPRINGS HEREFORD
RANCH, INC.
STAR ROUTE
TWIN FALLS ID 83301

Source: Green Creek
tributary to Deep
Creek (existing
development)

Diversion Pt:
SW1/4SE1/4NW1/4, S35,
T13S, R16E; Twin
Falls County.

Use: Stockwater (25
cfs) from 3/1 to 9/1

Date Filed: 3/25/93

In: SW1/4SE1/4, S22,
T13S, R16E; NW1/4NE1/4,
SW1/4NE1/4, SE1/4NE1/4,
E1/2SE1/4, S27, T13S,
R16E; E1/2NE1/4, S34,
T13S, R16E; S1/2NW1/4,
S35, T13S, R16E.

The permit (s) will
be subject to all
prior water rights.
Protests may be
submitted based on
the criteria of Sec.
42-203A, Idaho Code
and/or the new public
interest criteria of
Sec. 42-203C, Idaho
Code. Protests must
be filed with the
Director, Dept. of
Water Resources,
Southern Region, 222
Shoshone Street East,
Twin Falls, ID 83301
on or before May 24,
1993.

R. Keith Higginson,
Director

Affidavit Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

No 24785

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated May 6, 1993, and ending with the issue dated May 13, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 26 day of May, AUG 26 1993 in the year of 1993, before me, a Notary Public, personally appeared Linda Capps McGuire, 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.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls
My commission expires: 5/19/94

OK
MB
6/3/93

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-08336

Priority: March 25, 1993

Maximum Diversion Rate:

0.25 CFS

Maximum Diversion Volume:

3.2 AF

This is to certify, that BRUCE KUNKEL

1645 N 2500 E

TWIN FALLS ID 83301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 25, 1993; and has submitted Proof of Beneficial Use on August 18, 1993. An examination indicates that the works have a diversion capacity of 1.600 cfs of water from:

GREEN CREEK
UNNAMED STREAMS

tributary to DEEP CREEK
tributary to DEEP CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	03/01 to 09/01	0.09 CFS	3.2 AF
STOCKWATER STORAGE	03/01 to 09/01		3.2 AF
STOCKWATER FROM STORAGE	03/01 to 09/01		3.2 AF
DIVERSION TO STORAGE	03/01 to 09/01	0.25 CFS	
	Totals	0.25 CFS	3.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 22, Township 13S, Range 16E
SENE , Sec. 27, Township 13S, Range 16E
SENW , Sec. 35, Township 13S, Range 16E
TWIN FALLS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13S 16E 22	SWSE		
27	NWNE	SWNE	SENE
	NESE	SESE	
34	NENE		
35	SWNW	SENW	

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

13S 16E 22	SWSE
27	SENE

PLACE OF USE:

STOCKWATER FROM STORAGE, same as STOCKWATER STORAGE use

MAY 15 1993

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 47-08336

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 17TH day of APRIL, 1992.


Acting for KARL J. DREHER, Director

MAY 15 1992

RECEIVED

APR 16 1998

APR 15 1998

State of Idaho
Department of Water Resources

Department of Water Resources

Department of Water Resources
Southern Region**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
WATER RIGHT NO. 47-08336**Date of Priority:** March 25, 1993**Maximum Diversion Rate:**

0.25 CFS

Maximum Diversion Volume:

3.2 AF

Comes now

DUCK SPRINGS HEREFORD RANCH INC

1645 N 2500 E

TWIN FALLS ID 83301

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. 47-08336, and requests that the permit be changed as follows:

Source: GREEN CREEK

tributary to DEEP CREEK

Source: UNNAMED STREAMS

tributary to DEEP CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	03/01 to 09/01	0.09 CFS	3.2 AF
STOCKWATER STORAGE	03/01 to 09/01		3.2 AF
STOCKWATER FROM STORAGE	03/01 to 09/01		3.2 AF
DIVERSION TO STORAGE	03/01 to 09/01	0.25 CFS	
	Totals	0.25 CFS	3.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 22, Township 13S, Range 16E

SENE , Sec. 27, Township 13S, Range 16E

SENE , Sec. 35, Township 13S, Range 16E

TWIN FALLS County

PLACE OF USE: STOCKWATER**TWN RGE SEC**

13S 16E 22

SWSE

27

NWNE

SWNE

SENE

NESE

SESE

34

NENE

35

SWNW

SENE

PLACE OF USE: STOCKWATER STORAGE**TWN RGE SEC**

13S 16E 22

SWSE

27

SENE

PLACE OF USE:

STOCKWATER FROM STORAGE, same as STOCKWATER STORAGE use

MAY 15 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08336

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 Twin Falls, Id., this 15th day of April, 1998.

Bruce Kunkel
(Signature)

APR 16 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-08336

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50. Received by JA # 5021002 Date 4-15-98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 47-08336 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 17TH day of April, 1998.


Acting for **KARL J. DREHER** Director

APR 16 1998

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
~~ORIGINAL APPLICATION~~	~~47-08336~~	~~DUCK SPRINGS~~ ~~HEREFORD RANCH,~~ ~~INC.~~	~~0.25~~
FULL ASSIGNMENT	47-08336	KUNKEL, BRUCE	0.25

APRIL 16, 1998

RECEIVED

MAY 15 1998

For Office Use Only
\$25.00 Filing Fee
Receipt # 502/003
Date 4-15-98

RECEIVED

APR 15 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 16 1998

Department of Water Resources
Southern Region

ASSIGNMENT OF PERMIT
To change the ownership of a permit

Department of Water Resources

I, Duck Springs Hereford Ranch, Inc. hereby assign to Bruce Kunkel
(Permit Holder)
of 1645 N 2500 E, Twin Falls, ID 83301
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 47-08336
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 15th day of April, 1998.

Bruce Kunkel, Owner
Permit Holder(s)

State of Idaho)
County of _____) ss

On this 15th day of April, 1998, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

J. F. Stanton

Notary Public

SEAL

My commission expires: 10-25-2000

Signature

MAY 15 1998

RECEIVED

AUG 12 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 8-11-93

Receipt No. 5016091

Receipt by MTS.

RECEIVED

AUG 11 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED \$50.00

AUG 19 1993 8-18-93

Department of Water Resources

5016111

g.c. station

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. 47-08336 Telephone No. 208-655-4275
2. Name(s) of Permit Holder(s): DUCK SPRINGS HEREFORD RCH. INC.
3. Mailing Address: 1645 N, 2500 E, TWIN FALLS, ID 83301
4. Source of Water: GREEN CREEK TRIBUTARY OF DEEP CR.

If **GROUNDWATER**, Well Driller's Name: NA Date Drilled: NA

OPTIONAL:

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

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

Domestic _____ (No. of households) Stockwater 400 RANGE CATTLE (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.25 cfs OR NA acre/feet

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

Measuring device: Required? ____ Yes X No Installed? NA Yes NA No

OR

Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes X 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.

BRUCE KUNKEL (208) 655-4275
Name Telephone No.

1645 N, 2500 E TWIN FALLS ID 83301
Address

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

RECEIVED

RECEIVED

8/10/93
Date

Bruce Kunkel Pres & CEO
Signature (and title, if on behalf of a company or organization)

AUG 26 1993

AUG 18 1993

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08336

Proposed Priority: March 25, 1993 Maximum Diversion Rate: 0.25 CFS
This is to certify, that DUCK SPRINGS HEREFORD RANCH INC
STAR RT
TWIN FALLS ID 83301
has applied for a permit to appropriate water from:

GREEN CREEK tributary of DEEP CREEK

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>
STOCKWATER	03/01 to 09/01	0.25 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSEW , Sec. 35, Township 13S, Range 16E
TWIN FALLS County

PLACE OF USE: STOCKWATER
TWN RGE SEC

13S 16E	22	SWSE		
	27	NWNE	SWNE	SENE
		NESE	SESE	
	34	NENE	SENE	
	35	SWNW	SEW	

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1994.
2. Subject to all prior water rights.
3. Stockwater use is for 400 range cattle.

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

30th day of July, 1993.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

AUG 26 1993

RECEIVED

JUL 19 1993

Form 202
8-85 RECEIVED

Ident. No. 47-08336

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

MAR 25 1993

Department of Water Resources To appropriate the public waters of the State of Idaho
Southern Region Office

1. Name of applicant Duck Springs Hereford Ranch, Inc. Phone 655-4275
Post office address Star Route, Twin Falls ID 83301.
2. Source of water supply Green Creek. which is a tributary of Deep Creek.
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 35 Township 13S Range 16E B.M. Twin Falls County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .25 for Stockwater purposes from 3-1 to 9-1 (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) .25 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Earthen dam with headgate.
To dirt ditch to a $\frac{1}{2}$ acre pond in. SENE, S27 then to
dirt ditch to a $\frac{1}{4}$ acre pond in. SWSE, S22 - all currently in use
13S, 16E.
 - 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 NA. inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? -
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).

AUG 26 1993

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. 400 head range cattle.
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

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	
135	16E	27		S	S	S									S			S	
		34	S			S													
		35							S	S									
		22															S		

Total number of acres to be irrigated _____

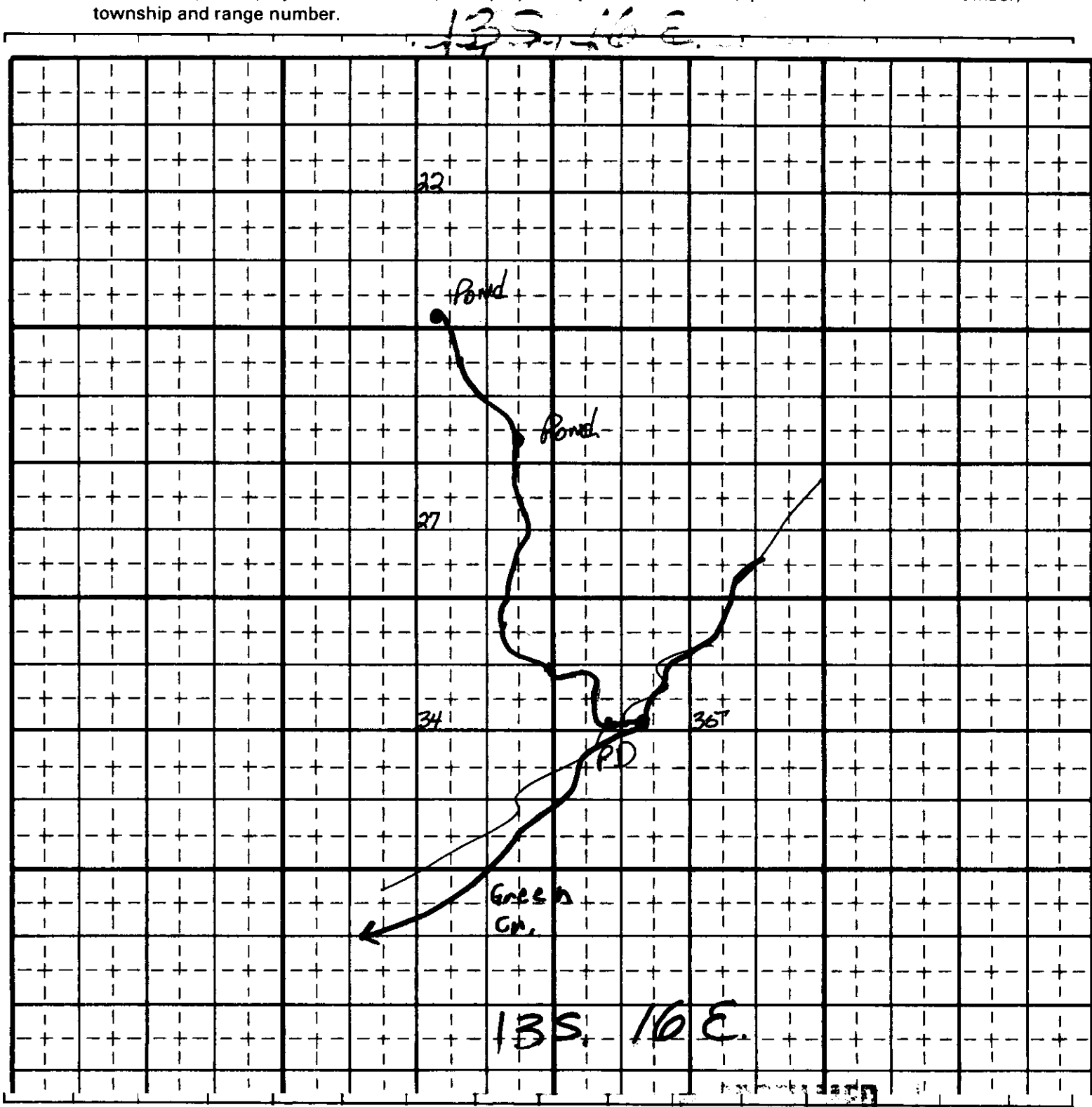
10. Describe any other water rights used for the same purposes as described above. None.

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

12. Remarks: Cattle drink directly from ditches and ponds
excess diversion rate is for conveyance loss
Bruce Kunkel - Pres. Joan Kunkel - Sec/Treas.
Developed in 1981. Rate requested is needed to keep the ditch full.

200201000

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.

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.

AUG 26 1993

Chuck Spring, Hereford Rd Inc.
By Bruce Kunkel Pres.
(Applicant)

Received by MTS Date 3-25-93 Time 3:00 Preliminary check by JF Stanton
Fee \$ 45⁰⁰ Received by MTS # 5015551 Date 3-25-93
Publication prepared by MB Date 4/21/93 Published in Times News
Publication approved MBaldwin Date 6-3-93

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:

RECEIVED

AUG 26 1993



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

April 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE KUNKEL
1645 N 2500 E
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08336

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.

MICROFILMED

MAY 15 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

NOT RECORDED

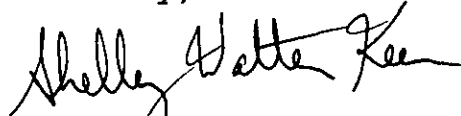
MAY 15 1938

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

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
3

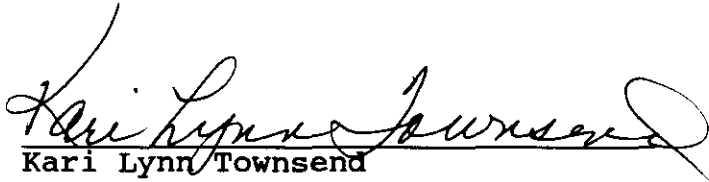
MAY 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 47-08336

BRUCE KUNKEL
1645 N 2500 E
TWIN FALLS ID 83301


Kari Lynn Townsend
Secretary

MAY 1 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 17, 1998

BRUCE KUNKEL
1645 N 2500 E
TWIN FALLS ID 83301

RE: ASSIGNMENT OF PERMIT 47-08336

Dear Water Right Holder(s):

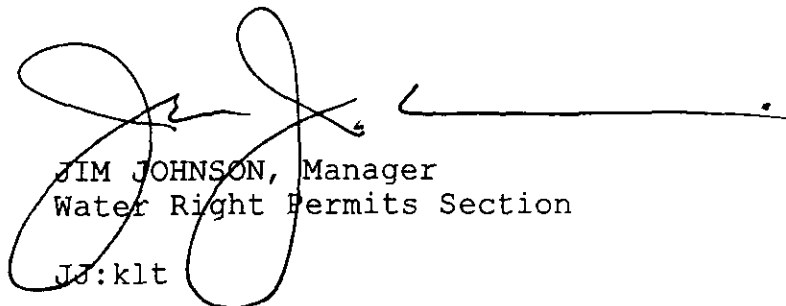
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

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

If you have any questions, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section
JJ:klt

Enclosure

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

April 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DUCK SPRINGS HEREFORD RANCH INC
1645 N 2500 E
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-08336

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the nature of water use developed differs from what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MAILED 13 APR 1998

B/U FIELD EXAM REVIEW

12/97

by Cindy Lou

Permit #: 47-8336 Name: Duck Spr Herford Ranch Date: 4/10/98 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?
 SOURCE add ✓ Clarify source add unnamed stream to Deep Cr.
 Prelim. Order to Void - Source change.
 P/D add S27, SENE # 22 SWSSE
Amendment Needed? Addn 1 1/4? ✓ Legal SWSSE NW P39
Same 1/4? W32 P36
 Overlap(s) none A47-13487 (pond #1)

P/U ✓ Amendment Needed? delete SENE, S34 P41
 Overlap(s) none (47-13487 has diff. tracts)
 (Gov't use special T's) *P/D & P/U Amend? P37

RATE ✓ Permit/proof fee limits 0.25 / 1.00
 Measured Quantity = cfs Theoretical Quantity = 14.00 cfs
used Manning's equation. Stock = 0.09 cfs.
 $Q = 1.486 A R^{2/3} S^{1/2}$ div. to stor = 0.25 cfs
Capacity = South channel
✓ Recommended capacity 1.60 cfs
✓ Recommended rate 0.25 cfs

VOLUME Season: (/) 3/1-9/4 = 215 days
Calculations:
SW: $100 \times 12 \times 215 \div 325,000 = 3.2$ AF
~~SW~~ STOR = 3.2 AF
 Flow limit: cfs x days/yr. x 1.9835 = AF
 Recommended volume 3.2 AF

USES ✓ Same Nature of Use? * P46
✓ Amendment Needed? add SW stor & from stor, & div to stor.

REMARKS Multiple p/d's in same 1/4? Use W32
~~W32/40320~~

CONDITIONS Measuring Device (R43) or Lockable Controlling Works (R02)
Watermaster Control (R04) - WD #
Irrigation rate/annual volume overlap
GW irrigation replaces surface water (050)
GW irrigation supplements surface water (065)
Water Quality
Other

PRIORITY App Rod 3/25/93 Due 8/1/94 Rcd 8/18/93
 Receipt# 5016111 Fee OK? (Yes) No
 Order to Reinstate Needed? Yes (No) Done? Advanced to:
 Priority 3/25/93 Examined 10/24/97

COMMENTS: add source; add uses.

USE	CFS	VOLUME
<u>stock</u>	<u>0.09</u>	<u>3.2</u>
<u>stock stor</u>	<u>NA</u>	<u>3.2</u>
<u>stock fr stor</u>	<u>NA</u>	<u>3.2</u>
<u>div to stor</u>	<u>0.25</u>	<u>NA</u>
TOTAL	<u>0.25</u>	<u>3.2</u>

SRBA Overlap 5 A47-13487
 Adjustment Memo ✓
 LICENSE 5
 #1 AMEND: P46/P38
 #2 AMEND: (R) P42 (C) P47

MEMORANDUM

DATE: April 10, 1998
TO: File No. 47-08336
FROM: Cindy Lou Zimmerman
SUBJECT: Review of Beneficial Use Field Report

This permit is for stockwater for 400 range cattle. All uses were developed prior to issuance of the permit. The system consists of three ponds and ditches linking them. Pond #1 is in-stream on Green Creek and is claimed under A47-13487. Pond #2 is in-stream on an unnamed intermittent stream. Pond #3 is in-stream on a different intermittent stream. A dirt ditch, "south channel," conveys water from pond #1 to pond #2. Another dirt ditch, "north channel," conveys water from pond #2 to pond #3. The water flows through the ponds then overflows (eventually) into Deep Creek. The system capacity is limited by the capacity of the south channel.

I spoke with the examiner who confirmed that all ponds are in-stream. Georgia also agreed that water from the unnamed streams contributed to ponds #2 & #3. The unnamed streams are tributary to Deep Creek. I recommend adding the source unnamed streams tributary to Deep Creek to this right. I also recommend adding as points of diversion the location of ponds #2 & #3.

The examiner recommended stockwater storage and stockwater from storage uses at 1.0 AF. This is based on the capacity of the ponds. However, these ponds are filled more than one time. Therefore, volume should be based on the amount that can beneficially be used by the stock.

The following adjustments¹ were made on the field report to reflect the uses developed under this permit:

A. 3. Source: Green Creek Tributary to: Deep Creek
Unnamed Streams Deep Creek

C. Diversion and Delivery System.

1. Points of diversion:

TWP	RGE	SEC	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
13S	16E	<u>22</u>															<u>X</u>	
13S	16E	<u>27</u>				<u>X</u>												
13S	16E	35								X								

F. Flow Calculations.

- Capacity, south channel (between ponds #1 & #2), per exam = 1.60 cfs.
- Stockwater, 400 range cattle, per Field Examiner's Handbook, exhibit 15 = 0.09 cfs.
- Diversion to Storage Use, limited by permit = 0.25 cfs.

G. Volume Calculations.

- Stockwater.

$$V = (\text{animals} \times \text{gallons per day} \times \text{days per year}) \div \text{gallons per acre foot}$$

$$= (400 \times 12 \times 215) \div 325,850 = 3.2 \text{ AF.}$$

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Stockwater	3/1-9/1	<u>0.09</u> cfs	3.2 AF
Stockwater Storage	3/1-9/1	NA	<u>3.2</u> AF
Stockwater from Storage	3/1-9/1	NA	<u>3.2</u> AF
Diversion to Storage	3/1-9/1	0.25 cfs	NA
Totals:		0.25 cfs	<u>3.2</u> AF

Examiner: Georgia Satterlee
Examined: October 24, 1997

¹ Adjustments are bolded and underlined.

NOT RECORDED
MAY 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 12 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-08336

1. Owner: DUCK SPRINGS HEREFORD RANCH INC. Phone No. (208) 655-4275

Current Address: 1645 N. 2500 E. TWIN FALLS, ID. 83301

2. Accompanied by: BRUCE KUNKEL EXAM DATE: 24 Oct 97

Address: _____ Phone No. _____

Relationship to Permit Holder: PERMIT HOLDER/OWNER

3. Source: GREEN CREEK tributary to DEEP CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 47-07663

2. Other water rights with the same point of diversion: A47-13487

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
		SW	SE	NW	35	13S	16E	TWIN FALLS	FIELD EXAM/QUAD MAP

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	16E	22															*		
		27		S	S	*									S			S	
		34	S																
		35							S	S									

* DIV TO STORAGE
* STORAGE FOR STOCKWATER
* STOCKWATER FROM STORAGE

MICROFILMED
MAY 15 1998

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

Scale: 1" = _____



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

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

☐ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

MANNING FORMULA ATTACHED

Page 1 of 2

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 30 October 1997
RE: 47-08336

On 23 October 1997 I met with Bruce Kunkel to perform a field examination on the above permit. The permit is seasonal stockwater use. The delivery of water is by a ditch that runs in a north south direction approximately 1.5 mile long with three ponds. The ponds are located at each end of ditch and at the mid-point.

In addition to the said permit, Mr. Kunkel's mom, Clarissa Kunkel, has a Beneficial Use claim A47-13487 for Stockwater Storage. However, her claim calls to the most southerly pond only. Also, the licensed right 47-07663 claims stockwater from groundwater in the Section 22. Mr. Kunkel said the groundwater and surface water do not co-mingle.

Since the water is seasonal, I did not see water in the ditch. The ponds to the north and south had standing water. I feel the third pond would of had water, too, but there was recent construction to build up the retaining west wall. To calculate a rate, I used Manning's Formula. Please see calculations.

I recommend the permit be licensed for off-stream with a direct flow for 400 head of Stock, plus Storage for Stockwater, Stockwater from Storage, and Diversion for Storage. When licensed, the two most northerly ponds should be recognized only. The third (southerly) pond is called for in A47-13487.

Stockwater: $400(12)215=1,032,000/325,850=3.2$ acre feet

The claim for A47-13487 appears to be appropriate for the southerly pond. The uses include: Diversion to Storage, Storage for Stockwater, Stockwater from Storage and Stockwater.

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

MICROFILMED
MAY 15 1998

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\quad \quad \quad \text{N/A} \quad \quad \quad}$$

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

$$V = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} = \underline{\quad \quad \quad}$$

2. Volume Calculations for Other Uses:

SEE Attached Sheets

MANNINGS

H. RECOMMENDATIONS

FORMULA

PERMIT RATE 0.25 cfs
RATE LIMIT 1.00 "
MEASURED RATE = 14.0 cfs

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCK WATER	3/1	9/1	0.25 *	3.2 af *
DIV. TO STORAGE	3/1	9/1	0.25	
STORAGE FOR STOCK WATER	1/1	12/31		1.0 af *
STOCK WATER FROM STORAGE	1/1	12/31		1.0 af *
Totals:			0.25 cfs	4.2 af *

LIMITED
FACTOR

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
 ___ Change P.U. as reflected above X Add P.U. as reflected above X Other

I. AUTHENTICATION

Field Examiner's Name

Date _____

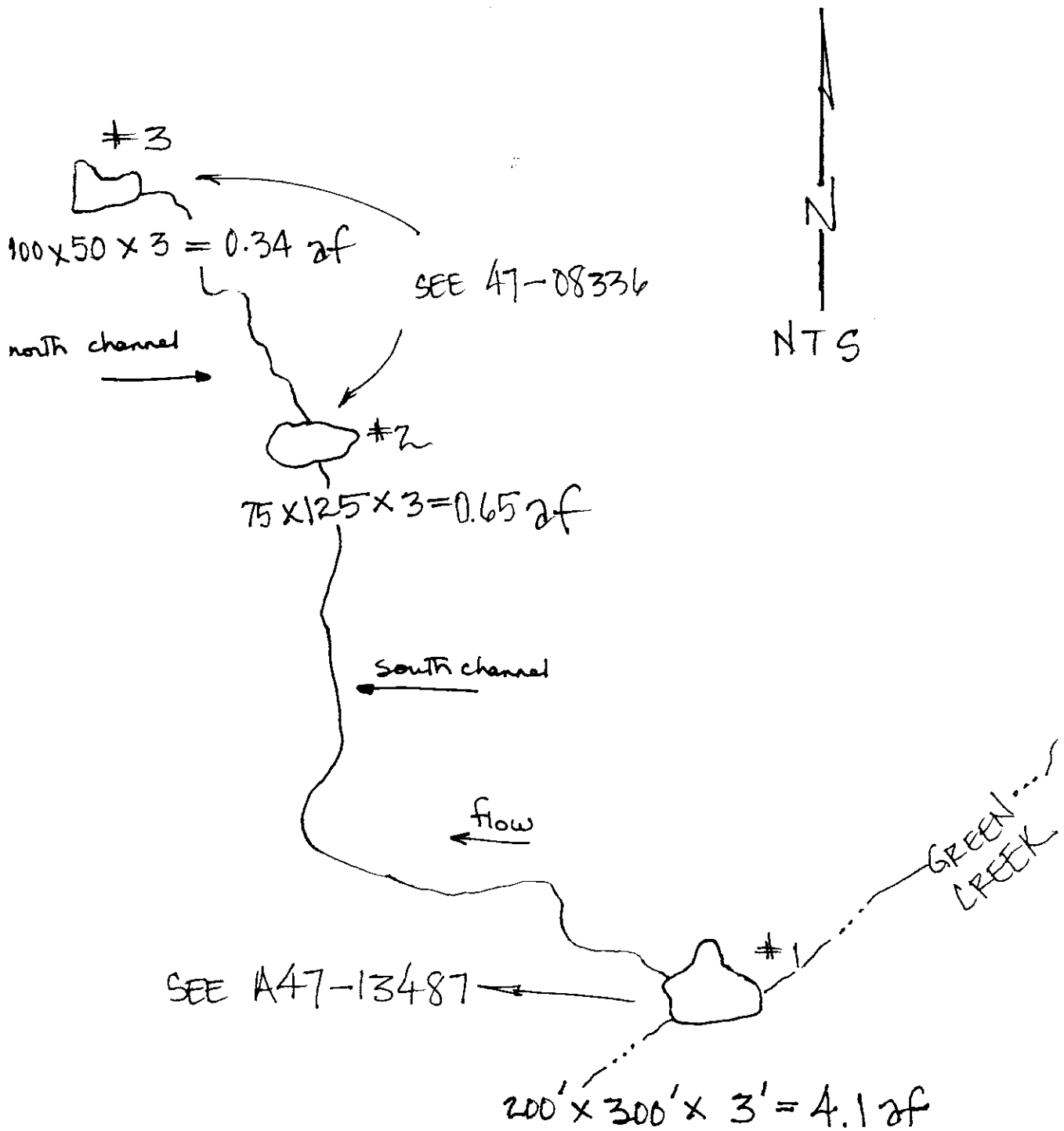
Reviewer

Date _____

SEAL

* Adjustments made during review of this right for license approval.
See Memo for additional information. 4/10/98 CS.

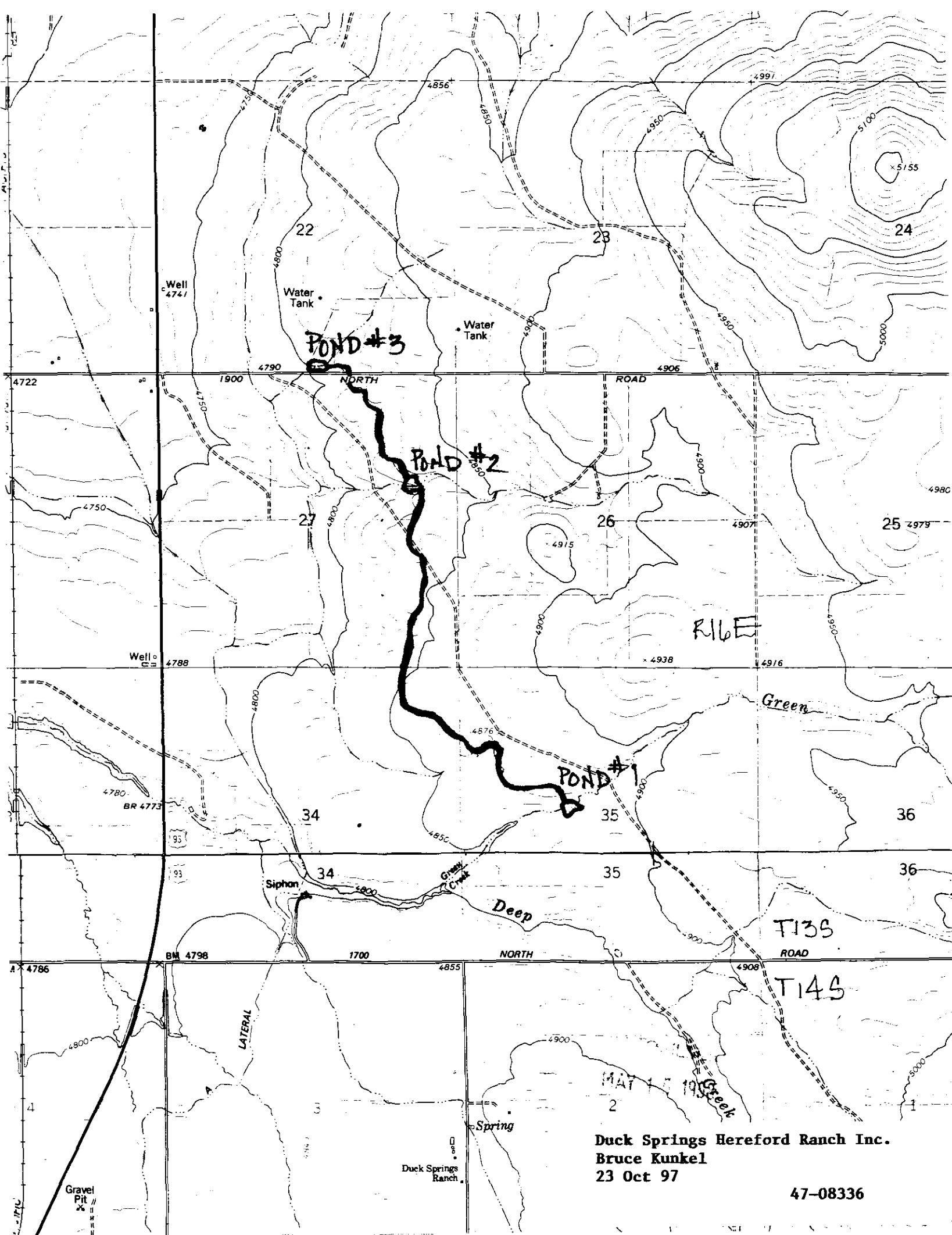
MAY 11 1998



DUCK SPRINGS HEREFORD RANCH, INC.
% BRUCE KUNKEL
OCTOBER 1997
MAY 15 1998

A47-13487

47-08336



Duck Springs Hereford Ranch Inc.
Bruce Kunkel
23 Oct 97

47-08336

A47-13487



photo looking north

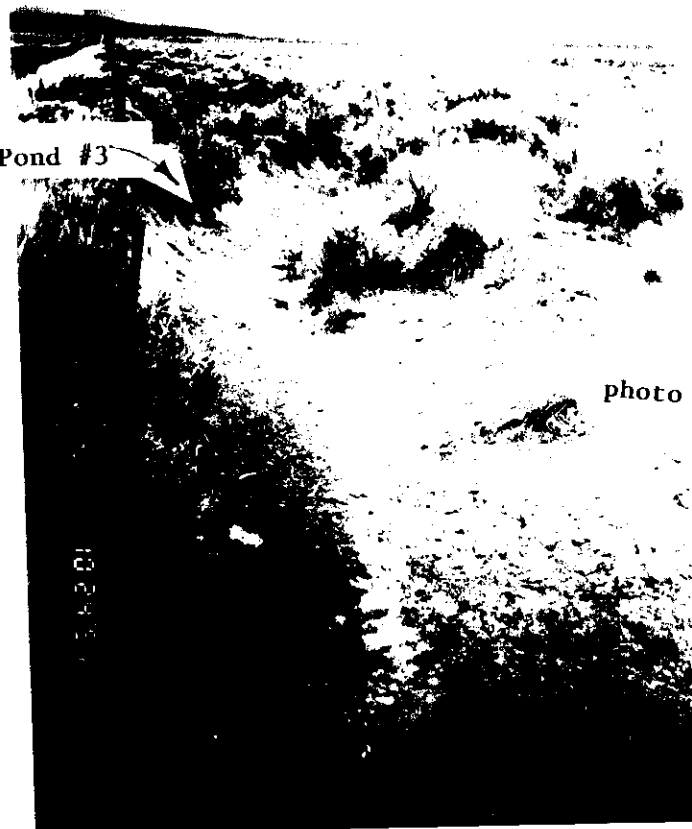


photo looking E'ly

Storage Pond #3 Sec 22, T13S, R16E SWSE1



photo looking SW'ly

Pond #3

Duck Springs Hereford Ranch Inc.
Bruce Kunkel 1100 hrs. 23 Oct 1997
Sattarlee 47-08336

pond drains out here

Photo
looking N'ly

Pond #2

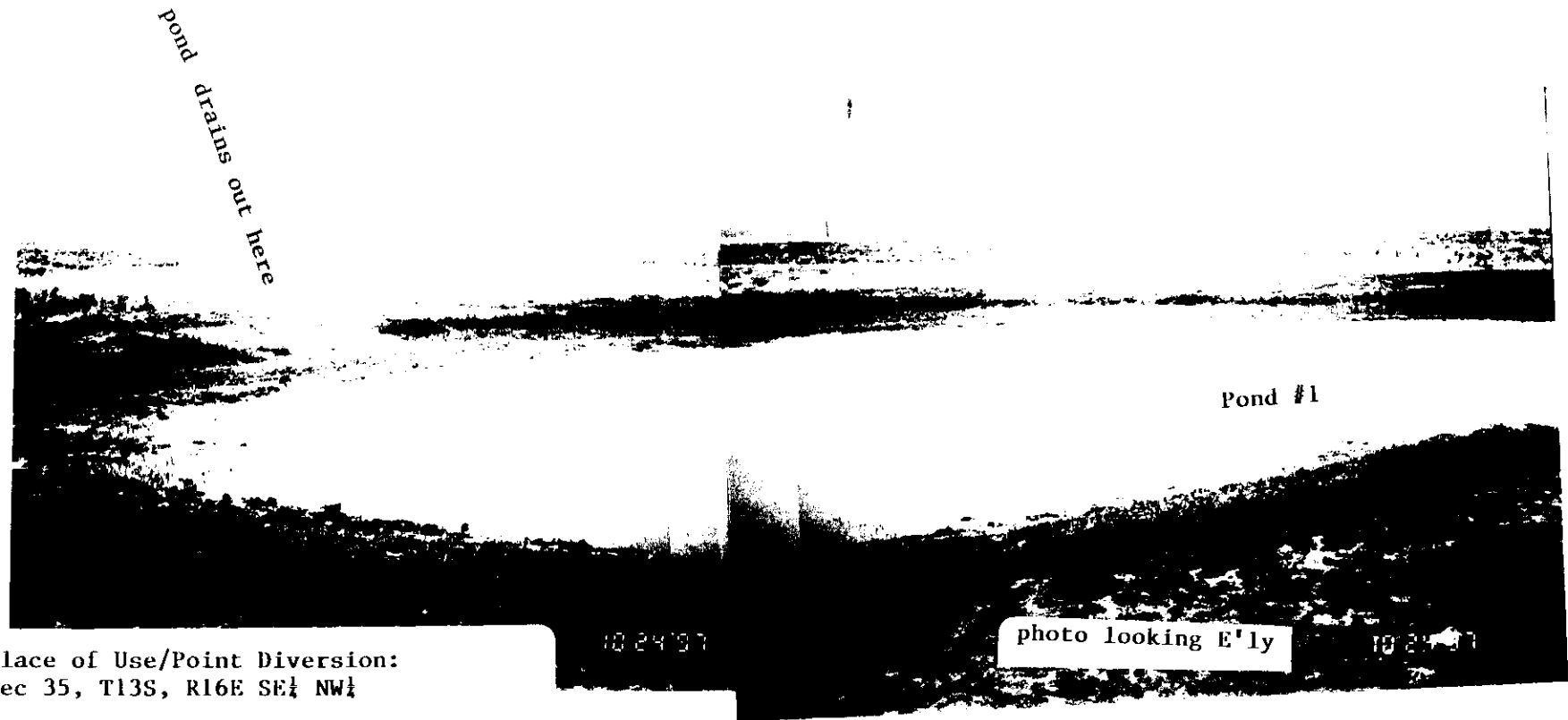
10 24 '97

10 24 '97

Storage Pond #2 Sec 27, T13S, R16E SENE1

A47-13487

Duck Springs Hereford Ranch Inc.
Bruce Kunkel 1100 hrs. 23 Oct 1997
Satterlee, G.=Examiner 47-08336



Place of Use/Point Diversion:
Sec 35, T13S, R16E SE $\frac{1}{4}$ NW $\frac{1}{4}$

photo looking E'ly

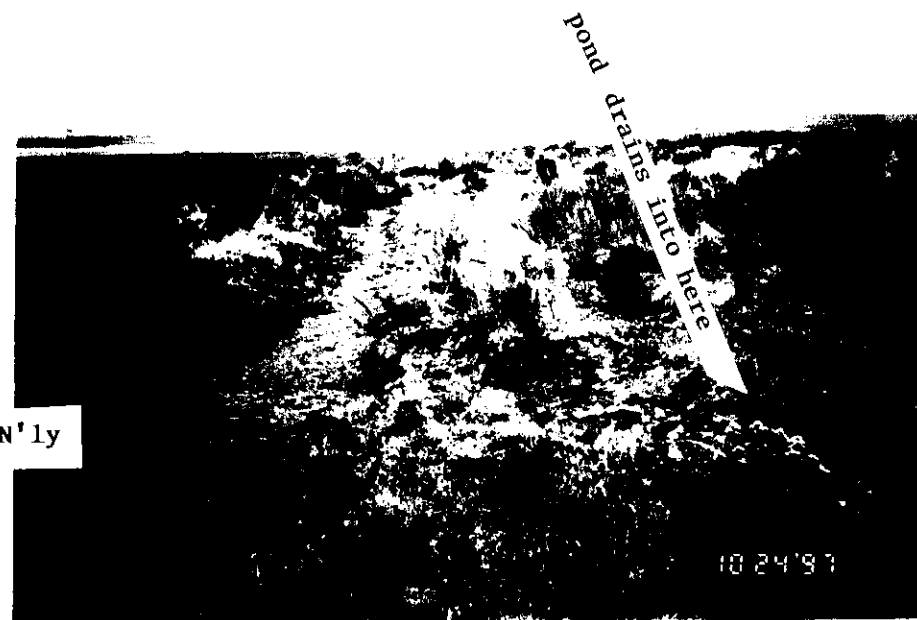


photo looking N'ly

Clarissa Kunkel
23 Oct 1997 1100 hrs.
Examiner::Satterlee

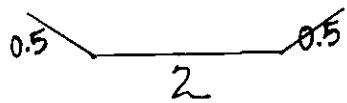
See 47-08336

A47-13487

SLOPE AREA METHOD = MANNING FORMULA ATTACHED

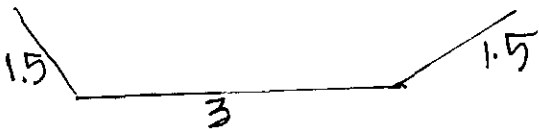
$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

SOUTH CHANNEL = $Q = \frac{1.486}{0.02} (1)(0.4804)(0.0447)$



$$Q = 1.60 \text{ cfs}$$

NORTH CHANNEL = $Q = \frac{1.486}{0.02} (4.5)(0.8255)(0.0447)$



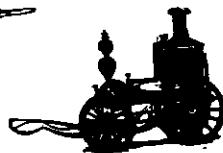
$$= 12.3 \text{ cfs}$$

$$1.6 + 12.3 = 13.9 = \underline{14 \text{ cfs}}$$

SALMON TRACT
RURAL FIRE PROTECTION DISTRICT

(208) 655-4222

KUNKEL'S
CARD



Bruce Kunkel, Commissioner
1645 N 2500 E
Twin Falls, Idaho 83301
(208) 655-4275

MAY 15 1988

47-08336

MAY 15 1988

47-08336

lations where appreciable changes in depth, or stage, occur, it will be necessary to raise or lower the transducers to compensate for changing velocity profiles. With a single pair of transducers the average velocity at 0.6 depth has been found satisfactory for use with the flow cross-sectional area to find the discharge.

Acoustic flowmeters are in the development stage at present (1966). Considerable improvement in equipment and flow-measuring technique can be expected in the future. Power requirements are now readily handled by a 110-volt alternating-current power supply, and under optimum conditions velocity measurement accuracies of 1 percent are indicated. Like other methods that measure only an average velocity of flow, the relationship of the particular velocity of flow to the average streamflow must be known, together with the cross-sectional area of the flow prism in order to determine the rate of flow.

104. Slope-Area Method.—The slope-area method consists of using the slope of the water surface, in a uniform reach of channel, and the average cross-sectional area of that reach, to give a rate of discharge. The discharge may be computed from the Manning formula,

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2} \quad (34)$$

where

Q = discharge in second-feet,

A = mean area of the channel cross section in square feet,

R = mean hydraulic radius of the channel in feet,

S = slope of the water surface = $\frac{\text{fall}}{\text{length of course}}$, and

n = a roughness factor depending on the character of the channel lining.

A straight course of the channel should be chosen, at least 200 feet and preferably 1,000 feet in length. The course should be free of rapids, abrupt falls, sudden contractions, or expansions.

The slope may be determined by dividing the difference in the water surface elevations at the two ends of the course by the length of the course. Gage points, carefully referenced to a common datum level, should be placed one on each bank of the channel and one in the center of the stream, in stilling wells if possible.

The hydraulic radius is defined as the area of the cross section divided by its wetted perimeter. Where the channel or canal is of regular cross section and the depths at the ends of the course are equal, the area and the wetted perimeter will be constant throughout the course. In irregular channels, the area and the wetted perimeter at several cross sections will be required and a mean value used in computing the hydraulic radius.

The factor n is dependent on the character of the channel. It may vary from 0.010 where conditions approaching the ideal are maintained, to 0.060 where the channel is strewn with stones and debris or is about one-third full of vegetation.

Inasmuch as the proper selection of the roughness factor n for many streams is difficult, and is at best an estimate, the discharge determined by the slope-area method is only approximate. Care must be taken to determine the slope and areas simultaneously if the water levels are changing. Various hydraulic text books and handbooks provide tables to assist in the computation of discharges by this method, using the data procured in the field.

105. Computation of Discharge Over Dams.—Many overflow dams have been built across streams. The quantity of overflow can be computed by the general formula,

$$Q = C L H^{3/2} \quad (35)$$

where

Q = discharge in second-feet,

L = length of the crest of the dam in feet,

H = head on the crest in feet, and

C = coefficient dependent on the shape of the crest and the head.

Because shapes or profiles of dams and their crests vary a great deal, coefficients of discharge also vary. These coefficients may be determined from hydraulic model studies because experience has shown that C differs only slightly, if at all, from model to prototype. In many instances it may be possible to adjust any slight differences in the coefficients of discharge obtained from models for subsequent use on the prototype. Engineering Monograph No. 9 gives values of C for a variety of overfall shapes [10].

Another procedure applicable to many overflow dams is to determine the actual discharge by one of the methods

47-08336

WATER MEASUREMENT MANUAL
CHAPTER VII—SPECIAL MEASUREMENTS IN OPEN CHANNELS
171
TABLES
N = Q / A
CURRENT METERS
CONSTRUCT
POINTS

August 20, 1993

DUCK SPRINGS HEREFORD RANCH INC
1645 N 2500 E
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08336

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 SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
AUG 26 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 17-58336

Reviewed by KL

Date 8/12/93

GENERAL CONSIDERATIONS

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

TYPES OF USE

stock-yoo
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
NA 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?
Amount Submitted
Correct?

MEASURING DEVICE

NA Required?
✓ Installed?
✓ Waiver requested?

PRIORITY CALCULATION

Date proof received 8/12/93
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

need an additional \$50

proof acceptable

DATA ENTRY

New Address 1645 N 2500 E 8/17/93 KLg

Proof Made 8/18/93 8/20/93 KLg



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

August 12, 1993

Duck Springs Hereford Ranch Inc
Bruce Kunkel
1645 N 2500 E
Twin Falls, ID 83301

Re: Permit No. 47-08336

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed. While you indicated the rate of diversion as 0.25 cfs on #5 - Stockwater, you failed to indicate the total diversion rate on the appropriate line, #6. Your indication of 25 acre feet is incorrect. An acre foot measurement is used only when storing water in a pond, dam, reservoir etc. Your permit was issued for a diversion rate of 0.25 cfs.

When you divert more than 0.04 cfs, a license examination fee applies. A \$100 license examination fee applies to a water right which diverts 0.25 cfs. I have enclosed a copy of the license examination fee schedule for your convenience. Since you already submitted \$50, you need only submit an additional \$50 license examination fee.

In order to be in compliance with all of the necessary dates, you will need to return the properly completed form and applicable fee on or before August 1, 1994.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECORDED

AUG 26 1993



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

July 30, 1993

DUCK SPRINGS HEREFORD RANCH INC
STAR RT
TWIN FALLS ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08336

Dear Permit Holder:

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

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

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
AUG 26 1993

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

The following
application has been
filed to appropriate
the public waters of
the State of Idaho:

47-08336

DUCK SPRINGS HEREFORD
RANCH, INC.
STAR ROUTE
TWIN FALLS ID 83301

Source: Green Creek
tributary to Deep
Creek (existing
development)

Diversion Pt:
SW1/4SE1/4NW1/4, S35,
T13S, R16E, T14S
Falls County.
Use: Stockwater
(cfs) from 3/1 to 4/1

Date Filed: 3/23/93

In: SW1/4SE1/4, S22,
T13S, R16E; NW1/4NE1/4,
SW1/4NE1/4, SE1/4NE1/4,
E1/2SE1/4, S27, T13S,
R16E; E1/2NE1/4, S34,
T13S, R16E; S1/2NW1/4,
S35, T13S, R16E.

The permit (s) will
be subject to all
prior water rights.
Protests may be
submitted based on
the criteria of Sec.
42-203A, Idaho Code
and/or the new public
interest criteria of
Sec. 42-203C, Idaho
Code. Protests must
be filed with the
Director, Dept. of
Water Resources,
Southern Region, 222
Shoshone Street East,
Twin Falls, ID 83301
on or before May 24,
1993.

R. Keith Higginson,
Director

Affidavit Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 24785

I, Linda Capps McBurne being first duly sworn upon oath, depose
and say that I am Print Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive 1/2 weeks,
commencing with the issue dated May 6, 1993,
and ending with the issue dated May 13, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of a court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the time of publication of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

AUG 26 1993

On this 26 day of May in the year of 1993, before me,
a Notary Public, personally appeared Linda Capps McBurne,
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.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls
My commission expires: 5/19/94

OK
MB
6/3/93

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.		CLASS	BILLING DATE	
24785		343	05/27/93	
INDEXING TERM				
47-08336				
START DATE		TELEPHONE NO.		
5/06/93		736-3033		
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
63	2		45.36	45.36
AFFIDAVI			2.00	2.00
PAY THIS AMOUNT			47.36	47.36

GROSS AMT DUE AFTER 06/11

RECEIVED

JUN 02 1993
Department of Water Resources
Southern Region

RETURN THIS PORTION WITH YOUR REMITTANCE

24785

4736

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E

TWIN FALLS

ID
83301

MAILED

AUG 26 1993

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

The following
application has been
filed to appropriate
the public waters of
the State of Idaho:

47-08336

DUCK SPRINGS HEREFORD
RANCH, INC.
STAR ROUTE
TWIN FALLS ID 83301

Source: Green Creek
tributary to Deep
Creek (existing
development)

Diversion Pt:
SW1/4SE1/4NW1/4, S35,
T13S, R16E; Twin
Falls County.

Use: Stockwater (.25
cfs) from 3/1 to 9/1

Date Filed: 3/25/93

In: SW1/4SE1/4, S22,
T13S, R16E; NW1/4NE1/4,
SW1/4NE1/4, SE1/4NE1/4,
E1/2SE1/4, S27, T13S,
R16E; E1/2NE1/4, S34,
T13S, R16E; S1/2NW1/4,
S35, T13S, R16E.

The permit (s) will
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prior water rights.
Protests may be
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the criteria of Sec.
42-203A, Idaho Code
and/or the new public
interest criteria of
Sec. 42-203C, Idaho
Code. Protests must
be filed with the
Director, Dept. of
Water Resources,
Southern Region, 222
Shoshone Street East,
Twin Falls, ID 83301
on or before May 24,
1993.

R. Keith Higginson,
Director

Published in Times
News on 5/6 &
5/13/93.

AUG 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

21-Apr-1993

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

APR 23 1993

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

47-08336

DUCK SPRINGS HEREFORD RANCH, INC.
STAR ROUTE
TWIN FALLS ID 83301

Source: Green Creek tributary to Deep Creek (existing development)

Diversion Pt: SW1/4SE1/4NW1/4, S35, T13S, R16E; Twin Falls County.

Use: Stockwater (.25 cfs) from 3/1 to 9/1

Date Filed: 3/25/93

In: SW1/4SE1/4, S22, T13S, R16E; NW1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, E1/2SE1/4, S27, T13S, R16E; E1/2NE1/4, S34, T13S, R16E; S1/2NW1/4, S35, T13S, R16E.

The permit (s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 24, 1993.

R. Keith Higginson, Director

Published in Times News on 5/6 & 5/13/93.

RECEIVED

AUG 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

21-Apr-1993

R. KEITH HIGGINSON
Director

BRUCE KUNKEL PRESIDENT
DUCK SPRINGS HEREFORD RANCH INC
STAR ROUTE
TWIN FALLS ID 83301

Re: Application for Permit No. 47-08336

Dear Mr. Kunkel:

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 Times News on 5/6 & 5/13/93. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

AUG 26 1993