

A grid of 10x10 squares with dashed lines. A red dashed rectangle is drawn around a 3x2 area of squares in the upper right quadrant. The numbers 40, 40, 31, 40, 40, and 40 are written in red ink within the squares of this rectangle.

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

* Garnet Kidd
(signature)

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for amendment for permit No. 45-7036.

P. Keith Hogg
State Reclamation Engineer

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Garnet Kidd, Route 3, Box 51, Burley, Idaho has on November 29, 1967 applied for permit to store 100 acre feet of water from Rock Creek, tributary of the Snake River under application No. 47-7018. Water will be diverted by permanent diverting structures within the SW 1/4 - SW 1/4, sec. 1, T. 12 S, R. 18 E, B.M., Twin Falls County and is to be used from May 1 to October 1 for supplemental irrigation in the N 1/4 NE 1/4, SE 1/4 NE 1/4, S 1/2 SE 1/4, sec. 31, T. 11 S, R. 19 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Kimberly Advertiser, Kimberly, Idaho, on January 4 and January 11.

OK per
Don Mc
dy

RECEIVED

FEB 5 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Twin Falls } ss.

I, Allen Hill being first duly sworn on oath, say:

That I am Co-publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice 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

January 4, 1968, and ending with the issue dated January 11, 1968.

And I do further swear that said newspaper has been so published as a weekly newspaper in said city and county, continuously and uninterruptedly during a period of more than seventy-eight consecutive weeks prior to the first publication of said above mentioned legal advertisement.

Allen Hill

Subscribed and sworn to before me this 12th

day of January, 1968.

Robert J. McEwen
Notary Public for the State of Idaho.

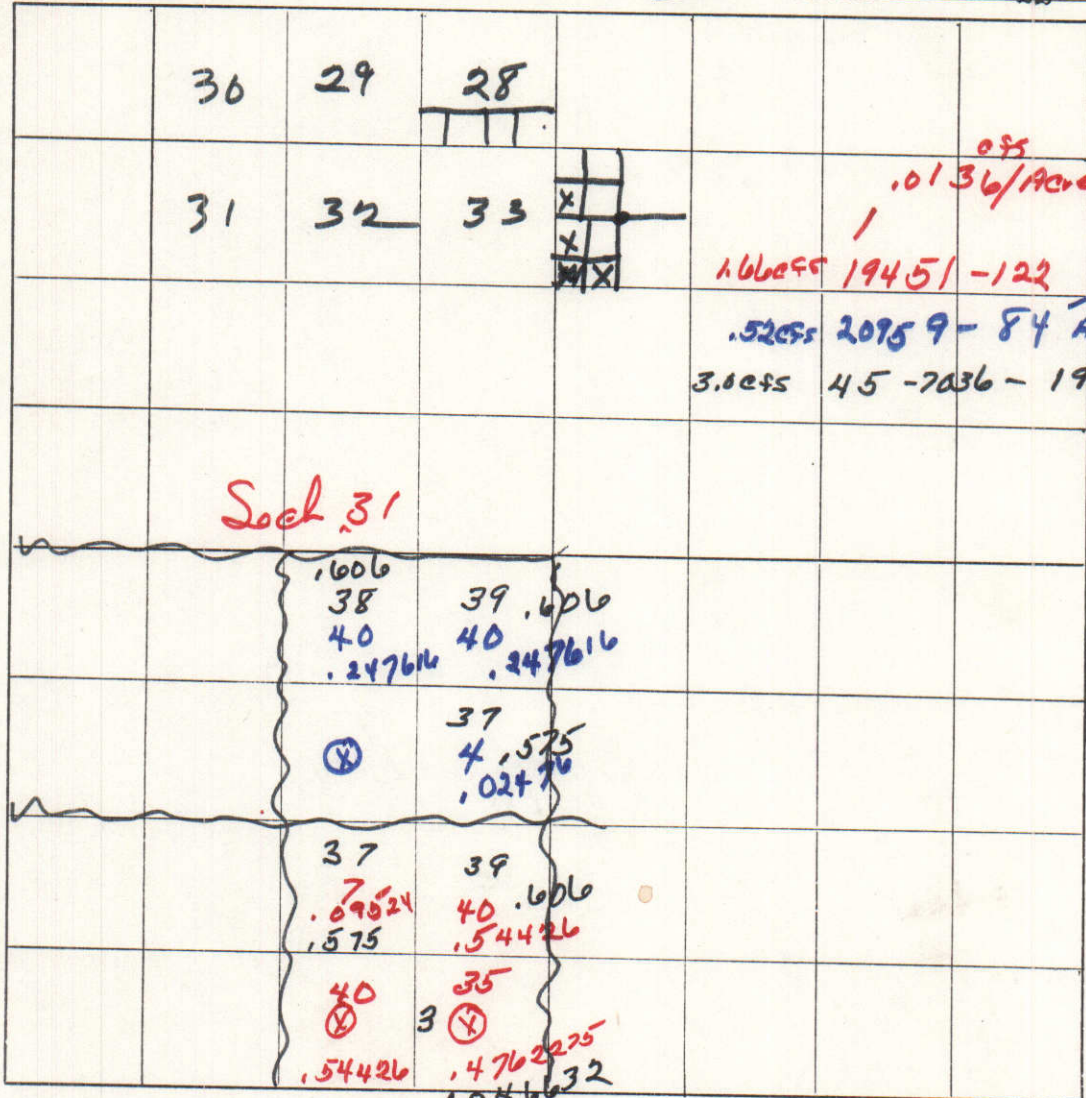
(My commission expires May 2, 1969)

45 7036

LAY _____ %
 WASTE _____ %
 ROCK _____ %
 GRADE _____ %
 CLASS _____

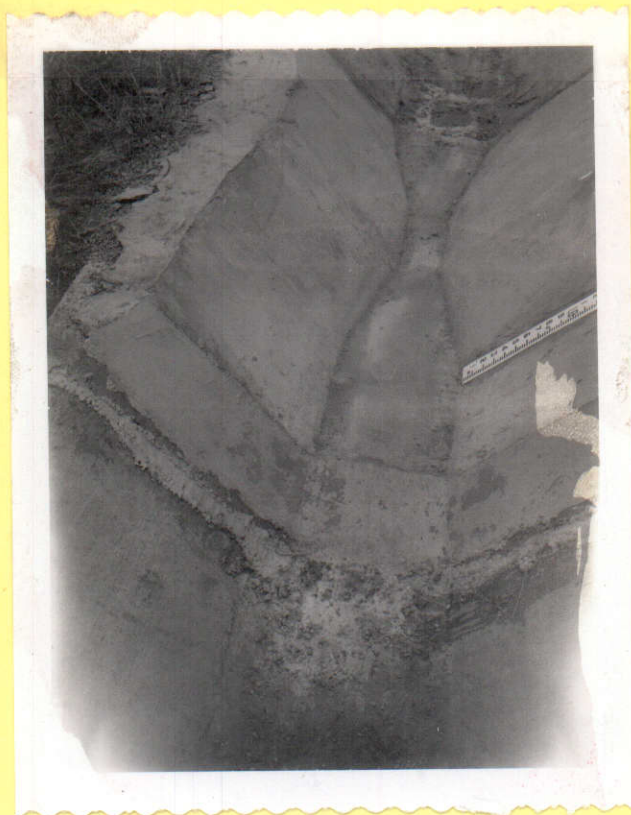
LAY _____ %
 WASTE _____ %
 ROCK _____ %
 GRADE _____ %
 CLASS _____

SECTION 3 TOWNSHIP 5 RANGE 25



LAY _____ %
 WASTE _____ %
 ROCK _____ %
 GRADE _____ %
 CLASS _____

LAY _____ %
 WASTE _____ %
 ROCK _____ %
 GRADE _____ %
 CLASS _____



45 7036

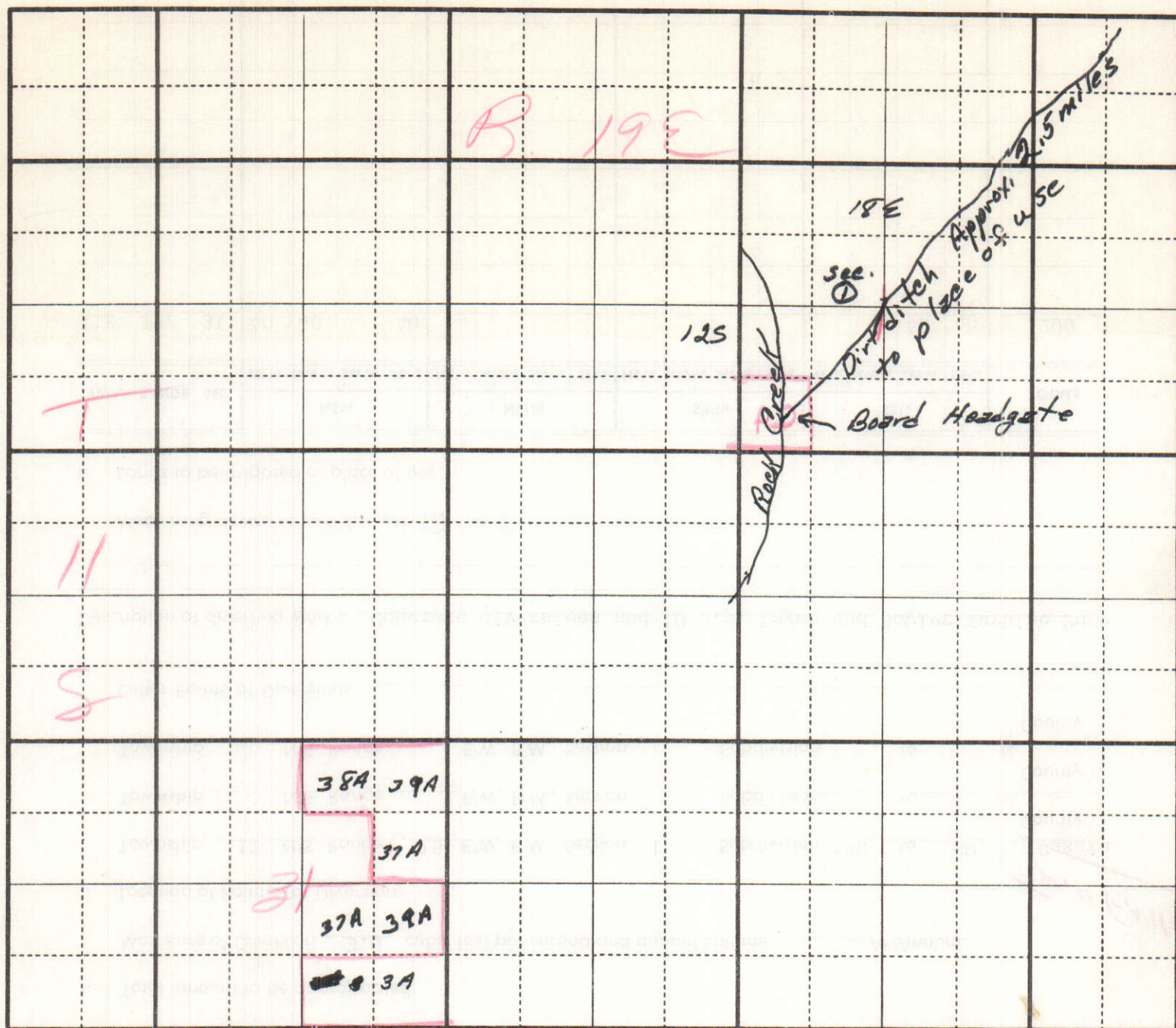
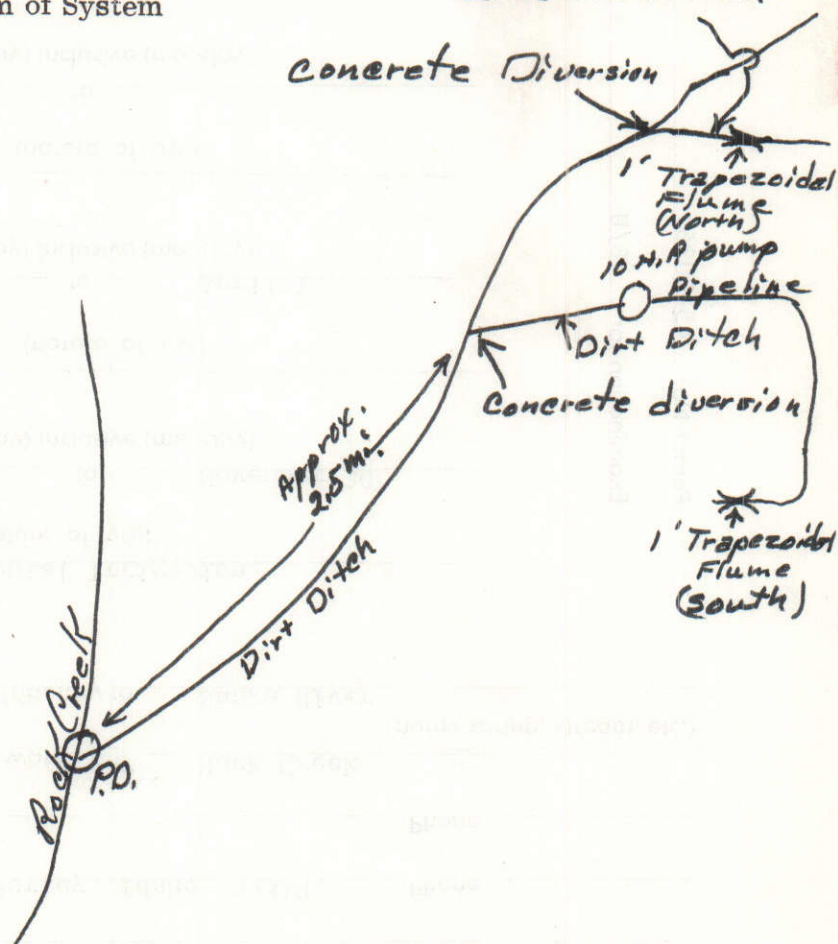


Diagram of System

Concrete Ditch

concrete Diversion



DATE

EXAMINATION RECORDS

71

Make exam after Oct 10. Note
irrigation season

by: J.B.

11/3/72

Needs measuring device in his
water stream from his pump.

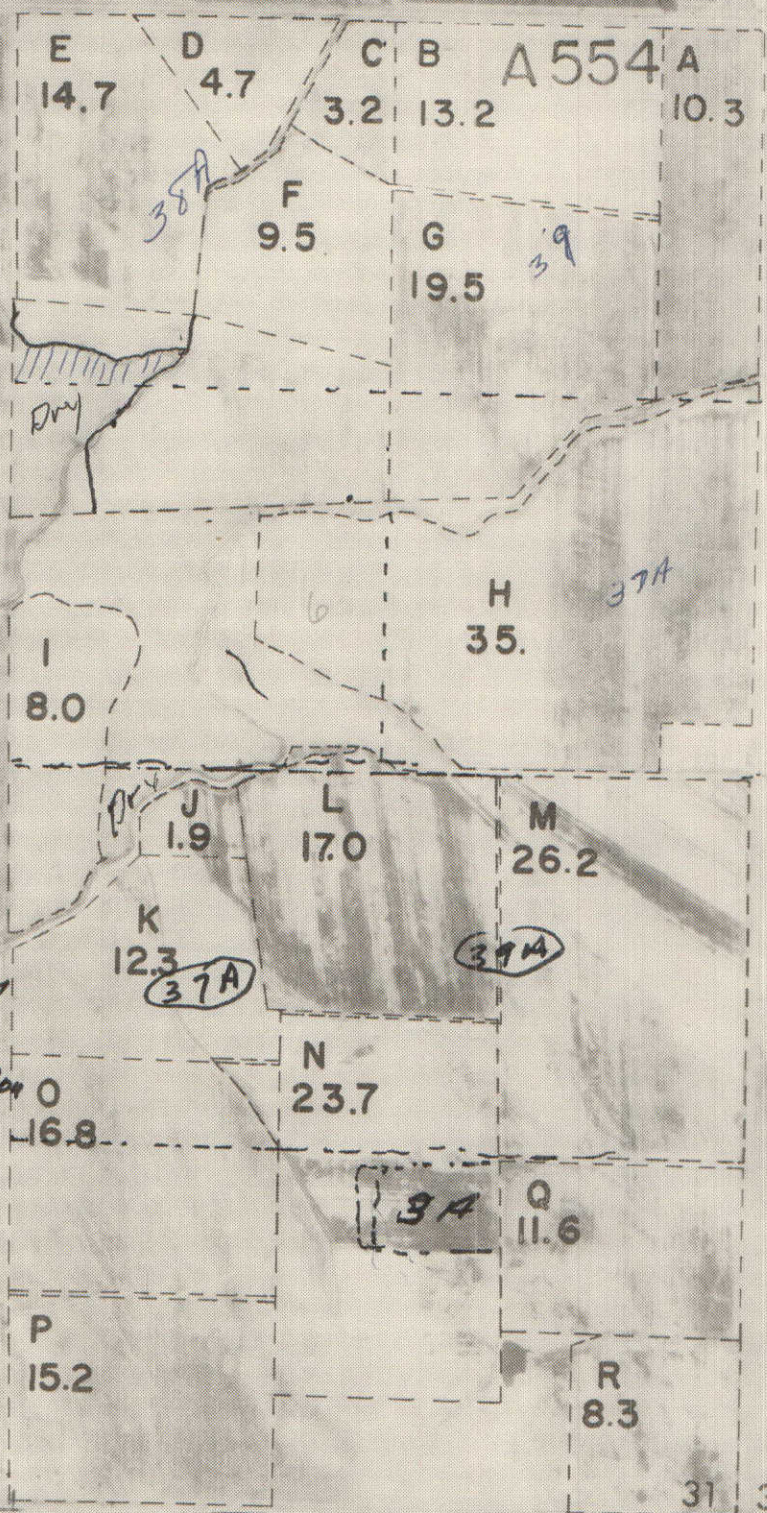
Complete
in March
73

Rest of exam complete. by: K.F.

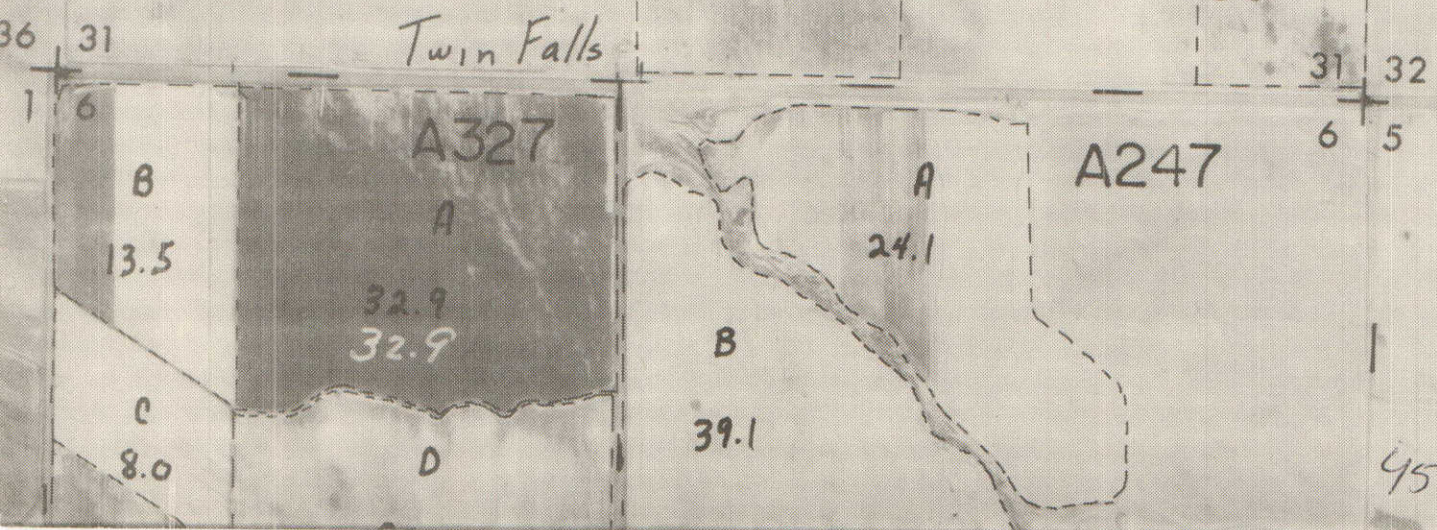
by:

by:

H H 19
Sec-31



Put wrong land description on permit. This 80 A. is what he is irrigating.



45-7034

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Garnet Kidd, Route 3, Box 51, Burley, Idaho has on November 29, 1967 applied for permit to store 100 acre feet of water from Rock Creek, tributary of the Snake River under application No. 47-7018. Water will be diverted by permanent diverting structures within the SW $\frac{1}{4}$ -SW $\frac{1}{4}$, sec. 1, T. 12 S, R. 18 E, B.M., Twin Falls County and is to be used from May 1 to October 1 for supplemental irrigation in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 31, T. 11 S, R. 19 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Kimberly Advertiser, Kimberly, Idaho, on January 4 and January 11.

45 7036

45 7036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4422
WATER RIGHT NO(S). 47-00175/47-00176/47-00187/47-00188

This is to certify that: BRENT FUNK
2951 N 4000 E
HANSEN ID 83334

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 47-00175 : IRRIGATION Priority: 01/01/1918	04/01 to 10/31	0.40 CFS	169.0 AF
Right No. 47-00176 : IRRIGATION Priority: 09/23/1929	04/01 to 10/31	1.60 CFS	640.0 AF
Right No. 47-00187 : IRRIGATION Priority: 06/29/1911	04/01 to 10/31	2.50 CFS	640.0 AF
Right No. 47-00188 : IRRIGATION Priority: 11/29/1918	04/01 to 10/31	1.17 CFS	494.3 AF
TOTAL:		* 5.67 CFS	* 1,024.0 AF

SOURCE

ROCK CREEK

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 1, Township 12S, Range 18E
TWIN FALLS 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>
11S	19E	31	NENE 38	NWNE 39	SWNE 34	
			SENE 36	NESE 33	NWSE 37	
			SWSE 39			256
Total number of acres irrigated:						** 256

500-10-1005

TRANSFER NO. 4422
WATER RIGHT NO(S). 47-00175/47-00176/47-00187/47-00188

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47-0.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- * 3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 8. Combined Right Nos. 47-00175 and 47-00176 are limited to the irrigation of 160 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 47-00187 is limited to the irrigation of 160 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 47-00188 is limited to the irrigation of 160 acres in the place of use described above in a single irrigation season.
11. See accompanying Order.

Dated this 10th day of October, 1995


Chief, Water Alloc. Bureau

607-11396

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 4422 FILED IN THE)
NAME OF BRENT FUNK)
_____)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of the filing of application for transfer no. 4422, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On July 7, 1994, Brent Funk (applicant) filed application for transfer no. 4422 (application) with the department seeking to change the place of use of water right nos. 47-00175, 47-00176, 47-00187, 47-00188, 47-07529 and 47-00137B. The applicant seeks a permissible place of use for the water rights.

2. Information from the records of the watermaster of Water District No. 47-0 and from water right records of the department do not show that the applicant owns water right no. 47-00137.

3. Water right nos. 47-00175, 47-00176, 47-00187, and 47-00137 provide 0.02 cfs of water for the 256 acre place of use.

CONCLUSIONS OF LAW

1. Section 42-202, Idaho Code, provides in pertinent part as follows:

In case the proposed right of use is for agricultural purposes, the application shall give the legal subdivisions of the land proposed to be irrigated, with the total acreage to be reclaimed as near as may be; provided, that no one shall be authorized to divert for irrigation purposes more than one cubic foot of water per second of the normal flow for each fifty (50) acres of land to be so irrigated unless it can be shown to the satisfaction of the department of water resources that a greater amount is necessary.

2. Section 42-222, Idaho Code, provides in pertinent part as follows:

(1) Any person, entitled to the use of water whether represented by license issued by the department of water

00700000

resources, by claims to water rights by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for approval of such change.

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code;

3. The applicant has not shown that he is entitled to the use of water under right no. 47-00137.

4. The applicant is not entitled to divert more than 0.02 cfs of water per acre.

5. The department should not approve transfer no. 4422 authorizing a change in the place of use of right nos. 47-00137 and 47-07529.

ORDER

IT IS THEREFORE, HEREBY ORDERED that application for transfer no. 4422 is **PARTIALLY APPROVED** as shown on the attached transfer document; and

IT IS FURTHER, HEREBY ORDERED that transfer no. 4422 does not make changes to rights 47-00137 or 47-07529.

Dated this 10th day of October, 1995.


L. GLEN SAXTON, Chief
Water Allocation Bureau

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 47-7529 ~~45-7036~~ Priority Dec. 1, 1967 Amount 3.98 cfs

THIS IS TO CERTIFY, that GARNET KIDD

of Burley, Idaho, has complied with the terms and conditions of Permit No. 45-7036 issued pursuant to Application for Permit dated November 29, 1967, and has submitted proof to the Department of Water Administration on June 3, 1971 (late proof), that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 5.98 cfs of water from Rock Creek, tributary to the Snake River, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>March 15</u> to <u>April 1</u> at <u>3.98</u> cfs and			<u>134 acre feet</u>
<u>Irrigation</u> from <u>Oct. 1</u> to <u>Nov. 30</u> at <u>3.98</u> cfs and			<u>473 acre feet</u>
from _____ to _____ at _____ cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 3.98 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed * 607 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 1,
Twp. 12 S, Rge. 18 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S	19 E	31	39	38	6	37									39	37		3	199

Total number of acres irrigated 199

* Subject to the condition that the maximum volume per year shall not exceed 1,112 acre feet, or 4.0 af per acre, when combined with Licenses No. 19451 & 20059.

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of May, 19 74.

Director

45-7036

Filing Fee: \$10.00
Receipt # 14398

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

RECEIVED
APR 53

Department of Water Administration

Permit No. 45-7036

Comes now Garnet Kidd of (address)

_____, and represents to the Director of
the Idaho Department of Water Administration:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 45-7036, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Sec. _____ Twp. _____
Rge. _____, B. M., County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

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

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

199

45-7036

[illegible]

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Kimberly Indaleho, this 25 day of April, 19 74.

Garnet Kidd
(signature)

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 45-7036.

Witness my hand this 2 day of May, 19 74

[Signature]
Director

MAY 7 1970

Department of Reclamation

Comes now Garnet Kidd of (address) Rt. 3, Box 51,

No. 45-7036, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 SW 1/4, Sec. 1, T. 12S
R. 18E, B.M. ~~Other points of diversion~~ Water will be applied directly to land.
The Reservoir has been abandoned.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

3.0 cfs For supplemental irrigation purposes from Oct. 1 to Nov. 30 (both dates incl.)
For _____ purposes from March 15 to April 1 (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]**Total number of acres to be irrigated**

200

45-7036

[illegible]

P. Keith Hays
State Reclamation Engineer

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-7036)
)
IN THE NAME OF GARNET KIDD)
)

ORDER

WHEREAS, on November 29, 1967, Garnet Kidd applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 10 cubic feet per second of water from Rock Creek, tributary to the Snake River, to be diverted at a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 12S, Rge. 18E, B.M., Twin Falls County, to be used for irrigation purposes; and,

WHEREAS, on May 23, 1968, the Department approved said application and issued Permit No. 45-7036 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1970; and,

WHEREAS, May 12, 1970, the Department extended the time within which to submit proof of beneficial use to June 1, 1971; and,

WHEREAS, on April 1, 1971, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to make said proof; and,

WHEREAS, on June 3, 1971, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority for Permit No. 45-7036 be advanced to December 1, 1967.

Dated this 2 day of April, 1974.


R. KEITH HIGGINSON
Director

DDR:JC

45-7036

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

APPLICATION FOR EXTENSION OF TIME

MAY 7 1970

State of Idaho
County of Twin Falls

Department of Reclamation
Permit No. 45-7036

Garnet Kidd of Kimberly Idaho Box 96 83341
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. _____.

That under the terms and conditions of said permit, work thereunder was required to be completed by June 1, 1970.

That he has heretofore performed the following work described under said permit:

Survey work on reservoir site

Costing \$ 100.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: That reservoir will not hold water on account of gravel formation
Engineer recommends impossible
Need one more year for structural improvement

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to June 1, 1971.

Garnet Kidd
(signature)

Subscribed and sworn to before me this 7 day of May, 1970.

Donald W. Adams
(notary public)

My commission expires 2-18-1974.

Date of receipt at office of Department of Reclamation _____

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above extension of time for permit No. 45-7036 to June 1, 1971.

Witness my hand this 12th day of May, 1970.

R. Keith Higginson
State Reclamation Engineer

* If other than the holder, Power of Attorney must be supplied.

Identification No. 45-7036
Application No. 42161

LICENSE ISSUED FOR 2.98 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Garnet Kidd
post office address Route 3 Box 51 Burley Idaho 83318
2. Source of water supply Rock Creek which is a tributary of Snake River
3. a. Location of point of diversion is SW 1/4 of SW 1/4 of Section 1 Township 12S
Range 18E B.M. Twin Falls County; additional points of diversion if any:
divert from Rock Creek ditch running thru my farm into
Reservoir see attached map
- b. If water is not consumed, it will be discharged into Reservoir at a point in NW 1/4
of SE 1/4 of Section 21 Township 11S Range 19E B.M.

4. Quantity to be appropriated:

- * a. AS MUCH AS 10 cubic feet per second and/or
b. 100 acre feet per annum will be stored.

5. Water will be used for the following purposes:

- * Irrigation of stored water purpose from May 1 to Oct 1 (both dates inclusive)
* STORAGE purpose from DEC. 1 to APR. 1 (both dates inclusive)
purpose from _____ to _____ (both dates inclusive)

6. Proposed diverting works: * see letter 3-25-68

- a. Description of ditches, flumes, pumps, headgates, etc. The diverting structures to divert water
from Rock Creek to a canal carrying water to my farm are permanent
I will have a headgate taking water from the canal into proposed Reservoir
and a concrete structure in the canal to check the water
- b. Height of storage dam 13 feet; active reservoir capacity 100 acre feet; total reservoir
capacity 125 acre feet; materials used in storage dam: Earth

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.

b. Estimated construction cost is \$ 12000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

- (1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.
- (2) Amount of power to be generated: _____ hp 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: Water is to be used for
irrigation to supplement my irrigation needs

my farm is now irrigated from wells and a water right from
Rock Creek using the same canal as I will use to store water in Reservoir
my water right from Rock Creek at the present time is just for high
water during irrigation season

45 7036

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

TWP.	RANGE	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	
11S	19E	31	40	40		40											40	40	200

Total number of acres to be irrigated 200

c. Describe any other water rights used for the same purposes Supplemental use page one

9. a. Who owns the property at the point of diversion Ted Crockett
 b. Who owns the land to be irrigated or place of use Garnet Kidd
 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 I understand there is about 15000 acre feet ^{water} wasted annually down Rock Creek into Snake River
My Reservoir site on my farm is capable of storing 100 feet ^{acre} of operating capacity which will supplement my present water from Rock Creek, and my irrigation wells, which are needed very much. My wells at present pump about 100 inches of water and there is 320 acres of land on my farm.

I have had a map prepared showing the diversion and use of water

The water to be stored will be high water during non irrigation season and when it does not interfere with other water rights

APPROVED BY _____
 COUNTY CLERK OF _____
 DEPARTMENT OF WATER CONTROL
 DATE OF REVIEW _____

11. Map of proposed project:

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of solid black lines forming the outer border and dashed black lines forming the internal divisions. The paper is otherwise empty, with no text or markings.

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.

Garnet Kidd ✓
(Applicant)

Received by ef Date 11-29-67 Time 8:30 am
Preliminary check by DMC Fee \$ 20.00 12-1-67
Receipted by ef Date check # 204 given 12-4-67
Publication prepared by KS Date 12-28-67
Published in Bozlerley Advertiser
Publication dates 1-4 and 11-68
Publication approved KS Date 1-2-68
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by act

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7018, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 70.
- Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 23 day of May, 19 68.

R. Keith Higgins
State Reclamation Engineer

Kimberly Advertiser

Printers — Publishers

P.O. Box S

Kimberly, Idaho 83341

423-5381

Date 2-2, 1968

- State of Idaho, Dept. of Reclamation
107 State House
Boise, Idaho 83701
-

Tear off and return this portion with your remittance \$_____

Jan. 411

Notice of Water application
No. 47-7018

\$1 7.13

I hereby certify that the foregoing account is correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Alvin Hill - Kimberly Advertiser
Signature of claimant

45 7036

Notice is hereby given that Gasset Road, Route 8, Box 51, Bunsen, Idaho has on November 28, 1967 applied for permit to store 100 acre feet of water from Rock Creek, tributary of the Snake River under application No. 47, 018. Water will be diverted by permanent diverting structures within the SW 1/4, sec. 2, T. 19 S, R. 18 E, B.M., Twin Falls County and is to be used from May 1 to October 1 for supplemental irrigation in the NW 1/4, SE 1/4, SW 1/4, sec. 21, T. 19 S, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Kimberly Advertiser, Kimberly, Idaho, on January 4 and January 11.

RECEIVED

FEB 5 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Twin Falls }

ss.

I, Alvin Bell being first duly sworn on oath, say:

That I am Co-publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice 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 January 4, 1968, and ending with the issue dated January 11, 1968.

And I do further swear that said newspaper has been so published as a weekly newspaper in said city and county, continuously and uninterruptedly during a period of more than seventy-eight consecutive weeks prior to the first publication of said above mentioned legal advertisement.

Alvin Bell

Subscribed and sworn to before me this 12th

day of January, 1968

Robert D. McKinnon
Notary Public for the State of Idaho.

(My commission expires May 1, 1969)

45 7036



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 10, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRENT FUNK
2951 N 4000 E
HANSEN ID 83334

RE: TRANSFER NO. 4422

Dear Water Right Holder:

Enclosed is a copy of the partially approved Transfer No. 4422 of Water Rights 47-00175/47-00176/47-00187/47-00188. Please be sure to thoroughly review the Conditions/Remarks as listed on the transfer, and the enclosed Preliminary Order.

The accompanying order 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 within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 agency.

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 Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director 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 Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

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

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

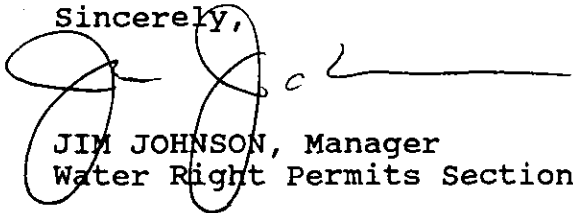
APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to be "Jim Johnson", written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

001

MEMORANDUM

TO: FILE 47-07529

FROM: PAM SKAGGS ^{CK}

RE: TRANSFER # 4422

DATE: 8-16-94

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 47-00137.

OCT 6 1994

February 17, 1978

Mr. Robert W. Stephan
Stephan, Slavin, Eaton & Stephan
P.O. Box 83
Twin Falls, Idaho 83301

Dear Mr. Stephan:

In reply to your letter of February 13th, I am enclosing copies of the correspondence contained in file No. 45-7036 for Garnet Kidd. These evidently were inadvertently not sent to you. You have already been billed for them.

If we can be of any further assistance, please advise.

Sincerely,

Margia L. Brown
Records Supervisor

mlb
Enc.

4-1985

STEPHAN, SLAVIN, EATON & STEPHAN
ATTORNEYS AT LAW

FRANK L. STEPHAN 1886-1952

TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO 83301

OFFICE ADMINISTRATOR
ESTHER BOPP

ROBERT W. STEPHAN
DANIEL A. SLAVIN
CURTIS H. EATON
THOMAS L. STEPHAN

TELEPHONE 208 733-2722
P. O. BOX 83

February 13, 1978

RECEIVED

FEB 14 1978

Department of Water Resources

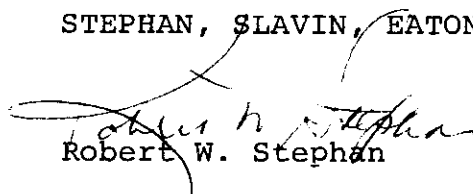
Marcia L. Brown
Records Supervisor
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Ms. Brown:

I would like to request a copy of all correspondence concerning water right license #45-7036 for Garnet Kidd. I have received copies of everything in his file excepting the correspondence. Please advise me what the charges are for making copies of said correspondence, and I will promptly remit.

Very truly yours,

STEPHAN, SLAVIN, EATON & STEPHAN


Robert W. Stephan

RWS:dab
M-1

Rec'd 2-14-78 BK

File 45-7036

OCT 30 1995

May 3, 1974

Re: Permit No. 45-7036

Garnet Kidd
Route 2
Kimberly, Idaho 83341

Dear Mr. Kidd:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

We are also enclosing a copy of the approved amendment along with Receipt #14398 in the amount of \$10.00.

Sincerely,

BOBBY D. FLEMMOR
Assistant Director

BDF:jfr

Enclosures

45-7036

April 8, 1974

Mr. Garnet Kidd
Route # 2
Kimberly, Idaho 83341

Dear Mr. Kidd:

A representative of this Department has made an examination of the works covered by your Permit No. 45-7036 and has found the following:

Quantity of water diverted: 5.98 cfs Source: Rock Creek

Amount of water that can be recognized as beneficially used under
Idaho law: 3.98 cfs

The maximum quantity diverted shall not exceed * 607 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 12S, Rge. 18E, B.M.

Beneficial use: Irrigation from March 15 to April 1 and from Oct. 1 to
Nov. 30 within the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Twp. 11S, Rge.
19E, B.M. (199 acres)

Priority date established: Dec. 1, 1967 (see enclosed order which
advances priority)

* Subject to the condition that the maximum volume per year shall not exceed
1,112 acre feet, or 4.0 af per acre, when combined with Licenses No.
19451 and 20059.

The place of use found by our examiner differs from that listed under your permit, therefore, it will be necessary for you to amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use in this matter. Please return the completed application form along with a \$10.00 filing fee within 20 days of the date of this letter in order that we may issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact us within the 20-day limit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

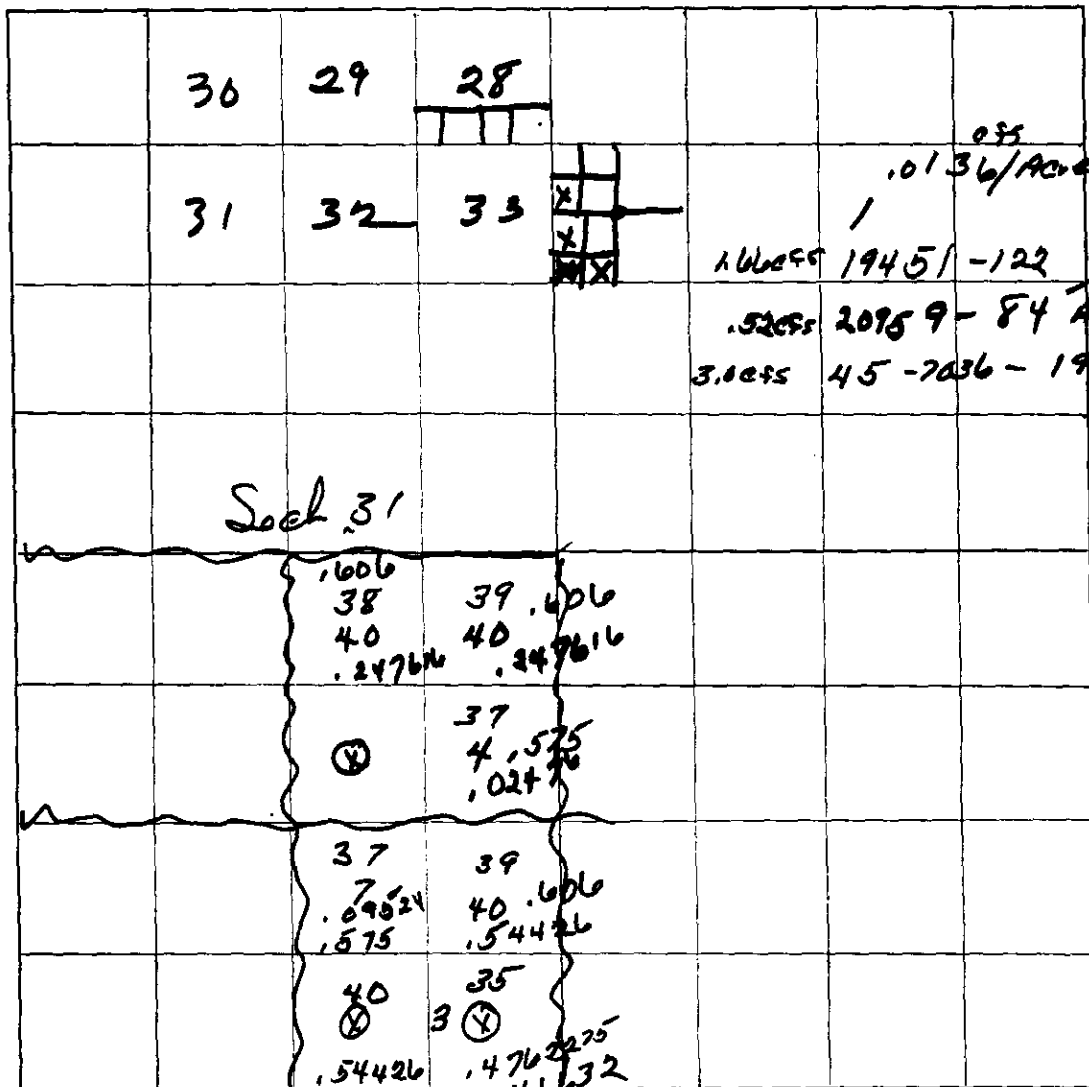
BDF:DR Enc: Order
 Amendment form

45-7036

LAY _____ %
WASTE _____ %
ROCK _____ %
GRADE _____ %
CLASS _____

LAY _____ %
WASTE _____ %
ROCK _____ %
GRADE _____ %
CLASS _____

SECTION 31 TOWNSHIP 5E RANGE 45



LAY _____ %
WASTE _____ %
ROCK _____ %
GRADE _____ %

LAY _____ %
WASTE _____ %
ROCK _____ %
GRADE _____ %

State of Idaho
License and Certificate of Water Right

Water License No. 20059

Amount .52 c.f.s.

Water District No. _____

Priority May 31, 1957

THIS IS TO CERTIFY that **LARS K. LARSEN**
of **Hansen, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **April 21**, 19 **47**; that Permit No. **20059**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on **April 21**, 19 **52**, showing that said works
were completed on the **16th** day of **April**, 19 **52**; and that on the **4th**
day of **June**, 19 **58**, **LARS K. LARSEN**

of **Hansen**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **a well**
, a tributary of subterranean, for the purpose of **Irrigation and domestic**
use, under Use Permit No. **20059** of the **Department of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page **6426**, on the **18th** day of **September**, 19 **58**;
The right hereby confirmed dates from **May 31**, 19 **47**;

The Point of Diversion is located
in the **SW 1/4 NE 1/4, Sec. 31, Tp. 11 S., R. 19 E., B. M.** **County Twin Falls**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **.52** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	31	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			Total number of acres irrigated	- - -	84

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
18th day of **September**, 19 **58**.

(SEAL)

/s/ **Geo. N. Carter**
State Reclamation Engineer.

45-7036

State of Idaho
License and Certificate of Water Right

Water License No. 19451

Amount 1.66 c.f.s.

Water District No.

Priority December 13, 1943

THIS IS TO CERTIFY that LARS P. LARSEN
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 13, 1943; that Permit No. 19451
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on April 6, 1949, showing that said works
were completed on the 9th day of October, 1948; and that on the 17th
day of December, 1954, LARS P. LARSEN

of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
~~located in the~~ (subterranean flow), for the purpose of irrigation and
domestic, under Use Permit No. 19451 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5872, on the 6th day of December, 1956;

The right hereby confirmed dates from December 13, 1943;

The Point of Diversion^s are located SW¹/₄ SE¹/₄, Section 31, Twp. 11 S., R. 19 E., and
in the SE ¹/₄ SE ¹/₄, Sec. 31, Tp. 11 S., R. 19 E., B. M. County Twin Falls

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	31	NW ¹ / ₄ SE ¹ / ₄	40	7
			SW ¹ / ₄ SE ¹ / ₄	40	40
			NE ¹ / ₄ SE ¹ / ₄	40	40
			SE ¹ / ₄ SE ¹ / ₄	40	35
			Total number of acres actually irrigated - - -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of December, 1956.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

45-7036

MEMO

To: **Ken**

From: **Darlene**

Date: **1/22/74**

Herewith forwarding field exam report for Permit No. **45-7036**

Cannot issue license until the following is determined:

- ☐ Amount of water measured
- ☐ Location of point of diversion
- ☐ Place of use for domestic
- ☐ Place of use for stockwater
- ☐ Place of use for irrigation (number of acres in each 40-acre subdivision)
- ☐ Installation of measuring device
- ☐ Permit holder does not agree with findings of examiner, please re-examine
- ☒ Other **Please review proposed license and compare with recorded rights #19451 and #20059 issued on same land.**

Thanks for your help.

45 7036

July 13, 1971

Re: Permit No. 45-7036

Mr. Garnet Kidd
Route 2 - 540 Locust St.
Kimberly, Idaho 83341

Dear Mr. Kidd:

Pursuant to your letter of July 1st, we have scheduled a field examination to be made in connection with Permit 45-7046.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

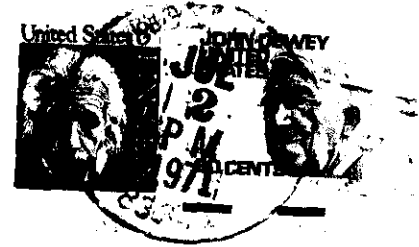
Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

45 7036

Garnet Kidd
RT#2- 540 Locust St.
Kimberly, Idaho
83341



CERTIFIED

No 087429

MAIL

State Of Idaho
Dept. of Water Administration

Statehouse- Annex 2

Boise, Idaho

83707

45 7036

Kimberly, Idaho

JUL 1 1971
RECEIVED

JUL 6 1971

State Of Idaho
Department Of Water Administration
State House, Boise, Idaho

Department of Water Administration

Dear Sir;

Re: Permit No. 45-7036

Please find enclosed photographs of the measuring device,
and checks, to divert the water, as of my application.

Picture No.1 shows the water being diverted and measured
with a cipolletti weir.

Picture No.2 shows the diversion and structure . The water
is diverted and measured thru a trapezoidal flume.

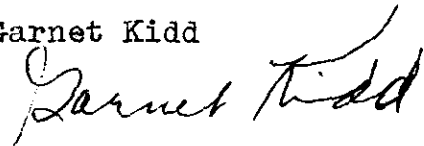
Picture No.3. is the flume . These pictures are numbered
on the back of each.

The two checks are a short distance apart, No.1 is leading
to the pump, and No.2 is by gravity.

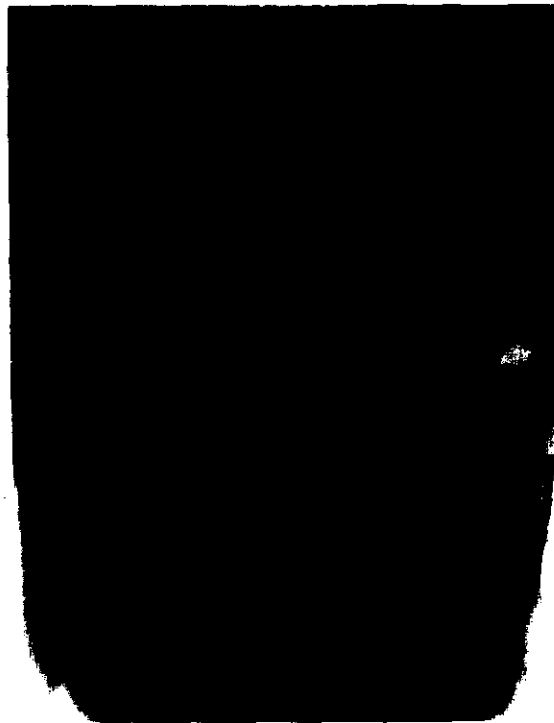
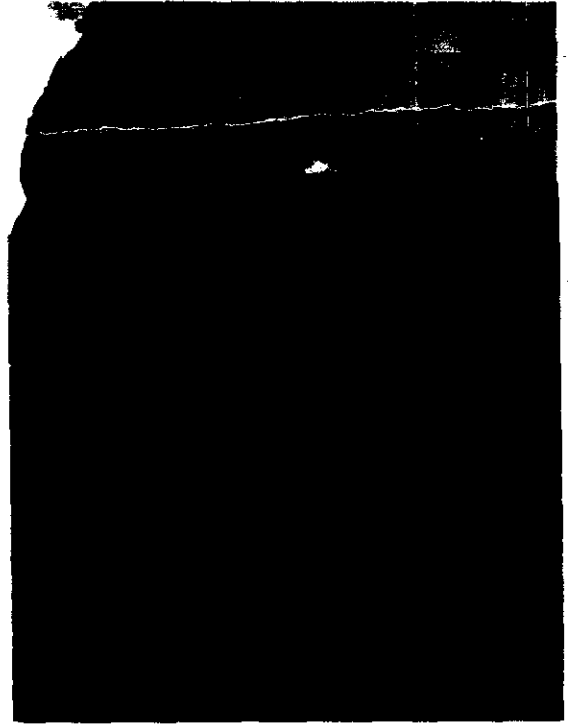
I hope this information is sufficient.

Very Truly Yours

Garnet Kidd



45 7036



45 7036

June 3, 1971

Re: Permit No. 45-7036

Mr. Garnet Kidd
Route 2
Kimberly, Idaho 83341

Dear Mr. Kidd:

We are in receipt of your affidavit submitted as proof of beneficial use for permit 45-7036. However, in reviewing that affidavit, it appears that you have failed to install the measuring device as required by the conditions of approval of your permit and by Section 42-701 of the Idaho Code.

We cannot accept your proof and issue a license unless you have installed a measuring device of a type approved by this Department. We will hold your affidavit until you can supply us with information as to the type of device installed. You should be aware that failure to install the device and supply information as to the type of device installed, may result in the loss of your permit. We will withhold action regarding your permit until July 3, 1971.

We are enclosing a list of the types of measuring devices approved by the Department. If you have any questions, please contact us.

Very truly yours,

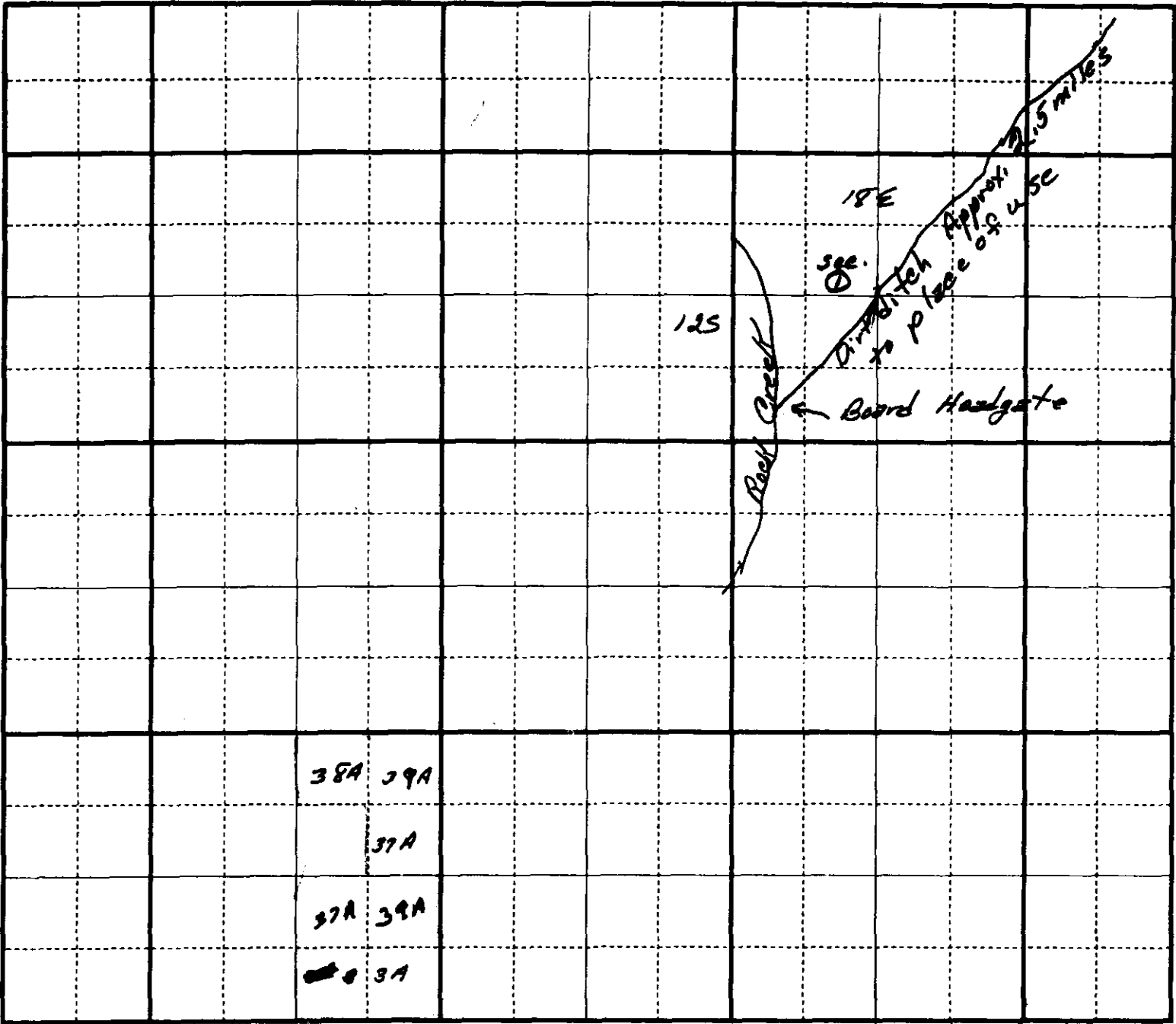
Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

45 7036

Nov 1. 1891

45-7036

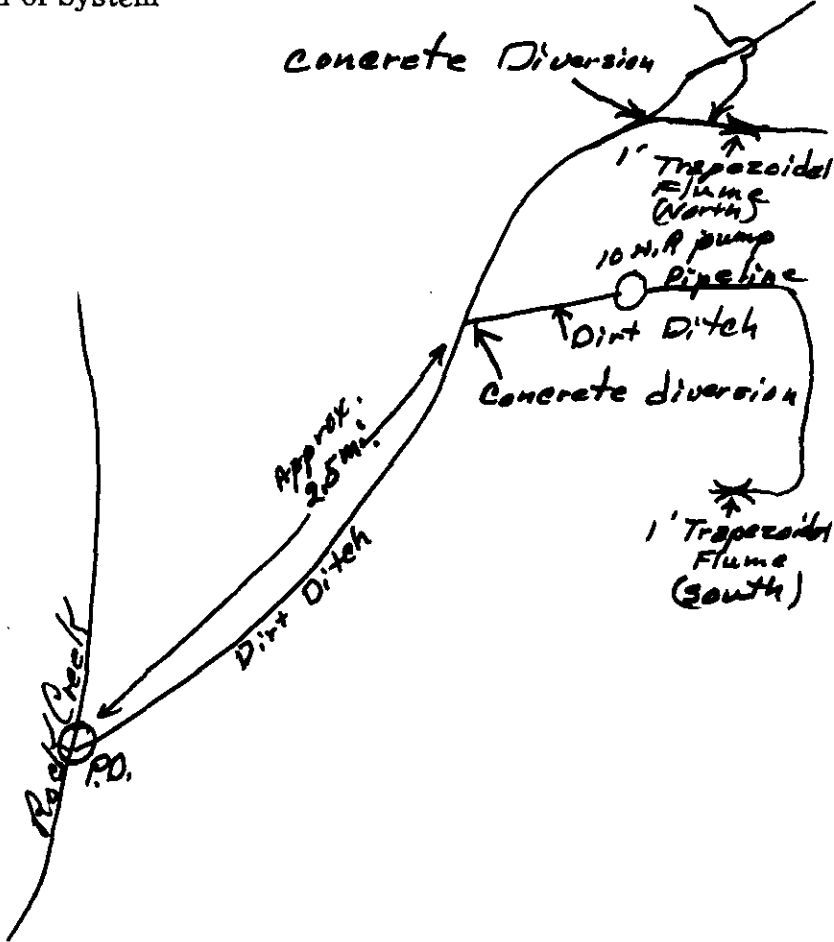


38A 39A
37A
37A 39A
37A

Diagram of System

Concrete Ditch

Concrete Diversion



DATE	EXAMINATION RECORDS
71	Make exam after Oct 1st. Note irrigation season by: J.B.
11/3/72	Needs measuring device in his water stream from his pump. Complete in March 73 Rest of exam complete. by: K.F.
	by:
	by:

Exam. r

make Exam After Oct 10
NOTE IRRIGATION SEASONS!DATE OF EXAM 11-2-73

Jim

ACREAGE

Found 193
Recommended 193Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 3.0 c.f.s. V = 107.772 AF/Ann. from Oct. 1 to Nov. 30
 Domestic Q = _____ c.f.s. V = 362.34 AF/Ann. from Oct. 1 to Nov. 30
 Livestock Q = _____ c.f.s. V = 106.92 AF/Ann. from Mar. 15 to April 1

Is water co-mingled? yes X no NOT water is taken from ditch that has other users.

Name source: Rock Creek
 twp. 12 N/S Rge 18 E/W, B.M., Sec. 1, Sub. SW 1/4 SW 1/4 Twin Falls County

Exchange? yes _____ no ✓

Name source exchanged with: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection:
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange:
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 5.98 cfs Method of measurement (1) Ft. Trapezoidal FlumeTotal Q recommended 3.0 cfs Meter No. _____ Type _____ Condition NEWTotal V recommended 107.772 AF/Ann
469.26 AF/Ann

Recommended Amendments:

P.D. NO
 Place of Use yes N 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, Sec. 31, T11S, R19E
 Other NO
 None _____

MEASUREMENT CALCULATION:

North Flume $h = 1.38 \text{ ft} = 3.69 \text{ cfs}$
 South Flume $h = 1.12 \text{ ft} = 2.29 \text{ cfs}$ } Free flow discharge standard (1) Ft. Flume = 5.98 cfs
 $V = (193 \text{ Ac})(4.0 \text{ AF/Ac}) = 772 \text{ AF/Ann}$ } $V = (772 \text{ da})(1.98)(3.0 \text{ cfs}) = 469.26 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

Water is diverted from Rock Creek through a ditch which normally supports several users during the regular irrigation season. Water is conveyed ≈ 2.5 miles. Water is diverted from ditch to a pump station, discharges through underground pipe into open cement ditch. Here a 1 foot trapezoidal flume is used to measure it. G.E. Motor, 10 H.P. 220/440V, Ser# DAT 407359, Verti-line Pump, 1350gpm, 1750 RPM, Ser. # D12774.

REMARKS:

Second diversion is into open cement ditch with a 1 foot trapezoidal flume for measurement.

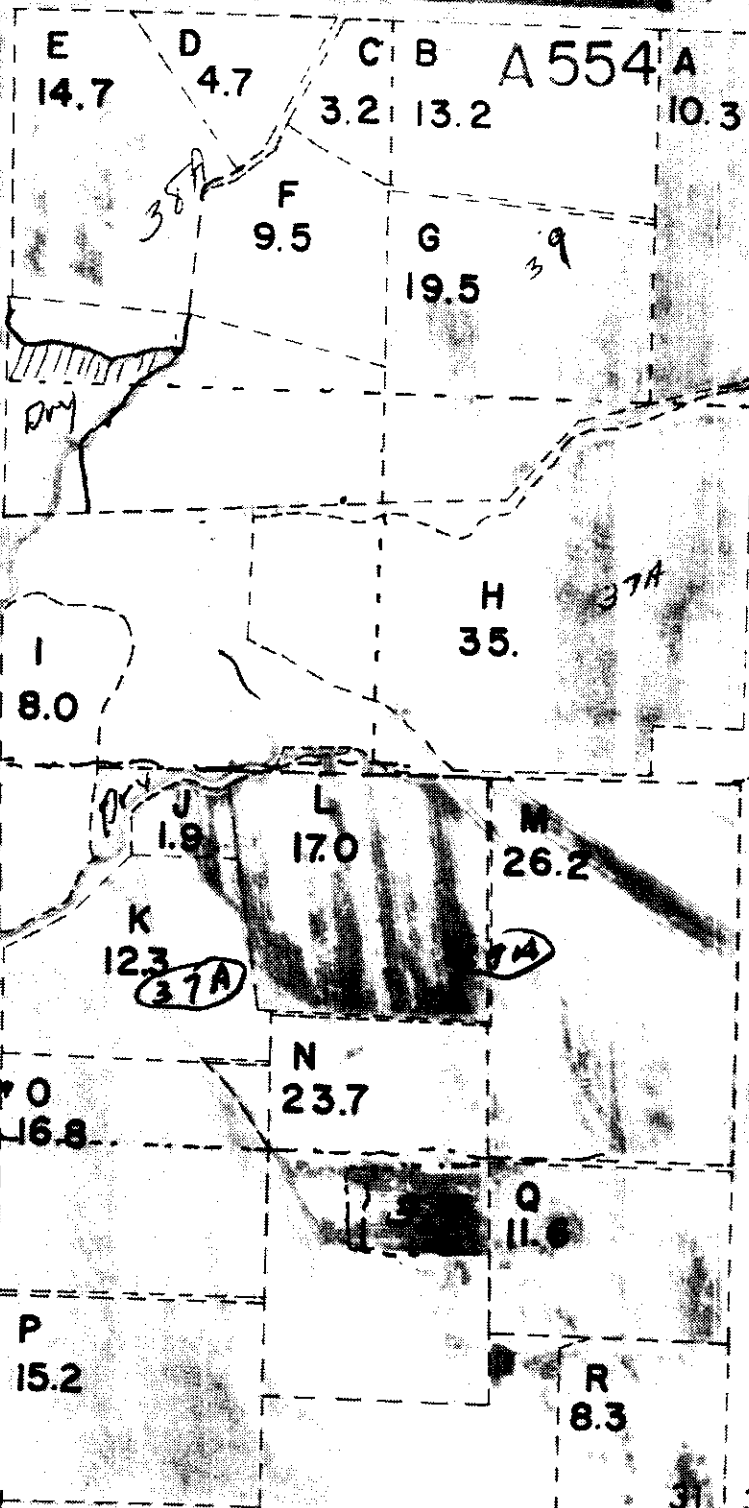
P.D. is in Twin Falls County, not Cassia County

Examiner's Signature Ken F. Lawrence Date 11-19-73Checked by Michael L. Steele Date 12-12-73

Approved by _____ Date _____

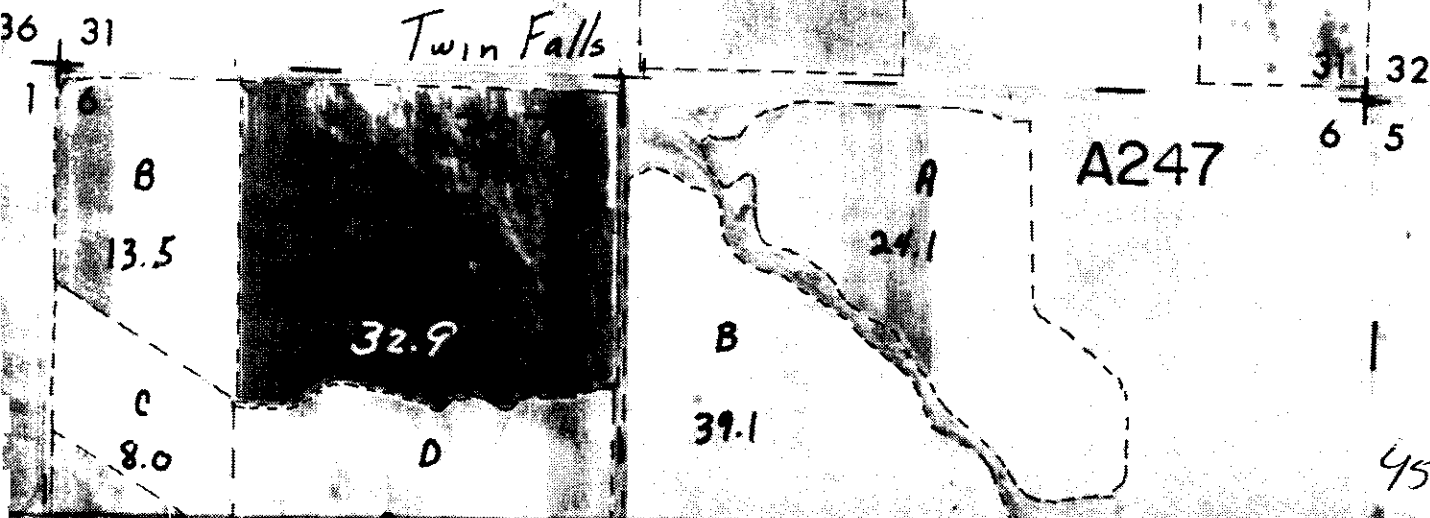
45-7034

H
Sec 19



Put wrong land description
on permit. This 80 A is
what he is irrigating.

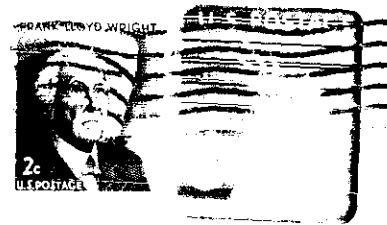
Twin Falls



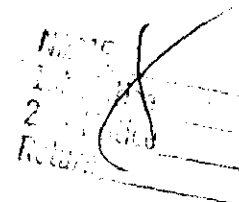
45-7036

Garnet Kedd
Route 2
Kimberly Idaho 83341

30
30 CENTS
UNITED STATES
POSTAGE



State of Idaho
Department of Water Administration
Statehouse Annex 2
Boise, Idaho 83707



45 7086

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder GARNET KIDD
b) Post Office Address Route #2 Kimberly, Idaho 83341
2. Permit Number 45-7036
3. Date of Priority that you are prepared to establish 11/29/67
4. a) Source from which water was appropriated Rock Creek in Twin Falls County
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 1
Township 12 S, Range 18 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 2-1/2 CFS for Irrigation purposes from Oct. 1 to Nov. 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 2-1/2 CFS for Irrigation purposes from March 15 to April 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 200 acre feet per annum cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 10 H.P. Layne & Bowler Turbine Pump
Gail J. Staley Mgr. Layne & Bowler Pump Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Conducted through R.O.A. Ditch
b) Describe the agreement or understanding by which you take water from the works: Mutual agreement through the R.O.A. Ditch users.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Concrete diversions
and 10 H.P. Layne & Bowler Turbine Pump
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10 H.P. Turbine Pump
c) Give well drillers name and address and date the well was completed _____

*Exam Typed 10-4-71
mjt*

45 7036

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	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	
11S	19E	31	40	40		40											40	40	200

Total number of acres irrigated 200

10. Remarks: _____

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

6-1-71
(Date)

X Garnet Kitch
(Signature)

State of Idaho
County of TWIN FALLS ss.

On this 1st day of June, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Kimberly Reed
Notary Public residing at Kimberly, Idaho

My commission expires 1-20-73

May 13, 1970

Re: Permit No. 45-7036

Mr. Garnet Kidd
Box 96
Kimberly, Idaho 83341

Dear Mr. Kidd:

Enclosed please find a copy of the APPROVED extension of time for the above referenced permit. The time within which to submit proof of beneficial use has been extended to June 1, 1971.

Also enclosed is a copy of the APPROVED application for amendment for permit 45-7036 along with receipt #4598 in the amount of \$5.00 covering the filing fee for the amendment.

If we may be of assistance at any time, please contact us.

Very truly yours,

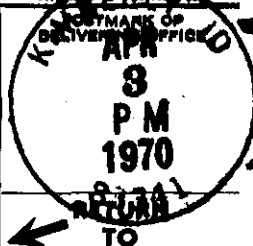
Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosures (3)

45-7036

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR RETURNING TO AVOID
PAYMENT OF POSTAGE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 State use

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

685-10-77000-00

APR 1967

APR 1967

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

BURLEY,
APR 2
AM
1970
83318

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

21767

INSURED NO.

DATE DELIVERED

4-3-70

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (only if requested)

45-7036

655-16-71548-10 GPO

BURL

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

22630

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

4-3-71

45-7036

16-7112-108 GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANEX 12
BOISE, IDAHO 83702**

45 7036

CS-18-71548-11

POD Form 3811 Apr. 1963

April 1, 1971

CERTIFIED MAIL

#22630

Re: Permit No. 45-7036

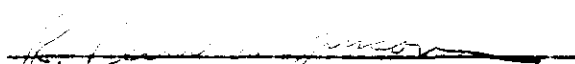
Garnet Kidd
Route 3, Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

One of the conditions of approval of your water Permit No. 45-7036
(see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

45 7036

April 1, 1970

Re: Permit No. 45-7036 (old No. 47-7018)

Mr. Garnet Kidd
Route 3, Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

One of the conditions of the approval of your permit no. 45-7036 was that proof of application of the water to beneficial use be submitted to this office on or before June 1, 1970 .

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. B. ...

State Reclamation Engineer

Enc: Proof form
dr

CERTIFIED MAIL

#21767

45-7036

May 27, 1968

Re: Permit 47-7018

Garnet Kidd
Route # 3, Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

We enclose a copy of your approved application for permit 47-7018 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Alfred, Assistant
State Reclamation Engineer

CSA:kd

Enclosure: Copy of application

Bearley Idaho

March 25, 1968

Department of Reclamation
Room 107 State House

RECEIVED

MAR 27 1968

Baile Idaho

Dear Sir

Department of Reclamation

In reference to your letter of Feb. 23, 1968
under item 4 of the application I would say
during the winter in time of high water the
maximum rate of diversion at the diversion point
should be as much as 10 Cubic feet per second
under item 5

I purpose to store water from the first day of December
to the first day of April when ever there is flood water
or water that is not being used

at the time of year we will store water no one
else is using the diversion ditch as it is dry all
winter and the water flows down Rock Creek to make
snow, I was in attendance at the Rock Creek
water users annual meeting and presented my plan
no body at the meeting had any objection to this filling.

The water will be taken out of the Rock Creek diversion
ditch at a point where the ditch enters my farm then
stored in a reservoir shown on the application.
I will come to Baile if it is necessary.

45 7036

Sincerely
Harriet Kiedel

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 23, 1968

RECEIVED

MAR 27 1968

Department of Reclamation

Re: Application No. 47-7018

Garnet Kidd
Route #3, P. O. Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

The Department of Reclamation has processed your application for permit; however, before final action on your application may be taken, we will require some additional information.

Under Item 4 of the application, quantity of water to be appropriated, you have listed that you intend to store 100 acre feet per annum. We will also require, a rate of diversion in cubic feet per second, the maximum rate of diversion at your point of diversion.

Also, under Item 5, you have listed that you intend to use the water for irrigation season of May 1 to October 1. Inasmuch as you propose storing on a stream that has decreed rights and high appropriation, we will request that you supply the department with instructions to enter storage on your application, and the period during each year that you intend to store water.

Your prompt attention to these issues is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

45 7036

March 21, 1968

Re: Application No. 47-7018

C
O
P
Y
Garnet Kidd
Route #3, P. O. Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

Enclosed is a copy of our February 23, 1968 letter. As of this date we have not received any return correspondence. We would appreciate a reply from you as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

D.M:ks

Enclosure: Copy of 2-23-68 letter

February 23, 1968

Re: Application No. 47-7018

C
O
P
Y
Garnet Kidd
Route #3, P. O. Box 51
Burley, Idaho 83318

Dear Mr. Kidd:

The Department of Reclamation has processed your application for permit; however, before final action on your application may be taken, we will require some additional information.

Under Item 4 of the application, quantity of water to be appropriated, you have listed that you intend to store 100 acre feet per annum. We will also require, a rate of diversion in cubic feet per second, the maximum rate of diversion at your point of diversion.

Also, under Item 5, you have listed that you intend to use the water for irrigation season of May 1 to October 1. Inasmuch as you propose storing on a stream that has decreed rights and high appropriation, we will request that you supply the department with instructions to enter storage on your application, and the period during each year that you intend to store water.

Your prompt attention to these issues is appreciated.

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:ks

**NOTICE OF APPOINTMENT
FOR WATER**

Notice is hereby given that Garret Kidd, Route 3, Box 51, Burley, Idaho has on November 29, 1957 applied for permit to store 150 acre feet of water from Root Creek, tributary of the Snake River under application No. 47-2018. Water will be diverted by permanent diverting structures within the SW $\frac{1}{4}$ -SW $\frac{1}{4}$, sec. 4, T. 12-S, R. 18-E, B.M. Twin Falls County and is to be used from May 1 to October 1 for supplemental irrigation in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 51, T. 11-S, R. 19-E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KETH HIGGINSON
State Reclamation
Engineer

Published in the Kimberly Advertiser, Kimberly, Idaho, on January 1 and January 21.

45 7036

45 7036

January 31, 1968

Re: Application No. 47-7018

Kimberly Advertiser
Kimberly,
Idaho 83341

Gentlemen:

As of this date we have not received the affidavit or the bill of publication for the above referenced application. We are enclosing a copy of the transmittal letter to clarify our instructions. Your prompt attention is appreciated.

Very truly yours,

Donald W. McIlowney
Water Rights Clerk

DWM:ks

Enclosure:

45 7036

December 23, 1967

Re: Application No. 47-7018

Kimberly Advertiser
Kimberly,
Idaho 83341

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 publication dates allowing ample time for you to submit us a galley proof for review before publication.

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 date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McIlowney
Water Rights Clerk

D.M:ks

Enclosure: legal notice

Form 3

45 7036

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Garnet Kidd, House #5, Box 51, Burley, Idaho
has on November 29, 1967
applied for permit to ~~divert~~ store 100 ~~cubic feet per second~~ acre feet
of water from Rock Creek, tributary of the Snake River
under application No. 47-7018. Water will be diverted by ~~permanent~~
~~diverting structures~~ within the SW1SW1, sec. 1, T. 12 S, R. 18 E,
Idaho, Twin Falls County
and is to be used from May 1 to October 1 for supplemental irrigation
in the NW1NE1, SW1NE1, S1SE1, sec. 31, T. 11 S, R. 19 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Kimberly Advertiser, Kimberly, Idaho,
on January 4 and January 11.