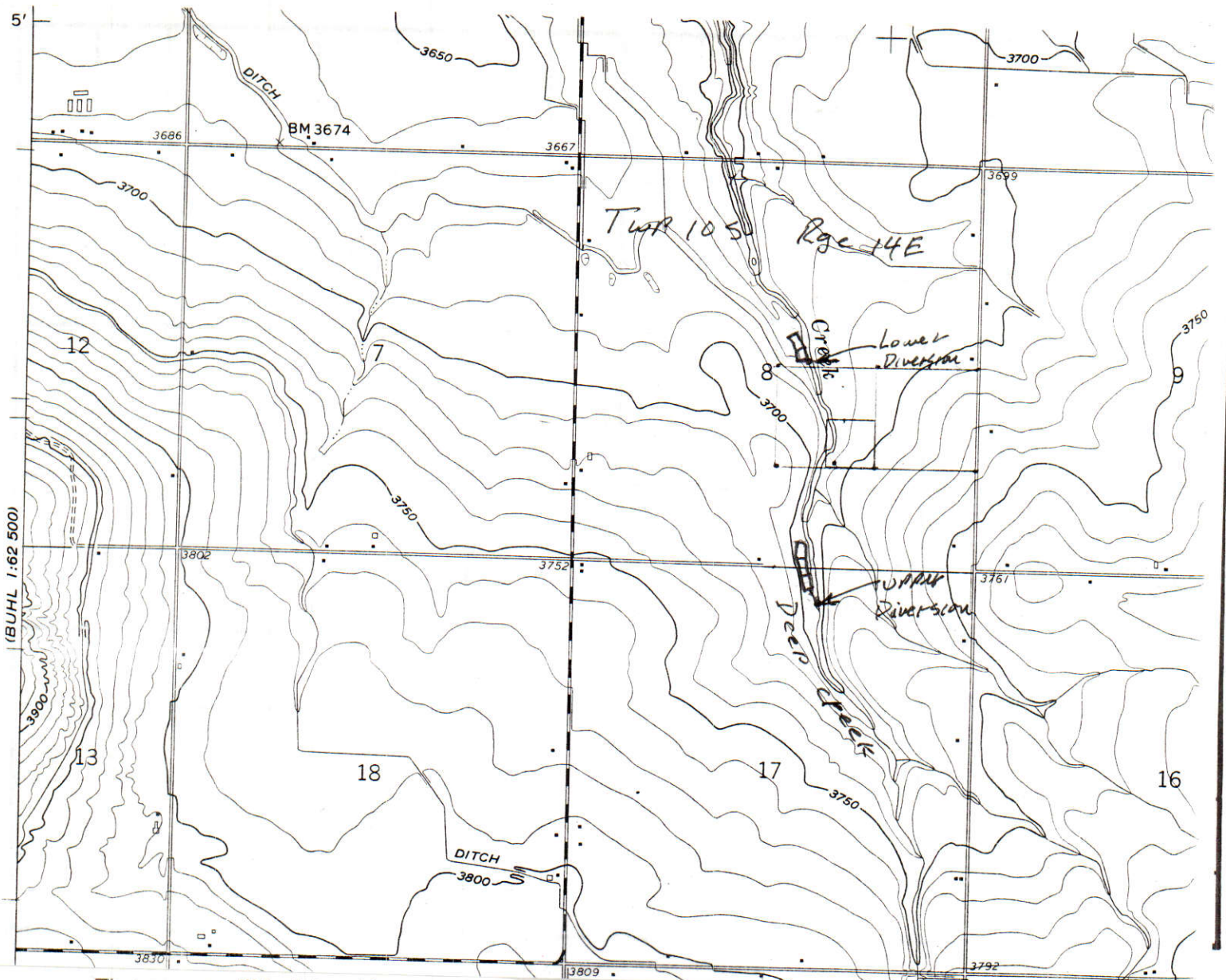


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



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

Signed at _____, this _____ day of _____, 19____.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by *[Signature]* Fee = \$20.00
Publication prepared by *MB* Date 7/11/88
Publication dates 7/21 & 7/28
Received by *LH* Date 8/15/88
Published in Times News

5000082

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above Application for Amendment provided the conditions as set forth
in Permit No. 47-7458 are met.

RECORDED

OCT 11 1988

Witness my hand this 3 day of October

[Signature]
Chief, Operations Bureau

NOTICE OF AMEND
MENT TO A WATER
PERMIT

NO 47-7458

Notice is hereby given that Fred F. &/or Betty Kippes of Buhl, ID are the holders of Approved Permit No. 47-7458 authorizing the diversion of 40 cubic feet per second of water from Deep Creek tributary to Snake River in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T10S, R14E, county of Twin Falls, to be used for fish propagation within SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T10S, R14E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to allow development at two sites instead of one, as previously permitted, described as follows:

Upper Site:
Point of Diversion:
NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T10S, R14E.

Place of Use:
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T10S, R14E; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T10S, R14E; 3 $\frac{1}{2}$ miles West & 2 miles South of Buhl.

Lower Site:
Point of Diversion:
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T10S, R14E; 3 $\frac{1}{2}$ miles West & 1 $\frac{1}{2}$ mile South of Buhl.

Place of Use:
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T10S, R14E.

Amount: No change
Period of Use: No change

Any protest against approval of the amending of Permit No. 47-7458 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before August 8, 1988.

R. Keith Higginson,
Director

PUBLISH: Thursday,
June 21 and 28, 1988.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

N^o 18848

I, Linda Capps McLean 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 July 21, 1988, and ending with the issue dated July 28, 1988.

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.

Subscribed and sworn to before me on this

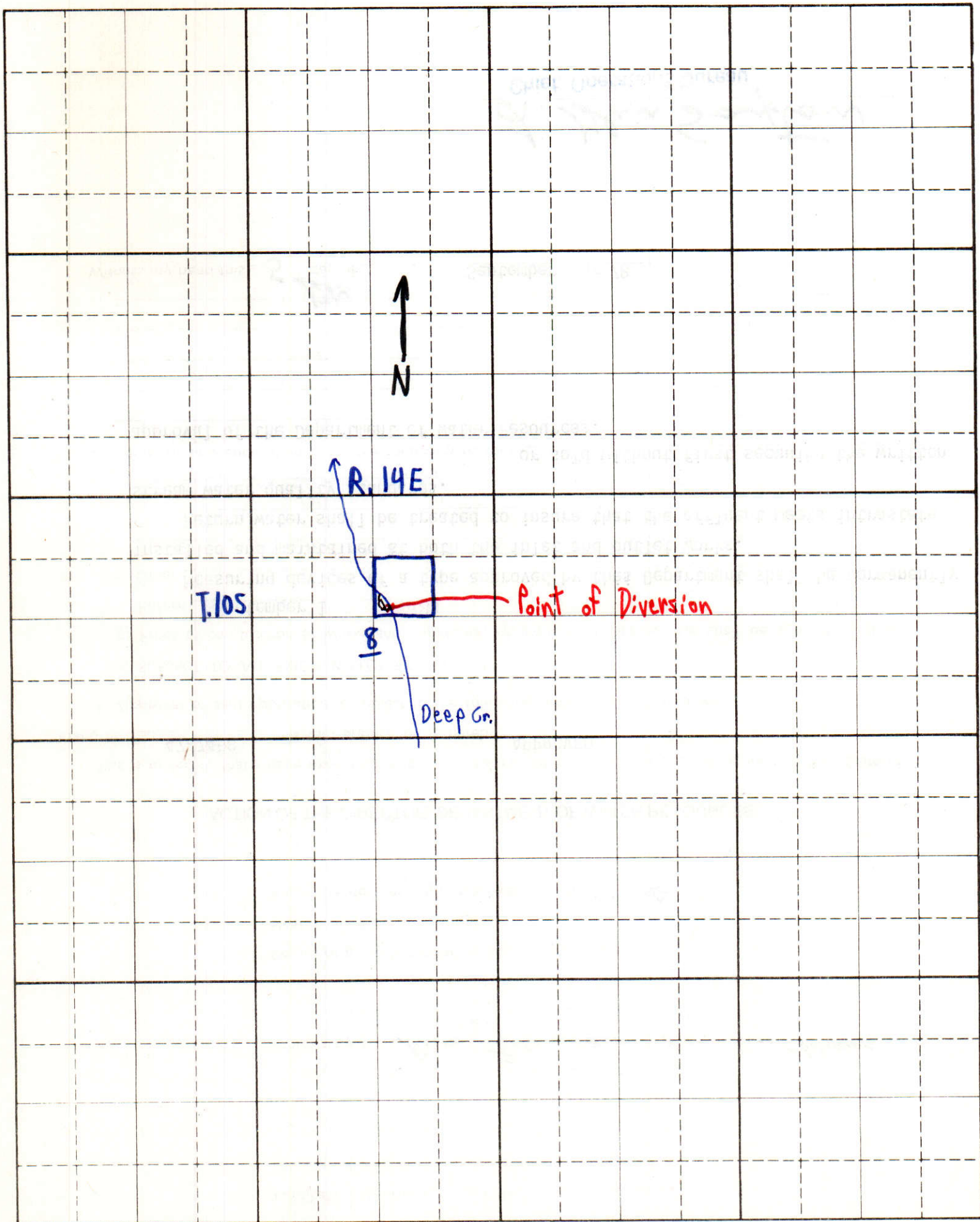
Linda Capps McLean day of July, 1988.

Brenda Parker
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

DEC 23 1988

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



Scale: 2 inches equal 1 mile

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

Fred H. Hopper
(Applicant)

called
paper 3/22/78
(then error)
wrong

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Fred F. &/or Betty Kippes, Buhl, Idaho 83316 has on 2/28/78 submitted Application No. 47-7458 for a permit to appropriate 40.0 cubic feet per second by means of cement baffle in Deep Creek, headgate, measuring device, 4 dirt ponds, ditch, within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 14E, B.M. Twin Falls County to be used from Jan. 1 to Dec. 31 for fish propagation purposes, within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 27, 1978.

C. STEPHEN ALLRED
Director

PUBLISH Mar. 9 & 16, 1978.

RECEIVED

MAR 20 1978

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

No 6883

I, Margie Kulhanek being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursdays, commencing with the issue dated March 9, 1978, and ending with the issue dated March 16, 1978.

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, 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.

Margie Kulhanek
Subscribed and sworn to before me on this 16th day of March, 1978.

Carolynne Jensen
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

OK
4/13/78

Affidavit of Publication

No 6940

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Fred Malm being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, except Saturday, 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 Thursdays, commencing with the issue dated
March 30, 1978, and ending with the issue dated
April 6, 1978.

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 con-
tinuously 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, 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.

Subscribed and sworn to before me on this 13th day of

April, 1978.

Carol J. Jennings

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred F. &/or Betty Kippes has on 2/28/78 submitted Application No. 47-7458 for a permit to appropriate 40.0 cubic feet per second of water from Deep Creek tributary to Snake River by means of cement baffle in Deep Creek, headgate, measuring device, 4 dirt ponds, ditch, within the SW1/4NE1/4, Sec. 8, Twp. 10S, Rge. 14E, B.M. Twin Falls County to be used from Jan. 1 to Dec. 31 for fish propagation purposes, within the SW1/4NE1/4, Sec. 8, Twp. 10S, Rge. 14E, B.M.

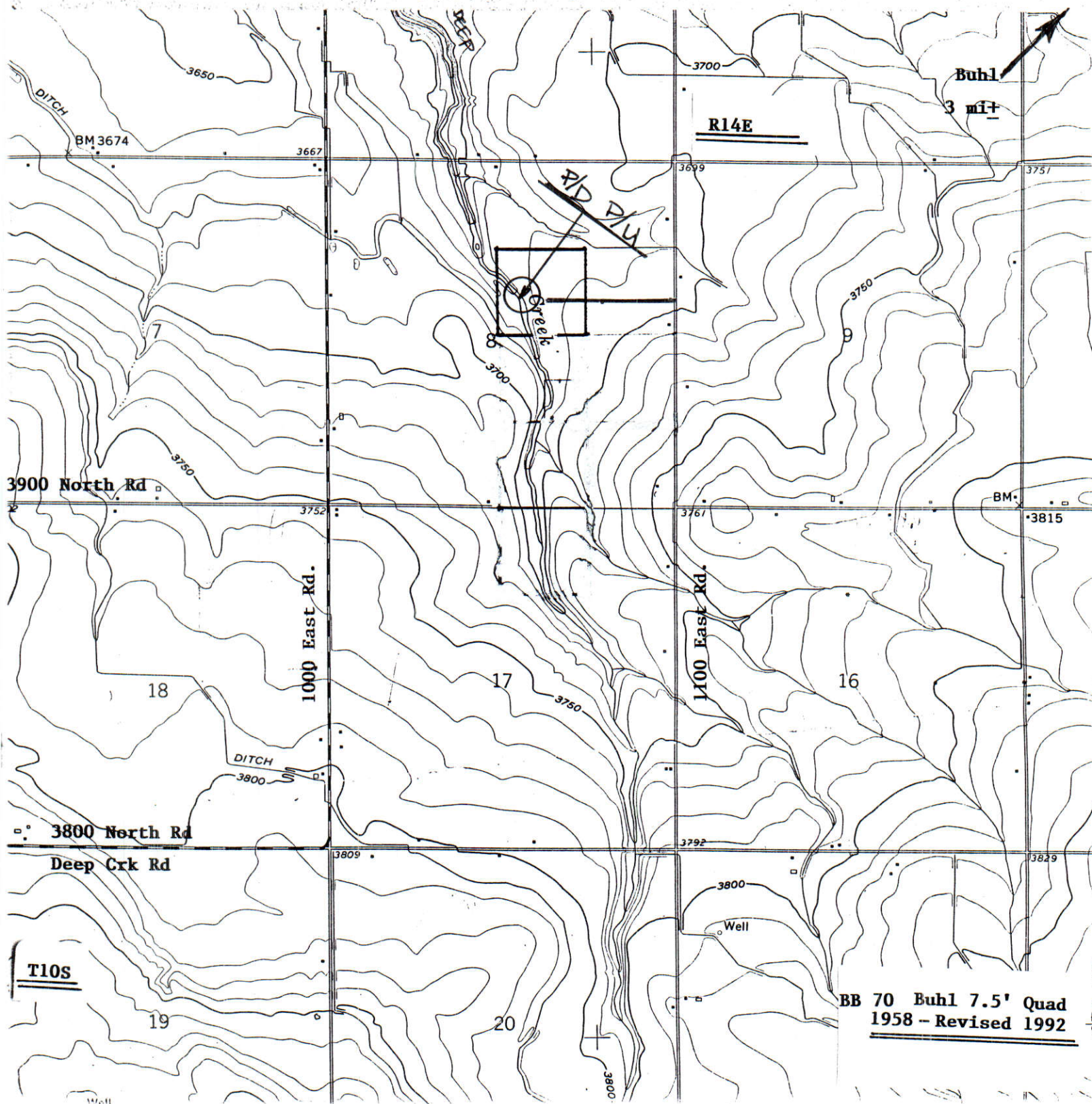
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before April 17, 1978.

C. STEPHEN ALLRED
Director
PUBLISH: Mar. 30 and Apr. 6, 1978.

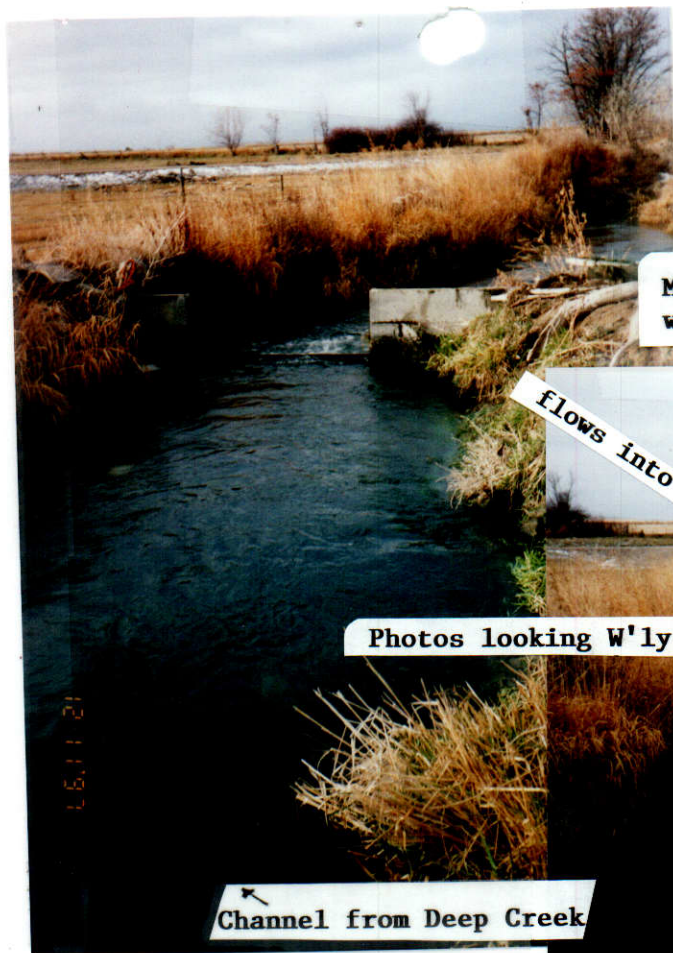
RECEIVED

APR 13 1978

Department of Water Resources
Southern District Office



1/2



Mr. Griffith says a staff gage will be installed on weir.

flows into west pond

flows into east pond

Photos looking W'ly

Channel from Deep Creek



West Pond photo looking N.

Kippes, Fred &/or Betty
Griffith, Rodney
11 Dec 1997 1100 hrs.
Examiner: Satterlee
47-07458

2/2



East Pond photo looking N.

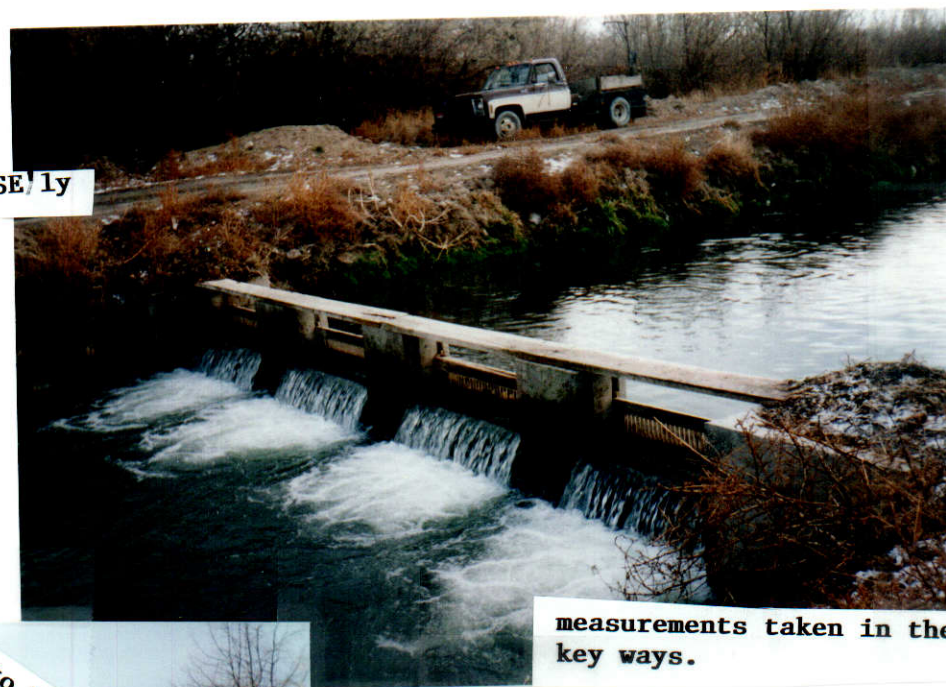


Photo looking SE'ly

measurements taken in the key ways.

Flows out back to Deep Creek
→

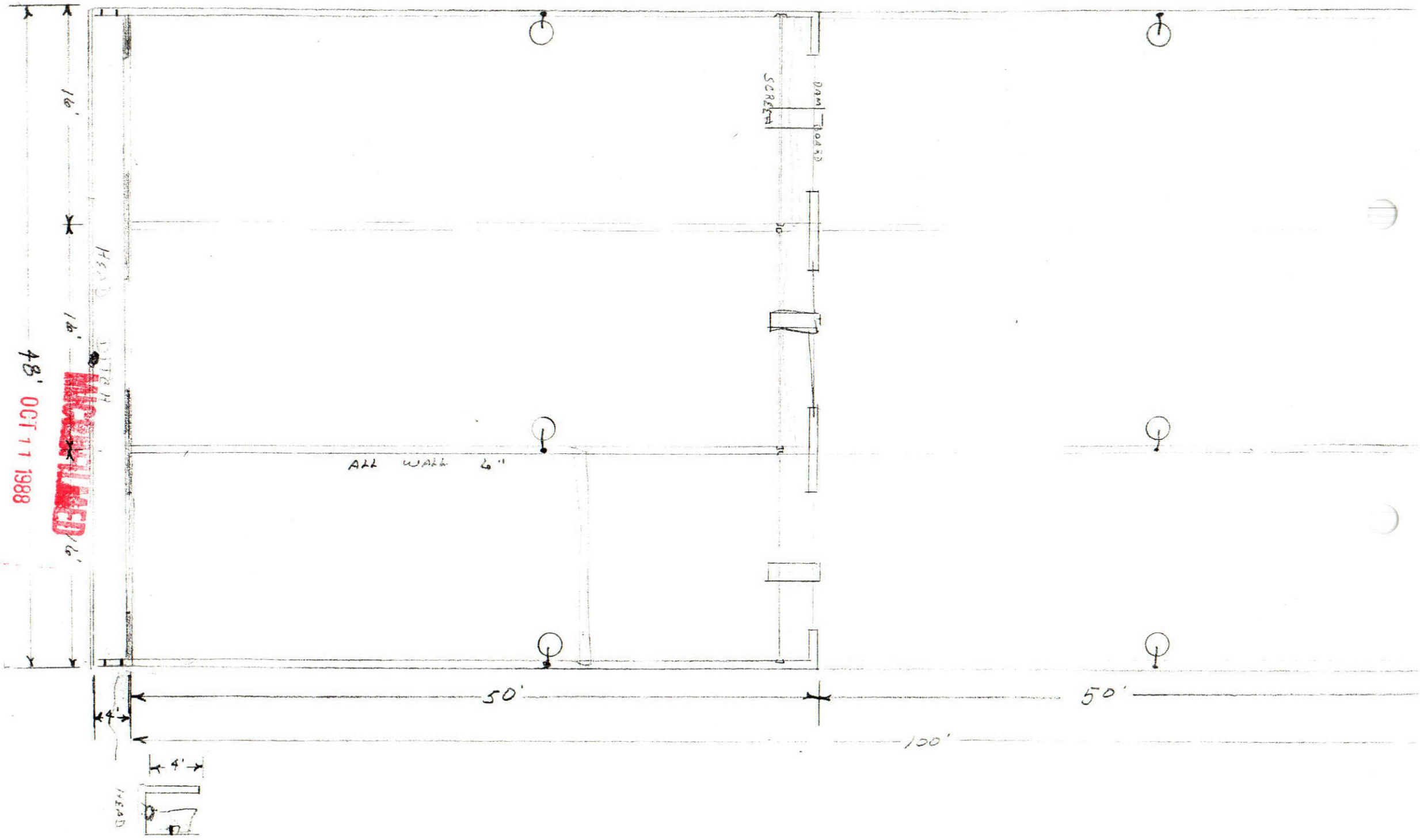


Settling Pond, East Side

Photo looking NW'ly

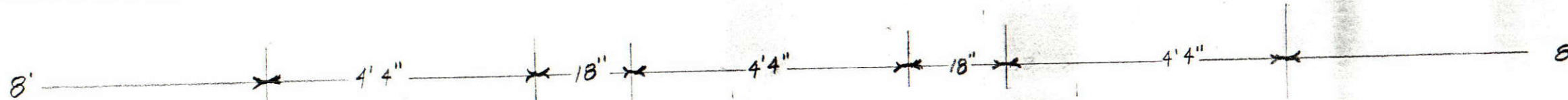
Kippes Fred &/or Betty
Griffith, Rodney
11 Dec 1997 1100 hrs.
Examiner: Satterlee
47-07458

Upper Ponds





32'



2 X 12 X 18'

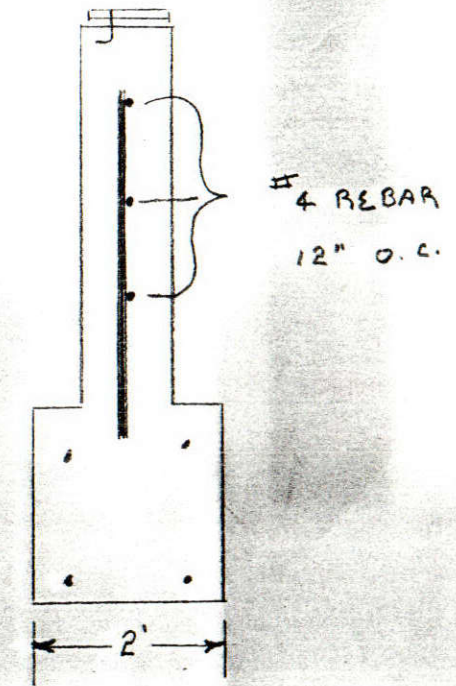
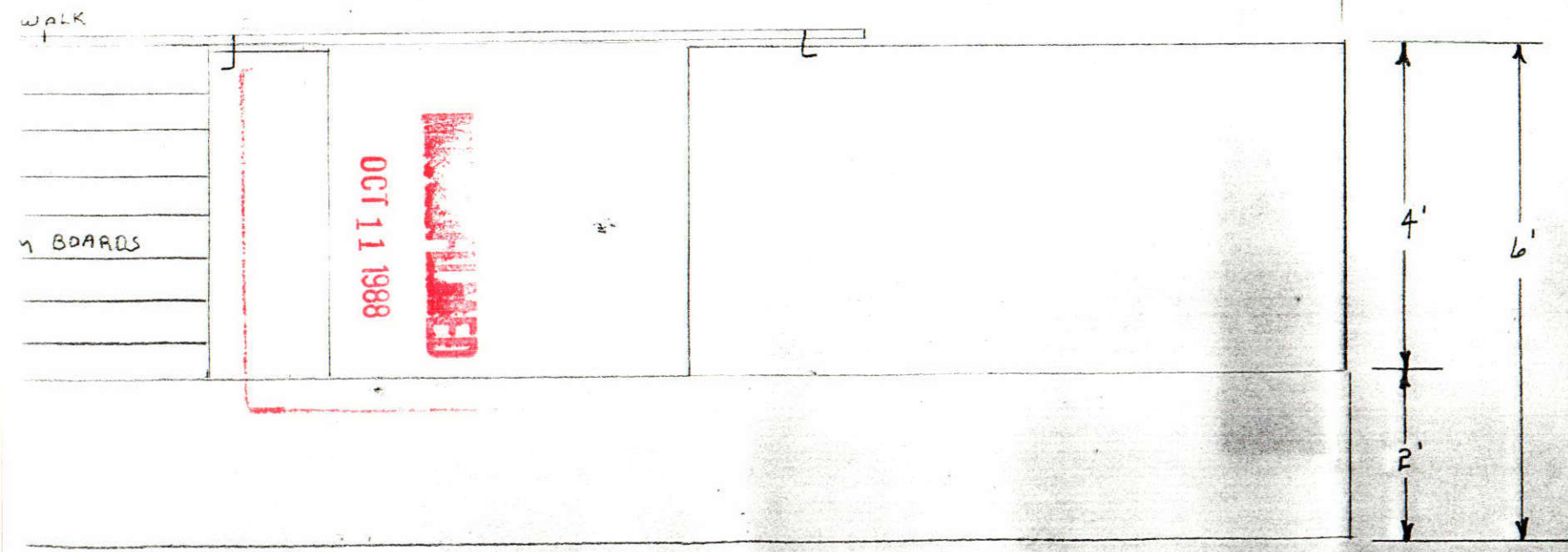
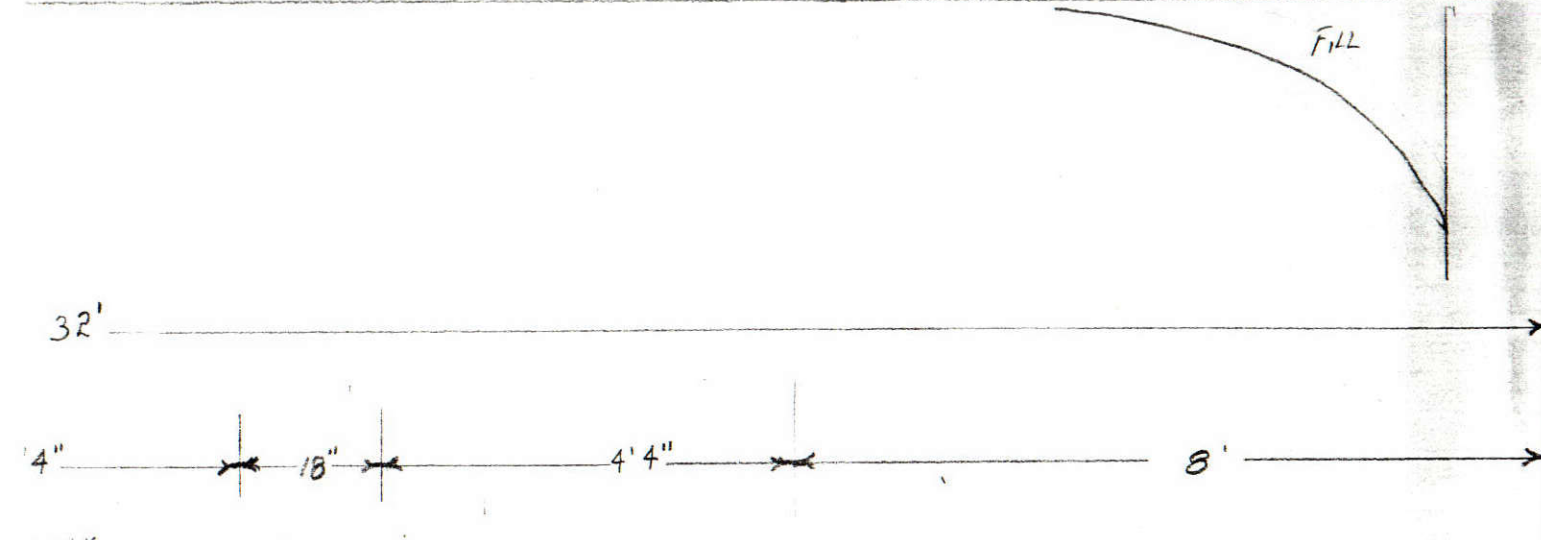
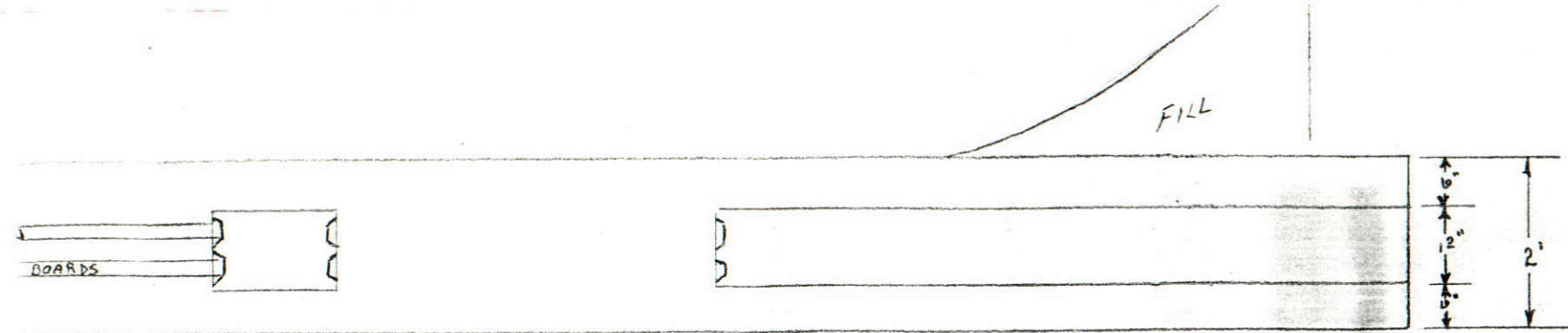
CAT WALK

2X6 DAM BOARDS

OCT 11 1988

RECEIVED

Lower Ponds



#4 REBAR
12" O.C.

RECEIVED

Ident. No. _____

STATE OF IDAHO

APR 15 1988

Department of Water Resources
Southern Region Office

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Fred F. Kippes & Betty Kippes Phone 543-8373
of (address) Rt 2 Box 50 Buhl, ID 83316, 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. 47-7458, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4 NE 1/4 Section 17, Township 10S, Range 14E, B.M.,
County of Twin Falls. Other points of diversion: _____

SW 1/4 SW 1/4 NE 1/4 Sec 8 T10S R14E

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

Upper site Amount 20 for Fish Prop purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)
Lower site Amount 20 for Fish Prop purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>Lower site</u>	<u>10S</u>	<u>14E</u>			X														
<u>Upper site</u>	<u>10S</u>	<u>14E</u>		X															
		<u>8</u>															X		

Total number of acres to be irrigated = _____

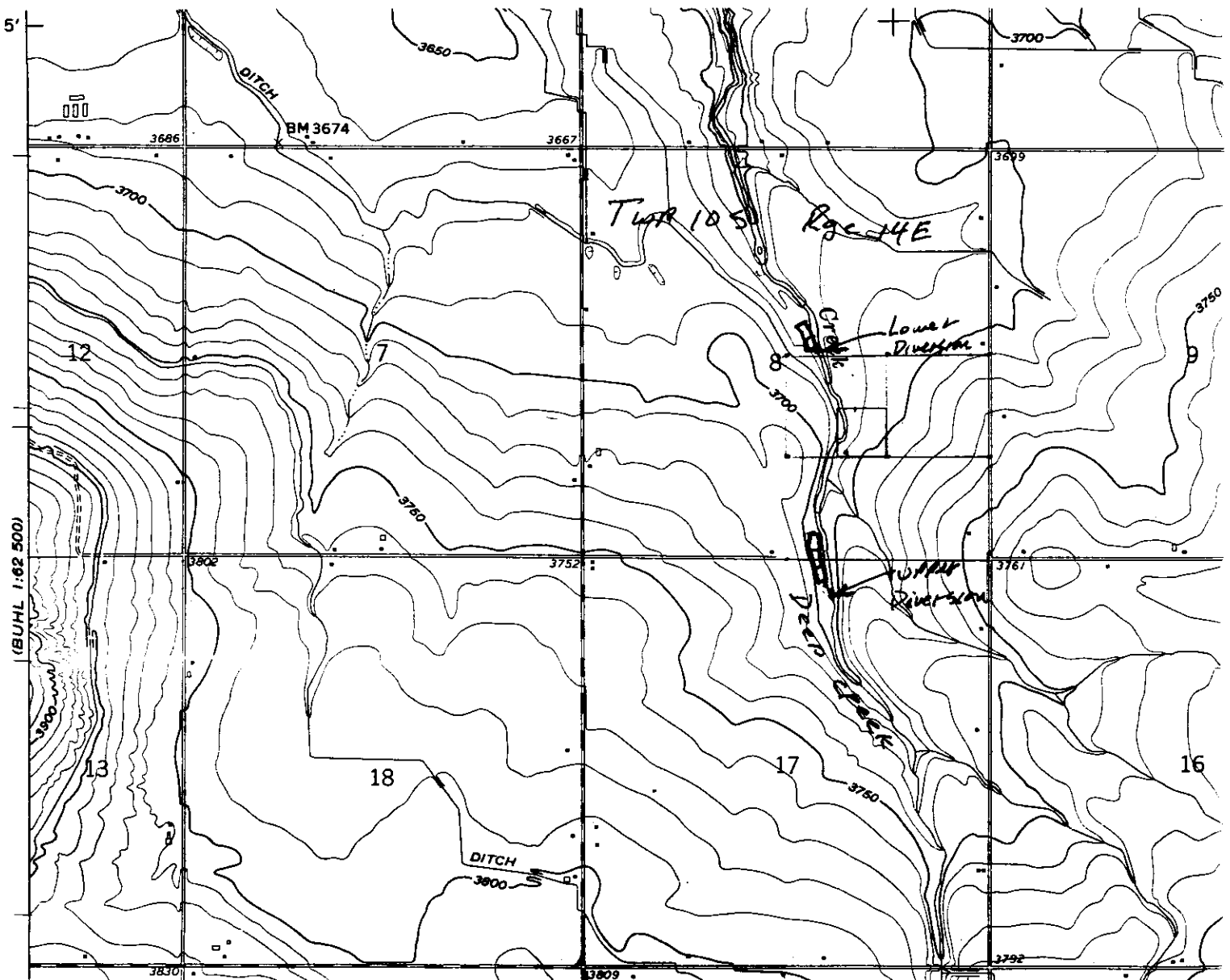
4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECORDED

OCT 11 1988

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



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

Signed at _____, this _____ day of _____, 19____.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

5000082

Preliminary check by *[Signature]* Fee = \$20.00
Publication prepared by *MB* Date *7/11/88*
Publication dates *7/21 & 7/28*
Received by *LH* Date *4/15/88*
Published in *Times News*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above Application for Amendment provided the conditions set forth
in Permit No. 47-7458 are met.

MICROFILMED

OCT 11 1988

Witness my hand this *3* day of *Oct* October

[Signature] 19 88
Chief, Operations Bureau

For Office Use Only
Fee Received <u>15.00</u>
Date <u>8-31-83</u>
Receipt # <u>32637</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit.

AUG 30 1983

Department of Water Resources

FRED F. KIPPES of RR #2 Box 50 BuHL
(Name) (Address)

State of IDAHO, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7458

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Sept. 1, 19 83.

That he has heretofore performed the following work described under said permit: _____
(This must be filled out! If no work has been completed put none.)

access
Built road to fish ponds
Dug ponds
Costing \$ 7500 ^{to} commenced work

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

At the time of construction of our fish ponds the fact that the fish market was very distressed prohibited continued construction of the ponds. More recently, water flow challenges by hydrogeneration projects using Deep Creek water have
(over)

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Sept. 1, 19 88.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Fred F. Kippes
(Signature)

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to September 1, 1988.

Signed this 6th day of September, 19 83.

J. Glen Sayton
Chief, Operations Bureau

UNRECORDED

developed concern on our part over the irregularity of flows.

Under these conditions we request a 5-year extension to allow stabilization of these problems.

Ed Kypreos

MICROFILMED



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

August 1, 1988

RECEIVED

Idaho Water Resources
2148 4th Ave East
Twin Falls ID 83301

AUG 1 1988

DEPT. OF AGRICULTURE
TWIN FALLS, ID

RIGHT #47-7458

OK
MB
8/22/88

Two Times

July 21, 1988, 61 lines @ .32- - \$19.52

July 28, 1988, 61 lines @ .24- - \$14.64

TOTAL DUE

\$34.16

INVOICE

AGE PTS.

18848

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83301

RECEIVED

AUG 13 1988

MICROFILMED

DEC 23 1988

INVOICE NO.	CLASS	BILLING DATE
18848	343	07/29/88
INDEXING TERM		
#47-7458		
START DATE	TELEPHONE NO.	ORDER NO.
7/21/88	734-3578	
LINES/WORDS	TIMES	RATE
61	2	
NET AMOUNT		GROSS AMOUNT
34.16		34.16
OK MB 8/22/88		
PAY THIS AMOUNT		34.16
GROSS AMT DUE AFTER 08/15		

18848

3416

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST
TWIN FALLS

ID
83301

**NOTICE OF AMEND
MENT TO A WATER
PERMIT**

NO. 47-7458
Notice is hereby given
that Fred P. and Betty
Knappe of Buhl, ID are
the holders of Approved
Permit No. 47-7458
authorizing the diversion
of 40 cubic feet per se-
cond of water from Deep
Creek tributary to Snake
River in the SW1/4NE1/4,
Sec. 8, T10S, R14E,
county of Twin Falls, to
be used for fish pro-
duction.
SW1/4NE1/4, Sec. 8, T10S,
R14E.

The permit holder has
applied to the Depart-
ment of Water
Resources for an
Amendment to the Per-
mit, to allow develop-
ment at two sites in-
stead of one, as
previously permitted,
described as follows:

Upper Site:
Point of Diversion:
NW1/4SW1/4NE1/4, Sec.
17, T10S, R14E.

Place of Use:
NW1/4NE1/4, Sec. 17,
T10S, R14E, SW1/4SE1/4,
Sec. 8, T10S, R14E; 3 1/2
miles West & 1 mile
South of Buhl.

Lower Site:
Point of Diversion:
SW1/4SW1/4NE1/4, Sec. 8,
T10S, R14E; 3 1/2 miles
West & 1 1/2 mile South
of Buhl.

Place of Use:
SW1/4NE1/4, Sec. 8, T10S,
R14E.

Amount: No change
Period of Use: No
change

Any protest against ap-
proval of the amending
of Permit No. 47-7458 as
set forth above must be
filed with the Idaho
Department of Water
Resources, 2148 4th
Avenue East, Twin Falls,
ID 83401 on or before
August 8, 1988.

R. Kath Higginson,
Director
PUBLISHED: Thursday,
July 21 and 28, 1988.

Affidavit of Publication

Nº 18848

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McLean 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

July 21, 19 88, and ending with the issue dated
July 28, 19 88.

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
being designated as the day on which legal notice by law or by order of any court of com-
mon law 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McLean
Subscribed and sworn to before me on this 27 day of

July, 19 88.
Brenda Parker

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

DEC 23 1988

MICROFILMED

7MB
8/3/88

Identification No. _____

Application No. 47-7458

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Fred E. Kippes &/or Betty Kippes Phone: 543-8373
post office address Route 2 Box 50, Buhl, Idaho 83316
2. Source of water supply Deep Creek which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 10S
Range 14E B.M. Twin Falls County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Deep Creek at a point in SW $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 8 Township 10S Range 14E B.M. _____
4. Water will be used for the following purposes:
Amount 40 cfs for fish prop. purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 40.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. cement baffle in Deep Creek, headgate,
measuring device, 4 dirt fish ponds, ditch back into Deep Cr.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- 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 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 10S
Range 14E 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: commercial fish propagation

MICROFILMED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated_____

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

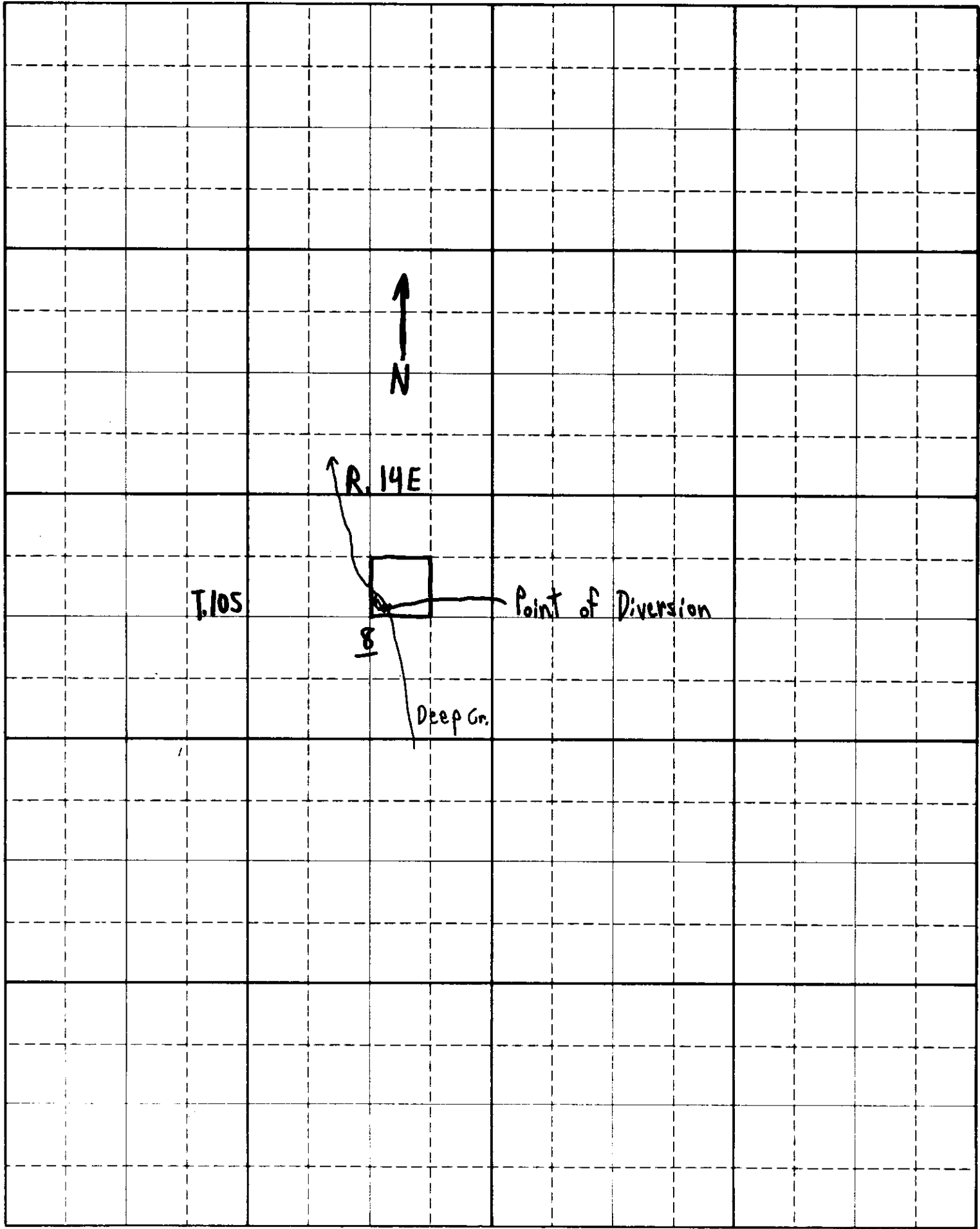
9. a. Who owns the property at the point of diversion applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing_____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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

Frank Rupp
(Applicant)

Proposed Priority 2/28/78

DS Received by JS Date 2-28-78 Time 3:30 pm
Preliminary check by JS Fee \$ 315.00
Receipted by JS Date 2-28-78 # 7547
Publication prepared by JS Date 3/1/78
Published in Times News
Publication dates incorrect 3/9 + 3/16/78 3/30 + 4/6/78
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: Twin Falls Canal Co. - withdrawn

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JS

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. 47-7458, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1983.
- c. Other: Measuring devices of a type approved by this Department shall be permanently installed and maintained at both the inlet and outlet works.

Return water shall be treated to insure that the effluent meets intrastate stream water quality standards.

The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

Witness my hand this 5 day of September 19 78.

L. Glen Saxton
Chief, Operations Bureau

called
paper 3/22/75
(there error)
wrong



MAR 9 1978

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

No 6883

I, Mafine Kulkarek being first duly sworn upon oath, depose and say that I am Quinc. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursdays, commencing with the issue dated March 9, 1978, and ending with the issue dated March 16, 1978.

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, 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.

Mafine Kulkarek
Subscribed and sworn to before me on this 16th day of March, 1978.

Carolene Jensen
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

No. 6940

I, Fry M. Mearns being first duly sworn upon
oath, depose and say that I am Printed Clerk of the TIMES-NEWS,
published daily, except Saturday, 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 Six
consecutive Thursday, commencing with the issue dated
March 30, 1978, and ending with the issue dated
April 6, 1978.

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 con-
tinuously 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, 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.

Fry M. Mearns
Subscribed and sworn to before me on this 6th day of
April, 1978.

Carol J. Jennings

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Deputy
County Clerk's Office

6/9/94

RECEIVED
JAN - 5 1998

COMMUNICATION DOCUMENTATION

Department of Water Resources

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
December 5, 1997 10:48am

CUSTOMER
Griffith, Rodney

SUBJECT: 47-07458,-07460
phone call (x) walk-in (.)

In setting up field exams for the permits, I was told by Kippes that Mr. Griffith is and has been managing the fish propagation for 47-07458 with the intent of buying it in the near future.

Mr Griffith and I agreed to meet on Thursday 11 Decemeber @ 09:30 a.m. to perform the exams on both permits.
Home 543-5585 Cell Phone 731-5585

FROM Jim Stanton

DATE 4-20-88

TO File

SUBJECT Amendment of Permit 47-7458, Fred Kippes

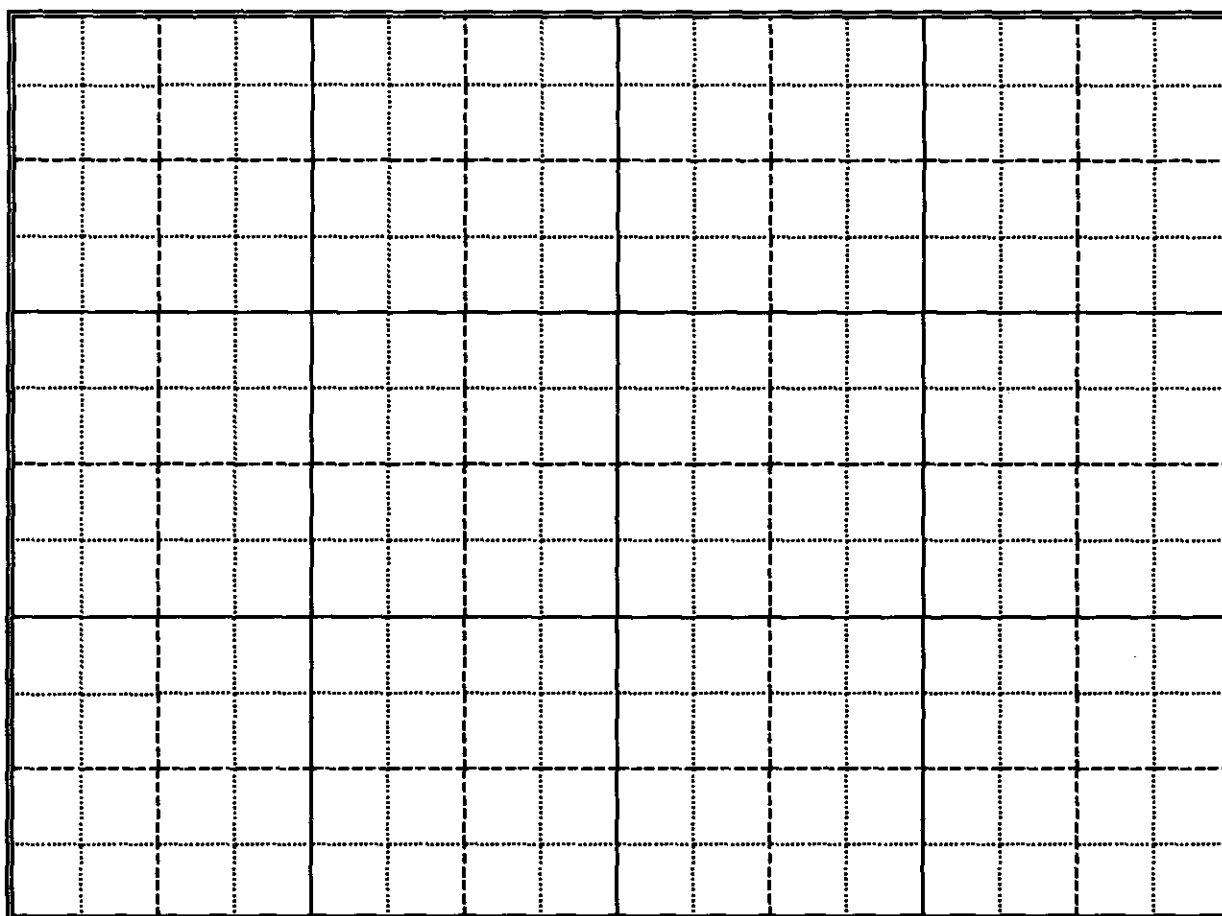
In answer to my question, Mr. Kippes stated that he now plans to develop half of the permitted pond volume at each of two sites listed on the amendment. Therefore I have not asked for new hatchery plans to accompany the amendment.



SIGNATURE

[illegible]

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

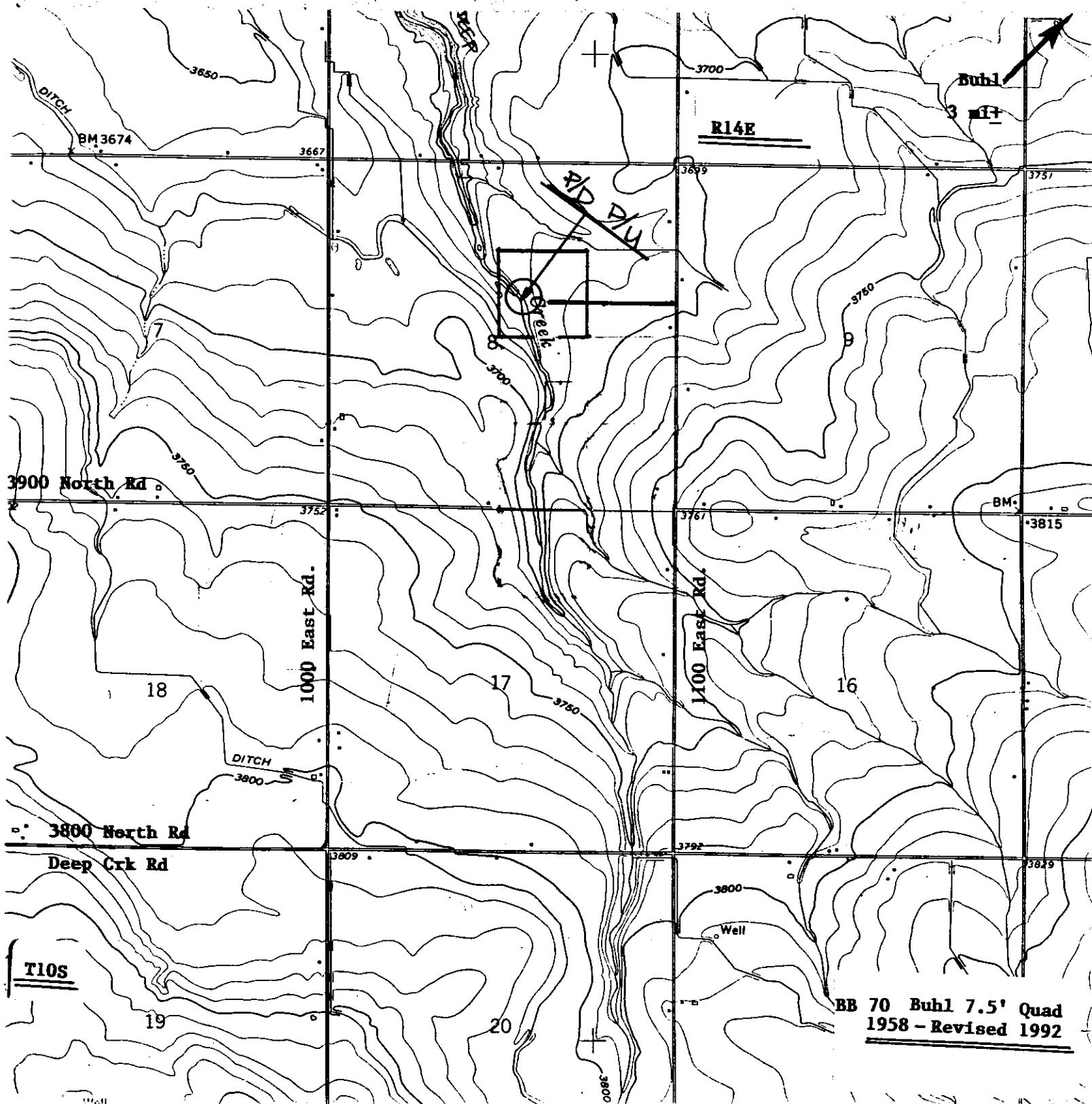
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

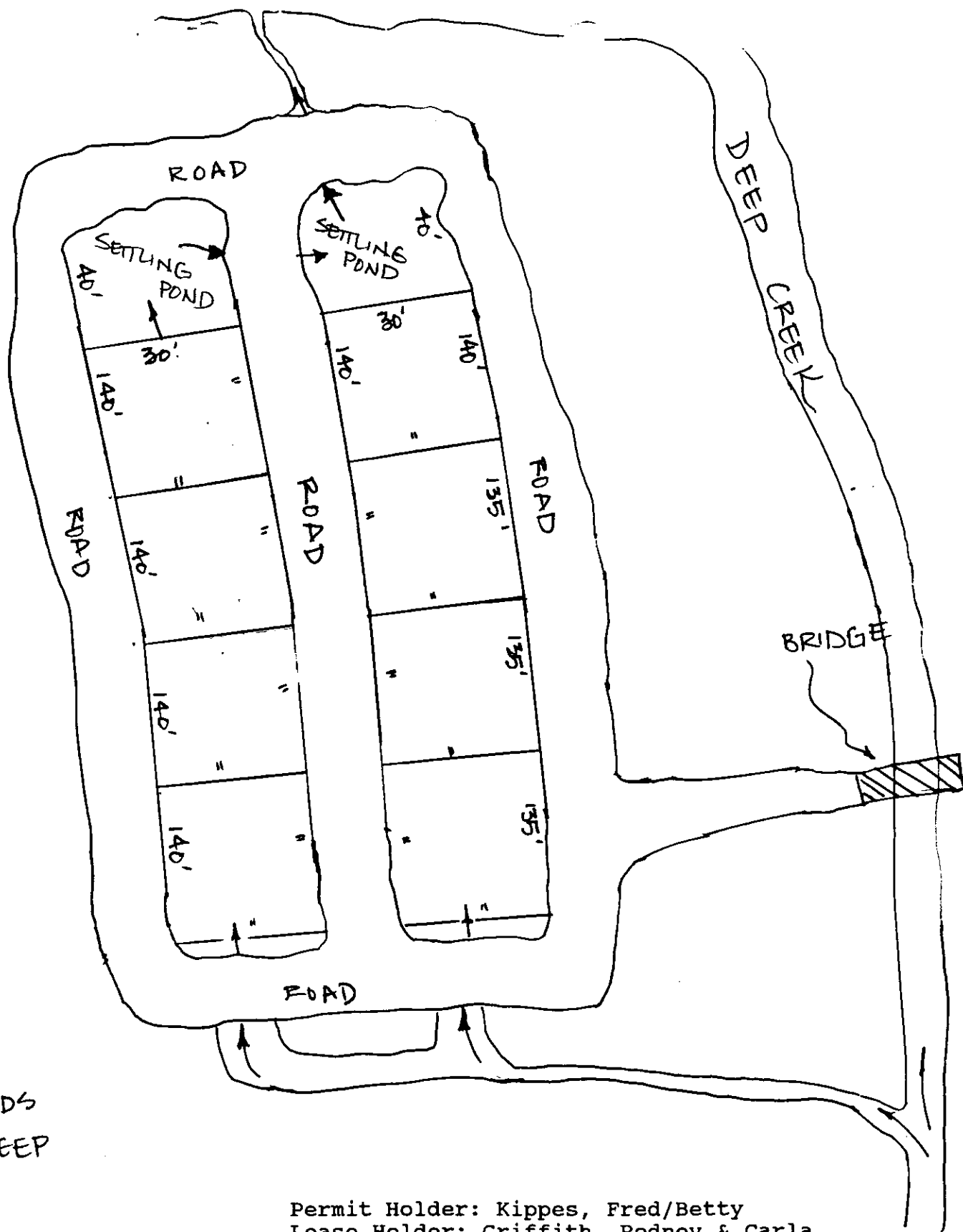
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: STAFF GAGE & RECTANGULAR WEIRS @ OUTLET



BB 70 Buhl 7.5' Quad
1958 - Revised 1992

NTS



Permit Holder: Kippes, Fred/Betty
Lease Holder: Griffith, Rodney & Carla
1100 hrs. 11 December 1997
Examiner: G.Satterlee
47-07458

Forumula Used: $Q=3.33(L - 0.2H)H^{\frac{3}{2}}$

WEST SIDE

**4 Standard Contracted
Rectangular Weirs**

$$Q=3.33(4.9-0.2\{0.32\})0.32^{\frac{3}{2}} \\ =2.91 \text{ cfs}$$

$$Q=3.33(4.9-0.2\{0.38\})0.38^{\frac{3}{2}} \\ =3.76 \text{ cfs}$$

$$Q=3.33(4.9-0.2\{0.36\})0.36^{\frac{3}{2}} \\ =3.47 \text{ cfs}$$

$$Q=3.33(4.9-0.2\{0.38\})0.38^{\frac{3}{2}} \\ =3.76 \text{ cfs}$$

$$=13.9 \text{ cfs}$$

EAST SIDE

**4 Standard Contracted
Rectangular Weirs**

$$Q=3.33(4.8-0.2\{0.42\})0.42^{\frac{3}{2}} \\ =4.27 \text{ cfs}$$

$$Q=3.33(4.8-0.2\{0.36\})0.36^{\frac{3}{2}} \\ =3.40 \text{ cfs}$$

$$Q=3.33(4.8-0.2\{0.42\})0.42^{\frac{3}{2}} \\ =4.27 \text{ cfs}$$

$$Q=3.33(4.8-0.2\{0.40\})0.40^{\frac{3}{2}} \\ =3.98 \text{ cfs}$$

$$=15.9 \text{ cfs}$$

TOTAL 29.8 CFS

POND SIZES/WEST & EAST

$$2(135')(30')4'=32,400$$

$$2(135')(30')4'=32,400$$

$$2(135')(30')4'=32,400$$

$$2(140')(30')4'=33,600$$

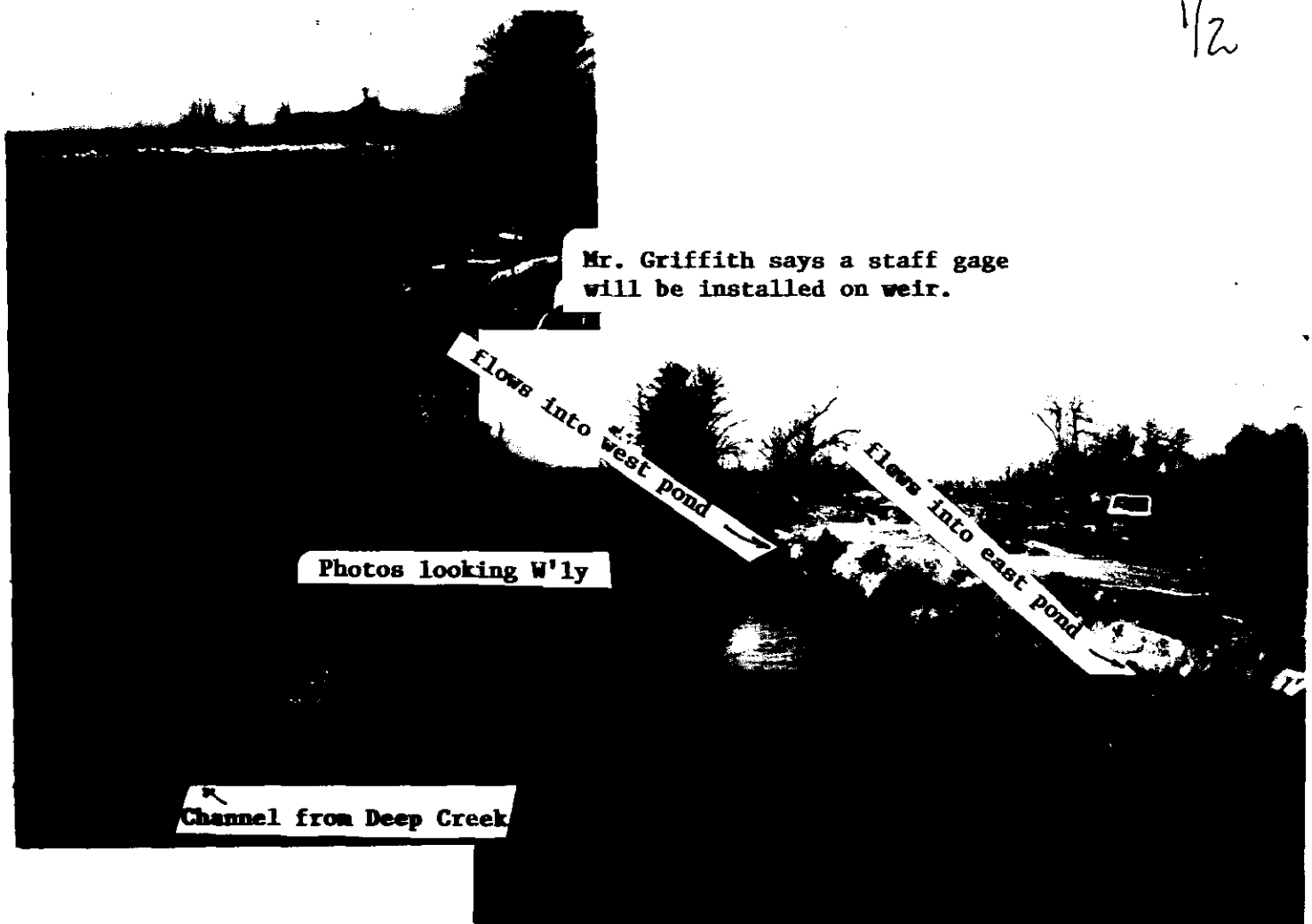
$$2(40')(30')4' = \underline{9,600}$$

TOTAL 140,400 cu. ft.

Permit Holder: Kippes, Fred and Betty
Lease Holder: Griffith, Rodney
1100 hrs. 11 December 1997
Examiner: G.Satterlee

47-07458

1/2



Mr. Griffith says a staff gage will be installed on weir.

Flows into west pond

Flows into east pond

Photos looking W'ly

Channel from Deep Creek



West Pond photo looking N.

Kippes, Fred &/or Betty
Griffith, Rodney
11 Dec 1997 1100 hrs.
Examiner; Satterlee
47-07458

2/2



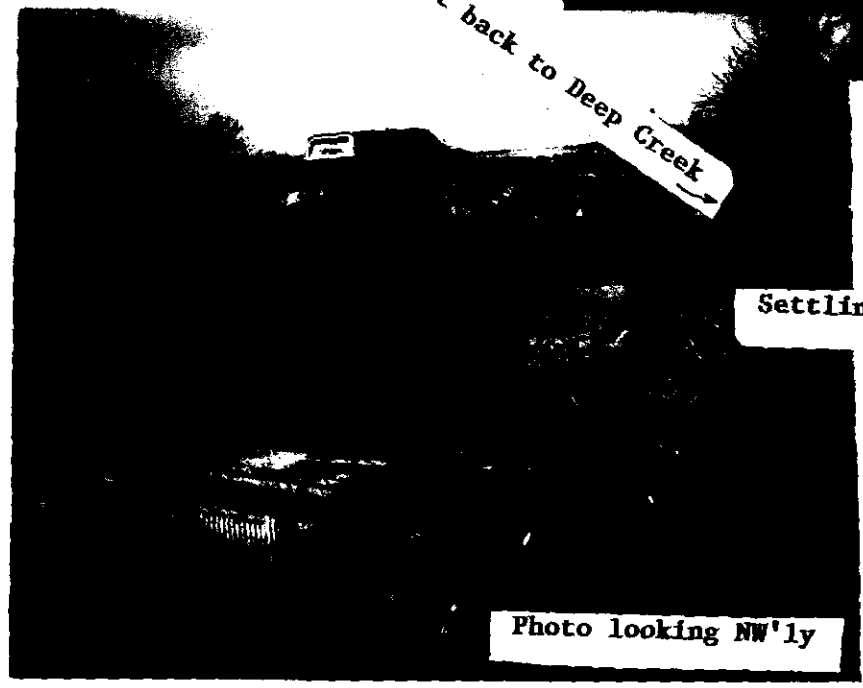
East Pond photo looking N.



Photo looking SE'ly

measurements taken in the key ways.

Flows out back to Deep Creek



Settling Pond, East Side

Photo looking NW'ly

Kippes Fred &/or Betty
Griffith, Rodney
11 Dec 1997 1100 hrs.
Examiner: Satterlee
47-07458

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 19 December 1997
RE: 47-07458

On 11 December 1997 at 0930 hrs., I met with Rodney Griffith to perform a field examination on the permit. The permit is for fish propagation. The water source is from Deep Creek.

The permit is in the name of Fred F. and Betty Kippes. Mr. Griffith has "owned" and operated the fish ponds for approximately 10 years. There appears to be some litigation that needs to be concluded prior to Mr. Griffith getting the deed for the property. According to Mr. Griffith, the legal issues will resolved in a year.

The point of diversion and place of use are located in the "lower site" of SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T10S, R14E. Water is diverted from Deep Creek and runs into dirt ponds. The dirt ponds have concrete structures. The year round propagation use is for raising trout.

Although the permit was amended in 1988 to add the "upper site" in Section 17 NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Section 8 SW $\frac{1}{4}$ SE $\frac{1}{4}$, T10S, R14E, this place of use was never developed.

According to Mr. Griffith, he is working on getting a stationary measuring device. He will contact me in February 1998 when the device is in.

The rate was measured by using a staff gage and determining the width of the dam board key ways. All measurements and volume calculations are on the attached sheets.

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

F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:

PLEASE SEE ATTACHED SHEETS
W/ MEASUREMENTS AND VOLUMES

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

PERMIT RATE 40.0 cfs
EXAM FEE LIMIT UNDER 1000 CFS
MEASURED RATE 29.8 cfs
or 30 cfs

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Pond Volume Cubic Feet
	From	To		Annual Volume V (af) -
FISH PROPAGATION	1/1	12/31	30 cfs	140,000 cu.ft.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			30 cfs	140,000

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Benjamin Satterlee Date _____

Reviewer _____ Date _____

SEAL

1/00.

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 47-7458

Date: 12-16-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 2
03/88

RECEIVED

SEP 06 1988

For Office Use Only
Fee Received 600.00
Date 8/31/88
Receipt # 5602050
Receipt by TA
Reviewed by JS
Sent to region

AUG 31 1988

Department of Water Resources
Southern Region Office

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Note: Amendment of the Permit
is Pending for 20 cfs at upper
site

Permit No. 47-7458 (Lower Site)

Name(s) of Permit Holder: Fred F. Kippes /or Betty Kippes

Post Office Address: Rt 2 Box 50 Buhl ID 83316

Telephone No. 543-8373

Source of Water: Deep Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Fish Prod.

Total rate and/or volume for which proof is submitted 40 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 8/20/1988

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

Fee enclosed \$560.00
(See License Examination Fee Schedule)

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

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

Permit Holder
(Name) (Telephone Number)

(Address)

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

RECEIVED
OCT 11 1988

8-17-88
Date

Fred F. Kippes
Signature of Permit holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 6, 1988

RE: Permit No. 47-7458

Fred F. &/or Betty Kippes
Rt. 2, Box 50
Buhl, ID 83316

Dear Mr. and Mrs. Kippes:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

OCT 11 1988

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton
Right Number 47-7458 Applicant KIPPES, FRED F.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).
☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder). needs plans for hatchery ponds ✓
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) none
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions As per Permit.

By Larson D. Hansen Date 9/23/88

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By T. Lake Date 9/30/88
- ☐ Approved copy sent to applicant and to Region. By T. Lake Date 9/30/88

STAFF ANALYSIS SUPPLEMENT

1) Water District Area # 49

2) Local Description: (of one P/O)

☐

At the above street address

☐ miles N/S and miles E/W
of (City or landmark).☒Other (describe) $3\frac{1}{2}$ W. & $1\frac{1}{2}$ S of Ruhl $3\frac{1}{2}$ W & 2 S of Ruhl

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 4-20-88

TO File

SUBJECT Amendment of Permit 47-7458, Fred Kippes

In answer to my question, Mr. Kippes stated that he now plans to develop half of the permitted pond volume at each of two sites listed on the amendment. Therefore I have not asked for new hatchery plans to accompany the amendment.

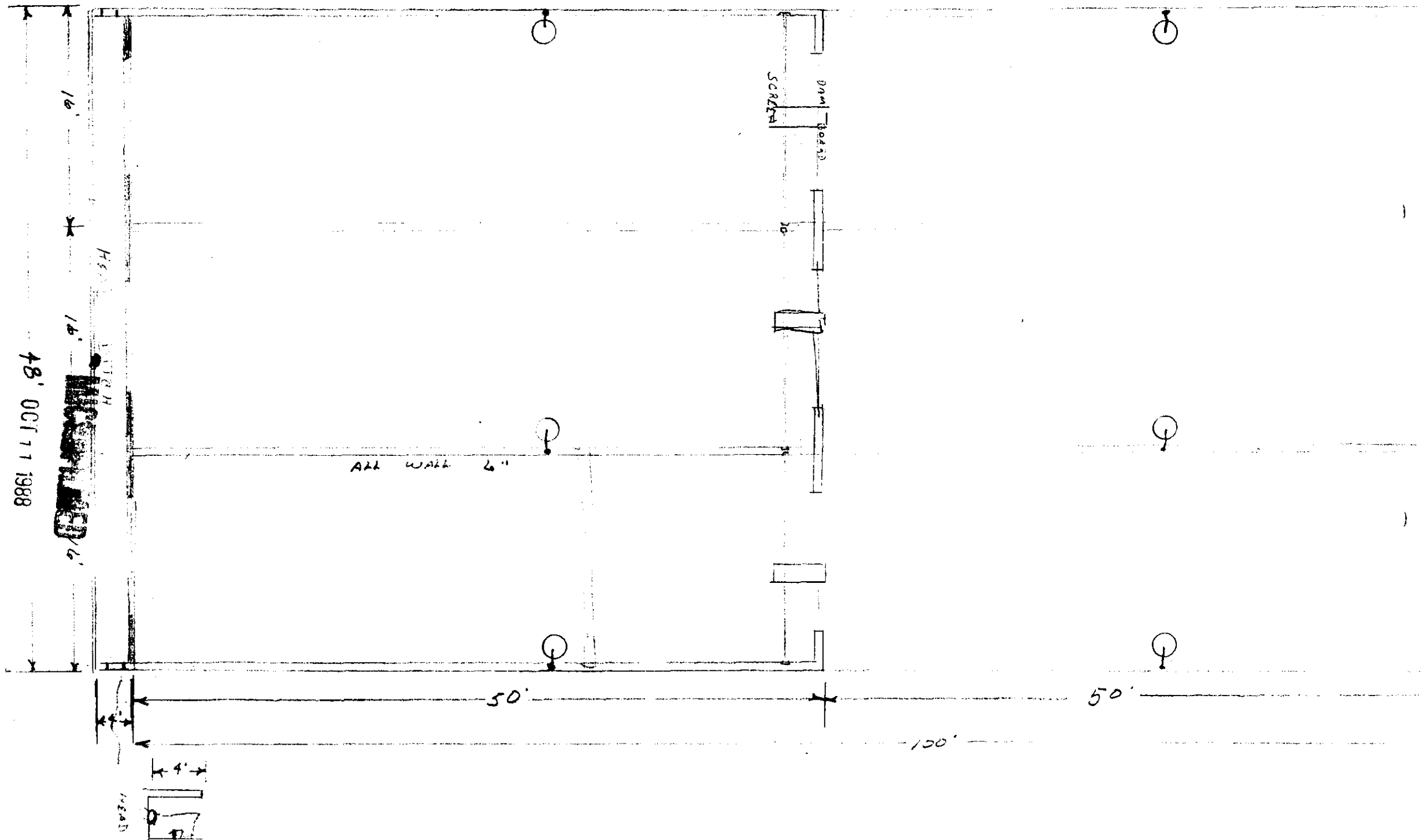
INDEXED

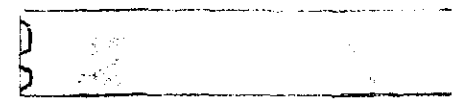
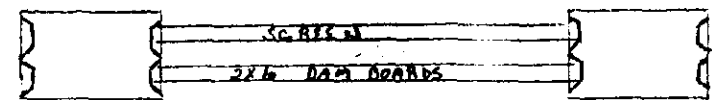
OCT 11 1988

A handwritten signature, possibly "JS", written in dark ink over a horizontal line.

SIGNATURE

Upper Ponds





32'

8'

4' 4"

18"

4' 4"

18"

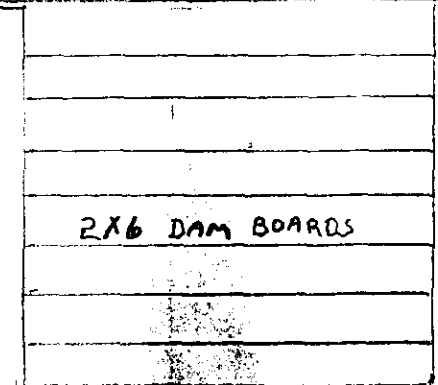
4' 4"

8'

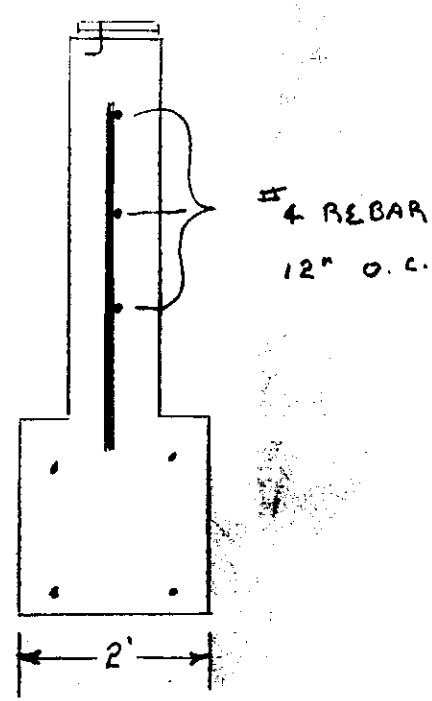
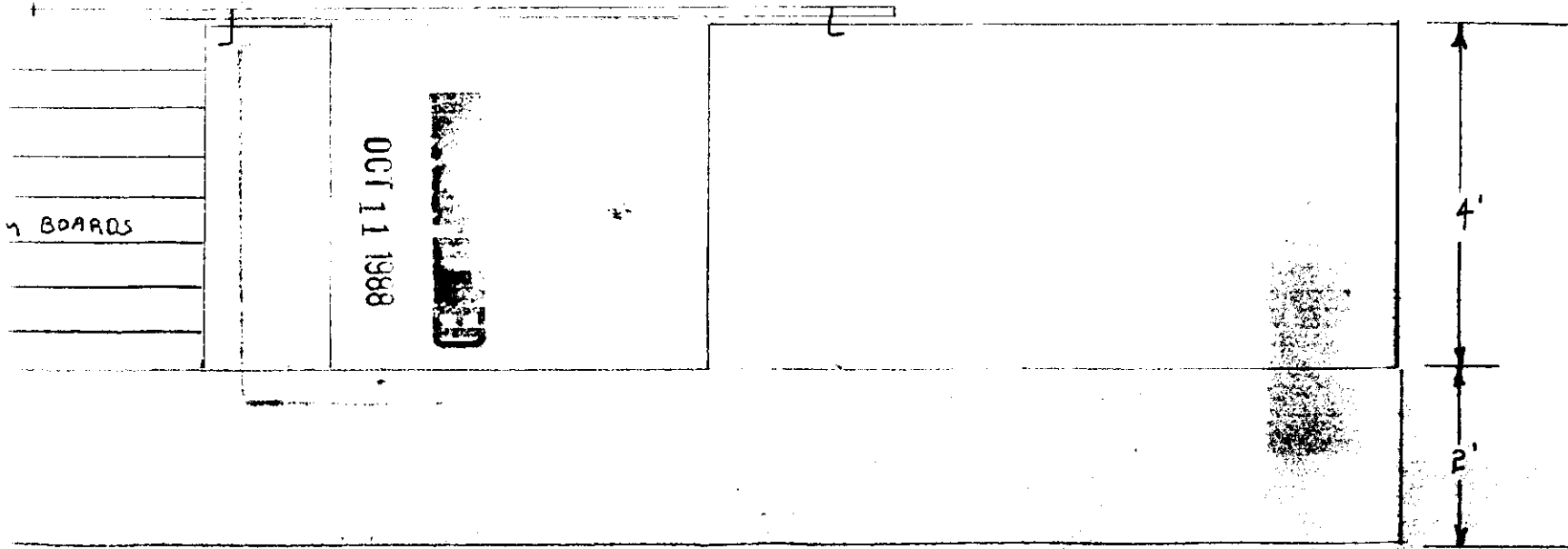
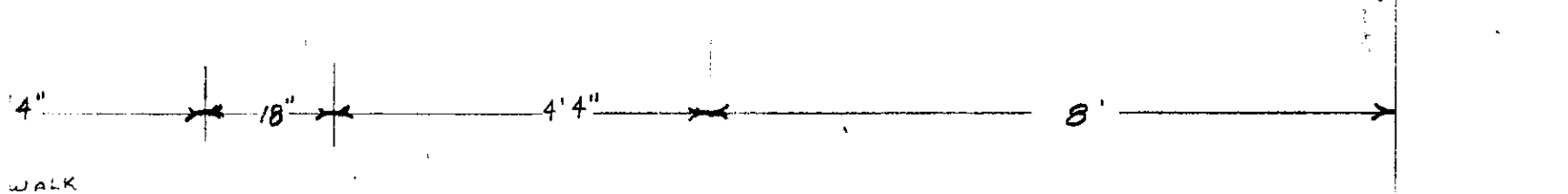
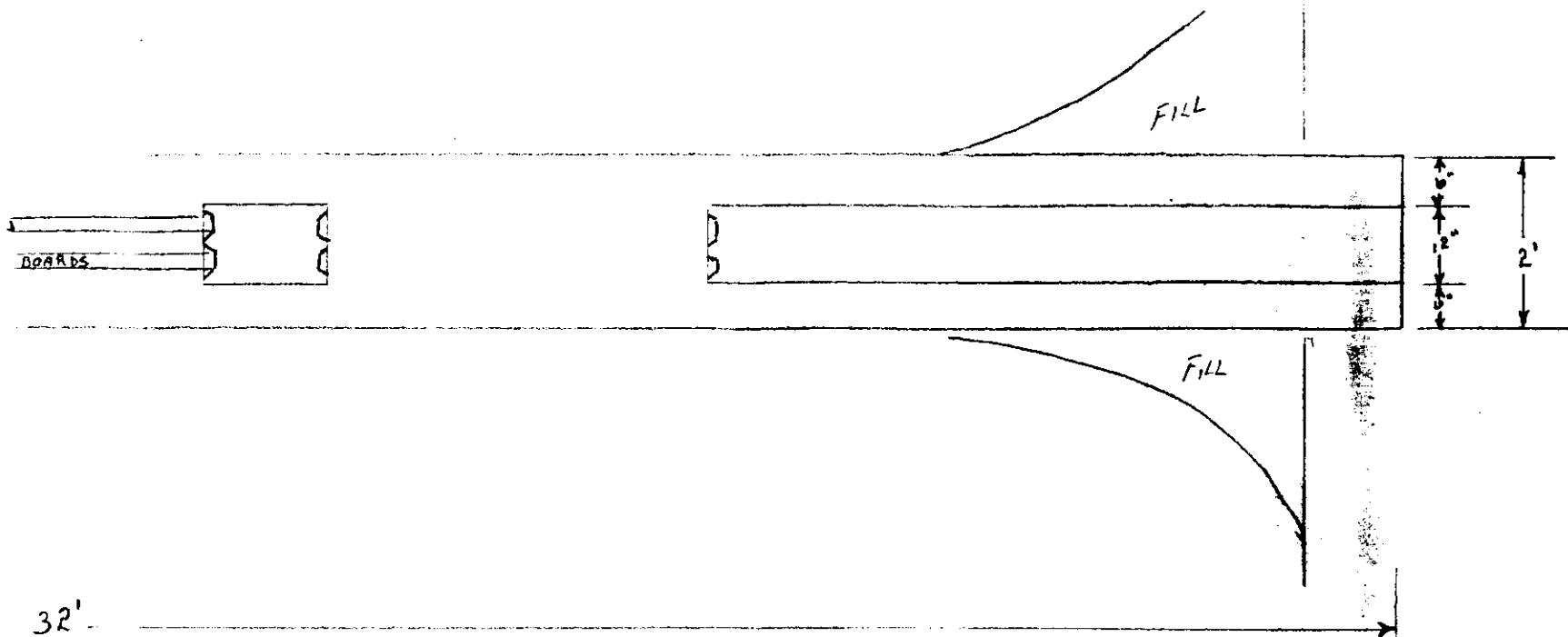
2 X 12 X 18'

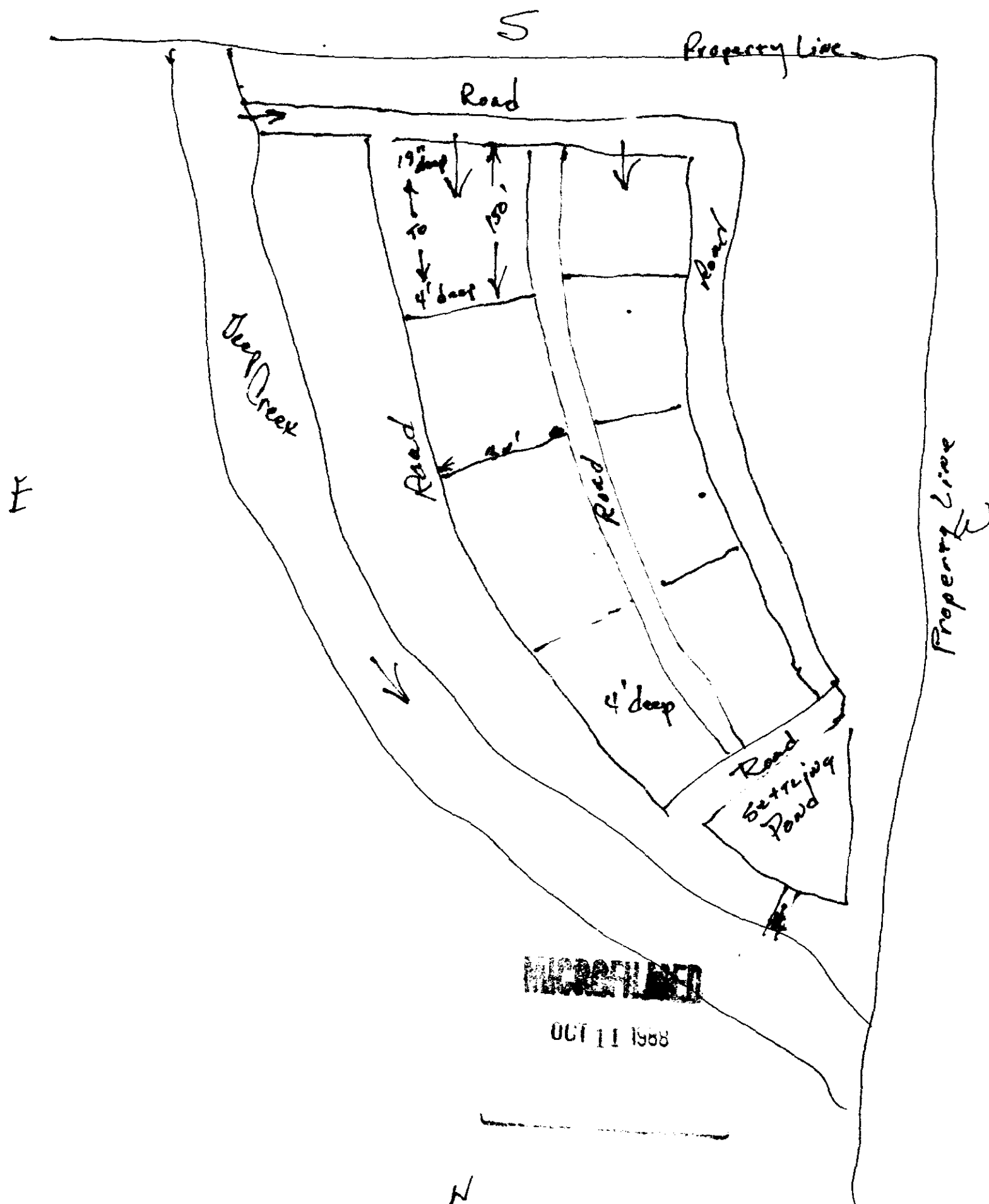
CAT WALK

OCT 11 1988



Lower Ponds







State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Sep-1988

Rod Griffith
Rt. 4 Box 235
Buhl, ID 83316

RE: Permit No. 47-7458

Dear Mr. Griffith:

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

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

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

Enclosed please find Receipt No. S002050 in the amount of \$600.00 for examination fee for the above referenced permit.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Twylla Jasper
Clerk

Encl:

MICROFILMED

OCT 11 1988

138043
CERTIFIED MAIL
June 30, 1988

KIPPES, FRED F. & BETTY
RT. 2 BOX 50
BUHL, ID 83316

PROOF DUE NOTICE

RE: Permit No. 47-7458

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 11 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Jul-1988

Times News
P.O. Box 548
Twin Falls, ID 83301

Re: Application for Amendment, Kippes, 47-7458

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. 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

OCT 11 1988

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 47-7458

Notice is hereby given that Fred F. &/or Betty Kippes of Buhl, ID are the holders of Approved Permit No. 47-7458 authorizing the diversion of 40 cubic feet per second of water from Deep Creek tributary to Snake River in the SW1/4NE1/4, Sec. 8, T10S, R14E, County of Twin Falls, to be used for fish propagation within SW1/4NE1/4, Sec. 8, T10S, R14E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to allow development at two sites instead of one, as previously permitted, described as follows:

Upper site:

Point of Diversion: NW1/4NW1/4NE1/4, Sec. 17, T10S, R14E.
Place of Use: NW1/4NE1/4, Sec. 17, T10S, R14E; SW1/4SE1/4, Sec. 8, T10S, R14E; 3 1/2 miles West & 2 miles South of Buhl..

Lower site:

Point of Diversion: SW1/4SW1/4NE1/4, Sec. 8, T10S, R14E; 3 1/2 miles West & 1 1/2 mile South of Buhl.
Place of Use: SW1/4NE1/4, Sec. 8, T10S, R14E.

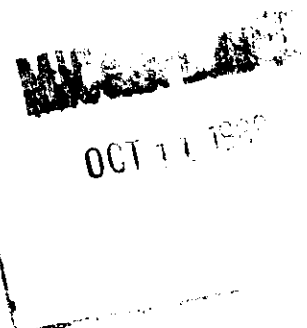
Amount: No change

Period of Use: No change

Any protest against approval of the amending of Permit No. 47-7458 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before August 8, 1988.

R. Keith Higginson, Director

Published in the Times News on 7/21 & 7/28/88



80-2008

~4~NOTICE OF AMEND~

~MENT TO A WATER~

~PERMIT~

NO 47-7458~

Notice is hereby given that Fred F. &/or Betty Kippes of Buhl, ID are the holders of Approved Permit No. 47-7458 authorizing the diversion of 40 cubic feet per second of water from Deep Creek tributary to Snake River in the SW1/4NE1/4, Sec. 8, T10S, R14E, county of Twin Falls, to be used for fish propagation within SW1/4NE1/4, Sec. 8, T10S, R14E.~

The permit holder has applied to the Department of Water

Resources for an Amendment to the Permit, to allow development at two sites instead of one, as previously permitted, described as follows:~

Upper Site:~

Point of Diversion:

NW1/4NW1/4NE1/4, Sec. 17, T10S, R14E.~

Place of Use:

NW1/4NE1/4, Sec. 17, T10S, R14E; SW1/4SE1/4, Sec. 8, T10S, R14E; 3 1/2 miles West & 2 miles South of Buhl.~

Lower Site:~

Point of Diversion:

SW1/4SW1/4NE1/4, Sec. 8, T10S, R14E; 3 1/2 miles West & 1 1/2 mile South of Buhl.~

Place of Use:

SW1/4NE1/4, Sec. 8, T10S, R14E.~

Amount: No change~

Period of Use: No change~

Any protest against approval of the amending of Permit No. 47-7458 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before August 8, 1988.~

R. Keith Higginson,
Director~

PUBLISH: Thursday,

June 21 and 28, 1988.~

July 21 28

Correction
Called - Times News
7/21/88, 9:24 a.m.

RECEIVED

OCT 11 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 18, 1985

Fred F. Kippes
Rt. #2, Box 50
Buhl, ID 83316

Re: Permit No. 47-7458

Dear Mr. Kippes:

In response to your letter dated September 13, 1985, I have reviewed the above-referenced file and have determined that proof of beneficial use is not due on the permit until September 1, 1988.

Since your letter states the project is not complete, your permit will be subject to the review provisions of Sec. 42-203D, as I described in my September 1, 1985 letter.

Our Southern Regional office is correct in that there is nothing you need to do at this time other than to diligently pursue completion of your project.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

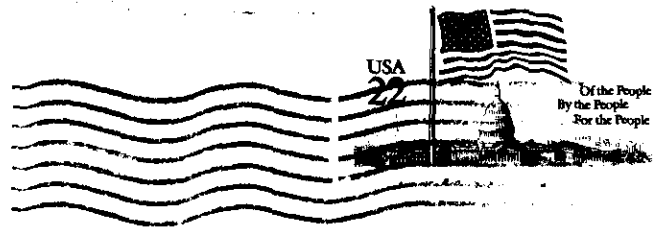
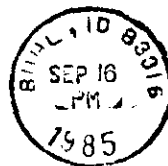
Is

cc: Southern Region

MICROFILMED

OCT 11 1988

R.R.#2 Box 50
Buhl, ID 83316



State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Att: L. Glen Saxton
Chief, operations bureau



OCT 11 1988

September 13, 1985

R.R.#2 Box 50

Buhl, ID 83316

State of Idaho
Department of Water Resources
State Office
450 W. State Street
Boise, Idaho 83720

RECEIVED
SEP 17 1985

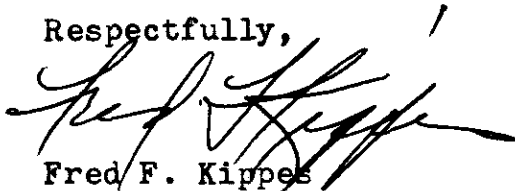
Department of Water Resources

Dear Sir:

This is to confirm that we received your letter dated September 11, 1985 regarding our water permit #47-7458.

We have consulted with your representative in the Twin Falls office and discussed with him the fact that our ponds were dug but not finished due to the economic condition of the fish market. During our conversation, he stated this was a non-consumptive type of permit and there was nothing further we had to do at this time and that when we complete the project we should contact your office to prove up this permit, #47-7458.

Respectfully,


Fred F. Kippes

MICROFILMED

OCT 11 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

OCT 11 1988

September 15, 1983

Fred F. and Betty Kippes
Rt. 2, Box 50
Buhl, ID 83316

Dear Mr. and Mrs. Kippes:

Re: Permit No. 47-7458

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to September 1, 1988.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure: Ext. of Time

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

August 31, 1983

Fred F. Kippes
Route 2, Box 50
Buhl, ID 83316

PERMIT NO. 47-7458

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. **32637**.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

KIPPES, FRED F. & BETTY
RT. 2 BOX 50
BUHL, ID 83316

138735

PROOF DUE NOTICE

JUNE 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7458 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

138735



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 13, 1978

Re: Permit No. 47-7458

Fred F. Kippes &/or Betty Kippes
Route #2, Box 50
Buhl, ID 83316

Dear Mr. and Mrs. Kippes;

Your approved copy of Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

PARRY, ROBERTSON, DALY & LARSON

ATTORNEYS-AT-LAW

P. O. BOX 1906

IDAHO FIRST NATIONAL BANK BUILDING

TWIN FALLS, IDAHO 83301

(208) 733-3722

RECEIVED

Date: 8/14/78

To:

JWR

Attn: Tim Stanton

Deputy Attorney General
State of Idaho Office

Re:

Fred Kippes - Appl.

T.F. Canal withdraws their

Protest to Fred Kippes Application

47-7458 for Permit.

Thank You!

PARRY, ROBERTSON, DALY & LARSON

By

Sony Roszak

MICROFILMED

Kippes Fish Pond's

FINANCIAL EXPERTUS

RECEIVED

AUG 11 1978

Department of Water Resources
Southern District Office

TOTAL FUNDING 10,000⁰⁰ → PRIVATE

APPROX COST

1- ESCAVATION

AND ROAD PMP 4000⁰⁰
6,000⁰⁰

2- CEMENT - Steel

+ BLOCK COST 5500⁰⁰

BAL for INCIDENTALS 500⁰⁰

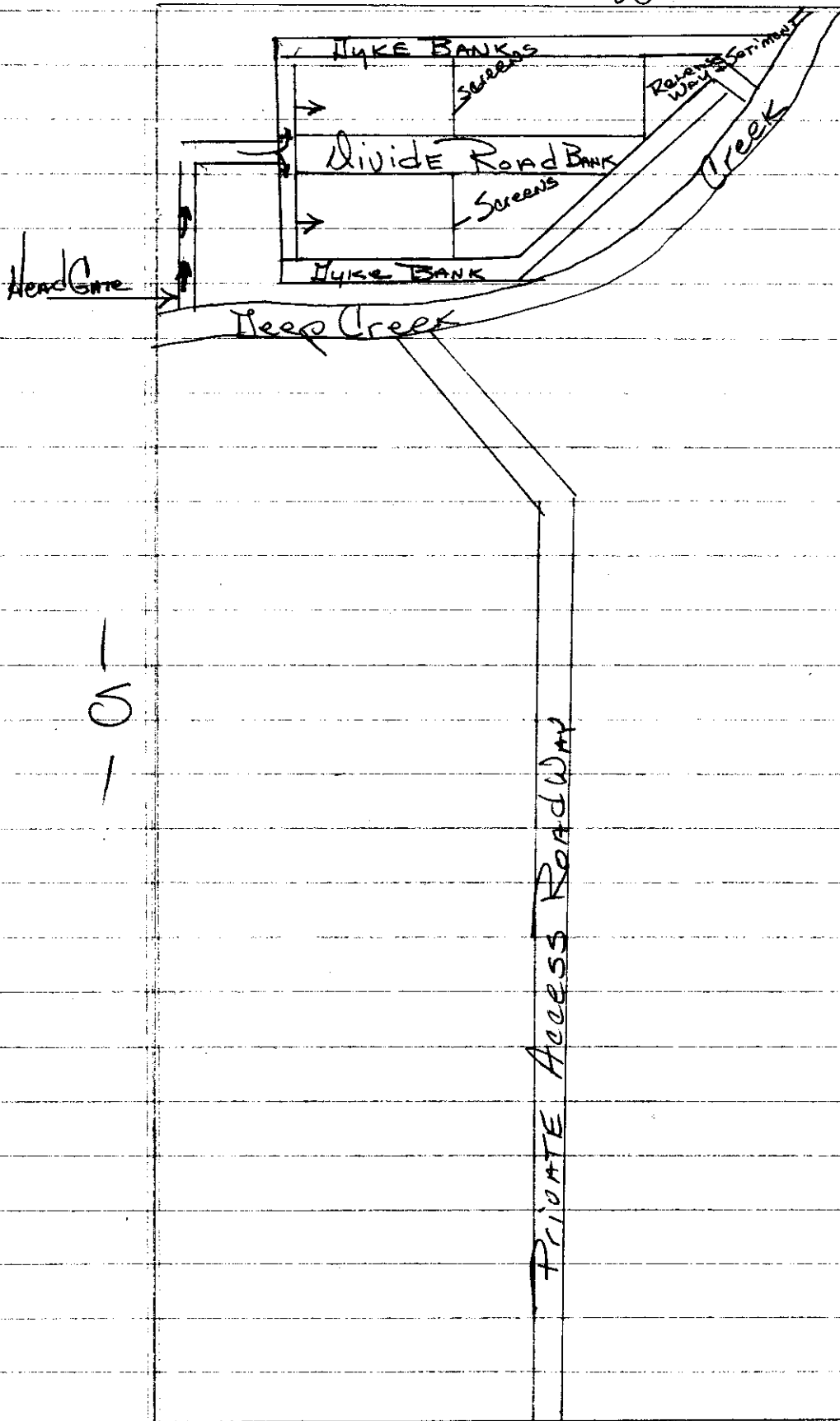
MICROFILMED

Kippes Pond layout — W —

RECEIVED

AUG 11 1978

Department of Water Resources
Southern District Office



Public Road

— E —

MICROFILMED

PARRY, ROBERTSON, DALY & LARSON

ATTORNEYS-AT-LAW

P. O. BOX 1808

IDAHO FIRST NATIONAL BANK BUILDING

TWIN FALLS, IDAHO 83301

(208) 733-3722

RECEIVED

Date:

7/28/78

To:

DWR

B.L. Blud

Department of Justice
Southern District Office

Re:

Appl # 47-7458
Fred Kippes

Please Send me a copy of
this Application and
Bill me for a copy.

Thank You.

PARRY, ROBERTSON, DALY & LARSON

By

JOHN ROSENOLT

Sent copy and bill - \$1.00 - 8/1/78 - mah

MICROFILMED

pd 8/8/78 mwp

INTER-DEPARTMENT MEMO — 1

FROM Sheryl Merritt

DATE June 14, 1978

TO File

SUBJECT Application for Permit No. 47-7458 - Fred F. &/or Betty Kippes

Around June 7, Mr. Kippes called our office and asked that a hearing be scheduled on the above-referenced protested application.

On the above date I called Mr. Kippes at the request of Terry Blau, Acting Southern Region Supervisor, and informed him that a hearing would be scheduled some time in mid-July. The message was taken by Mrs. Kippes.

Sm

RECEIVED
JUN 15 1978



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

April 17, 1978

Mr. Fred F. Kippes
Route #2, Box 50
Buhl, Idaho 83316

Re: Application for Permit No. 47-7458 - Fred F. &/or Betty Kippes

Dear Mr. Kippes:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water right?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:dj

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 17, 1978

Mr. John A. Rosholt
Parry, Robertson, Daly & Larson
P. O. Box 1906
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7458 - Fred F. &/or Betty Kippes

Dear Mr. Rosholt:

Your protest against the approval of the above referenced application submitted in behalf of Twin Falls Canal Company has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:di

RECORDED

RECEIVED

MAR 17 1978

Department of Water Resources
Southern District Office

1 JOHN A. ROSHOLT
2 Parry, Robertson, Daly & Larson
3 P. O. Box 1906
4 Twin Falls, ID 83301
5 Telephone: 733-7180
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

3722

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

* * * * *

13 IN THE MATTER OF APPLICATION)
14 FOR PERMIT NO. 47-7458) PROTEST OF TWIN FALLS CANAL
15 FRED AND/OR BETTY KIPPES) COMPANY TO APPLICATION FOR
WATER PERMIT

* * * * *

17 COMES NOW The Twin Falls Canal Company, by and through
18 their attorneys, Parry, Robertson, Daly & Larson, and
19 respectfully allege:

20 1. That protestant Twin Falls Canal Company is a
21 nonprofit, public irrigation corporation, which owns and
22 operates a complex system of canals and ditches so as to deliver
23 water to member shareholders who farm 202,000 acres in Twin
24 Falls County, Idaho, and to whom the Canal Company has the legal
25 duty of delivering the irrigation water represented by such
26 shares.

27 2. That this application proposes to divert water
28 from a portion of the company's system which is under the
29 regulation, control and ownership of the Twin Falls Canal
30 Company and is operated and maintained by said company to
31 satisfy their legal obligation to their shareholders to deliver
32

MICROFILMED

1 water to their member shareholders below the point where the
2 water is sought to be diverted by said applicant.

3 3. That the proposed use of the water shall violate
4 protestant's prior rights to a quantity of water of a "given-
5 quality" by polluting said water.

6 4. The applicant has no permission or right of way,
7 and cannot acquire one from the company to construct the
8 contemplated diversion works.

9 5. That the water sought to be appropriated is
10 private water not subject to appropriation.

11 6. That the use of said water as requested would
12 cause transmission loss and continuing regulation problems for
13 the company in carrying out their duty of delivering irrigation
14 and stock water.

15 7. That the Twin Falls Canal Company's duty in
16 delivering irrigation and stock water to their member stock-
17 holders is in the local public interest and that this
18 application, if granted, would erode the company's ability to
19 perform their mission in violation of local public interest.

20 NOW, THEREFORE, The Twin Falls Canal Company hereby
21 protests the above-numbered application for the following
22 reasons, to-wit:

23 1. That the proposed use will reduce the quantity of
24 water available to the company under prior existing water
25 rights.

26 2. That the company is entitled to a quantity of a
27 "given-quality" of water under their prior rights and that said
28 application if granted will add pollution to the protestant's
29 system.

30 3. That the diversion and use of said water pursuant
31 to said application for fish propagation purposes, although
32 deemed nonconsumptive, will cause additional water losses by

1 reason of seepage and regulation problems for the company and
2 their stockholders who depend upon said water for irrigation and
3 stock water below the identified point of said intended use.

4 4. That the applicant has no permission to divert
5 from the rights of way of the company and no permission to
6 enlarge or alter appurtenant drainage easements.

7 5. That the intended supply of water is private water
8 and not subject to appropriation.

9 6. That granting of said permit is not in the local
10 public interest and would conflict with the local public
11 interest if approved.

12 WHEREFORE, The Twin Falls Canal Company by and through
13 their attorneys, Parry, Robertson, Daly & Larson, respectfully
14 request that the above-numbered application be denied by the
15 Department of Water Resources and that no permit be issued
16 thereto.

17 DATED This 16 day of March, 1978.

18 PARRY, ROBERTSON, DALY & LARSON

19
20 By John A. Rosholt
21 JOHN A. ROSHOLT
22 P. O. Box 1906
23 Twin Falls, ID 83301
24 Attorneys for Protestant
25 Twin Falls Canal Company
26
27
28
29
30
31
32

INTER-DEPARTMENT MEMO — 1

FROM *Hebbie*

DATE *3/22/78*

TO *Tele*

SUBJECT *affidavit on 47-7458- Fred G. 4/w Betty Kipper*

was advertised by the paper on 3/9 + 3/16. Will run it again on 3/30 + 4/6/78 at their expense.

New protest date up. 4/17/78

**APPROVED AND
SIGNED**
[Signature]

SIGNATURE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred F. &/or Betty Kippes
Ruhl, Idaho 83316
has on 2/28/78 submitted Application No. 47-7458
for a permit to appropriate 40.0 cubic feet per second ~~here for per second~~
of water from Deep Creek tributary to Snake River -
by means of cement baffle in Deep Creek, headgate, measuring device, 4 dirt
ponds, ditch
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 14E, B.M. Twin Falls County

to be used from Jan. 1 to Dec. 31 for fish propagation purposes.

~~XXX~~

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 27, 1978.

C. STEPHEN ALLRED

Director

Published in the Times News
on 3/8 and 3/16/78

MICROFILMED

March 1, 1978

Times News
P. Box 549
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7458 - Fred F. &/or Betty Kippes
47-7457 - William L. Fullmer

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. 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.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLDS:dj

Bill submitted: **MICROFILMED**