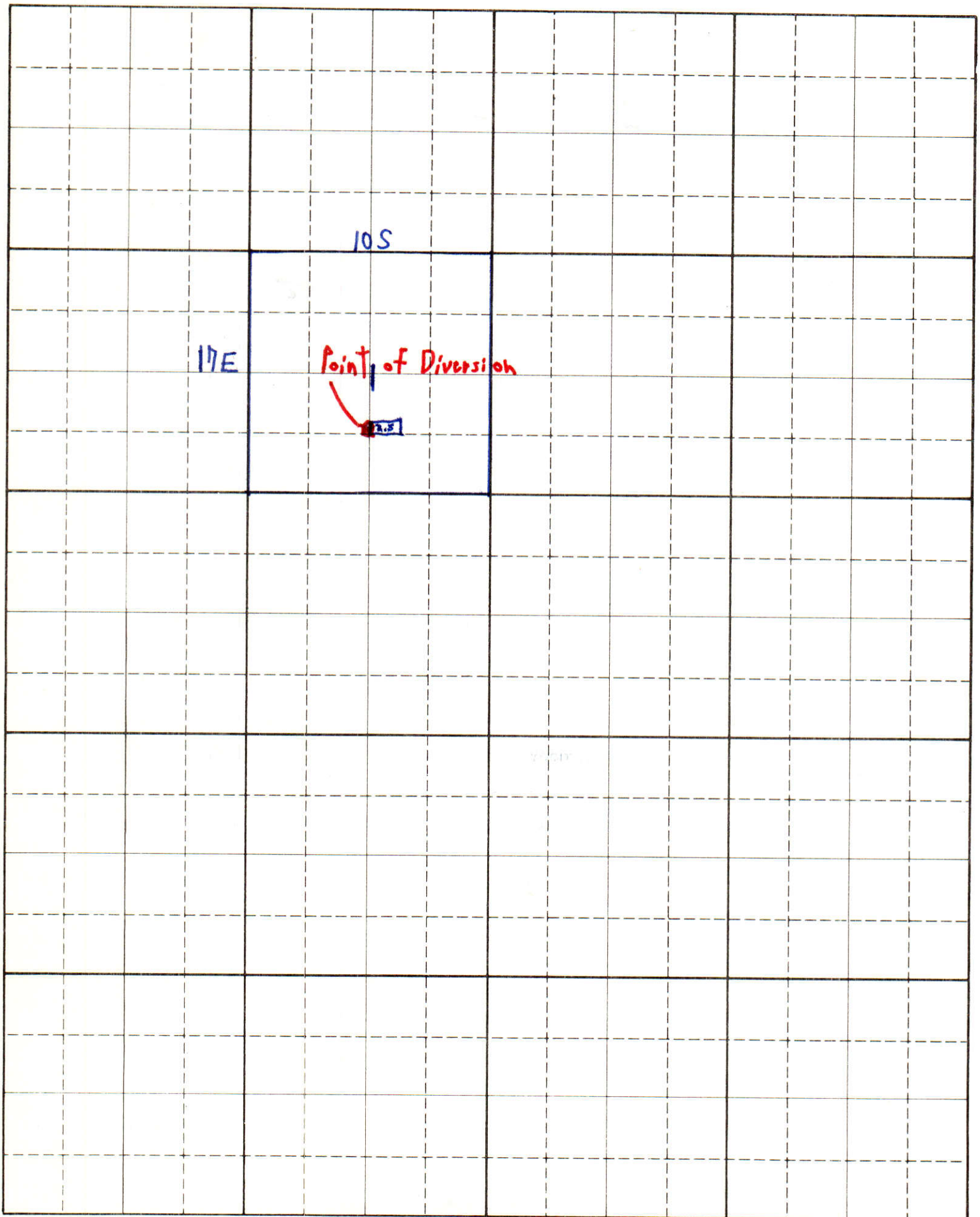


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Stanley M. Kern
(Applicant)

ok 6/2/77
Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

RECEIVED
JUN 2 1977

No 5993

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Stanley M. Kern Rte. 3, Twin Falls, Idaho 83301 has on 4/27/77 submitted Application No. 47-7382 for a permit to appropriate .05 cubic feet per second of water from waste water by means of canvas dam, ditches, flood irrigation tubes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 17E., B.M., Twin Falls County to be used from April 15 to Oct. 15 for irrigation purposes of 2.5 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 17E., 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 May 30, 1977.

STEPHEN ALLRED

Director

PUBLISH: May 12 & 19, 1977

I, C. F. Jennings

Department of Water Resources
Southern District Clerk

being first duly sworn upon

oath, depose and say that I am Principal 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

May 12, 19 77, commencing with the issue dated
May 19, 19 77, and ending with the issue dated

And I do further certify that said newspaper is a consolidation, effective February 18, 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.

C. F. Jennings
Subscribed and sworn to before me on this 27th day of

May, 19 77

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

5 33
2 1

36
1 6

29-D
D-440

28-D
D-28

30-D
D-513

A
E 7.3
D 7.5
C 7.7
B 2.4
A 4.7
E 11.7

F 15.0
G 13.0
31-D
D-3
H 3.3

B 14.6
35-D
D-35
A 4.1
D 3.3
10.8

A 21.5
home
C 9.1
D 11.7
32-D
D-32

A 10.6
33-D
D-33
10.5
A 7.7
34-D
D-436
C 17.3

12
A 19.5
107-D
D-140

A 9.4
119-D
D-161

A 17.9
106-D
D-139

B 8.6
105-D
D-436
D 8.8

A 10.4
C 13.9
109-D

C 8.4
B 17.1
A 2.9

B 19.1

A 18.9
104-D
D-32
12

B 18.1
108-D

B 20.6

C 19.1

477 3382E

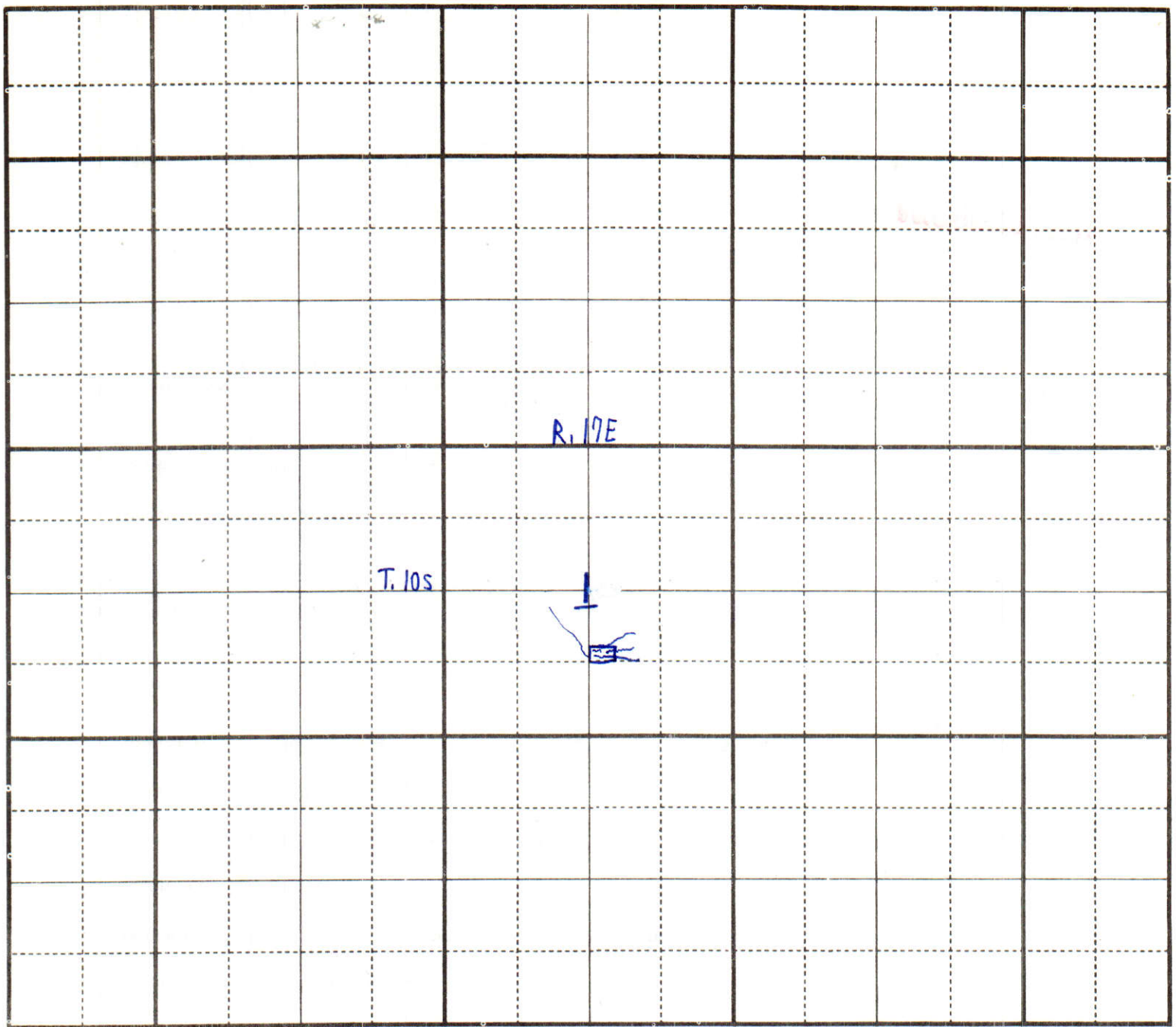


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7382 Priority April 27, 1977 Amount .05 cfs

THIS IS TO CERTIFY, that STANLEY M. KERN
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 47-7382 issued pursuant to Application for Permit dated April 27, 1977,
and has submitted proof to the Department of Water Resources on May 17, 1978,
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 .05 cfs of water from a waste water source,
tributary to sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 15</u> to <u>October 15</u> at <u>.05</u> cfs and <u>8</u> acre feet		
	from <u></u> to <u></u> at <u></u> cfs and <u></u>		
	from <u></u> to <u></u> at <u></u> cfs and <u></u>		

(both dates inclusive)

Subject, however, to the condition that no more than .05 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8 acre feet per year, said waters to be diverted within the (3 pts.) NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1,
Twp. 10S, Rge. 17E, 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 $\frac{1}{4}$				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 $\frac{1}{4}$	
10S	17E	1													2

Total number of acres irrigated 2

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 17 day of
March, 19 81.

Director

Proposed Priority 4/27/77

Received by AD Date IV-27-77 Time 3:30 pm
Preliminary check by ADM Fee \$ 10.00 Rec.# 13460
Receipted by SB Date 4/27/77
Publication prepared by SO Date 4/29/77
Published in Times News
Publication dates 5/12 - 5/19/77
Publication approved for Date 6/3/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by mlsj

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

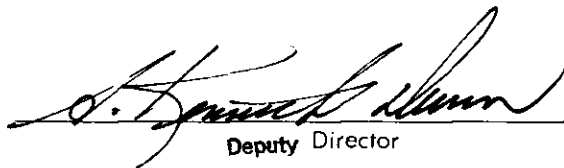
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7382, and said application is hereby APPROVED.

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

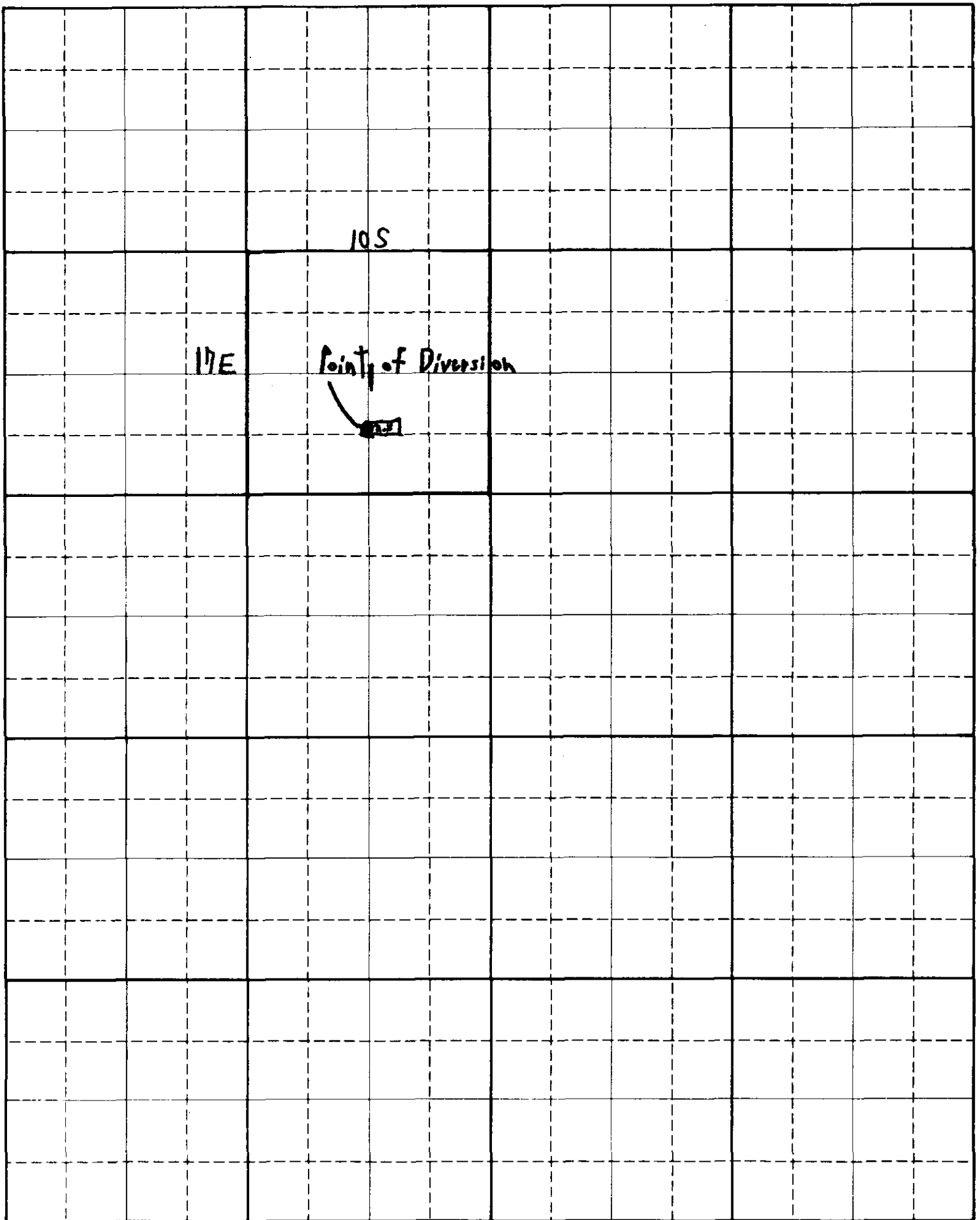
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 78.
- c. Other: _____

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

Witness my hand this 30 day of June, 19 77.


Deputy Director

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.

Stanley M. Kean
(Applicant)

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	
10S	17E.	1														2.5			2.5

Total number of acres to be irrigated 2.5

c. Describe any other water rights used for the same purposes as described above.

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

Identification No. _____

Application No. 47-7382

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 Stanley M. Kern Phone: 734-2300
post office address Rte. 3, Twin Falls, Idaho 83301
2. Source of water supply waste water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1 Township 10S
17E., B.M. Twin Falls County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .05cfs for irrigation purpose from April 15 to Oct. 15 (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. .05 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
canvas dam, ditches, flood -irrigation tubes

- 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 1 years.
b. Estimated construction cost is \$ 200.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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: _____

MICROFILMED

ok. 6/2/77

85

Research
bottling

NOTICE OF ADJUDICATION
WATER RIGHTS CASE

Notice is hereby given that the State of Idaho, by and through its Department of Water Resources, will file a petition for the adjudication of the water rights of the following parties, to-wit: **Falls, Twin Falls, Idaho, No. 472777** submitted for adjudication No. 47-2082 for a stream of approximately 25 cubic feet per second of water from waste water of the waters of canvas dam, dam and adjudication tubes within the **WATER 4, Sec. 1, Twp. 10S, R. 1E, S. 4E, Twin Falls County** situated on the North 1/4 of Sec. 45 for the purpose of 2.5 acres within the **WATER 4, Sec. 1, Twp. 10S, R. 1E, S. 4E**

I caused this petition to be subject to all prior water rights. Persons against the granting of the petition must be filed with the Idaho Department of Water Resources, 1844 Blue Lakes Blvd., North, Twin Falls, Idaho 83401 on or before May 31, 1977.

STEPHEN L. RED
Director

PUBLISHED May 12 & 19, 1977

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.

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



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 20, 1981

Stanley M. Kern
Rt. 3
Twin Falls, Idaho 83301

Dear Mr. Kern,

RE: License No. 47-7382

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

5 36
2 1

36
1

29-D
D-440

28-D
D-28

73

B
2.4

C
7.7

B
4.6

F
15.0

G
13.0

31-D

B
14.6

35-D

A
4.1

home

C
9.1

A
21.5

2.8

32-D

D
11.7

A
10.6

33-D

10.5

A
7.7

34-D

C
17.3

10.8

D
3.3

A

A
9.4

107-D

119-D

A
17.9

106-D
D-139

B
8.6

105-D
D-436

C
10.4

C
8.4

B
19.1

A
18.9

104-D

12

A
19.5

D
8.8

B
18.1

108-D

B
20.6

C
19.1

C
13.9

109-D

38-D



RECEIVED

1. Name of permit holder Stanley M. Kern JUN 23 1978
Post office address Route 3, Twin Falls, Id Phone 734-2360
Person to contact _____ Southern District Office
Phone _____

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 47-1382
Examination for 6/14

Max Rate of Diversion 0.05 cubic feet per second and annual volume _____ AF/Annum.

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County _____

Other Points of Diversions: _____

Description of diverting works: Check dams on main ditch, smaller ditches through pasture for gravity irrigation

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 2.5

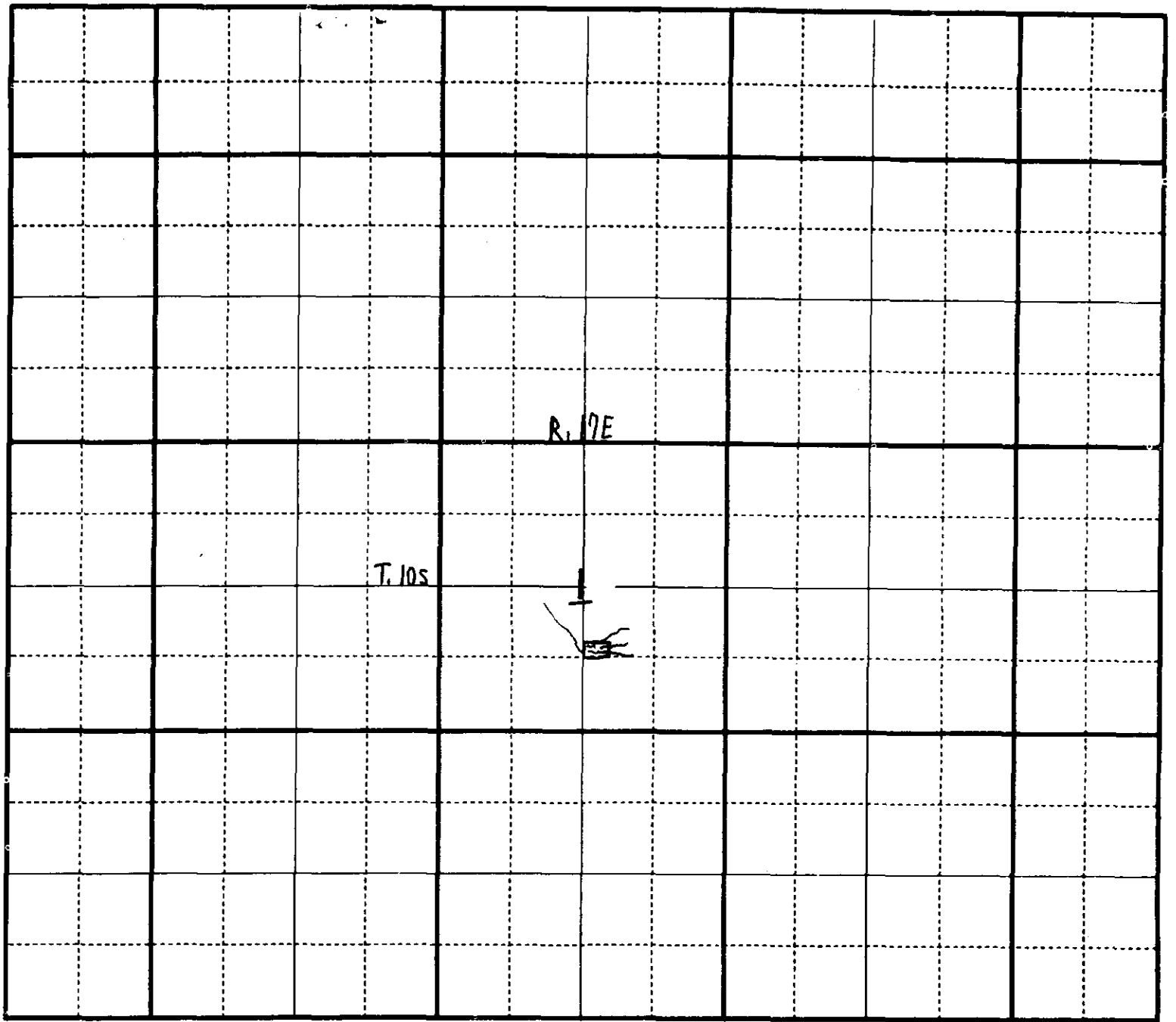


Diagram of System

DATE OF EXAM 7-21-78

ACREAGE

Found 2.0
Recommended 2.0

Irrigation Requirement 4.0 Ac Ft/Ac

USE

^{.05}
Irrigation Q = 0.04 c.f.s. V = 8.0 AF/Ann. from 4-15 to 10-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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 N/A Method of measurement N/A

Total Q recommended 0.04 cfs Meter No. _____ - Type _____ - Condition _____ -

Total V recommended 8.0 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None XX. However, there are 3 points of diversion instead of two.

MEASUREMENT CALCULATION:

0.04 cfs = 1" / acre for 2.0 acres. Volume: 4.0 AF/Ac/Ann Irrig Req. X 2.0 Ac = 8.0 ✓
Allow .05 cfs as per permit AF/Ann.
& Admin Memo

SYSTEM DESCRIPTION:

Water flows to place of use by gravity, and is then divided in varioys ditches to irrigate ground all around applicant's house (lawn and pasture).

REMARKS:

Mr. Kern was present during exam.

Examiner's Signature James E. Stanton Date 7-27-78
Checked by Allen D. Smith Date 7-27-78
Approved by [Signature] Date 3/11/81

June 20, 1978

Re: Permit No. 47-7382

Stanley M. Kern
Route 3
Twin Falls, ID 83301

Dear Mr. Kern:

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.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

RECEIVED

Department of Water Resources
Southern District Office

Identification No. _____

Permit No. 47-7382

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Stanley M. Kern
b) Post Office Address Route 3, Twin Falls, Idaho
2. Permit Number 47-7382
3. Date of Priority that you are prepared to establish April 27, 1977
4. a) Source from which water was appropriated waste water
2 points
b) Location of the point of diversion: NW 1/4 SE 1/4, Section 1
Township 10S, Range 17E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.05cfs for irrigation purposes from Apr 15 to Oct 15 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.05 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: amount applied for
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:

b) Describe the agreement or understanding by which you take water from the works: _____
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) check dams on main ditch, smaller ditches through
pasture for gravity irrigation
b) Describe the type and size of measuring device which you have installed at your point of diversion:
N/A
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

MICROFILMED

Exam typed 6-20-78 by af

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	17E	1									2.5								2.5

Total number of acres irrigated 2.5

10. Remarks: _____

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

5/17/78
(Date)

Stanley M. Jensen
(Signature)

State of Idaho)
) ss.
County of Twin Falls)

On this 17th day of May, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Sheriff R. Merritt
Notary Public residing at Twin Falls,
Idaho

My commission expires lifetime



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL

138720

Re: Permit No. 47-7382

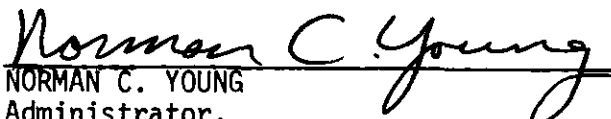
Stanley W. Kern
Rt. 3,
Twin Falls, Idaho 83301

Dear Mr. Kern:

One of the conditions of approval of your water Permit No. 47-7382 (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 July 1, 1978. 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.


NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED

July 1, 1977

Re; Permit No. 47-7382

Stanley M. Kern
Rt. 3
Twin Falls, ID. 83301

Dear Stanley:

Enclosed is a copy of your approved Application for Permit No. 47-7382 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

INTER-DEPARTMENT MEMO — 1

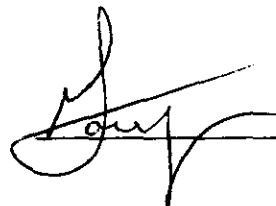
FROM Gary Funderburg

DATE May 23, 1977

TO File NO. 47-7382-Stanley M. Kern

SUBJECT Surface Water Exam

On May 20, 1977, I made a field trip to the proposed point of diversion and place of use of Surface Water Application No. 47-7382. Mr. Kern accompanied me and explained the waste water would be irrigation runoff water from the fields above his point of diversion. This irrigation runoff water source comes from the Lo Line Canal of the Twin Falls Canal Company. There are no other users below applicant's proposed place of use. At this time there is no water available to determine the amount to be appropriated.

A handwritten signature in black ink, appearing to read 'Gary', written over a horizontal line.

SIGNATURE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Stanley M. Kern

Rte. 3, Twin Falls, Idaho 83301

has on 4/27/77 submitted Application No. 47-7382

for a permit to appropriate .05 cubic feet per second ~~XXXXXX~~

of water from waste water

by means of canvas dam, ditches, flood irrigation tubes

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 17E., B.M., Twin Falls County

to be used from April 15 to Oct. 15

for irrigation purposes of 2.5 acres

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 17E., 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 30, 1977.

STEPHEN ALLRED

~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Times News

on 5/12 and 5/19/77

April 29, 1977

Times News
P.O. Box 548'
Twin Falls, Idaho 83301

RE: Application for Permit #47-7382 - Stanley M. Kern

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

MS:sb

Enclosure

MICROFILMED

Bill submitted: _____