

RECEIVED

APR 26 2023

RECEIVED FORM 202 Rev. 03 WATER RESOURCES WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 2-10651

JUN 14 2023
Amended
WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) DERCK Investment Corp Phone 208 841 1213
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1444 N Knights DR City Boise
State Id ZIP 83712 Email RAY KAUFMAN@MSEN.COM
2. Name of representative, if any Ray G Kaufman Phone 208 841 1213
Mailing address same City _____
State _____ ZIP _____ Email _____
a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Snake River which is a tributary of Columbia River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
01S	02W	34	1	NE	NE		Owyhee	SNAKE RIVER	

5. Water will be used for the following purposes:
Amount 3.32 cfs for IRRIGATION 156A purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 3.32 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source. Snake River Pump Station, 4 electric motors totaling 415 hp
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use
Received by LE Date 4/26/23 Time 12:00pm Preliminary check by ATB
Fee \$ 320.00 Received by CC Receipt No. W051183 Date 4-26-23

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WATER RESOURCES
WESTERN REGION

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
015	2W	37			0.4						12			18	0.3	30	30	0.7	91.4
025	2W	3		5.7 1012	4		41 1013	0.3 1014		7.7									58.7
015	2W	34			0.4						12			18	0.3	30	34	5.6	100.3
025	2W	3	8	5.4	3		41	0.5		7.8									65.7

Total number of acres to be irrigated: 166 264 6-14-23

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

WR# 2-7017B, 57-192-193
AND 2194. Ground wtr # 57-10008-07-06 With overlap
of usage (see Attached)

11. a. Who owns the property at the point of diversion? DERCK INVESTMENT CORP.
- b. Who owns the land to be irrigated or place of use? Applicant AND Jeff Gnod (12 acres)
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: SAME

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. SEE ATTACHED. This permit is being filed
Along with A Transfer of 434 acres for WR# 2-7017B

13. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Ray G KAUFMAN, President
 Print Name (and title, if applicable)

Signature of Applicant

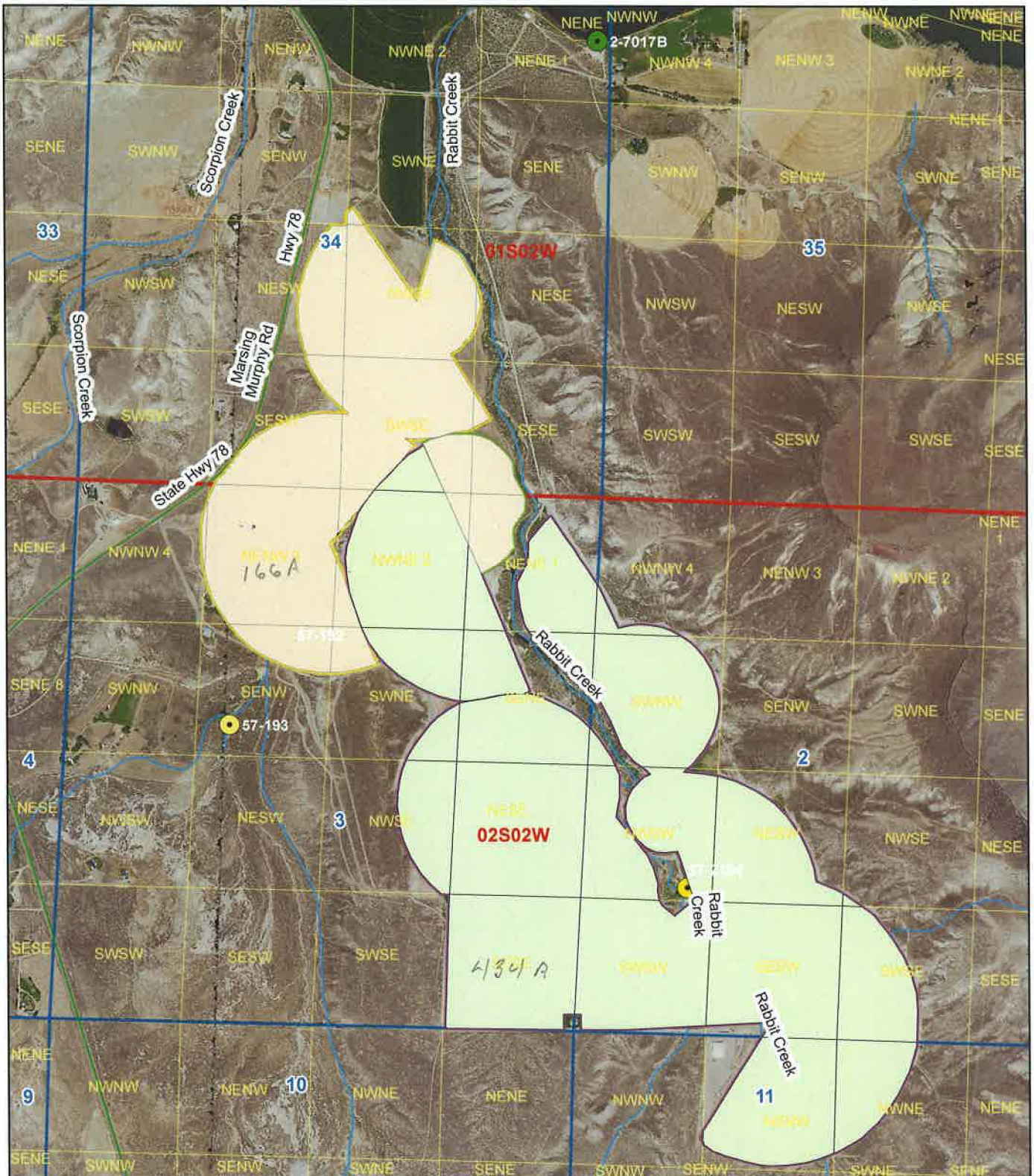
EFFIE KAUFMAN, VP, Sec.
 Print Name (and title, if applicable)

JUN 14 2023

Derck Investments LLC

Irrigated Acres, Snake River (SR) Acres, & Groundwater (GW) Acres per Quarter-Quarter

WATER RESOURCES REGION



- 57-2194_GW-POD
- 57-193_GW-POD
- 57-192_GW-POD
- 2-7017B_SnakeR-POD

- System 1
- System 2

0 0.3 0.6 Miles

Supersedes map received on April 26, 2023.

IDWR 6-14-2023

Derck Investment Corp - POU Analysis

Acres of Irrigation Measured	Twn	Rng	Sec	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Acres
	01S	02W	34			0.4						12			18	0.3	30	38	5.6	104.3
	02S	02W	2						2.6	33		24	34	38	38		0.3	20		189.9
	02S	02W	3	27	40.4	19	32	41	0.5		7.8					40	14.1		39	260.4
	02S	02W	11		14			31												45.0

xx split
x system 1
x new acres

599.6
600

System 1	Twn	Rng	Sec	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Acres
	01S	02W	34			0.4						12			18	0.3	30	34	5.6	100.3
	02S	02W	3	8	5.4	3		41	0.5		7.8									65.7

Permit Appl

166.0

System 2	Twn	Rng	Sec	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Acres
	01S	02W	34															4		4.0
	02S	02W	2						2.6	33		24	34	38	38		0.3	20		189.9
	02S	02W	3	19	35	16	32									40	14.1		39	195.1
	02S	02W	11		14			31												45.0

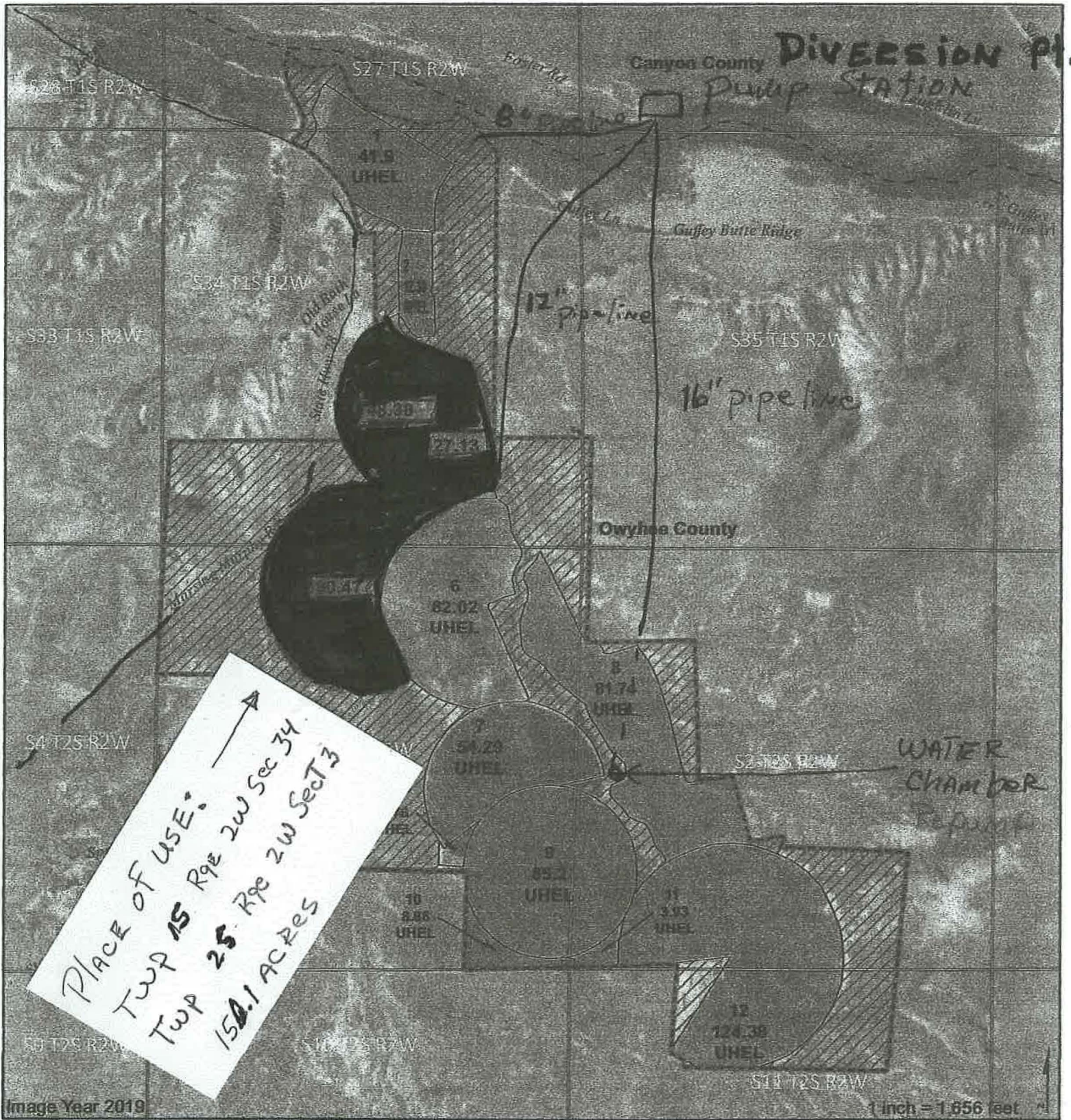
434.0 Transfer
600.0 Appl.

WATER RESOURCES
WESTERN REGION

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RECEIVED

Owyhee County, Idaho



Place of Use:
 Twp 15 Rge 2W Sec 34
 Twp 25 Rge 2W Sec 3
 150.1 ACRES

Common Land Unit
 [Hatched Box] Non-Cropland
 [White Box] Cropland
 [Thick Line] Tract Boundary
 [Thin Line] PLSS
 [Dashed Line] County Boundary

Wetland Determination Identifiers
 ● Restricted Use ▽ Limited Restrictions
 [Box with X] Exempt from Conservation Compliance Provisions

Superseded by Map received 06.14.23
2021 Program Year
 Map Created January 21, 2021
Farm 395
Tract 450

Tract Cropland Total: 653.46 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Form 202 Application for Permit continued

#12 Applicant owns approximately 1000 acres on the Snake River at MP 23.5 on hwy 78 near the town of Murphy. The applicant has owned this for over 35 years and over that time converted the irrigation system from open ponds to pressurized systems, pressurized water chamber and numerous pivots/wheel lines.

Applicant has a pump station on the Snake River (see picture) with extra capacity capable of pumping 3.6 cfs to an additional 156 acres. This pump station has four motors totaling 415 hp. And along with three major pipelines distribute pressurized irrigation water to various fields on the farm (see attached).

R. L. M.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 9, 2023

DERCK INVESTMENT CORP
1444 N KNIGHTS DR
BOISE ID 83712-6557

RE: Application for Permit No. 2-10651

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 11/15/2023 and 11/22/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

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Governor Brad Little

Director Mathew Weaver

November 9, 2023

LAMONT AND LYNN KOUBA
13563 GUFFEY LN
MELBA ID 83641-4238

RE: Application for Permit No. 2-10651
Application for Transfer No. 88232

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comments regarding the above referenced water right applications. You can find more information about the applications online at:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If you wish to formally protest the approval of an application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, November 9, 2023 3:57 PM
To: Flack,Brandon
Subject: Application for Permit of 2-10651

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from the Idaho Department of Fish & Game regarding the above referenced water right application. You can find more information about the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, November 9, 2023 3:57 PM
To: IWRB Water Use Reviews
Subject: Application for Permit No. 2-10651; Application for Transfer No. 88232

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from the IDWR Planning Bureau and/or Idaho Water Resource Board regarding the above referenced water right applications. You can find more information about the applications

at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

Evans, Lynne

From: Evans, Lynne
Sent: Wednesday, November 8, 2023 4:18 PM
To: Jon Brown; office@owyhee.com
Subject: Legal Notice: Application for Permit No. 2-10651; Transfer No. 88232
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Owyhee Avalanche on the dates indicated (11/15/23 & 11/22/23, once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/4/2023. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

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

2-10651

DERCK INVESTMENT CORP

1444 N KNIGHTS DR

BOISE, ID 83712-6557

Point of Diversion L1 (NENE) S34 T01S R02W OWYHEE County

Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION

03/01 to 11/15; 3.32 CFS

Total Diversion: 3.32 CFS

Date Filed: 04-26-2023

Place Of Use: IRRIGATION

T01S R02W S34 SWNE, NESW, SESW, NESE, NWSE, SWSE, SESE

T02S R02W S3 L1 (NENE), L2 (NWNE), SWNE, L3 (NENW), L4 (NWNW), SENW

Total Acres: 166

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/4/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/15/2023 and 11/22/2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88232

DERCK INVESTMENT CORP, 1444 N KNIGHTS DR, BOISE, ID 83712-6557 has filed Application No. 88232 for changes to the following water rights within OWYHEE County(s): Right No(s). 2-7017B, 57-192, 57-193, 57-2194; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

To change the place of use for water right 2-7017B by reconciling differences between the recorded places of use and the actual places of use for 434 acres of irrigation from the Snake River. In addition, a 600-acre permissible place of use (PPU) for irrigation will be created through the combined use of ground water rights 57-192, 57-193, 57-2194 and 2-7017B. Water will be used at the current place of use near the intersection of Hwy 78 (Marsing Murphy Highway) and Guffey Lane, approximately 4 miles north of Murphy, ID, in Owyhee County.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/4/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/15/2023 and 11/22/2023