

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/11/2020

Water Permit 47-8426

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner | NATASHA KIMMELL , ZZ |

Status: Relinquished

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
|---------------|------------------|

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
|-----------------------|-------------|-----------|-----------------------|---------------|

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

Louther

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

RECEIVED

KARL J. DREHER
DIRECTOR

MAR 24 2000

FRED F KIPPES
3951 N 1100 E
BUHL ID 83316

Department of Water Resources
Southern Region

RE: APPLICATION FOR PERMIT NO. 47-08426 - LEO AND JUDITH RAY

Dear Mr. and Ms. Kippes:

This letter follows up our telephone conversation today in which I inquired whether you had served copies of nine (9) photographs of Deep Creek in connection with the above referenced matter on the other parties. Ms. Kippes advised me she had not provided the photographs to the other parties and did not plan to do so. Hence, I can not consider the photographs as part of the hearing record and am returning those photographs to you as enclosures with this letter.

The contested matter is now considered submitted with the next step being the issuance of a Preliminary Order.

Sincerely,

L. GLEN SAXTON
Hearing Officer

Encl: 9 photographs

c: Leo Ray w/o encl
Floyd Kaufman w/o encl
IDWR - Region w/o encl

47-08426

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08426

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NOV 04 1998

Department of Water Resources
Southern Region

Proposed Priority: August 25, 1998

Maximum Diversion Rate:

0.50 CFS

This is to certify, that **NATASHA KIMMELL**

PO BOX 5775

KETCHUM ID 83340-5775

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| WILDLIFE STORAGE | 01/01 to 12/31 | | 2.4 AF |
| FIRE PROTECTION STORAGE | 01/01 to 12/31 | | 2.4 AF |
| AESTHETIC STORAGE | 01/01 to 12/31 | | 2.4 AF |
| DIVERSION TO STORAGE | 01/01 to 12/31 | 0.50 CFS | |
| | Totals | 0.50 CFS | |

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESW), Sec. 17, Township 06S, Range 13E
TWIN FALLS County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

06S 13E 17 Lot 4(SWSW) Lot 4(SESW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 2003**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

47-08426

AP

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

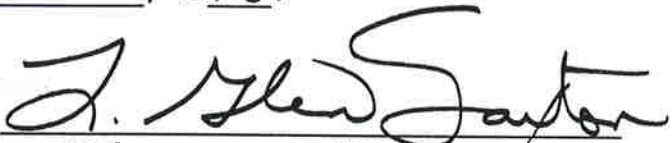
NO. 47-08426

CONDITIONS OF APPROVAL AND REMARKS

7. Point of diversion is located within Lot 1A, Parcel 1, Golden Springs Ranch Subdivision.
8. Places of use are located within Lots 1A & 1B, Parcel 1, Golden Springs Ranch Subdivision.
9. Aesthetic storage use is for two ponds.
10. Water shall not be diverted for fire protection storage use under this right except to fight or repel an existing fire.
11. This right authorizes the diversion of 2.4 AF annually to fill the storage facility. This right also authorizes the diversion of an amount of water necessary to replace evaporation and seepage losses. This right does not authorize the replacement of water intentionally discharged to the Snake River.

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

2nd day of November, 1998.


for
Karl J. Dreher, Director

OCT 21 1998

FROM: Allen Merritt *AM*

DATE: October 20, 1998

TO: Application No. 47-08426
In the Name of: Kimmell

SUBJECT: Review and Recommendation

This application propose to develop two (2) ponds for wildlife, aesthetics & fire protection. The source of water for the ponds is proposed to be a new cold water well (Groundwater). The size of the ponds (2.4 af capacity with 0.27 acre surface area) is insignificant with total consumptive use less than the domestic exemption. For this reason the application was processed as non-consumptive. The site is located adjacent to the Snake River on the SW side of the river in Twin Falls County and in an area where deep hot water aquifers are known to exist. The site is also near areas where landslides have been problems in the past. The application proposes to divert 0.5 cfs from the new well through the ponds and then discharging the water into the Snake River.

ANALYSIS

Although the total use may be insignificant the rate of diversion seems excessive. A review of the draft memo for "Evaluating Recreational Fish Ponds" 6/20/92 may justify the 0.5 cfs for a refill rate of pond volume every 2 days which is consistent with trout but if warm water fish are planted the 0.5 cfs may not be justified. The application appears to propose a one time flow through of water with discharge into the Snake River. It does not appear that re-circulation through the ponds has been considered.

I recommend that this application be reviewed by administrators and the groundwater hydrology section for the purpose of assessing the diversion rate and conditioning the permit.

I recommend that the following conditions be considered:

- The use is non-consumptive to the basin to the extent that the groundwater and Snake River water is not depleted. The director retains jurisdiction to determine future injury to other water rights and may require future mitigation.
- A measuring device be installed at the point of diversion with totalizing meter and use reported annually to the department.
- Other county, state and federal approvals may be required (DEQ discharge permit, SCA permit for discharge site)
- To minimize water use of groundwater a re-circulation system between ponds must be incorporated in design. Use of groundwater is authorized for filling and maintaining pond levels. Continuous discharge of well into Snake River is not authorized.

47-08426

-Well must meet drilling permit requirements.

****Note that if assessment finds that dewatering the area is beneficial then re-circulation and other such conditions can be deleted.

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 10 September 1998
RE: Application for Permit-Basin 3747

The application for a permit in the name of Natasha Kimmell proposes to drill a well that will be used to fill two ponds that are for non-consumptive uses. Both ponds have a total surface area of 0.27 acre and the proposed uses are storage for wildlife, aesthetics, and fire protection.

The point of diversion is in Lot 4 of the SESW $\frac{1}{4}$ of Section 17, T06S, R13E. The places of use are all in Lot 4, however, it appears the ponds will be in both SESW $\frac{1}{4}$ and SWSW $\frac{1}{4}$ of Section 17, T06S, R13E.

The applicant states, in the future, there will be two other wells drilled for the two homes. We discussed the limitations of a domestic well in compliance with §42-111.

Conditions of Approval:

- Subject to all prior water rights.
- The well to be drilled must comply with the §42-235, IDAHO CODE.
- The well must have a measuring device with totalizing meter installed to measure the diversion from the well.
- If applicant applies for domestic well(s), the pond surface area limits lawn irrigation to 0.23 acre.

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SEP 08 1998
Department of Water Resources
Southern Region

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

1. Name of Applicant Natasha Kimmell Phone 726-3812
Mailing address P.O. Box 5775 Ketchum, Id. 83340
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is Township T6S Range R13E Sec. 17 in the _____ 1/4
SE 1/4, SW 1/4, Govt. Lot 4, B.M., Twin Falls County
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>2.4</u> for <u>wildlife</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>2.4</u> for <u>fire protection</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>2.4</u> for <u>aesthetics</u> purposes from <u>Jan</u> to <u>Dec 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.5 and/or (b) 2.4
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source well, pump and pipe lines to pond
- b. Height of storage dam 9 feet feet; active reservoir capacity 2.4 acre-feet; total reservoir capacity 2.5 acre-feet
- c. Proposed well diameter is 6 to 8 inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
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; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. see attached sheet #1

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 | |
| 6S | 13E | 17 | | | | | | | | | | | JW H dot | JW H 4 | | | | | |
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Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Natasha Kimmell

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

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

12. Remarks: see attached

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

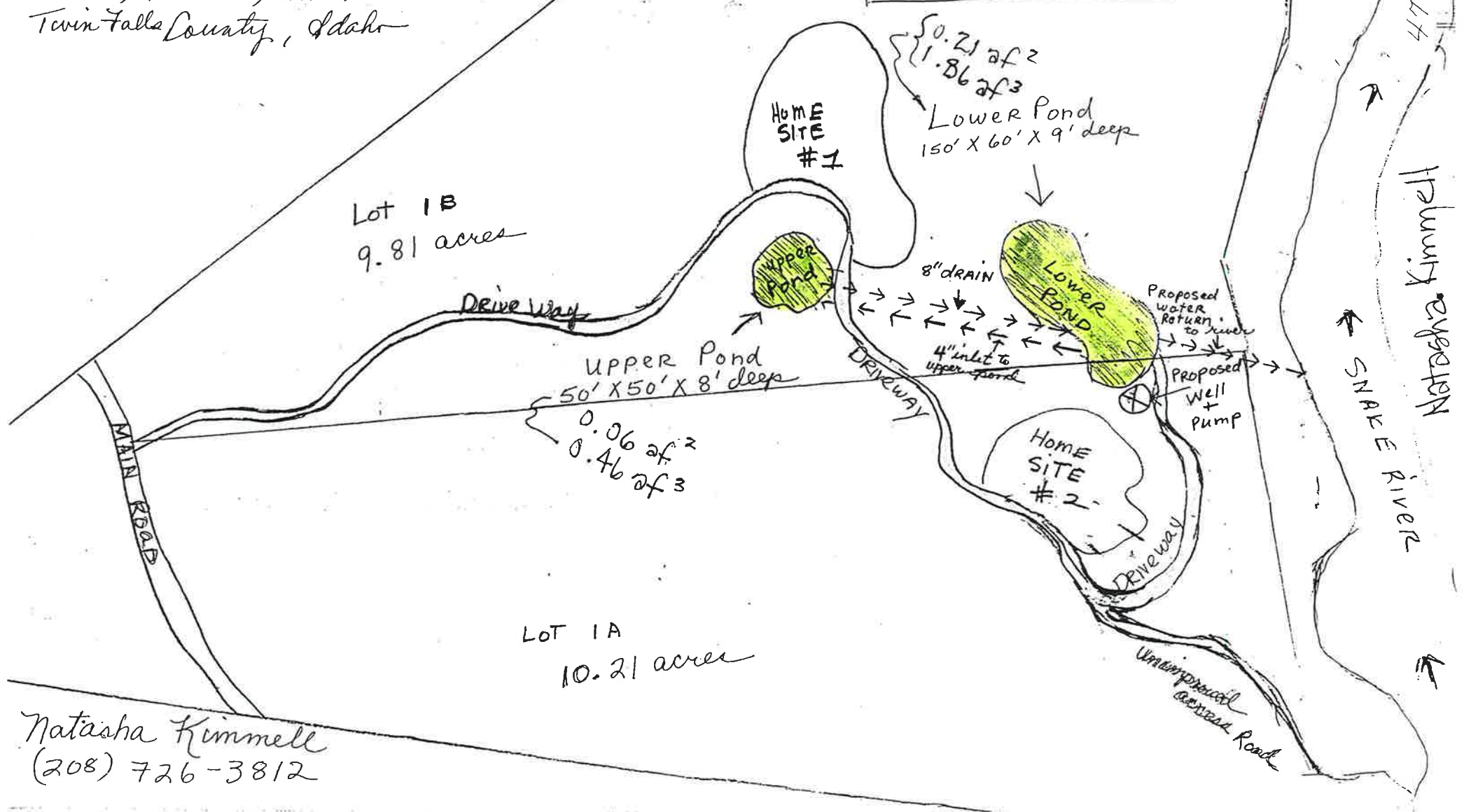
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Natasha Kimmell
Signature of Applicant (and title, if applicable)

Received by GLS Date 25 Aug 98 Time 1100 hrs Preliminary check by GLS
 Fee \$ \$100.00 Received by GLS # 5021459 Date 25 Aug 98
 Publication prepared by mb Date 9/15/98 Published in James News
 Publication approved _____ Date _____

Lots 1A+1B
located in T.1, Halden Springs Ranch Subdivision
Gov't Lot 4, Section 17
T.6S., R.13E., B.M.
Twin Falls County, Idaho

Proposed plan for
non-consumptive use
of groundwater



47-08426

Natasha Kimmell

Snake River

Natasha Kimmell
(208) 726-3812

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AUG 25 1998

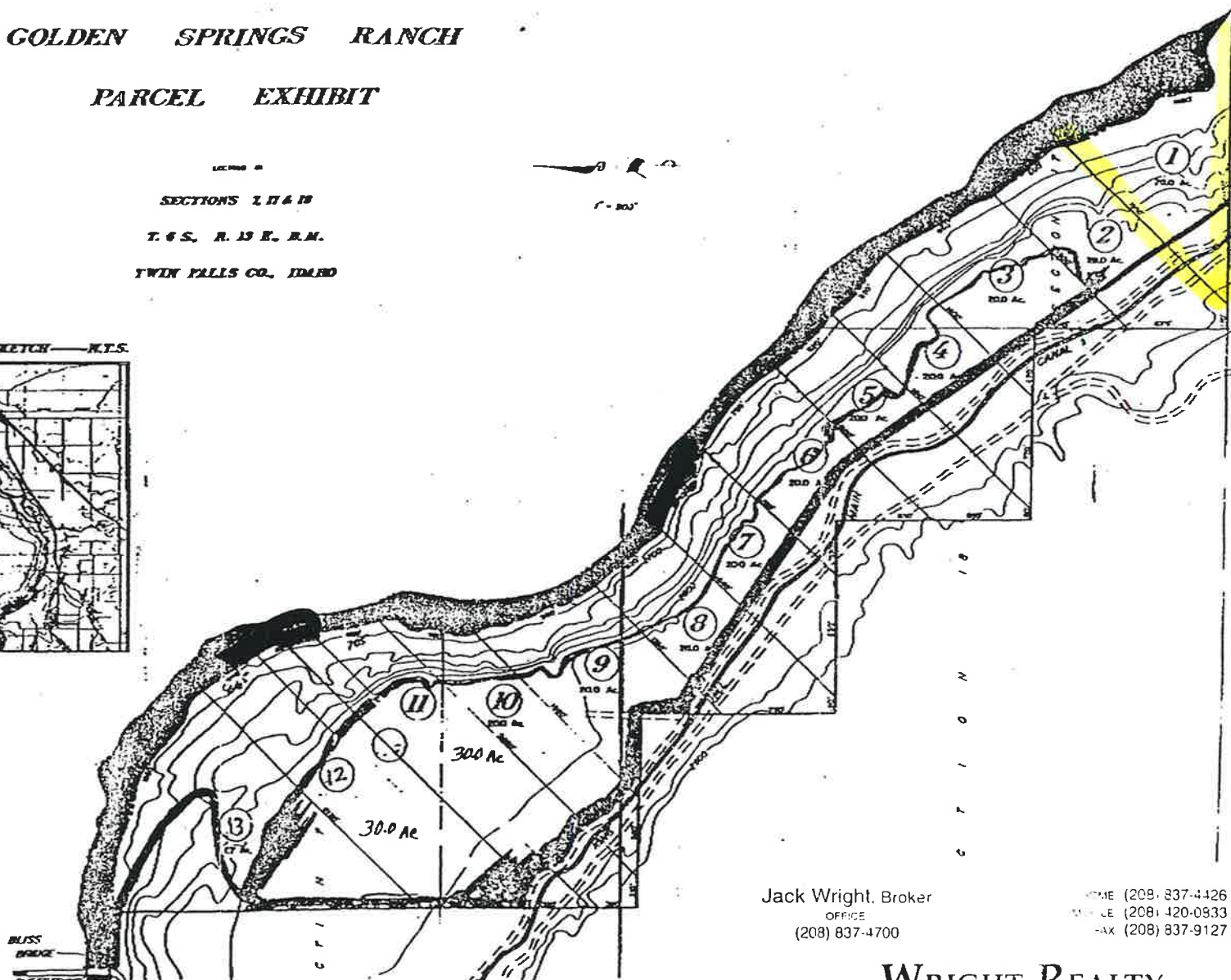
Department of Water Resources
Southern Region

GOLDEN SPRINGS RANCH

PARCEL EXHIBIT

SECTION 17 & 18
T. 6 S., R. 13 E., B.M.
TWIN FALLS CO., IDAHO

VICINITY SKETCH—M.T.S.



BLM Land

Page 2 of 2

Natasha Kimmell

464
1074

Jack Wright, Broker
OFFICE
(208) 837-4700

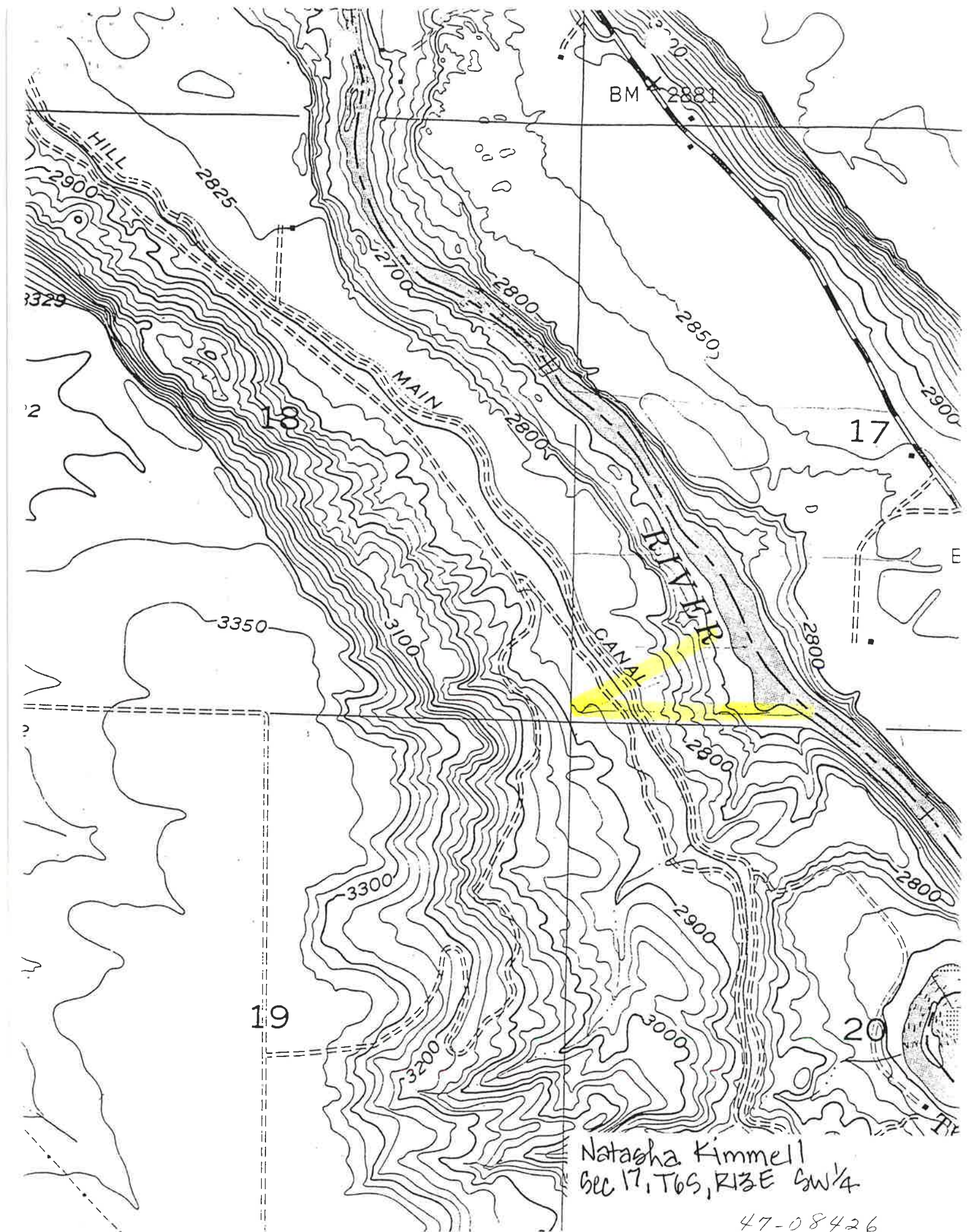
HOME (208) 837-4426
FAX (208) 837-9127

WRIGHT REALTY

P.O. BOX 578
HAGERMAN, ID 83332

NATASHA KIMMELL
P.O. BOX 5775
KETCHUM, ID 83340





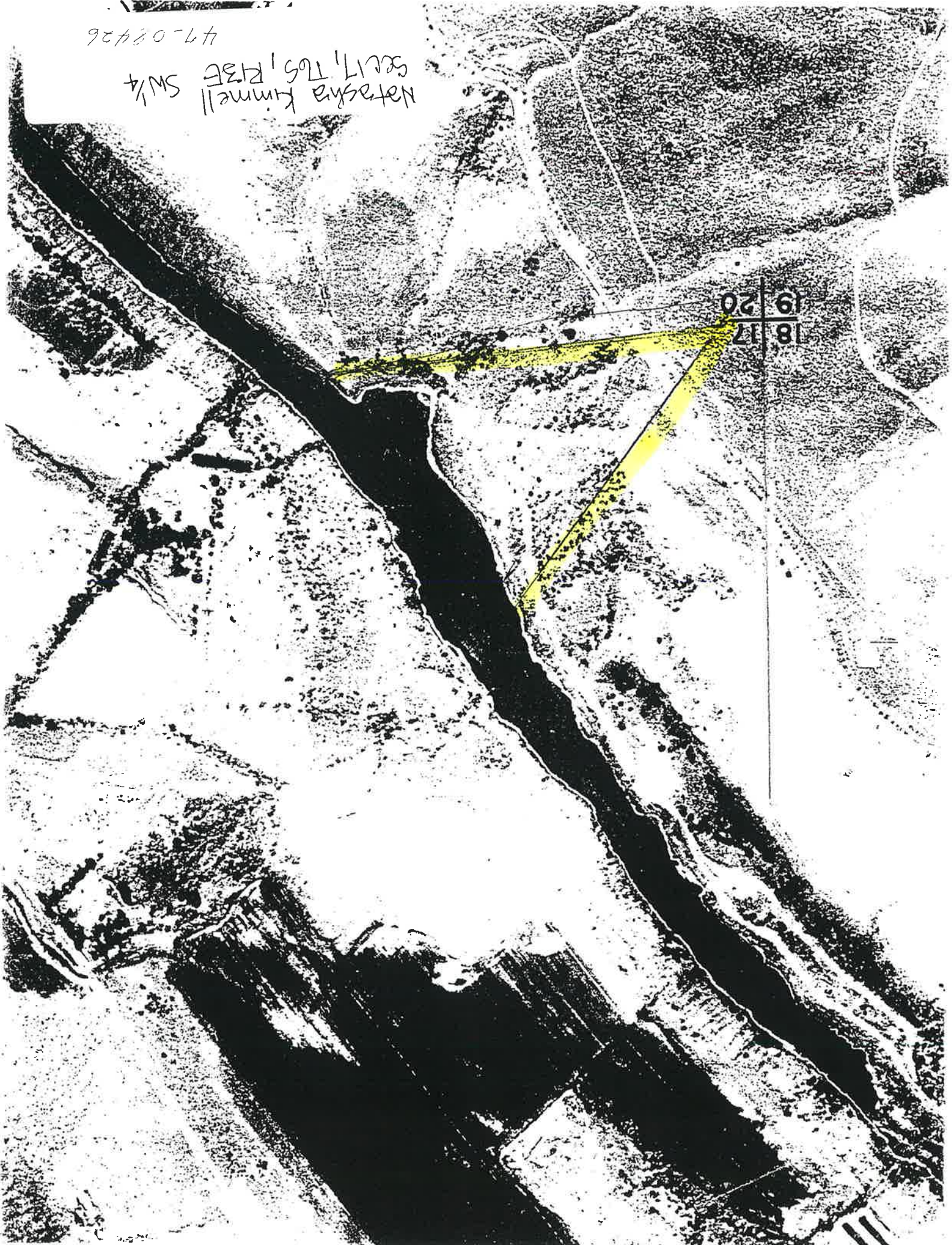
Natasha Kimmell
Sec 17, T6S, R13E SW 1/4

47-08426

47-08426

Natasha Kimmel SW 1/4
Sec 17, T6S, R13E

18 17
19 20



Sheet # 1

Fire Protection: This property is located in the far edge of Twin Falls County adjacent to B L M land and is not covered or protected by any rural fire department. We would need two water storage ponds with easy access to road and reasonably close to the two proposed homes. It would be necessary to have the water available year round for fire protection.

Wildlife: The amount of water requested is to have enough flow to keep the ponds healthy so that they will attract and support wildlife. We will need water year round so that the water level does not fluctuate therefore creating a stable environment for the wildlife.

Aesthetics: The amount of flow requested is necessary to maintain the aesthetic qualities of the pond. Any amount less would create an ugly, algae filled , stagnant, mosquito breeding pond.

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SEP 03 1998

Department of Water Resources
Southern Region

Natasha Kimmell

47-08426

Sheet # 2

Remarks: I purchased this property in May of 1997. In the fall of that year there was a big fire which started on B L M land from lightning and spread to my property burning most of the vegetation including around 30 very large mature trees. This property is not protected by the Twin Falls Fire Dept. because it is too far away from the district and I realized that before I built the proposed homes, I would have to have a large water supply close to the homes and accessible from the road. In order to have more that one use for the ponds I needed for fire protection, I hired a consultant on ponds. He proposed that we drill a well close to the lower pond, fill the lower pond and then pump the water to the upper pond thus creating a recirculating system. We could then allow any run off to go back into the Snake River. In this way we would not be using any of the water. We would just be borrowing it for awhile and then returning it to the river. He recommended not using the Snake River water for the ponds because we would need cleaner water for the health of the ponds, and the water would be returned to the Snake River in a way that will insure that there would be no change to impact the shoreline visibly or physically. By maintaining the proper volume of water we can create and maintain healthy ponds that will benefit wildlife and become beautiful, aesthetically pleasing sanctuaries. I based the quantity of water requested and the diameter of the well suggested on the consultants recommendations.

There was quite a large fire about two weeks ago near the Bliss area which is close to the location of this property and since I have already replanted a large amount of new trees and shrubs etc. to replace what was burned in 1997, I am very concerned for the safety of my investment. I hope you will consider my request worthy of your attention.

Please call if you need any further information. (208) 726-3812

Thank you very much.

Sincerely,

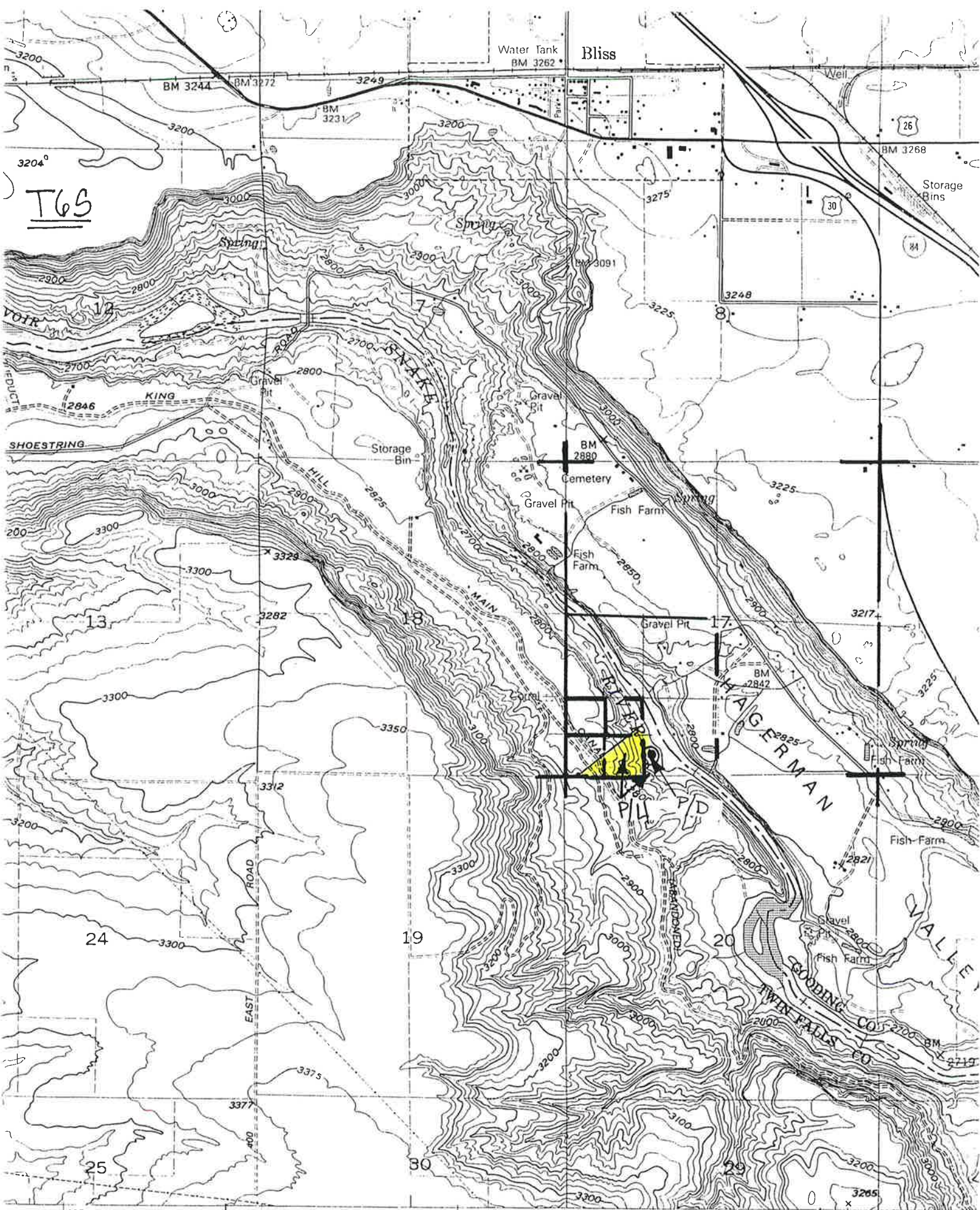


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Department of Water Resources
Southern Region

47-08427



ological Survey
of Engineers

Notasha Kimmell SCALE 1:24 000 47-08426



