

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/11/2020

Water Permit 47-8418

Owner Type **Name and Address**
Current Owner ROBIN E GOLAY
 , ZZ

Current Owner CHANTEL GOLAY
 , ZZ

Status: Lapsed

Source

Tributary

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

2020-09-11

Date Sent to S.O.

MAY 29 1998

return
to sender

fee due **50c**

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED



pd. by postage meter MB

RECEIVED

MAY 29 1998

CHANTEL GOLAY &/OR
ROBIN GOLAY
158 MORELAND AVE
TWIN FALLS ID 83301

GOLA158 833012014 1298 05 05/27/98
GOLAY 4326 N 1400 E
BUHL ID 83316-5233 FORM 3547



PS FORM 3547

47-08418

Southern

RECEIVED

State of Idaho
Department of Water Resources

APR 02 1998

Permit To Appropriate Water

Department of Water Resources
Southern Region

NO. 47-08418

Proposed Priority: February 4, 1998

Maximum Storage Volume:

0.1 AF

This is to certify, that CHANTEL GOLAY
ROBIN E GOLAY
158 MORELAND AVE
TWIN FALLS ID 83301

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of MUD CREEK

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>
RECREATION STORAGE	01/01 to 12/31		0.1 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 24, Township 09S, Range 14E
TWIN FALLS County

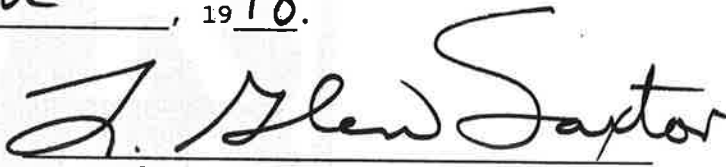
PLACE OF USE: RECREATION STORAGE
TWN RGE SEC
09S 14E 24 SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1999.
2. Subject to all prior water rights.
3. Recreation storage use is for dog training.

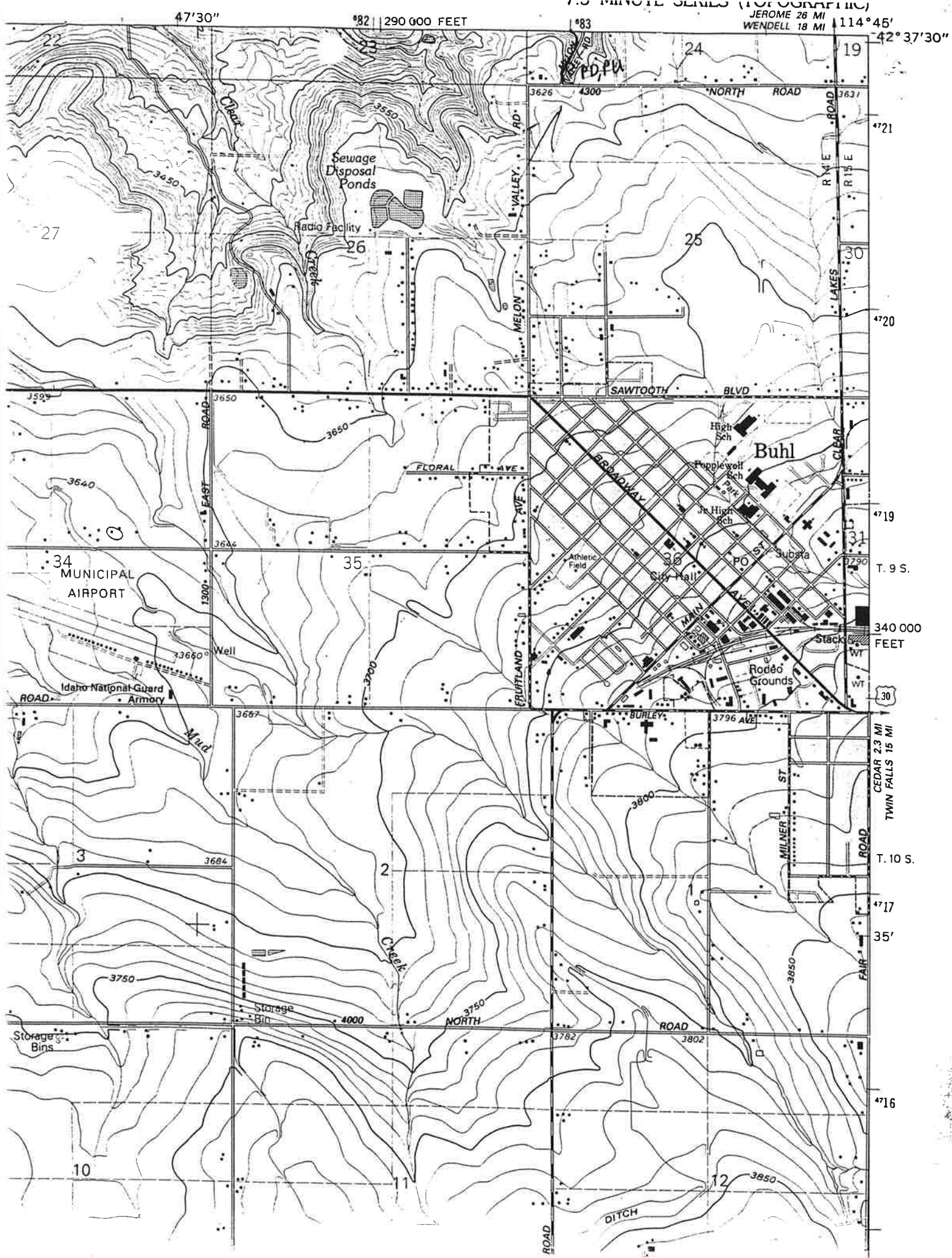
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

30th day of March, 1998.

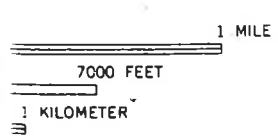
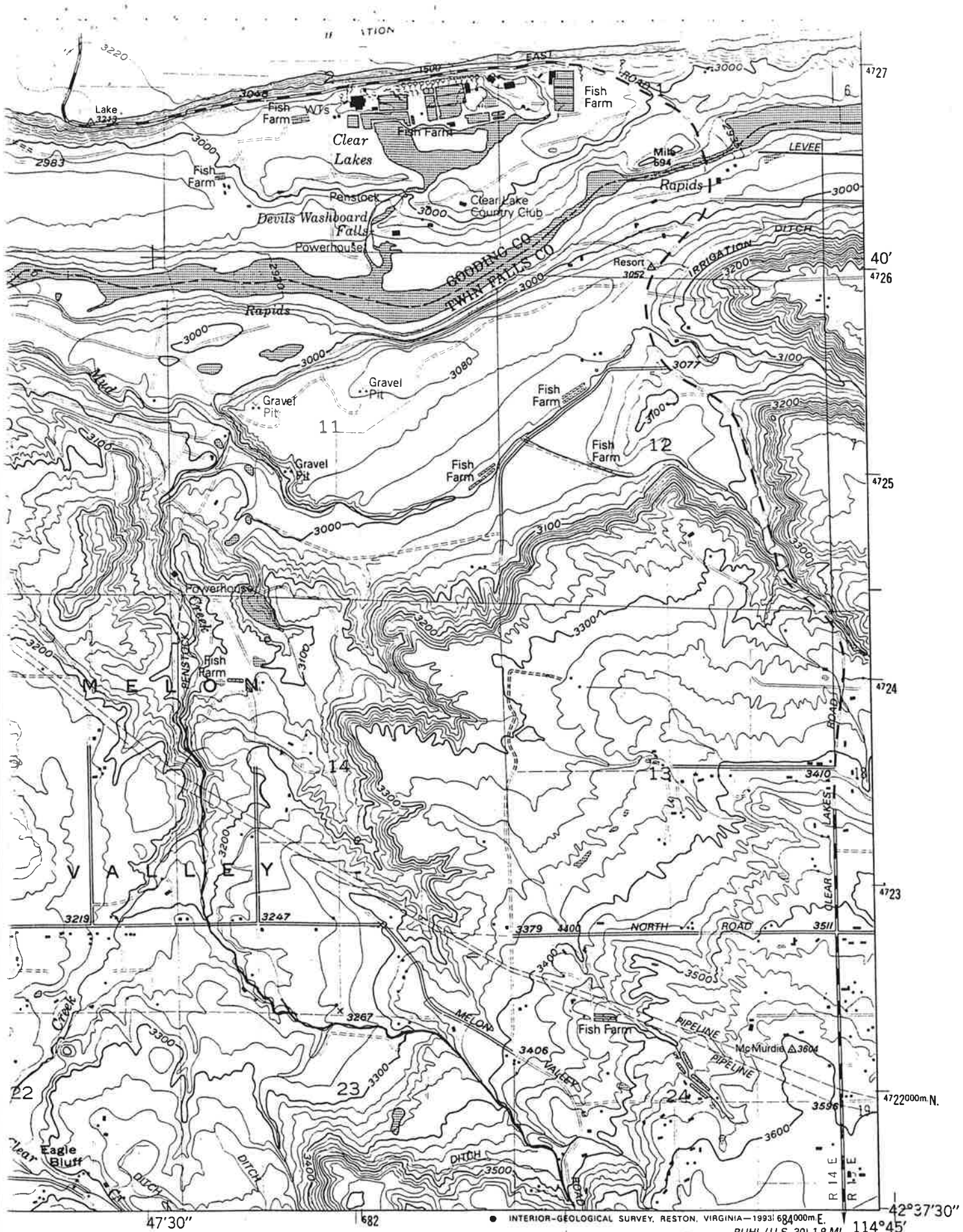

Karl J. Dreher, Director
for

47-08418

AD



47-08418



ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road

● INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA—1993/ 684000m E.
 BUHL (U.S. 30) 1.9 MI.
 TWIN FALLS 18 MI.
 42°37'30" 114°45' (CLOVER) 3069 11 SW

47-08418

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FEB 04 1998

Department of Water Resources
Southern Region

Date Sent to 30 MAR 18 1998

Ident. No. 47-08418

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of Applicant Robin E. &/or Chantel Goley Phone 734-6947
Mailing address 158 Moreland Ave, Twin Falls, ID 83301
- Source of water supply Unnamed Stream which is a tributary of Mud Creek
- Location of point of diversion is Township 9S Range 14E3W Sec. 24 in the SE 1/4
SW 1/4, SW 1/4, Govt. Lot _____, B.M., Twin Falls County
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.1 for Recreation Storage 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)
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)

- Total quantity to be appropriated is (a) _____ and/or (b) 0.1
cubic feet per second acre feet per annum

6. Proposed diverting works:

- Describe type and size of devices used to divert water from the source Dug pond & earth dam
- Height of storage dam 4 feet; active reservoir capacity 0.1 acre-feet; total reservoir capacity 0.1 acre-feet
- Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- Is ground water with a temperature of greater than 85°F being sought? _____
- If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Recreation - dog training

47-08418

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	
9S	14E	24											SR						

SR = Recreation Storage

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? Applicants


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

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

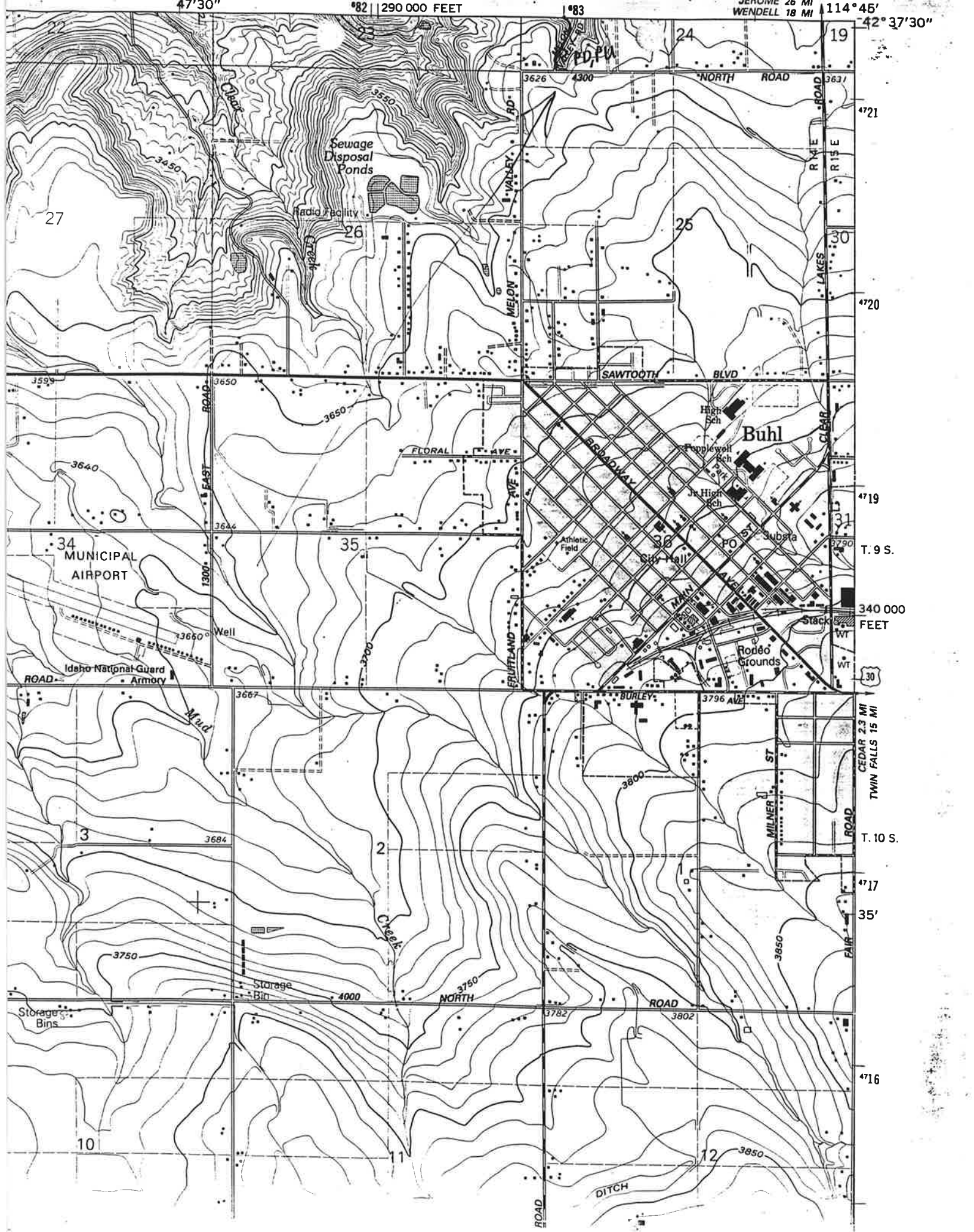
12. Remarks: _____

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.)

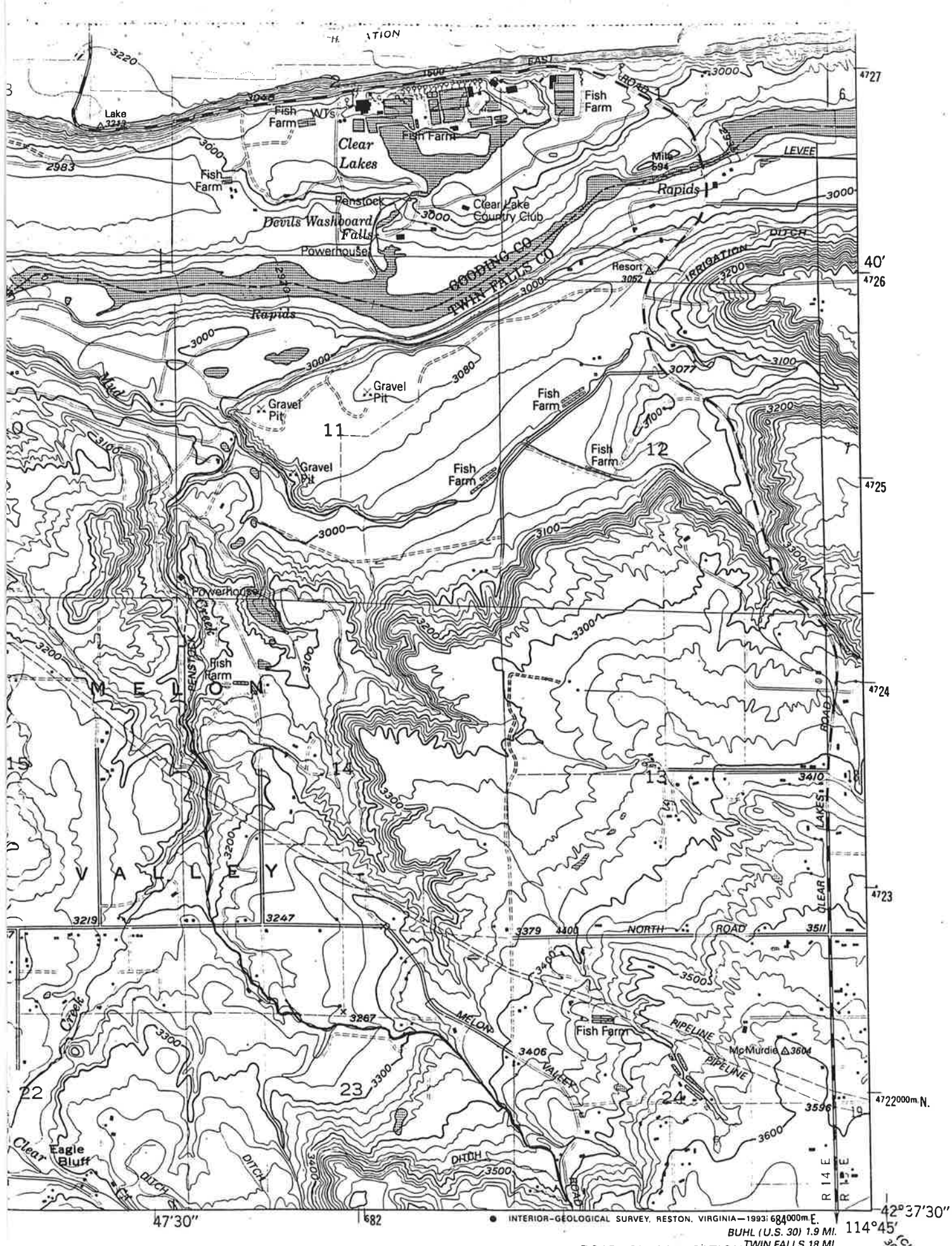
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

Received by J. E. Stanton Date 2-4-98 Time 1:10 pm Preliminary check by JS
 Fee \$ 50.00 Received by JS # 5020870 Date 2-4-98
 Publication prepared by MB Date 2/10/98 Published in Times News
 Publication approved MB Date 3/4/98



47 08418



• INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA—1993: 684000m E.

BUHL (U.S. 30) 1.9 MI.
TWIN FALLS 18 MI.

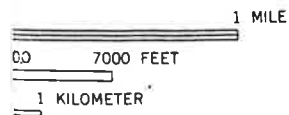
ROAD CLASSIFICATION

Primary highway,
hard surface

Light-duty road, hard or
improved surface

Secondary highway,
hard surface

Unimproved road



42°37'30"
114°45'
(CLOVER)
3069 11 SW

47 08410



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 26, 1998

Clint Stennett
PO Box 475
Ketchum, ID 83340

RE: Permit 47-08418 in the name of Golay

Dear Senator Stennett:

In response to your letter dated May 15th I have looked into the matter of the Golay pond.

Our records indicate in February of this year Chantel &/or Robin Golay filed application for permit 47-08418 for development of a small pond on an unnamed stream tributary to Mud Creek. The purpose of this application was to create a recreational on-stream storage pond to facilitate dog training. It is our understanding the pond was to be approximately 20' X 50' with a depth of 4' or 0.1 acre foot in total storage capacity. The application was advertised in the Times News with final protest date of March 9th, 1998. No timely protests to this application were filed. The application was forwarded to the state office for final review on March 16th, 1998 and it was approved on March 30th, 1998. (Please find enclosed copies of the application and the approved permit.)

As you may know, the area where this permit is located is within the Eastern Snake River Plain Moratorium Area. The department presently processes applications in this area if they are non-consumptive as the term is used in Section 42-605A, Idaho Code. In reviewing applications for ponds in this moratorium area for determining whether to process or not, the department uses a rule of thumb that if the surface area of the pond is less than 1/2 acre (21,780 square feet) that the impact may be essentially "non-consumptive". Since the Golay's proposed pond is 1000 square feet in surface area their application was processed. Processing, however, does not guarantee approval. Approval is granted only after reviewing the criteria in Section 42-203A, Idaho Code.

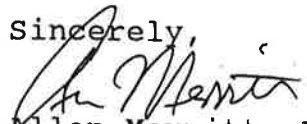
In your letter you express concern about your senior right. Please note that the Golay permit was approved subject to prior water rights. A search of our records finds that you have filed claim A47-04029 in the Snake River Basin Adjudication to record this senior right. It is my understanding that if the Golay pond is developed in such a manner as to materially injure your senior right, the Golay right would either be required to cease diversion or somehow mitigate your loss. If this situation develops the

department would investigate if called to help resolve such a dispute.

Your letter describes a conversation between your mother and someone in our office. The conversation you describe does not fit with what information our office should be providing and I apologize if your mother was left with that impression. I would hope our staff would be more helpful. Please understand that our agents are not attorneys. If legal advice is sought, our agents are encouraged to tell people that they may need to seek legal counsel.

I am forwarding a copy of this letter to the Golays for their reference. If either party has questions, please feel free to contact me at this office.

Sincerely,



Allen Merritt, PE
Southern Region Manager

CC: Chantel & Robin Golay
IDWR - Norm Young

May 15, 1998

Idaho Department of Water Resources
Alan Merritt
Manager Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

RECEIVED

MAY 21 1998

Department of Water Resources
Southern Region

Dear Mr. Merritt,

My mother, Carole Stennett, manages a farm that I own just North of Buhl, Idaho. Recently she contacted your department to express her concern about a new impoundment that was build on an unnamed stream that flows through our property from which we hold a valid water right for irrigation.

Her concerns are that this impoundment will be impacting our ability to obtain enough water to fulfill the irrigation rights on my property. I have not seen the dam but she is quite concerned and has called the Department to register a protest. Someone in the Twin Falls office told her if she had a problem with this new dam that she should hire an attorney. In the same breath she was told however that it would be futile as she would not be able to win in court.

That response has prompted me to request that you please take a look at the permit issued to Robin Golay No. 47-08418. I would like to know if the protest period has passed or if her telephone call would be considered as a proper protest. I would hope that the department is not encouraging the use of more attorneys in water right cases. Given the enormous amount of money that has been spent by individuals and the state in the Snake River Adjudication that the Department should not be issuing new water rights and then advising the senior water right user to get the services of an attorney to settle the issue.

I would hope that our senior rights are protected and enforceable by the Department and not in a court of law. I would request at this time that the Department research the development of this pond and its potential impact on senior water right users.

I appreciate your consideration of this matter and look forward to your response.

Sincerely,



Clint Stennett
PO Box 475
Ketchum, Idaho 83340

cc: Norm Young, IDWR
Carole Stennett

STATE

(Menu _____)

From: DWR60::AMERRITT 21-MAY-1998 11:55:48.30
To: @STAFF
CC: AMERRITT
Subj: . TELEPHONE CONVERSATION WITH CAROLE STENNETT

DOES ANYONE RECALL TALKING TO CAROLE STENNETT RECENTLY ON THE TELEPHONE REGARDING HER COMPLAINT ABOUT THE BUILDING OF A SMALL POND ON A STREAM TRIBUTARY TO MUD CREEK NORTH OF BUHL. THE POND IS BEING DEVELOPED BY ROBIN GOLAY UNDER PERMIT 47-08418 FOR A DOG TRAINING POND.

I HAVE RECENTLY RECIEVED A LETTER FROM CLINT STENNETT, SON OF CAROLE, INQUIRING INTO THE MATTER. HE INDICATES THAT HIS MOTHER CALLED THE OFFICE TO REGISTER A PROTEST BUT SOMEONE IN THE OFFICE TOLD HER IF SHE HAD A PROBLEM TO HIRE AN ATTORNEY AND IN THE SAME BREATH WAS TOLD IT WOULD BE FUTILE AND SHE WOULD NOT BE ABLE TO WIN IN COURT.

I HOPE THAT WE ARE NOT GIVING OUT SUCH ADVICE &/OR OPINIONS TO THE PUBLIC. IF ANYONE KNOWS ANYTHING ABOUT THIS PLEASE LET ME KNOW. I NEED TO RESPOND TO MR. STENNETT.

ALLEN

From: DWR60::GFUNDERB 21-MAY-1998 12:49:33.01
To: DWR60::AMERRITT
CC: GFUNDERB
Subj: RE: TELEPHONE CONVERSATION WITH CAROLE STENNETT

ALLEN,

THIS WAS BROUGHT UP IN THE STAFF MEETING ONE MORNING, BUT I DON'T RECALL WHO IT WAS, MAY HAVE BEEN COREY OR TERRY.

GARY