

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/24/2020

Water Permit 47-7729

<u>Owner Type</u>	<u>Name</u>
Current Owner	MARILYN E KALANGE
Current Owner	THOMAS E KALANGE

Status: **Lapsed**

Source

Tributary

Beneficial Use

From

To

Diversion Rate

Volume

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by O.K.
Date 10-4-89
Receipt # C 011977

REQUEST FOR EXTENSION OF TIME

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

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-07729

Name(s) of Permit Holder: Thomas E. Kalange & Marilyn E. Kalange

Post Office Address: P.O. Box 431, Twin Falls, ID 83303

Telephone No. 423-4263

Date Proof is Due: November 1, 1989

Describe what work has been completed toward the development of this water right: Road has been
(This must be filled out! If no work has been completed, show "none".)

constructed and bridge at diversion site has been built.

Costing \$ 20,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

From July 1, 1986 until July 31, 1989, when I received approval to continue development.

I was held up by Swan Falls litigation-now need to go through two (2) water delivery seasons to complete project.

Permit holder(s) request an extension to November 1, 19 91.
(1 yr. minimum)

FEE: \$15.00

Thomas E. Kalange
(Signature)*
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1991.

Signed this 12th day of October, 1989.

J. Glen Saxton
Chief, Water Allocation Bureau

47-7729

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED
AUG - 2 1989
Department of Water Resources
Southern Region Office

IN THE MATTER OF PERMIT

NO. 47-7729 IN THE NAME

OF THOMAS & MARILYN KALANGE

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 47-7729 (permit) was issued to Thomas and Marilyn Kalange (permit holder) authorizing the diversion of 320 acre feet of wastewater for irrigation of 80 acres.

5. Information submitted by the permit holder shows that the irrigation of the 80 acres authorized under this permit did not occur prior to July 1, 1985.

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6. The development and use of wastewater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 47-7729 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 47-7729 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before November 1, 1989.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

5. All conditions of approval contained on the permit are incorporated into and made part of this order.

Dated this 31st day of July, 1989.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Thomas E. &/or Marilyn E. Kalange Phone 733-4266 or 423-4263Post office address P. O. Box 431, Twin Falls, ID 833012. Source of water supply Wastewater which is a tributary of Snake River3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 10SRange 18E B.M. Twin Falls County, additional points of diversion if any: _____or SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T. 10S R. 18E (exact location not yet determined)

4. Water will be used for the following purposes:

Amount 5.00cfs for div. to storage purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) storage forAmount 320AFA for irrigation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum) irrigationAmount 320AFA for from storage purposes from Mar 15 to Nov 15 (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:

a. 5.00 cubic feet per second and/or b. 320 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump & pipeline to storage reservoir,
sprinkler systemb. Height of storage dam less than 10 feet, active reservoir capacity * See memo 5/13/81 ADM
20 acre-feet; total reservoir capacity 20 acre-feet, materials used in storage dam: earthPeriod of year when water will be diverted to storage Jan 1 to Dec 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

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: _____ horsepower 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: _____

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

[illegible]

Total number of acres to be irrigated 80

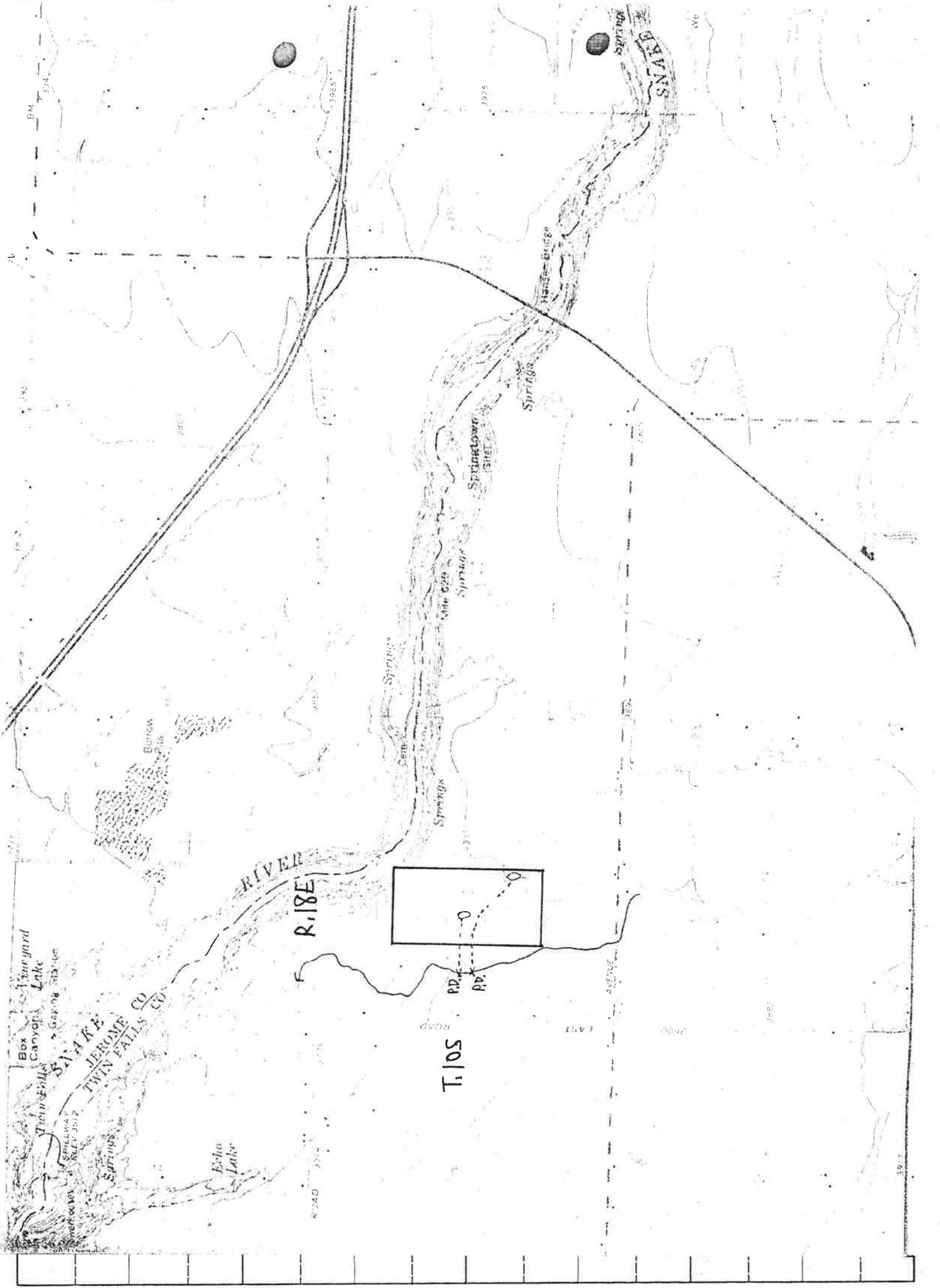
c. Describe any other water rights used for the same purposes as described above. _____

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

10. Remarks This filing replaces 47-7537, which lapsed.



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.

Thomas E Kalange
(Applicant)

Proposed Priority

4/20/81

Received by Ø Date 4-20-81 Time 11:40 am

Preliminary check by J.A. Blau Fee \$ 125.

Receipted by Ø Date 4-20-81 # 16973

Publication prepared by marge Date 4/28/81

Published in times news

Publication dates 5/14 & 5/21/81

Publication approved marge Date 5/6/81

Protests filed by: 11:00

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by J.H. R.

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. 47-7729, 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 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 10 day of July, 1981.

David R. Tuttle Jr.
Acting Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received 29
Date 5-5-86
Receipt # 37645

MAY 27 1986

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

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

KALANGE, THOMAS E + MARILYN E of P.O. Box 431, Twin Falls
(Name) (Address)

State of IDAHO, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriation of the Public Water of the

State of Idaho No. 47-7729

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
Department of Water Resources

July 1, 19 86

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.)

NONE

Costing \$

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

LITIGATION IDAHO POWER CO. VS. IDAHO DEPT. OF
WATER RESOURCES CASE NO. 81375

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to July 1, 1991

(1 yr. minimum,
5 yrs. maximum)

Thomas E. Kalange
(Signature)*

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

FEE: \$15.00

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 proof of beneficial use is extended to November 1, 1989.

Signed this 20th day of May, 19 86

A. Glen Saxton
Chief, Operations Bureau