

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/23/2020

Water Permit 47-7863

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TONY P KUNTZ RT 3 BUHL, ID 83316 (208) 543-4988

Status: Cancelled

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 18, 1990

RE: Application for Permit No. 47-7863

RECEIVED

JAN 23 1990

Tony P. Kuntz  
Rt. 3  
Buhl, ID 83316

Department of Water Resources  
Southern Region Office

Dear Mr. Kuntz:

Enclosed is an order which voids the above referenced application for permit for failure to pay a re-advertisement fee.

Please be advised that if you do not agree with the decision of the Department you may, within fifteen (15) days of the receipt of the order voiding your application for permit, request a hearing before the Director. Failure to timely petition the Director within fifteen days of receipt of the order may prevent you from further contesting the voiding of your application for permit.

If this voided application represents an existing development, further use of the well and water delivery system is prohibited by law. If you divert water illegally, you may be served with a cease and desist order and be subject to a civil penalty of up to \$100 per day.

Sincerely,

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:sc

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED

JAN 23 1990

Department of Water Resources  
Southern Region Office

IN THE MATTER OF APPLICATION )

FOR PERMIT NO. 47-7863 IN THE )

NAME OF TONY P. KUNTZ )

ORDER VOIDING  
APPLICATION FOR  
PERMIT

This matter having come before the Idaho Department of Water Resources (Department) as a requirement of section 42-203C, Idaho Code, the Department finds, concludes and order as follows:

FINDINGS OF FACT

1. Application for permit no. 47-7863 (application) authorized the diversion of 0.15 cfs of groundwater for domestic use, stockwatering and the irrigation of 5.0 acres of land.
2. The Department mailed notice to the applicant on October 23, 1989, informing him that Application No. 47-7863 was subject to the review requirements of Section 42-203C, Idaho Code. The notice further informed the applicant that he must submit to the Department within thirty (30) days either the readvertisement fee required by Section 42-221F, Idaho Code and Water Appropriation Rule 4,2,2,1., or evidence that the development proposed by the application was completed prior to October 1, 1984.
3. The permit holder failed to submit the required readvertisement fee or evidence of development completed prior to October 1, 1984.

CONCLUSIONS OF LAW .

1. Water Appropriation Rule 4,2,2,4. specifies that failure to pay the required readvertisement fee within 30 days after the permit holder is notified to do so is cause for the Director of the Department to void the application.

2. The application should be voided as provided in Water Appropriation Rule 4,2,3,4.

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 47-7863 be VOIDED as provided in Water Appropriation Rule 4,2,2,4.

Dated this 15<sup>TH</sup> day of January, 1990.

  
R. KEITH HIGGINSON, Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 47-7863

RECEIVED

JAN 23 1990

To appropriate the public waters of the State of Idaho Department of Water Resources  
Southern Region Office

1. Name of applicant Tony P. Kuntz Phone 543-4988

Post office address Route #3, Buhl, ID 83316

2. Source of water supply Unnamed Streams which is a tributary of Deep Creek

3. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 Township 9S

Range 14E B.M. Twin Falls County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.15cfs for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.02cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.02cfs for Livestock purposes from Jan 1 to Dec 31 (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. 0.19 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Check dams & ponds; pumps for irrigation.

Stock drink from ponds. Pipeline from stream to mobile home.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ 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: SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 Township 9S

Range 14E 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 18 beef cattle

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water one.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

47-7863

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	21								5									5

Total number of acres to be irrigated 5

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

4 shares Twin Falls Canal Co. water

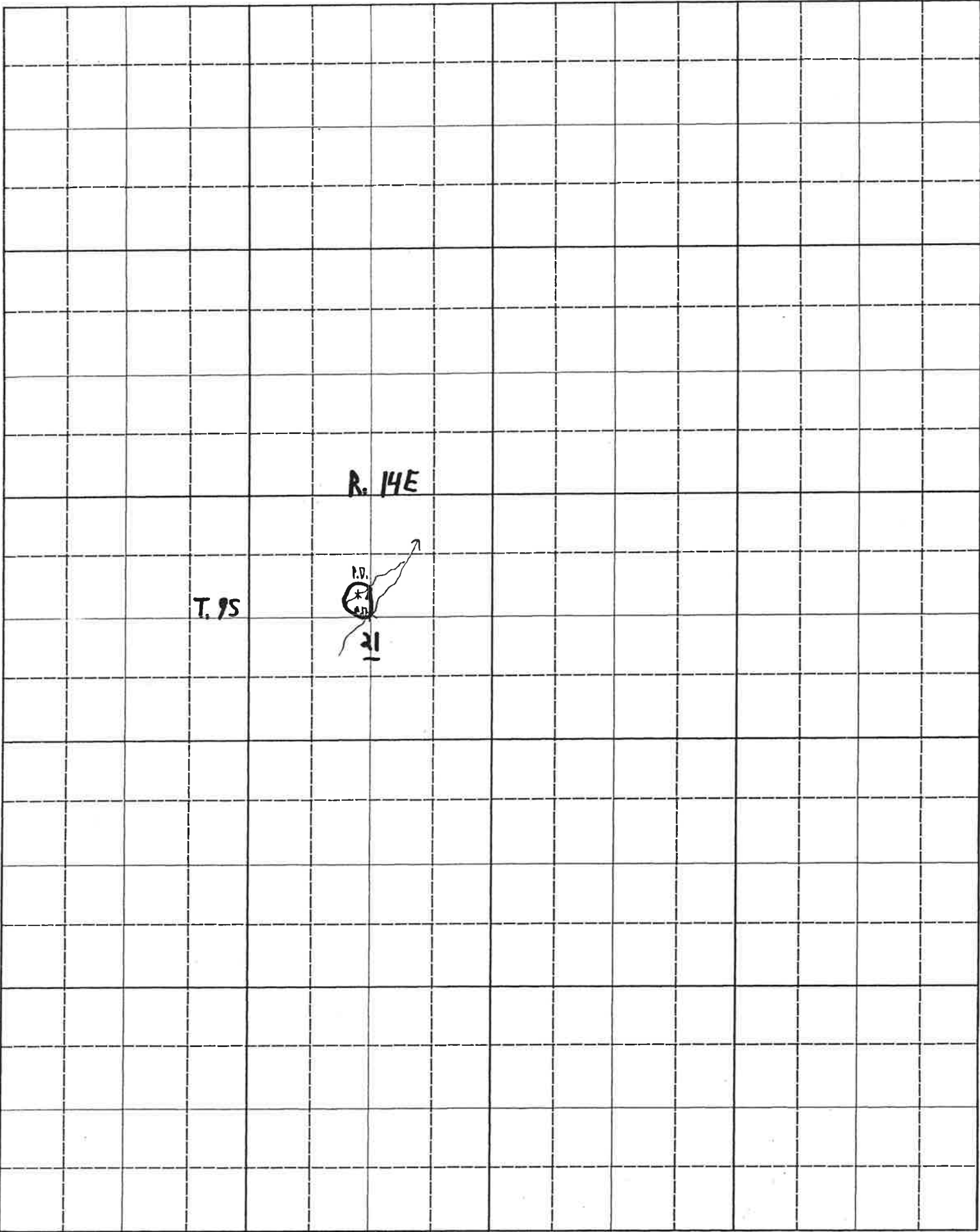
9. a. Who owns the property at the point of diversion Applicant

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

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.

*Tony P. King*  
(Applicant)

Received by JS Date 2-22-83 Time 10:25 am  
Preliminary check by ADA Fee \$ 30.00  
Receipted by JS Date 2-22-83 # 26024  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_  
Publication dates \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

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**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. 47-7863, and said application is hereby VOIDED.

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 \_\_\_\_\_, 19 \_\_\_\_.
- 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:

Witness my hand this 15<sup>th</sup> day of JANUARY, 1990.

  
R. KEITH HIGGINSON  
Director





219-A  
A-612

215-A  
A-512

206-A  
A-412

208-A  
A-412

209-A  
A-512

221-A  
A-817

225-A  
A-412

225-A  
A-125

224-A  
A-124

220-A  
A-120

8.4  
8.0

8.52

8.8

8.70

8.71

8.15

8.7

8.3

NOT TO SCALE



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 5, 1989

Tony P. Kuntz  
Rt. 3  
Buhl, ID 83316

RECEIVED

DEC 8 1989

Re: Application for Permit No. 47-7863

Department of Water Resources  
Southern Region Office

Dear Applicant(s):

### NOTICE OF PENDING ORDER VOIDING APPLICATION

On February 22, 1983, you filed with the Department of Water Resources (Department) Application for Permit No. 47-7863 which proposed the diversion of 0.19 cubic feet per second from unnamed streams tributary to Deep Creek for the irrigation of 5 acres.

The Department mailed a letter and questionnaire to you on October 23, 1989 in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

This letter also requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as proposed by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. **Please note, if you are using water under this right, 47-7863, the Department may issue an order requiring you to cease diverting the water.**

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE  
Sr. Water Resource Agent

Enclosure  
cc: Region ✓

47-7863

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Tony P. Kuntz Phone 543-4988

Post office address Route #3, Buhl, ID 83316

2. Source of water supply Unnamed Streams which is a tributary of Deep Creek

3. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 Township 9S

Range 14E B.M. Twin Falls County, additional points of diversion if any: \_\_\_\_\_

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Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
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Stock drink from ponds. Pipeline from stream to mobile home.

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

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Range 14E B.M.

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(3) List number of each kind of livestock to be watered 18 beef cattle

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water one.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

47-7863  
47-7863



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

[illegible]

Total number of acres to be irrigated 5

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

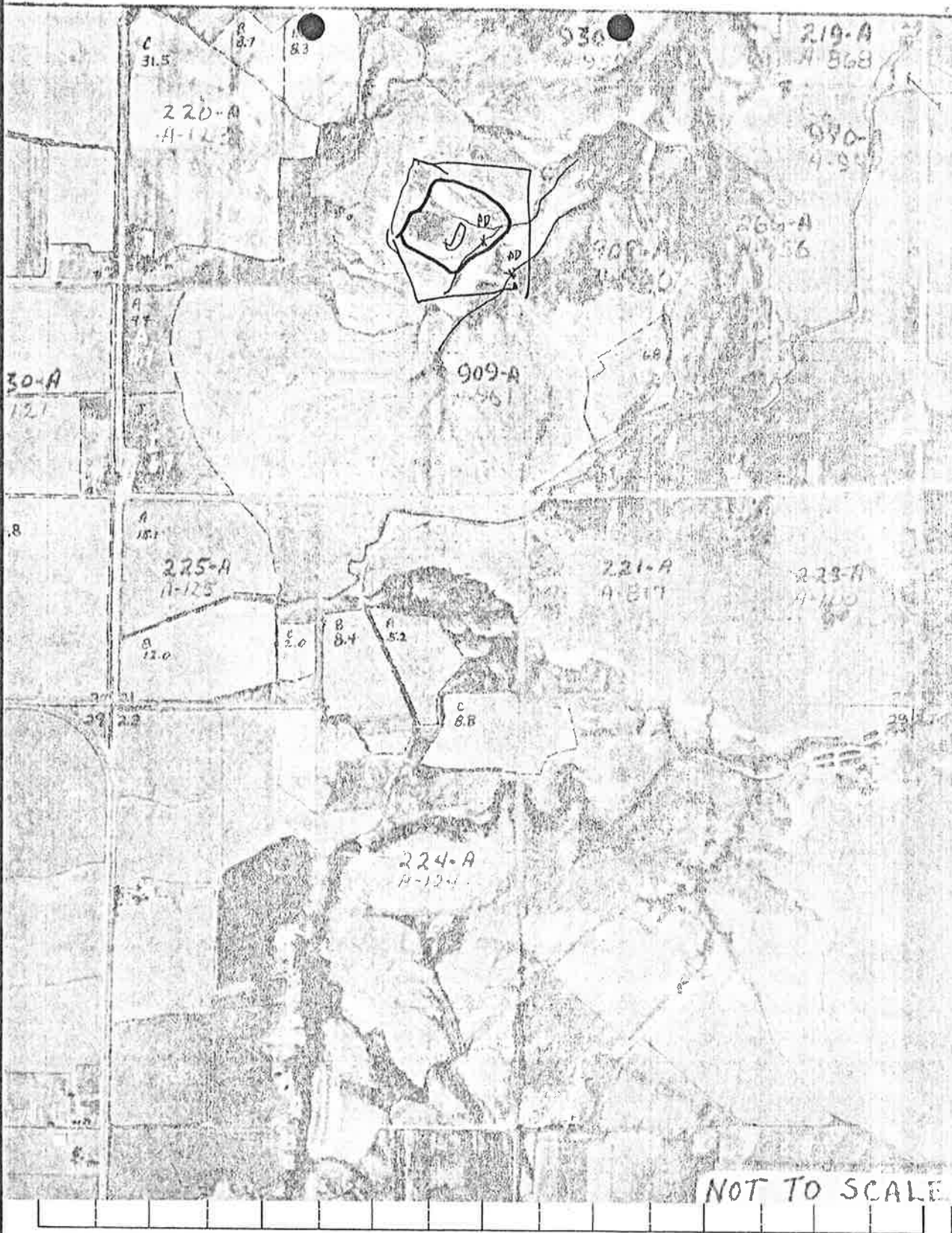
4 shares Twin Falls Canal Co. water

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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 \_\_\_\_\_



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.

*Tony P. Kuntz*  
(Applicant)

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Receipted by gs Date 2-22-83 # 26024  
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\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
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Recommended for approval denial by \_\_\_\_\_

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
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