

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/17/2020

Water Application 45-7096

Owner Type Name
Current Owner HELEN PAPPAS

Status: **Denied**

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

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 8, 1994

RECEIVED

NOV 10 1994

Department of Water Resources
Southern Region Office

Helen Pappas
Declo, Idaho 83323

RE: PROTESTED APPLICATION FOR PERMIT NO. 45-07096

Dear Ms. Pappas:

The department of Water Resources (IDWR) is currently reviewing protested applications for permit which are pending before the department. Our files show that on June 6, 1972, you filed the above referenced application proposing the diversion of 1.69 cubic feet per second (cfs) of water from Unnamed Creeks tributary to the Snake River to be used from April 1 to October 31 for irrigation purposes. The application was subsequently protested by several parties.

Department files also show the following:

1. On October 14, 1982, the department conducted a hearing in the matter in Burley, Idaho. The department did not issue a decision in the matter due to the Swan Falls water right controversy.
2. An agreement to resolve the contested matter has been prepared but has not been consummated by the parties.
3. The last correspondence in the department's water right file is dated 1982.

Since substantial time has passed subsequent to the filing of the application, it appears that one of two potential actions needs to occur in connection with the application as follows:

1. If you are no longer actively pursuing the development proposed in the application, please complete and return the enclosed relinquishment form. IDWR will then remove the application from IDWR records.
2. If you are actively pursuing the proposed development, you need to specifically advise IDWR in writing of your continued interest within thirty (30) days of the date of this letter. In addition, please provide information to IDWR to demonstrate that you have been actively pursuing the proposed project

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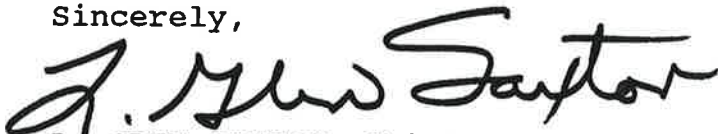
since 1982.

If you do timely respond and provide the requested information, the department will maintain the application in its records and will seek to complete the contested matter once the present moratorium in the Eastern Snake River Plain has either been lifted or modified to allow additional consumptive use of water for irrigation projects.

If you do not timely respond to this letter or do not make a sufficient showing that you have been pursuing the proposed project, the department will reject the application pursuant to provisions of Section 42-203A(5), Idaho Code, as being filed for speculative purposes.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton", written in a cursive style.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

Identification No. _____

Application No. 45-7096

*Protested file
Sent to S.B./G. Sapiro
11/3/94*

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant HELEN PAPPAS
post office address Declo, Idaho
2. Source of water supply unnamed creeks which is a tributary of Snake River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 10 S
Range 24E B.M. Cassia County; additional points of diversion if any: _____
At varying points along an unnamed creek located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T.10S,
R.24E, B.M. and at varying points along an unnamed creek located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
Sec. 21, T. 10S, R.24E, B.M., all within Cassia County
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.69 (cfs or acre-feet per annum) for irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 1.69 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
portable pump and sprinkler equipment

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day) (Mo., Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 2000
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: _____ hp 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:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10 S	24 E	21				20									20				20
		22								9.5									9.5
		22					15.	Lot #2		40									55.

Total number of acres to be irrigated 84.5

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

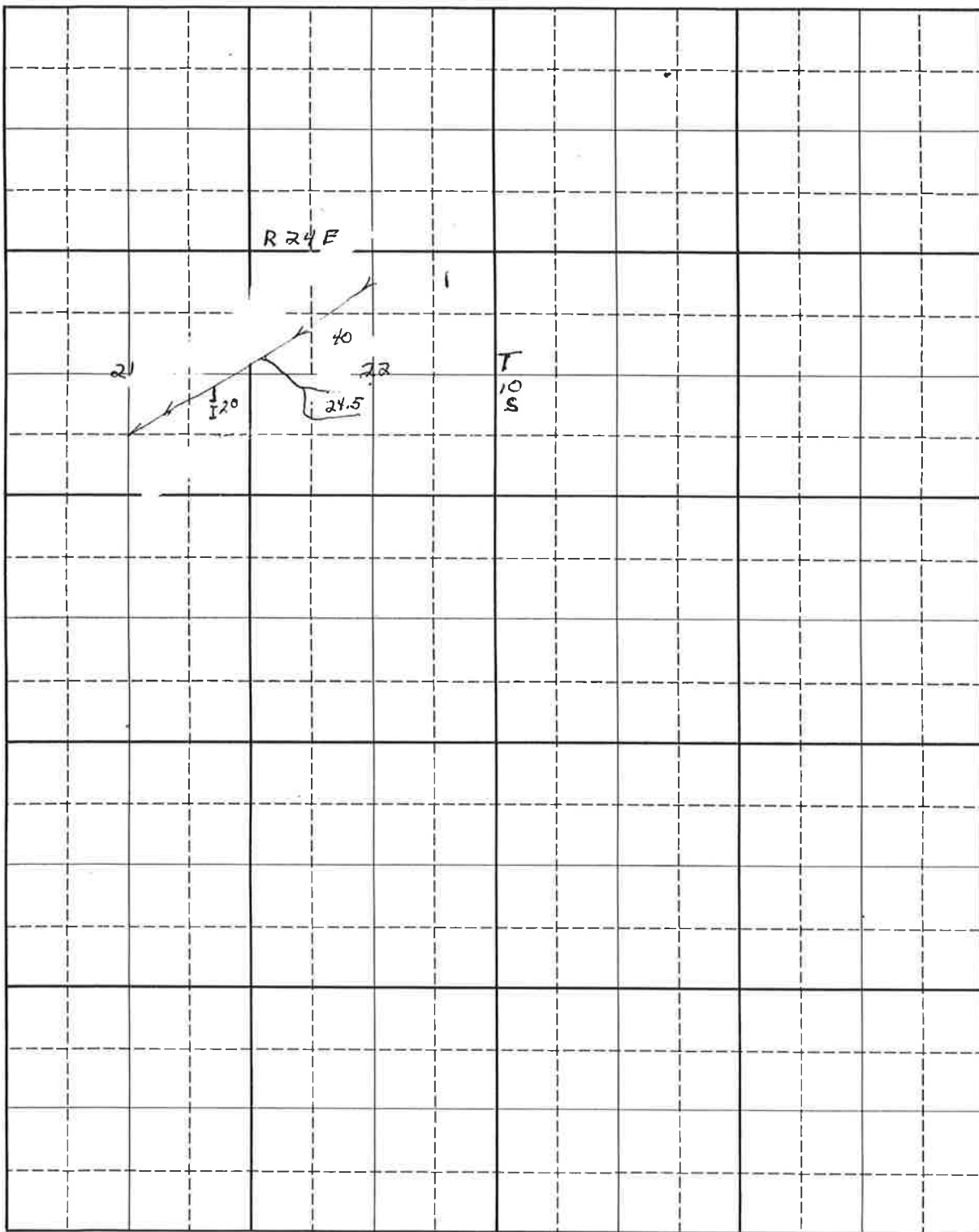
9. a. Who owns the property at the point of diversion Helen Pappas

b. Who owns the land to be irrigated or place of use Helen Pappas

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 Permits were issued to appropriate the water requested previously.
However, ~~xxx~~ due to a lack of capital, the Irrigation system was not developed
and the permits were cancelled

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.


(Applicant)
attorney for applicant.

Received by _____ Date _____ Time _____

Preliminary check by _____ Fee \$ _____

Receipted by af Date 6-6-72

Publication prepared by ALW Date 6/8/72

Published in South Idaho Press

Publication dates 6/20 & 6/27/72

Publication approved 232 Date 7-3-72

Priority reduced to _____ Reason _____

Protests filed by: Merle Clayville, Charles D. Lind, & Alfred Woolstenhulme. (Norm H. Nielson)

Copies of protests forwarded by alw 7-11-72

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director