

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/25/2020

Water Application 45-7583

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DELL N MITCHELL 999 E 300 N DECLO, ID 83323 (208) 312-2460
Current Owner	LYNN N MITCHELL 992 E 300 N DECLO, ID 83323 (208) 654-2434

Status: Closed

Source

Tributary

Beneficial Use

From

To

Diversion Rate

Volume

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Number of Protests: 0

Water District Number: TBD

Application Type: New Appropriation

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

6/25/2020

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES

DEC 24 1990

OF THE

STATE OF IDAHO

Department of Water Resources  
Southern Region Office

IN THE MATTER OF APPLICATION )

FOR PERMIT NO. 45-7583 IN THE )

NAME OF LYNN &/OR DELL MITCHELL )

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 orders as follows:

**FINDINGS OF FACT**

1. Application for Permit No. 45-7583 (application) proposed the diversion of 0.30 cfs from a groundwater source for the irrigation of 15 acres of land.

2. The Department mailed notice to the applicant(s) on October 22, 1990, informing them that Application No. 45-7583 was subject to the review requirements of Section 42-203C, Idaho Code. The notice further informed the applicant(s) that they must submit to the Department within thirty (30) days information concerning development prior to October 1, 1984, and/or whether there is a continued interest in pursuing completion of the proposed development.

3. On November 26, 1990, the Department mailed a second notice requesting the applicant to provide the additional information within fifteen (15) days or withdraw the application. The notice further informed the applicant that failure to submit the information within the specified time was cause for the

45-7583

Department to void the application. A response to this notice was not received.

#### CONCLUSIONS OF LAW

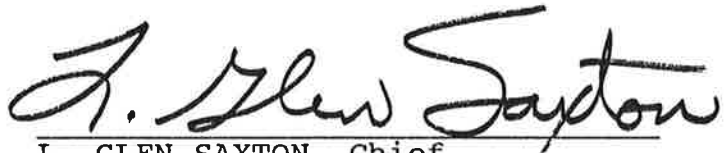
1. Section 42-204, Idaho Code, specifies that failure on the part of the applicant to supply requested information within thirty (30) days is cause for the Director to void an application.

2. The application should be voided as provided in Section 42-204, Idaho Code.

#### ORDER

IT IS HEREBY ORDERED that Application for Permit No. 45-7583 be VOIDED as provided in Section 42-204, Idaho Code.

Dated this 19<sup>th</sup> day of December, 1990.

  
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 Lynn N. &/or Dell N. Mitchell Phone 654-2434

Post office address Route #1, Box 38A, Declo, ID 83323

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 1 Township 10S

Range 24E B.M. Cassia County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.30 cfs for Irrigation 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)

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:

a. 0.30 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump, sprinklers

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: \_\_\_\_\_  $\frac{1}{4}$  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: \_\_\_\_\_

45-7583

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

[illegible]

Total number of acres to be irrigated 15

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

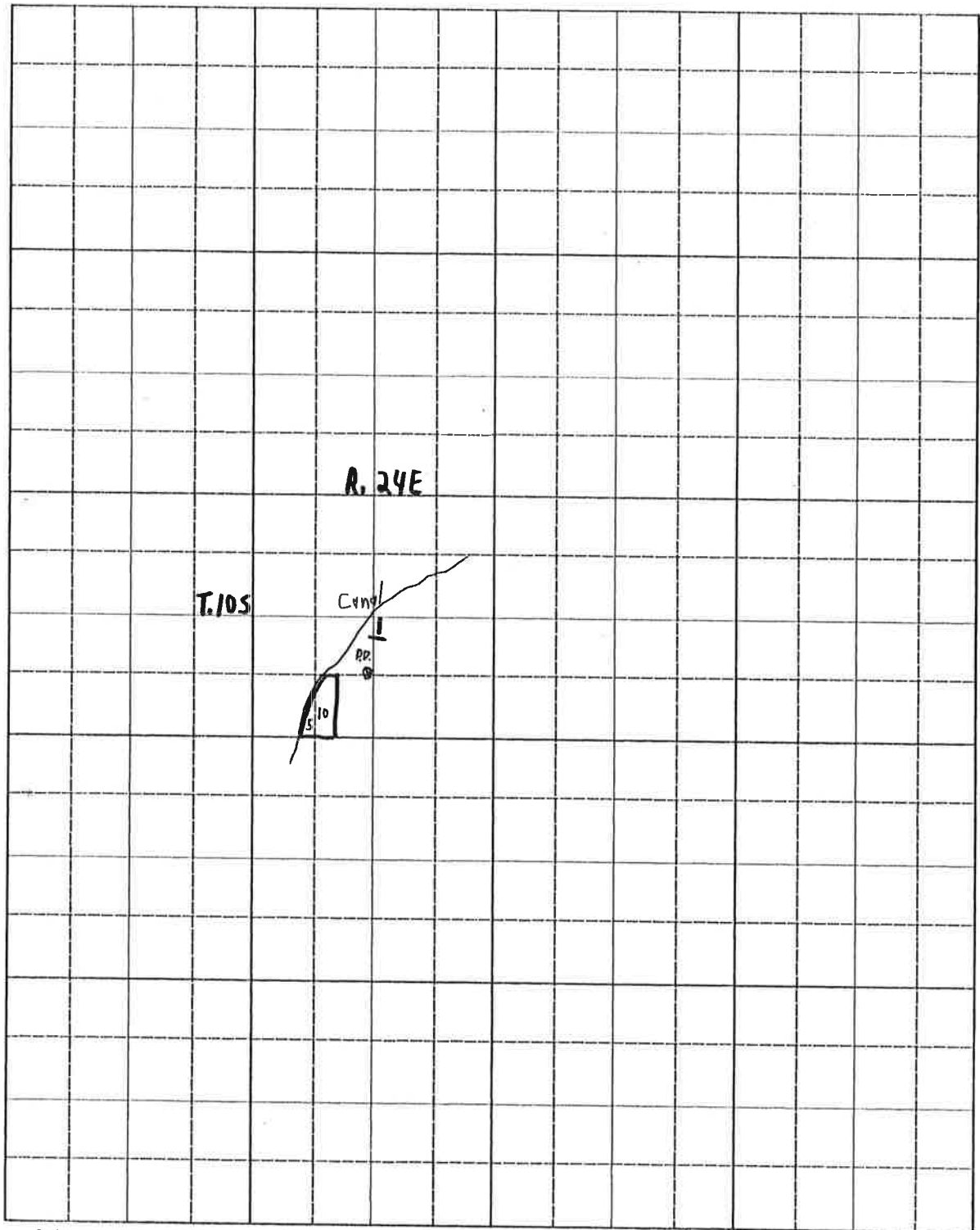
b. Who owns the land to be irrigated or place of use      "

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 The well was developed under Permit 45-7454 for use on adjacent land.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

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.

*Dee W. Hildreth*  
(Applicant)

Received by JS Date 7-1-85 Time 3:50 pm  
Preliminary check by AF Fee \$ 45.00  
Receipted by JS Date 7-1-85 # 36670  
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 \_\_\_\_\_

---

**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. \_\_\_\_\_, 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. 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: