

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/25/2020

Water Application 45-7582

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|--|
| Current Owner | BLAUER FARMS 718 W HWY 30 BURLEY, ID 83318 (208) 678-3302 |

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

November 20, 1990

Dan Blauer
Rt. 4 Box 4233
Burley, ID 83318

RECEIVED

NOV 23 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Application for Permit No. 45-7582

Dear Mr. Blauer:

I have received your response to my letter and the department's trust water information questionnaire. Thank you for your prompt response.

I have reviewed your comments on the questionnaire and your original application file. I am somewhat confused about this filing. First, I notice that the application was filed for two sources of water, groundwater and waste water. The department should not have allowed you to file one application for two sources. Your comments on the questionnaire suggest that waste water is no longer available or used on your lands, and thus a waste water filing is possibly no longer needed.

Secondly, I have reviewed your adjudication claims and noticed that you filed a claim for the additional acres expanded under your license no. 45-2532. These expanded acres seem to match the same acreage under application 36-8241 that was not covered by your license 45-2532. You claimed a 1963 priority date under the expansion claim. Application no. 36-8241 has a 1985 priority date. If the adjudication claim adequately covers your expansion acreage, which I believe it does, and also provides you with an earlier priority, then it seems that application no. 36-8241 is not needed.

The only difference that may exist between your application and the other filings, including the license and adjudication claims, is that the application was filed with the intention of seeking a right to divert up to one inch per acre for all of your lands. Your licensed right already provides three-quarters of an inch per acre for the 415 licensed acres, and your adjudication claim provides a full inch per acre for the expanded acreage. The licensed right and adjudication claim should also provide you adequate volume for all your acreage. The new application will not provide you any additional volume than you already have or will receive under your other filings. With respect to diversion rates, I again question whether the application is needed.

I have enclosed a withdrawal form with this letter in case you should decide that the application is not needed. If complete and return the withdrawal form, the department will refund your application fee (\$105.00). In order to determine whether this

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application is needed and whether your other filings adequately cover your irrigation uses, I would suggest that you visit our Twin Falls office and request assistance to review all of your existing rights. Upon reviewing your other filings, I think you will be able to asses what the status should be for the application in question. Our records show that Alan Merritt of our Twin Falls office previously assisted you with filing your adjudication claim.

You may contact me directly at 327-7864 if you have questions concerning this matter. Again though, I think the Twin Falls office will be able to assist you better if you visit that office personally.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Luke", written over the printed name.

Tim Luke

Sr. Water Resource Spec.

CC: Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

JUL 11 1990

Department of Water Resources
Southern Region Office

July 6, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: APPLICATION FOR PERMIT NO. 45-7582

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

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If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,

A handwritten signature in cursive script that reads "Tim Luke".

TIM LUKE
Sr. Water Resource Agent

Enclosures