

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2019

Water Permit 37-7492

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	W K NICHOLS , ZZ
Current Owner	ETHEL L NICHOLS PO BOX 18 CORRAL, ID 83322

Status: Cancelled

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

Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

C



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 12, 1983

CERTIFIED MAIL # 32992

RE: Permit No. 37-7492

RECEIVED

APR 15 1983

Department of Water Resources
Southern District Office

W. K. &/or Ethel Nichols
P.O. Box 18
Corral, ID 83322

Dear Mr. and Mrs. Nichols:

Enclosed is an Order which cancels the above referenced permit for failure to comply with the requirements of such permit and failure to show cause why such action should not be taken.

Please be advised that any person who does not agree with the decision of the Director may appeal therefrom within thirty (30) days to the District Court.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

cc: Southern Region

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CANCELLATION)
OF PERMIT TO APPROPRIATE THE)
PUBLIC WATER OF THE STATE OF) ORDER OF CANCELLATION
IDAHO FOR PERMIT NO. 37-7492 IN)
THE NAME OF W. K. &/OR ETHEL L.)
NICHOLS)
_____)

WHEREAS, on May 21, 1976, W. K. &/or Ethel L. Nichols applied to the Department of Water Resources for a permit to appropriate 10.0 cubic feet per second of water from Chimney Creek tributary to Camas Creek within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18; Twp. 1S, Rge. 13E, B.M., Camas County, to be used for irrigation purposes; and,

WHEREAS, on August 16, 1976 the Department approved said Application for Permit; and,

WHEREAS, on June 3, 1981 the Department received Proof of Beneficial Use for said Permit; and,

WHEREAS, on September 9, 1982 the Department conducted a field examination and the examiner's report indicated that water had not been put to a beneficial use; and,

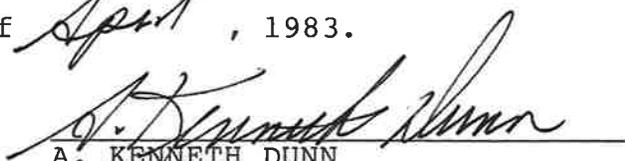
WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed; and,

WHEREAS, on February 10, 1983 the Department sent an Order to Show Cause by Certified Mail why the Permit should not be cancelled to the Permit holder; and,

WHEREAS, the permit holder failed to comply with the requirements of said Permit and has not shown why said Permit should not be cancelled;

IT IS, THEREFORE, ORDERED, that Permit No. 37-7492 is hereby Cancelled.

Dated this 15th day of April, 1983.


A. KENNETH DUNN
Director

37-7492



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 10, 1983

CERTIFIED MAIL #32970

RE: Permit No. 37-7492

RECEIVED

FEB 15 1983

W. K. &/or Ethel L. Nichols
P.O. Box 18
Corral, ID 83322

Department of Water Resources
Southern District Office

Dear Mr. and Mrs. Nichols:

Enclosed is an Order to Show Cause why the above referenced permit, in your name, should not be Cancelled.

Please note that any information in response to this Order must be submitted by March 15, 1983. If you have any questions, please feel free to contact our office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

cc: Southern Region

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 37-7492 IN THE NAME) ORDER TO SHOW CAUSE
OF W. K. &/or ETHEL L. NICHOLS)

WHEREAS, on May 21, 1976, W. K. &/or Ethel L. Nichols applied to the Department of Water Resources for a permit to appropriate 10.0 cubic feet per second of water from Chimney Creek tributary to Camas Creek within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18; Twp. 1S, Rge. 13E, B.M., Camas County, to be used for irrigation purposes; and,

WHEREAS, on August 16, 1976 the Department approved said Application for Permit; and,

WHEREAS, on June 3, 1981 the Department received Proof of Beneficial Use for said Permit; and,

WHEREAS, on September 9, 1982 the Department conducted a field examination and the examiner's report indicated that water had not been put to a beneficial use; and,

WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed;

IT IS, THEREFORE ORDERED that the permit holder show cause before the Director of the Department of Water Resources on or before March 15, 1983 why Permit No. 37-7492 should not be Cancelled.

Dated this 9TH day of February, 1983.


A. KENNETH DUNN
Acting for the Director

7492
37-7492

RECEIVED

AUG 18 1976

Identification No. _____

Application No. 37-7492

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR PERMIT

MAY 24 1976

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Department of Water Resources
Southern District Office

1. Name of applicant W. K. Nichols &/or Ethel L. Nichols Phone: _____
post office address P.O. 216 Kuna Camas Creek

2. Source of water supply Chimney Creek which is a tributary of _____

3. a. Location of point of diversion is SW 1/4 of SE 1/4 of Section 7 Township 1 S
Range 13 E B.M. Camas County; additional points of diversion if any:
SW 1/4 NE 1/4, Sec. 18, T1S, R13E, BM

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:
Amount 10.0 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. 10.0 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
Ditch and Headgate to holding sumps with pumps from sumps to
sprinkler system.

b. Height of storage dam N.A. feet, active sumper pond capacity 30 acre feet; total pond
capacity 30 acre feet, materials used in storage dam: _____
Period of year during which storage will occur Jan 1 to Dec 31 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 \$ 5,000.

8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 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: _____

37-7492

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15	13E	7									40	40	40	40	40	40	40	40	320
		17					40	40	40	40									160
		18	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 800

c. Describe any other water rights used for the same purposes as described above: None

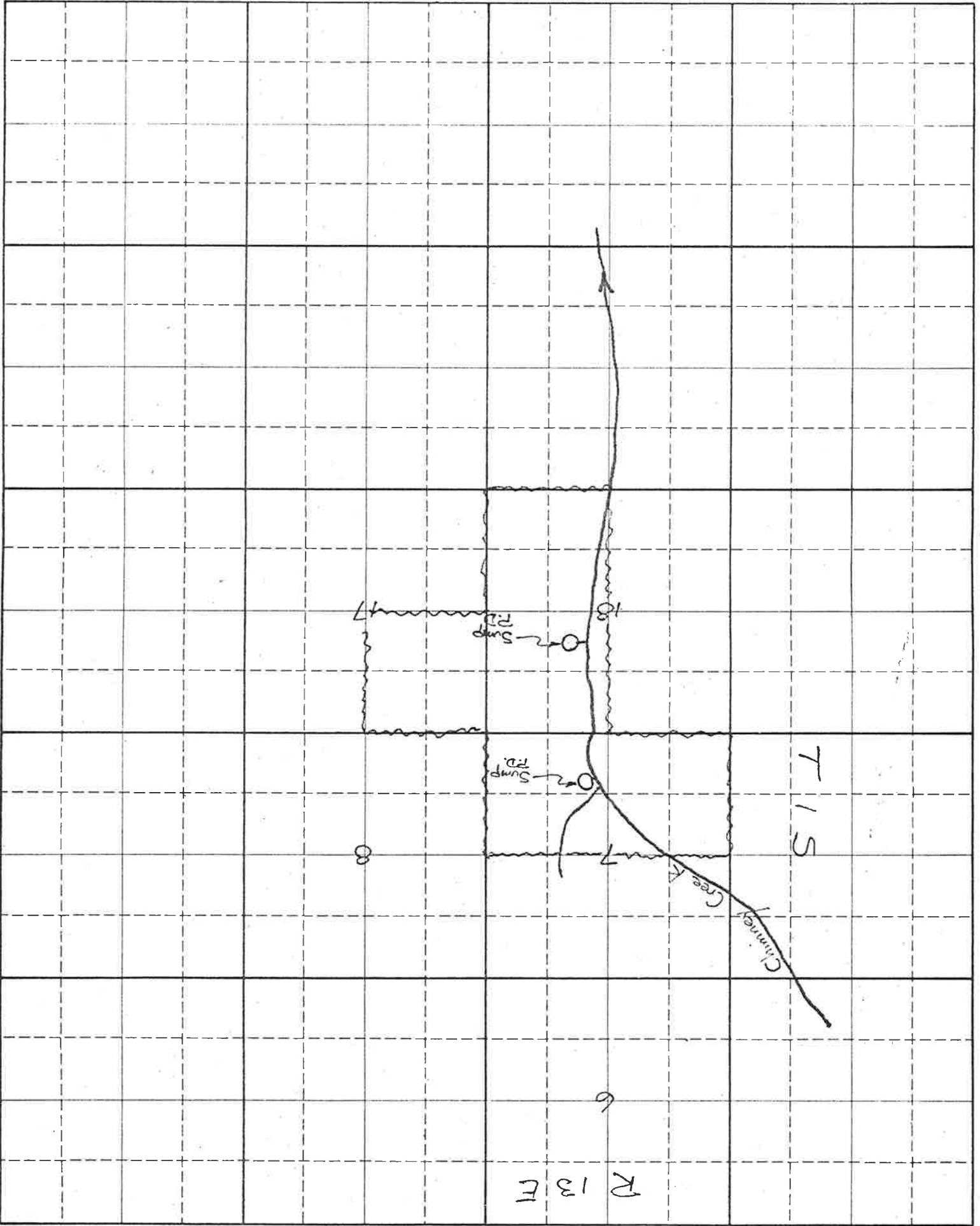
9. a. Who owns the property at the point of diversion Applicant

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

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.

W. J. Nichols
(Applicant)

Proposed Priority May 21, 1976

Received by DDF Date May 21, 1976 Time 12:00

Preliminary check by DDF Fee \$ 115.00

Received by jo Date 5/24/76 Permit # 2823

Publication prepared by cc Date 5-25-76

Published in Mountain Home News

Publication dates 6-3-76 & 6-10-76

Publication approved pf Date 6/11/76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mbs mbs

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. 37-7492, 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 August 1, 1981.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 16 day of August 1976.


Director

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7492

Name(s) of Permit Holder: W. K. Nichols

Post Office Address: P.O. Box 18 Corral Verde
83372 Tel. No. 764-2442

Source of Water: well

Extent of Use: Domestic _____ (number of households)
 Stockwater _____ (number and type of stock)
 Irrigation 800 (acres)
 Other _____

Measuring Device: Required? Yes No Installed? Yes No
Access Port: Required? Yes No Installed? Yes No

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 3/81
Date

W. K. Nichols
Signature of Permit Holder

RECEIVED

JUN 12 1981

Department of Water Resources
Southern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 17, 1981

W. K. Nichols
P. O. Box 18
Corral, Idaho 83322

Re: Permit No. 37-7492

Dear Mr. Nichols:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya