

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/22/2020

Water Application 47-7648

Owner Type **Name and Address**
Current Owner BURTON S HARMON
 1167 E 4400 N
 BUHL, ID 83316
 (208) 543-5728

Current Owner EDNA M HARMON
 1167 E 4400 N
 BUHL, ID 83316
 (208) 543-5728

Status: Denied

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

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
APPLICATION FOR PERMIT

Ident. No. 47-7648
RECEIVED

JUN 9 1980

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Burton S. &/or Edna M. Harmon Phone 543-5728

Post office address Rt. 3, Box 201A, Buhl, Idaho 83316

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 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 0.10 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. 0.10 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 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.

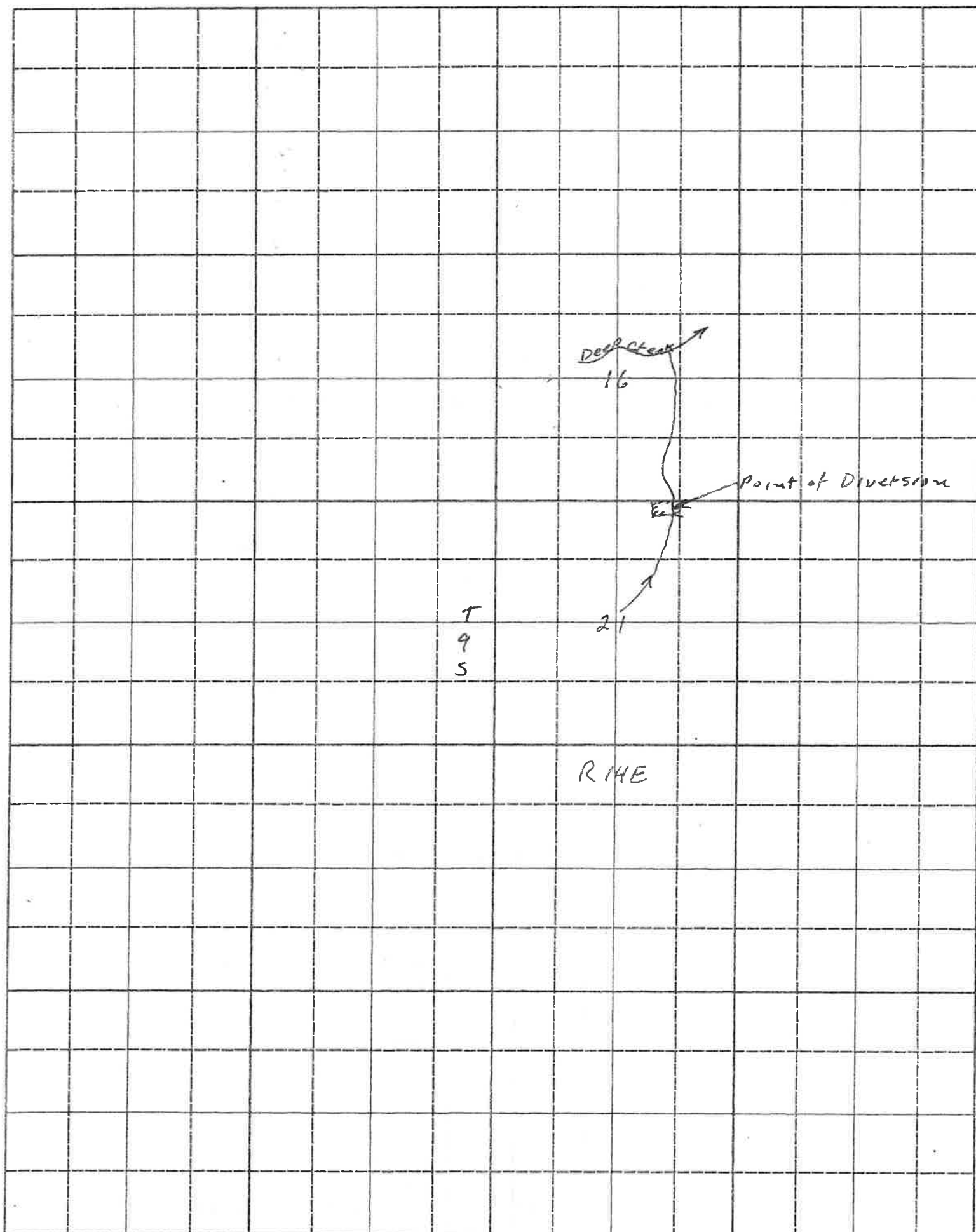
(3) List number of each kind of livestock to be watered

(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:

47-7648

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.

Edna M. Harmon
(Applicant)

Received by ll Date 6/9/80 Time 3:00 pm
Preliminary check by ADM Fee \$ 20.⁰⁰ # 16463
Receipted by maija Date 6/9/80
Publication prepared by M.M. Date 6-23-80
Published in Times Press
Publication dates 7/5 + 7/10
Publication approved maija Date 7/3/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval ☒ denial by LL

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: _____

Witness my hand this _____ day of _____, 19 ____.

Director

MEMO

May 10, 1983

TO: Files 47-7646 and 47-7648
FROM: Loren Holmes *LH*
RE: Denial Recommendation

During the summer of 1980, Southern Region conducted a study of a drainage basin in Melon Valley to gather information to be used in resolving protests against Applications 47-7512 and 47-7523.

Memorandum Decisions have been drafted proposing denial of 47-7512 and 47-7523 due to insufficient water.

During the period in which we were studying the drainage in question, applications 47-7646 and 47-7648 were filed.

The P/D proposed in 47-7648 is on the same stream and in the same relationship to the protestants diversions as 47-7512. 47-7648 should, therefore, be denied on the same grounds.

47-7646 proposed to divert waste water from a ditch using an existing pipeline which was apparently installed to irrigate the land by a previous owner prior to subdivision of the parcel and removal of the Twin Falls Canal Company rights by the developer.

The application was protested by the Canal Company, but the protest was withdrawn after the Company/^{determined}that the diversion would be below its last point of control.

During our study of the area, waste water from the ditch was never observed to contribute to the flow of the Unnamed Stream filed on under the other applications.

Excess flows are spilled from the ditch at a spillway located upstream from the applicant's P/D. The ditch carries water to Canal Company stockholders, some of which, are downstream from the applicant's P/D.

I recommend that Application 47-7648 be denied because a permit would grant a right in a private ditch.

Although excessive flows may at times, exist in the ditch, the spillage of the water should be under the sole control of the Canal Company stockholders using the ditch.