

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/22/2020

Water Permit 47-7628

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TUNNEL CREEK RANCH INC 1566 E 4500 N BUHL, ID 83316 (208) 543-5293

Status: Cancelled

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

Water District Number: TBD
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 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 1, 1991

RECEIVED

JUL 03 1991

Tunnel Cr. Ranch, Inc.
Rte 4, Box 240
Buhl, ID 83316

Department of Water Resources
Southern Region Office

RE: ORDER VOIDING APPLICATION FOR PERMIT NO. 47-7628

Gentlemen:

On May 31, 1991, the Idaho Department of Water Resources corresponded by certified mail with you in connection with the above referenced application for permit and requested certain information to show that you are still interested in and are actively pursuing the above referenced application. You have not responded and have not provided the requested information within the thirty (30) day period allowed.

Section 42-204, Idaho Code, provides that if the department requests additional information and an applicant fails to provide the information within thirty (30) days, the department may void the record of the application and so notify the applicant.

You are hereby notified that the above referenced application for permit is VOIDED pursuant to provisions of Section 42-204, Idaho Code, and is of no further force nor effect. You are further hereby notified that an applicant aggrieved by this decision may request a hearing before the department within fifteen (15) days of the date of receipt of this order pursuant to provisions of Section 42-1701A(3), Idaho Code.

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

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Twin Falls Canal Co.

47-7628

JUN 20 1991

**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
GOVERNORR. KEITH HIGGINSON
DIRECTOR

May 31, 1991

Tunnel Cr. Ranch, Inc.
Rte 4. Box 240
Buhl, ID 83316

CERTIFIED MAIL

RE: PROTESTED APPLICATION FOR PERMIT NO. 47-7628

Gentlemen:

The department of Water Resources (DWR) is currently reviewing protested applications for permit which are pending before the department. Our files show that the above referenced application was filed on February 14, 1980 proposing the diversion of 10 cubic feet per second (cfs) of water from an Unnamed Creek tributary to the Snake River to be used year round for fish propagation purposes. The application was subsequently protested by The Twin Falls Canal Company.

Since substantial time has passed after the filing of the application, the department requests certain information in order to resolve the matter of the pending protested 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 interested in pursuing the development proposed in the application, please complete and return the enclosed relinquishment form. The application will then be removed from DWR records.
2. If you are interested in pursuing the proposed development you need to specifically advise the department in writing of your continued interest within thirty (30) days of the date of this letter. In addition, you must provide the information described below to the department within sixty (60) days of the date of this letter.
 - Copies of deeds, leases or other information to document that you have a possessory interest in the place of use. (Water Appropriation Rule 4,5,3,3,1.).
 - Copies of plans and specifications along with estimated construction costs for the project works. The plans must be definite enough to allow for the determination of project impacts and implications. The plans must be definite enough to allow for the determination of project impacts and implications. The plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Water

47-7628

Appropriation Rule 4,5,3,4,2.)).

- A certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to beneficial use. (Water Appropriation Rule 4,5,3,4,1.)).
- You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located and from the Idaho Department of Fish and Game. In addition you must obtain certification from the Idaho department of Health and Welfare, Division of Environment that operation of your project will meet state water quality standards before IDWR will issue a permit. (Water Appropriation Rule 4,5,3,5,1.)).
- If the source of water has five (5) or fewer existing users, you must provide a list of the number of impacted rights, the names and addresses of the users, locations of the points of diversion, and the nature of use of the existing rights. (Water Appropriation Rule 4,5,3,1,1.)).
- A statement of design, construction or operation techniques which will be used to reduce impact on existing rights. (Water Appropriation Rule 4,5,3,1,3.)).

If you do not timely respond to this letter, the department will reject the application as being filed for speculative purposes. If you do timely respond and provide the required information, the department will schedule a hearing if appropriate. Feel free to contact this office or our Southern Regional Office in Twin Falls if you have questions.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Twin Falls Canal Co.

Encl: 1

2/12/87

47-7628

Tunnel Creek Ranch, Inc.

Source: Unnamed stream tributary to Snake River

Amount & Use: 10.0 cfs for fish propagation

Analysis: This source is probably the I-6 Coulee, just above where it joins the I-1 Coulee.

This applicant has water License 47-7377 for 4.68 cfs on the same site.

Twin Falls Canal Company diverts water to stockholders downstream at Lateral 42.

Proposed Condition:

Water shall not be diverted under this permit until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of the permit use with the irrigation district or canal company operation.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

FEB 14 1980

To appropriate the public waters of the State of Idaho

Department of Water Resources

Name of applicant TUNNEL CR. RANCH, INC. Phone 543-5293

Post office address Rte 4 Bx 240 Buhl, IDAHO

2. Source of water supply UNNAMED CR. which is a tributary of SNAKE RIVER

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 9S

Range 15E B.M. TWIN FALLS County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 10.0 cfs for FISH PROP purposes from JAN 1 to Dec 31 (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. 10.0 C.F.S. cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Rock fill, concrete HEADGATE
into Ponds.

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 _____ (Month/Day) to _____ (Month/Day) inclusive.

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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 9S

Range 15E 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: FISH Propagation

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

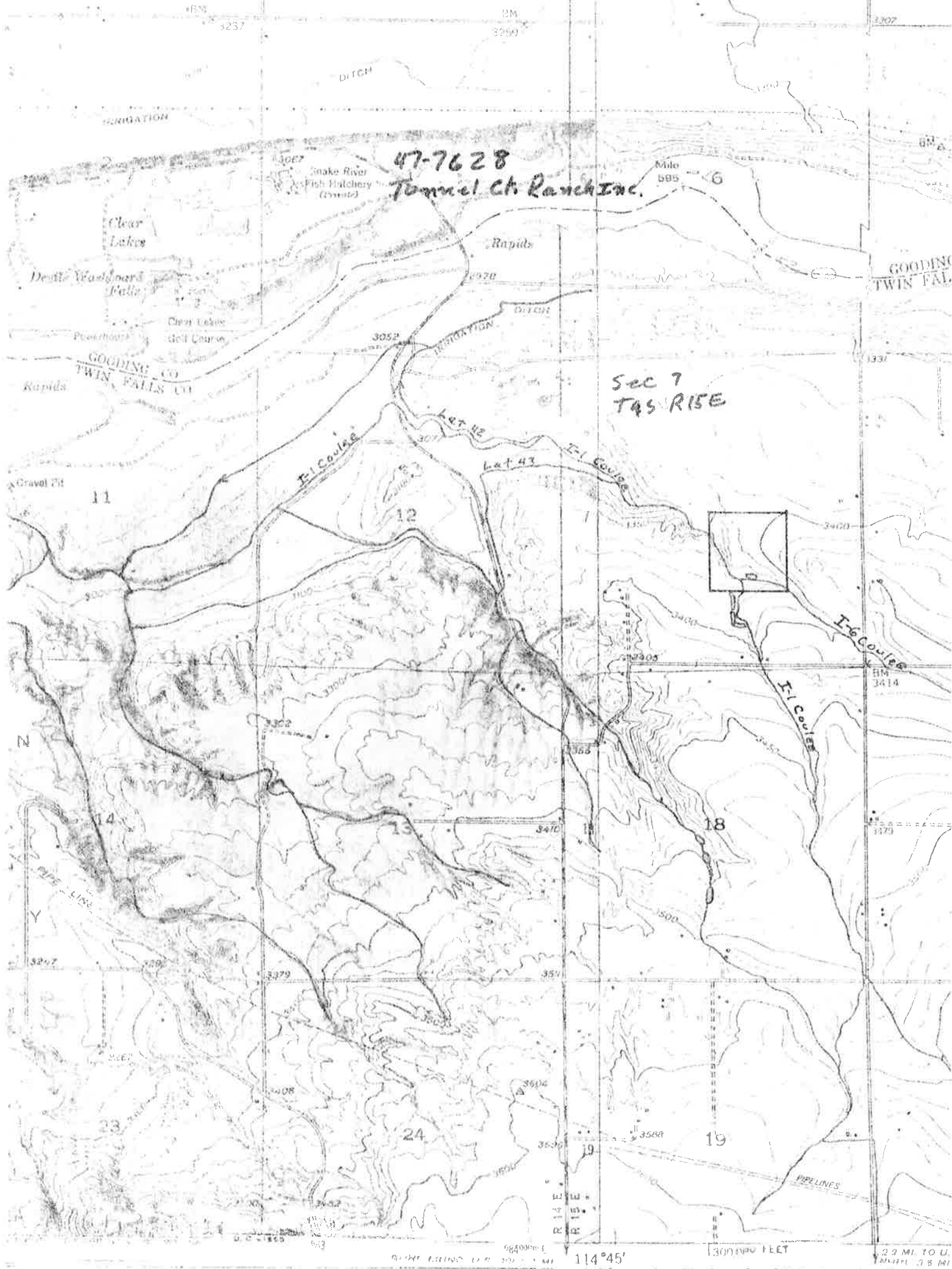
47-7377

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

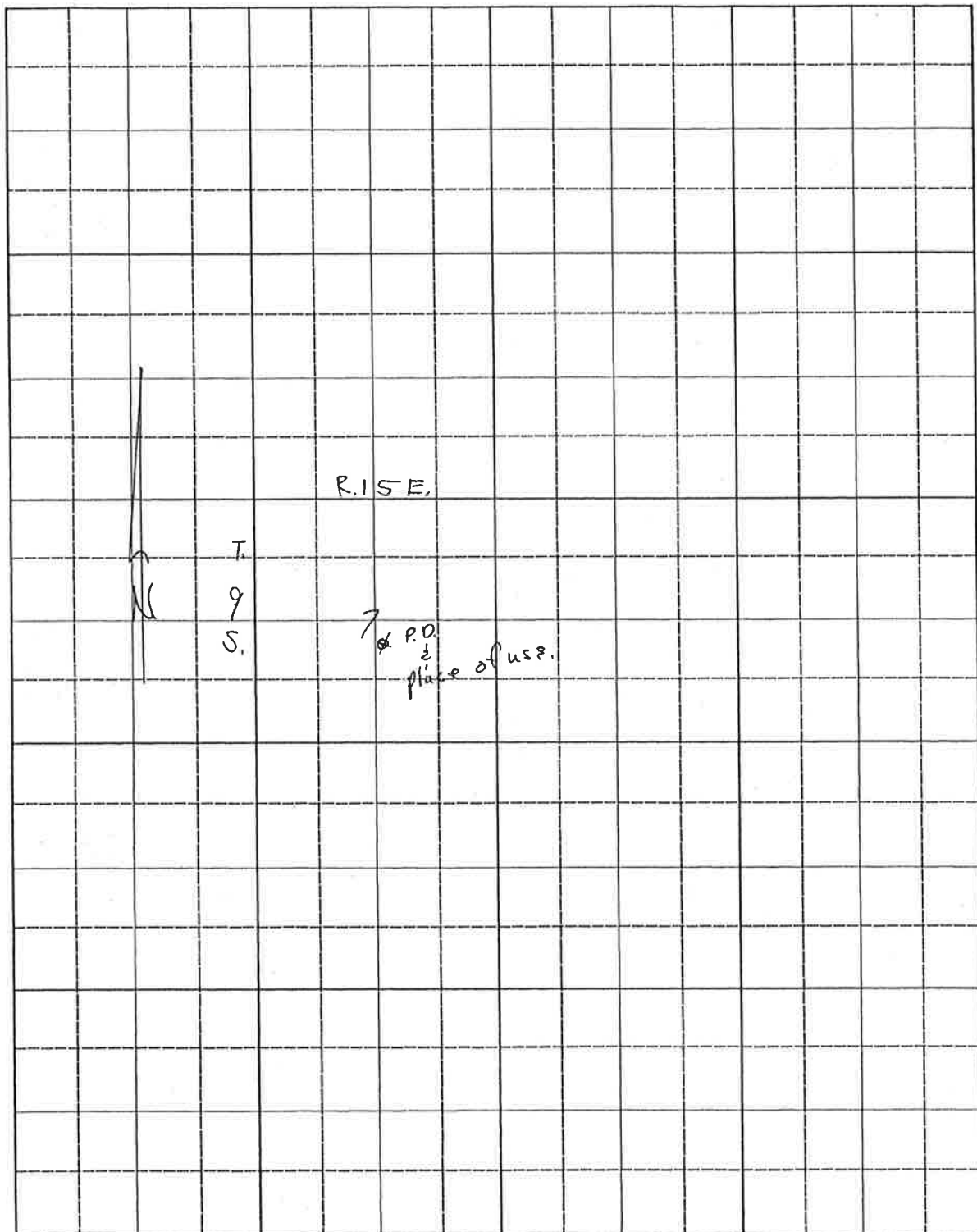
b. Who owns the land to be irrigated or place of use "

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 _____



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.

Wayne L. Johnson
Owner (Applicant)

Received by GLF. Date 2/14/80 Time 3:45 P.M.
Preliminary check by J.S. Fee \$ 125.00 # 17102
Receipted by Donia Date 2/14/80
Publication prepared by ADM Date 2/19/80
Published in Times News
Publication dates 3/6 & 3/13/80
Publication approved Od Date 2/26/80
Protests filed by: tuwin Falls Canal co.

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: _____

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

Director