

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/17/2020

Water Permit 47-7380

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAY HOLLOWAY , ZZ

Status: Lapsed

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

RECEIVED

AUG 2 1978

Identification No. _____

Application No. 47-7380

Department of Water Resources
District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant J. Ray Holloway Phone: 734-3268
post office address Route #2, Twin Falls, Idaho 83301
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 11S
Range 16E., B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.20 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (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. 3.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pump, motor, sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 500 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 \$ _____
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: _____ 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: _____

47-7380

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 $\frac{1}{4}$	
11S	16E	24					40	40	40	40									160

Total number of acres to be irrigated 160

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

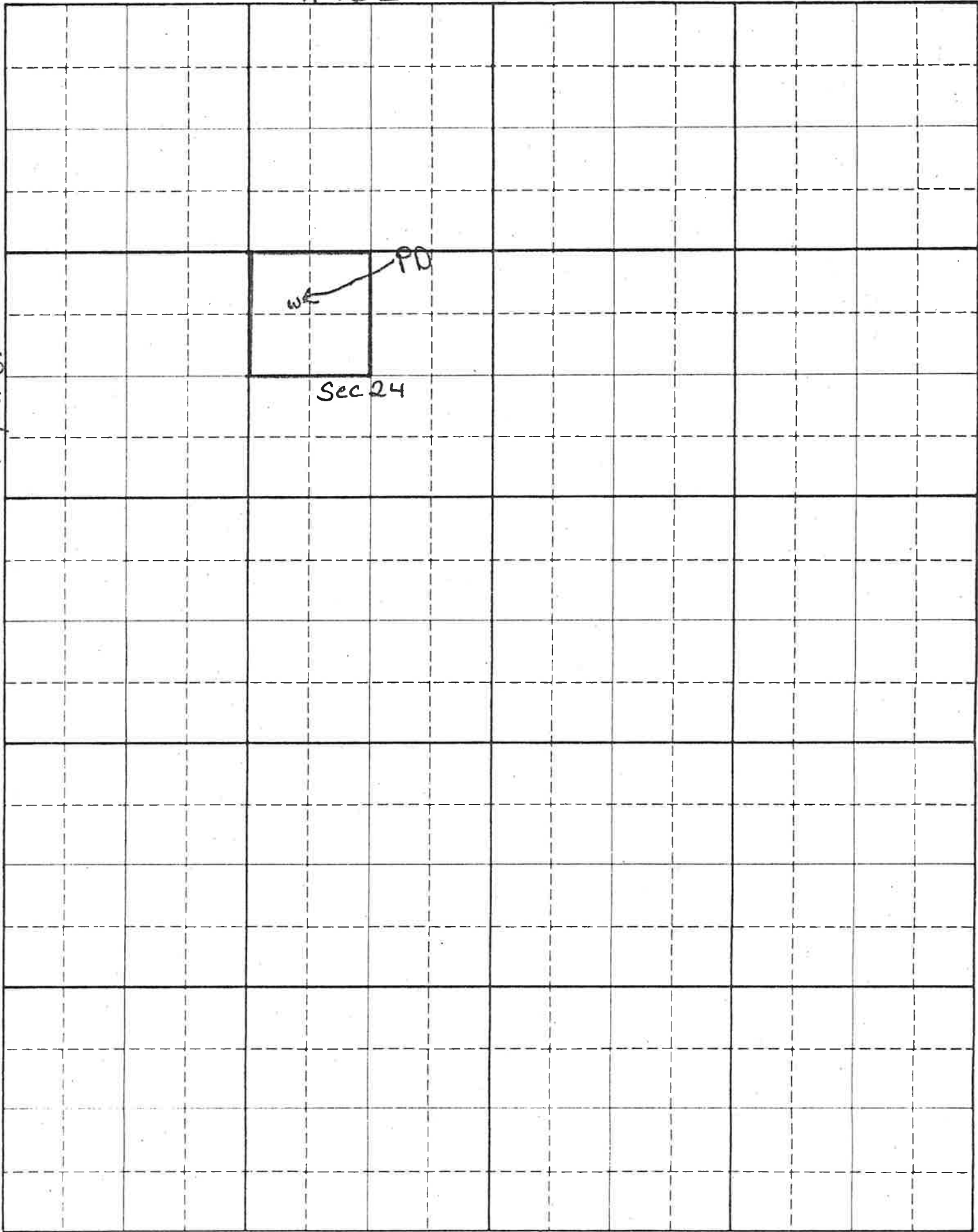
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 16 E

Twp 11 S.



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. H. Yellow
(Applicant)

Proposed Priority 5/17/78

Received by TGB Date 5-17-78 Time 4:00
Preliminary check by JS Fee \$ 10.00 # 10432
Receipted by Sm Date 5/17/78
Publication prepared by DJ Date 5/19/78
Published in Idaho News
Publication dates 5/25 + 6/1/78
Publication approved JS Date 6/8/78
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. 47-7380, 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 July 1, 19 83.
- c. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment by the Department.

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

Witness my hand this 27th day of July, 19 78.

L. Glen Sayton

Chief, Operations Bureau

RECEIVED

JAN 4 1978


Department of Water Resources
Southern District Office


January 3, 1978

Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Gentlemen:

By this letter you are hereby advised that Richard and Helen Anthis do hereby withdraw the filing of formal protest to the issuance of a water permit to Ray Holloway, which permit is identified as application for permit 47-7380, a permit to appropriate 3.2 cfs of water.


Richard Gene Anthis


Helen Anthis

FROM Terry Blau

DATE January 3, 1978

TO File 47-7380 & 47-7378

SUBJECT Protest Withdrawals

On August 8, 1977, a conference was held in the Twin Falls County Courthouse in the matter of protest against the above referenced application. It was decided in conference that both protesting parties would withdraw their protests on the condition that Mr. Ward sign a stipulated agreement drawn up by the protestants attorney stipulating that the well be located at least $\frac{1}{4}$ mile away and that when in production it will not damage the protestants well.

Due to the tardiness of the protestants attorney in drawing up the stipulation and notice of withdrawal they were not received in this office until December 27, 1977. At this time they found to be incomplete. The letter was rewritten and returned to the protestant.

Terry Blau
SIGNATURE

December 27, 1977

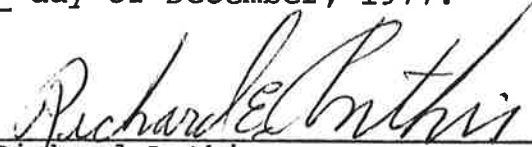
RECEIVED
DEC 28 1977
Department of Water Resources
Southern District Office

State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Gentlemen:

By this letter you are hereby advised on behalf of Richard Anthis that he does hereby withdraw the filing of formal Protest to the issuance of a water permit to Ray Holloway, which permit is identified as Application for Permit No. 47-7380, a permit to appropriate 3.2 cubic feet per second of water.

DATED this 27 day of December, 1977.


Richard Anthis

EMIL F. PIKE
ATTORNEY AND COUNSELOR AT LAW

P. O. BOX 302
BANK OF IDAHO BUILDING
TWIN FALLS, IDAHO 83301

PHONE 208 - 784-7720

October 18, 1977

EMIL F. PIKE
L. CLYEL BERRY

RECEIVED

NOV 16 1977

Department of Water Resources
Southern District Office

State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

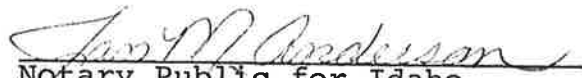
Gentlemen:

By this letter you are hereby advised on behalf of Walter and Sheridan Mueller that they do hereby withdraw the filing of formal Protest to the issuance of a water permit to Ray Holloway, which permit is identified as Application for Permit No. 47-7380, a permit to appropriate 3.2 cubic feet per second of water.


WALTER MUELLER


SHERIDAN MUELLER

November SUBSCRIBED AND SWORN to before me this 15th day of ~~October~~, 1977.


Notary Public for Idaho
Residence: Twin Falls, Idaho

FROM Sheryl Munsee, Secretary

DATE August 5, 1977

TO File

SUBJECT Protest on Application No. 47-7380 - Ray Holloway

On August 5, 1977, I received a telephone call from Mr. Emil F. Pike, attorney for Richard & Helen Anthis and Walter & Sheridan Mueller, protestants. Mr. Pike informed me that the protestants wished to withdraw their protests against the above application. I told him to please send a statement to that affect. I then called the Courthouse and cancelled the hearing room.

I tried to call Mr. Holloway several times during the day, but could not reach him. When he came into the office on August 8, the morning of the hearing, I informed him of the withdrawal of the protests.


SIGNATURE

EMIL F. PIKE
ATTORNEY AND COUNSELOR AT LAW
P. O. BOX 302
BANK OF IDAHO BUILDING
TWIN FALLS, IDAHO 83301
PHONE 208 - 734-7720

EMIL F. PIKE
L. CLYDE BERRY

RECEIVED
MAY 10 1977

RECEIVED

MAY 16 1977

Department of Water Resources
Southern District Office

May 9, 1977

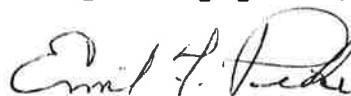
Idaho Department of Water Resources
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

Gentlemen:

On behalf of Richard and Helen Anthis I am filing formal protest to the issuing of a water permit to Ray Holloway, Twin Falls, Idaho. This protest is filed pursuant to legal notice published Thursday, April 28, 1977, which notice advises that "Ray Holloway, Twin Falls, Idaho, has on 4/15/77 submitted Application No. 47-7380 for a permit to appropriate 3.2 cubic feet per second of water from groundwater by means of well, pump, motor, sprinkler system within the SE 1/4 NW 1/4, Sec. 23, Twp. 11S, Rge. 16E, B.M., Twin Falls County to be used from March 15, to Nov. 15 for irrigation purposes of 160 acres within the NW 1/4, Sec. 23, Twp. 11S, Rge. 16E., B.M."

Richard and Helen Anthis are owners of farm land in the vicinity to this proposed well site by Ray Holloway. Richard and Helen Anthis are now appropriating groundwater by means of a domestic well and said protestants fear that the further appropriation of groundwater will imperil or destroy their prior appropriation of said groundwater.

Very truly yours,



Emil F. Pike
Attorney at Law

EFP:jma

cc: Richard and Helen Anthis
Ray Holloway



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN DISTRICT

Cecil D. Andrus
Governor

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

R. Keith Higginson
Director

May 3, 1977

Mr. Ray Holloway
Rte. 2
Twin Falls, Idaho 83301

RE: Application for Permit #47-7380

Dear Mr. Holloway:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 47-7380. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

Michael L. Steele
Southern Region Supervisor

MLS:sb

enc.

bc: Boise office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

May 3, 1977

Mr. Emil F. Pike
Attorney for Walter & Sheridan Mueller
Route #2
Twin Falls, Idaho 83301

RE: Application for Permit #47-7380-Ray Holloway

Dear Mr. Pike:

This is to acknowledge receipt of your protest/to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Michael L. Steele
Michael L. Steele
Southern Region Supervisor

MLS:sb

bc: Boise office

EMIL F. PIKE
ATTORNEY AND COUNSELOR AT LAW
P. O. BOX 302
BANK OF IDAHO BUILDING
TWIN FALLS, IDAHO 83301
PHONE 208 - 734-7720

EMIL F. PIKE
L. CLYEL BERRY

April 29, 1977

RECEIVED
MAY 2 1977
Department of Water Resources
Southern District Office

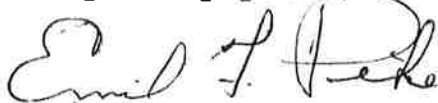
Idaho Department of Water Resources
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

Gentlemen:

On behalf of Walter and Sheridan Mueller I am filing a formal protest to the issuing of a water permit to Ray Holloway, Twin Falls, Idaho. This protest is filed pursuant to legal notice published Thursday, April 28, 1977, which notice advises that "Ray Holloway, Twin Falls, Idaho, has on 4/15/77 submitted Application No. 47-7380 for a permit to appropriate 3.2 cubic feet per second of water from groundwater by means of well, pump, motor, sprinkler system within the SE 1/4 NW 1/4, Sec. 23, Twp. 11S, Rge. 16E, B.M., Twin Falls County to be used from March 15, to Nov. 15 for irrigation purposes of 160 acres within the NW 1/4, Sec. 23, Twp. 11S, Rge. 16E., B.M."

Walter and Sheridan Mueller are owners of farm land in the vicinity to this proposed well site by Ray Holloway. Walter and Sheridan Mueller are now appropriating groundwater in the amount of approximately 2.0 cubic feet per second by means of a well and pump and said protestants fear that further appropriation of groundwater will imperil or destroy their prior appropriation of said groundwater.

Very truly yours,



Emil F. Pike
Attorney for Walter and
Sheridan Mueller
Route #2
Twin Falls, Idaho 83301

EFP:jma

cc: Walter and Sheridan Mueller
Ray Holloway

March 22, 1978

Mr. Ray Holloway
Route #2
Twin Falls, ID 83301

Re: Application for Permit No. 47-7380 & 47-7386

Dear Mr. Holloway:

Our Boise Office has found a problem with your Application for a Well Permit. Your place of use overlaps the place of use shown on an approved permit held by J. W. and Juanita Evans. Specifically, the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, is shown on both permits. You state that you own the ground, while Mr. Evans stated that he was purchasing the ground from Agnes Rayborn. Your application was filed on April 15 of last year, while his was filed on May 4.

Please contact our office so that this error can be corrected. One of the two permits will probably have to be amended to show the correct place of use.

Sincerely,

James E. Stanton
Senior Water Resource Agent

JES:sm

Identification No. _____

Application No. 47-7380

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant RAY HOLLOWAY Phone: 734-3268
post office address RT 2 TWIN FALLS
2. Source of water supply GROUNDWATER which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 11S
Range 16E B.M. TWIN FALLS County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.2 for IRR. purpose from MARCH-15 to NOV-15 (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. 3.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. DEEP WELL PUMP
MOTOR SPRINKLER SYSTEM

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ 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 \$ _____.
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: _____ 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: _____

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	
11S	16E	23					40	40	40	40									160

Total number of acres to be irrigated 160

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

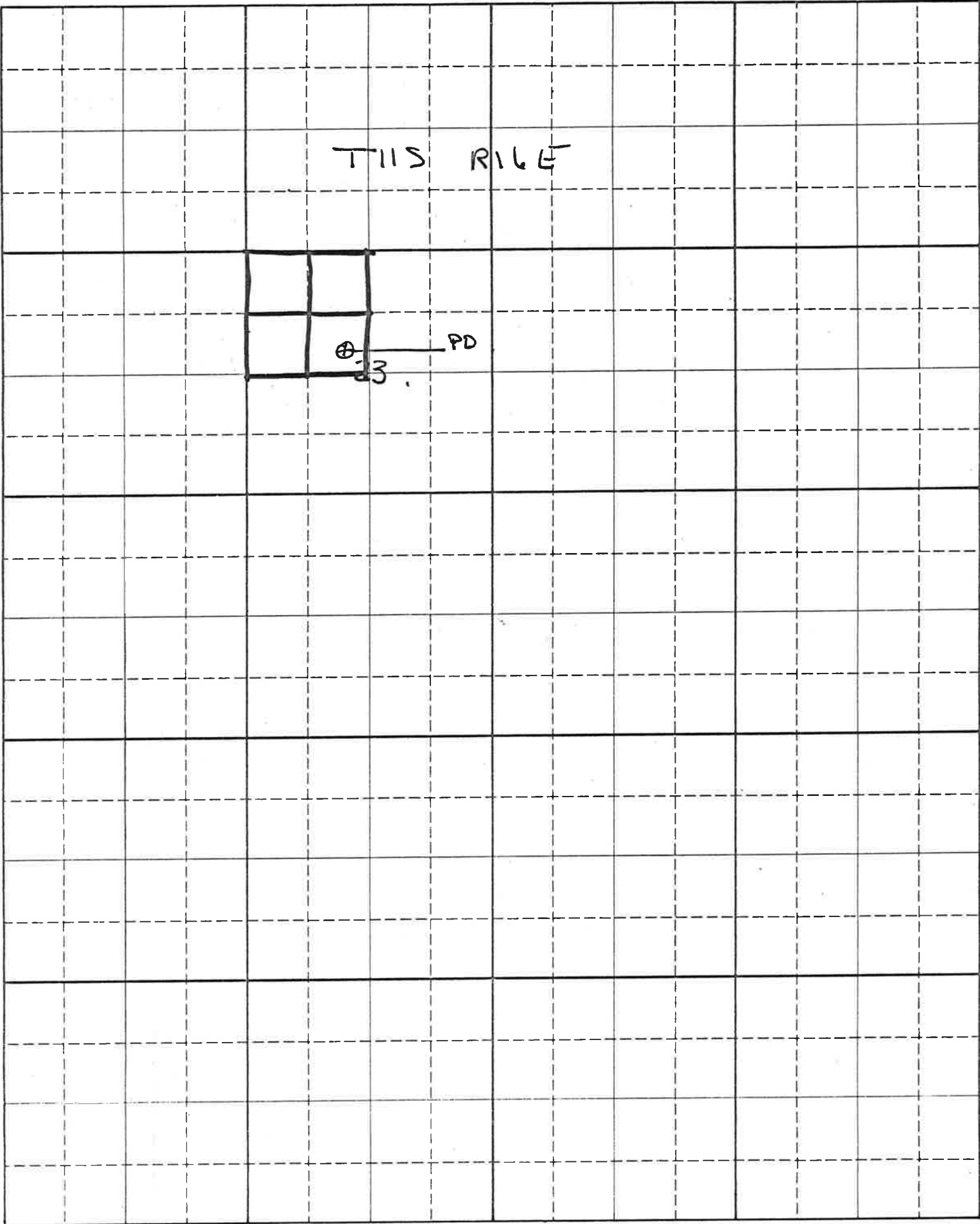
9. a. Who owns the property at the point of diversion APPLICANT

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.

x Ray Holloway
(Applicant)

Received by mls Date 4-15-77 Time 5:00 P.M.
Preliminary check by TGB Fee \$ 55.00 # 3436
Receipted by AB Date 4/15/77
Publication prepared by AB Date 4/13/77
Published in Times News
Publication dates 4/28 & 5/5/77
Publication approved Am Date 5/11/77
Priority reduced to _____ Reason _____

Protests filed by: Walter & Sheridan Mueller,
Helen & Richard Amthor.

Copies of protests forwarded by DJ 5/3/77
Hearing held by _____ Date 8/8/77
Recommended for approval denial by mls

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. Other: _____

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

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

Director