

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/17/2020

Water Permit 47-7376

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VALLEY TROUT CO , ZZ

Status: Cancelled

<u>Source</u>	<u>Tributary</u>
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<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

Date Sent to S.O. JUN 20 1991
Southern

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED

May 31, 1991

JUN 04 1991

Valley Trout Co
Rte 3, Box 50
Buhl, ID 83316

Department of Water Resources CERTIFIED MAIL
Southern Region Office

RE: PROTESTED APPLICATION FOR PERMIT NO. 47-7376

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 March 4, 1977, proposing the diversion of 7 cubic feet per second (cfs) of water from Lateral 58 tributary to Snake River to be used year round for fish propagation purposes. The application was subsequently protested by The Twin Falls Canal Company. The file shows that even though the department set the matter for conference and/or hearing in October 1977, November 1978 and May 1979, that the protest is still pending.

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 show the number of ponds proposed and give the length, width

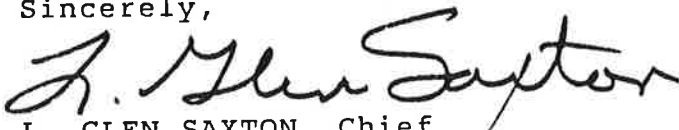
47-7376

and depth dimensions of all ponds. (Water 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

47-7376 Villet Trust Co.

The Proposed diversion is from Lateral 58 near the point where it enters Mud Creek (designated N Coulee in the TFCC system). A short distance below this confluence, The Company diverts water from Mud Creek into Lateral 44.

The Proposed Point of diversion is below all stockholder headgates on Lateral 58 & upstream ^{from} The Company's Lateral 44 diversion. Lateral 58 at this point functions as a wastewater drain, carrying water into Mud Creek.

Proposed Condition of Approval:

Cond # 23

Identification No. _____

Application No. 47-7376

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

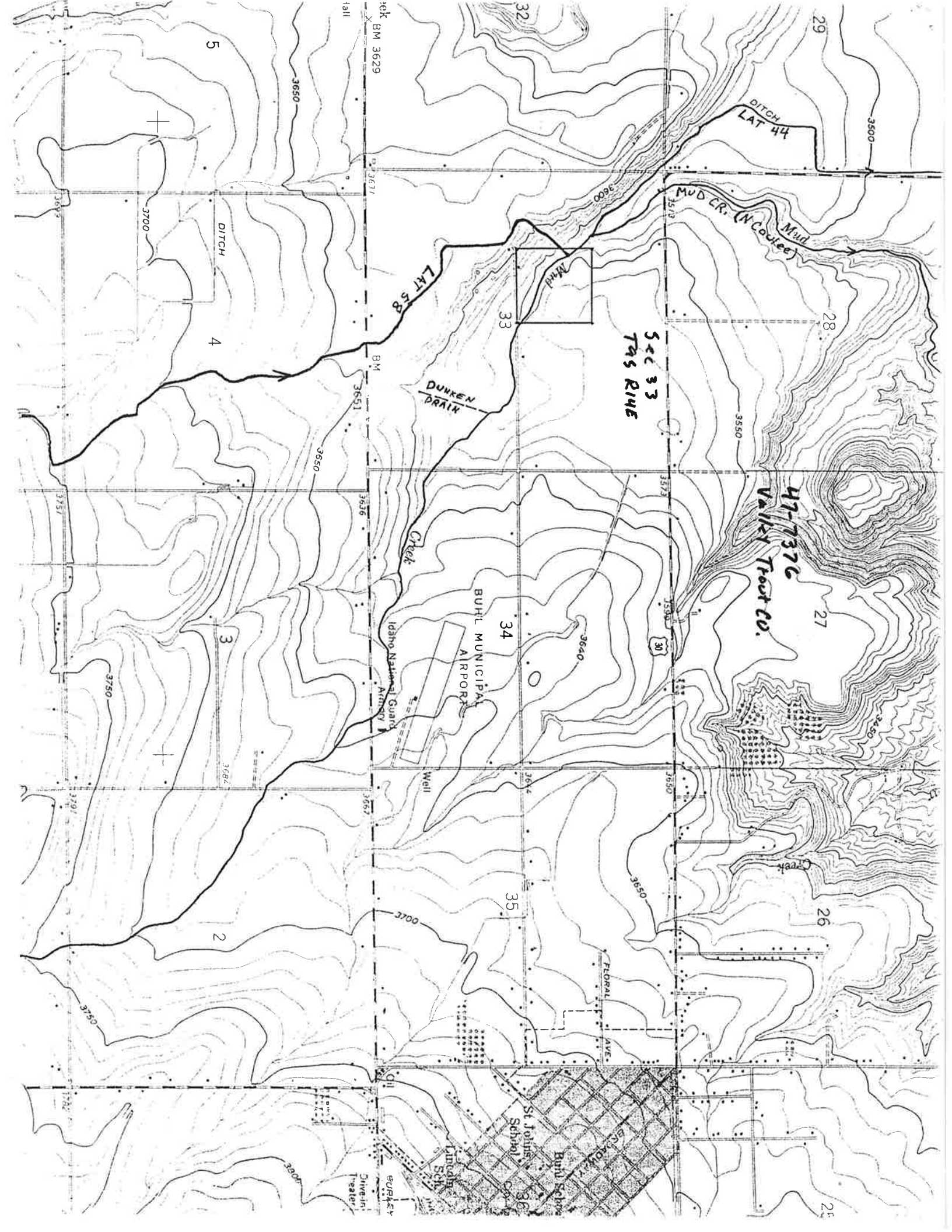
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Valley Trout Co. Phone: 543-5112
post office address Rte. #3, Bx. 50, Buhl, Idaho 83316
2. Source of water supply Lat. 58 which is a tributary of Snake River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 9S
Range 14E., B.M. _____ County; additional points of diversion if any: _____

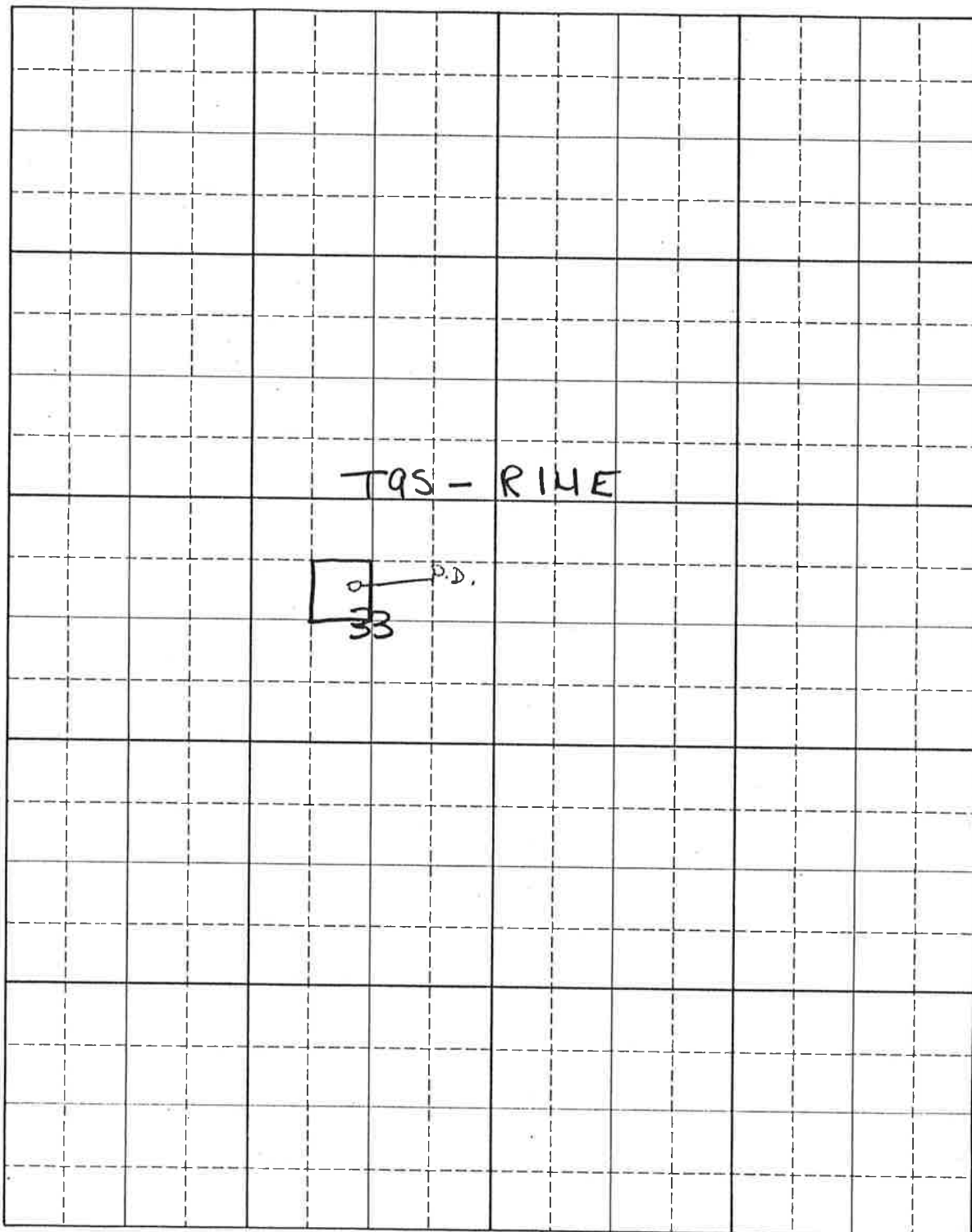
- b. If water is not consumed, it will be discharged into _____ at a point in SE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 33 Township 9S Range 14E., B.M. _____
4. Water will be used for the following purposes:
Amount 7cfs for fish prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or 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. 7.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. concrete headbox

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: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 9S
Range 14E., 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: FISH PROPOGATION



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.

Shalley Trout Co. by
(Applicant)
Harrold E. Ellis Pres.



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

Department of Water Resources
Southern Region Office

Valley Trout Co
Rte 3, Box 50
Buhl, ID 83316

RE: ORDER VOIDING APPLICATION FOR PERMIT NO. 47-7376

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.

47-7376