

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/12/2020

Water Permit 45-7326

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRED NEIWERT , ZZ

Current Owner	GAY NEIWERT , ZZ
---------------	---------------------

Status: Lapsed

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

RECEIVED

DEC 19 1977

Department of Water Resources
Southern District Office

Identification No. _____

Application No. 45-7326

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Fred &/or Gay Neiwert Phone: 678-2760
post office address Route #3, Box 125, Burley, ID 83318
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 11S
Range 23E., B.M. Cassia 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 0.80 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. 0.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well & pump delivering to gravity
flow ditches.

- 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 150 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 \$ 5,000.00.
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: _____

45-7326

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

[illegible]

Total number of acres to be irrigated 40

c. Describe any other water rights used for the same purposes as described above. Water from Burley
Irrigation District.

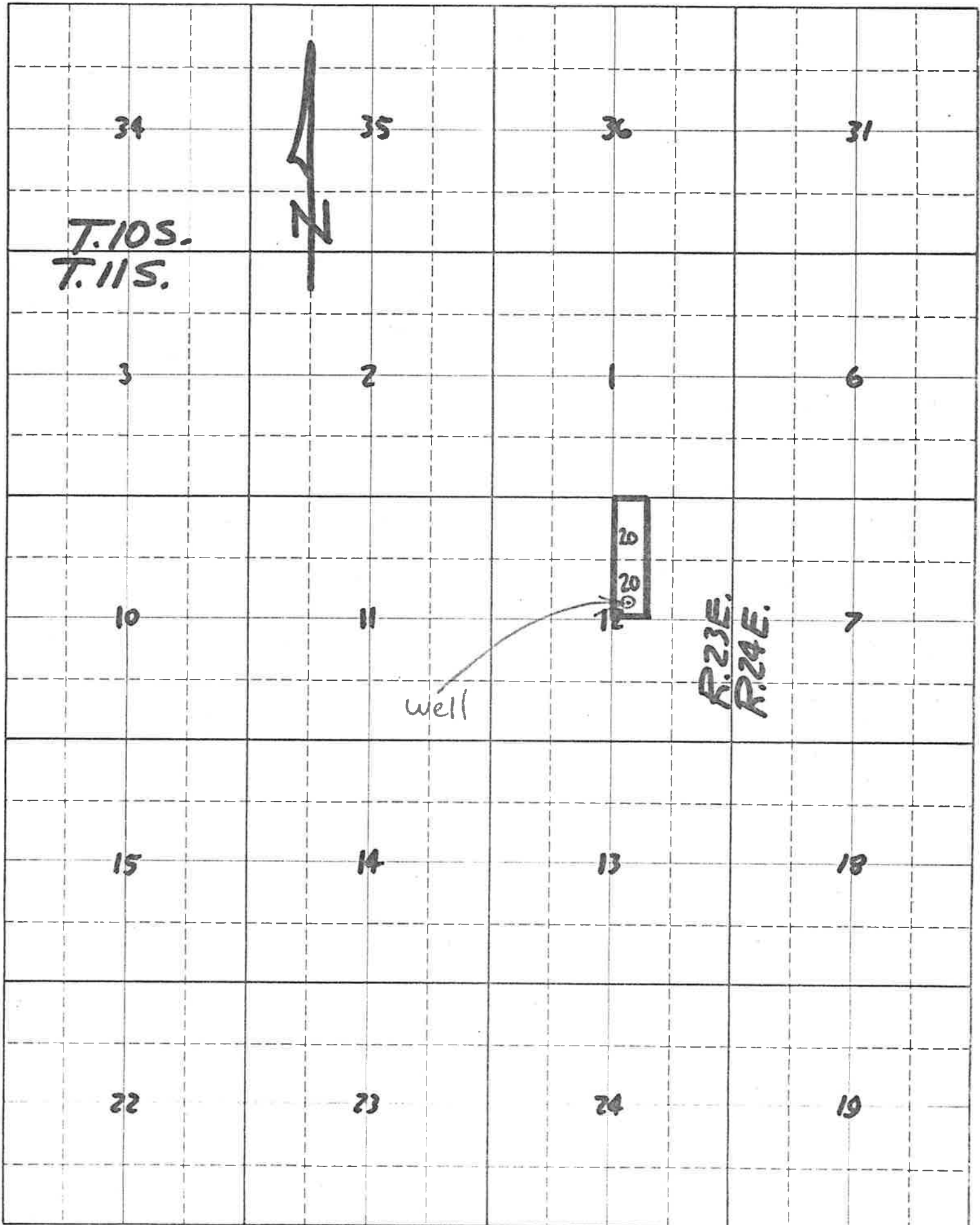
9. a. Who owns the property at the point of diversion Applicant

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.

Ed Newset
(Applicant)

Proposed Priority 9/21/77

Received by ADW Date 9/21/77 Time 2:30
Preliminary check by JD Fee \$ 25.00 # 8773
Receipted by JD Date 9/21/77
Publication prepared by JD Date 9/22/77
Published in South Idaho Press
Publication dates 10/4-10/11/77
Publication approved JD Date 10/10/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial by mts

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. 45-7326, 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 December 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 5 day of December 19 77.


Deputy Director

11-6-28-77
OCT 31 1977
Department of State
Southern Region

NIELSON & BEDKE
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 249
1734 OVERLAND AVENUE
BURLEY, IDAHO 83318

NORMAN H. NIELSON
HERMAN E. BEDKE

October 28, 1977

AREA CODE 208
TELEPHONE 678-6574

Mr. Michael L. Steele
Southern Region Supervisor
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Steele:

Would you please release the protest against Fred &/or
Gay Neiwert of Burley, Idaho which is # 45-7326 and # 45-7327 filed
by the Burley Irrigation District as the Burley Irrigation District desires
to withdraw their protest.

Very truly yours,

NIELSON & BEDKE

By: Norman H. Nielson
Norman H. Nielson

By PK

NHN:dk

RECEIVED

OCT 17 1977

Department of Water Resources
Southern District Office

NORMAN H. NIELSON
HERMAN E. BEDKE

NIELSON & BEDKE
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 240
1734 OVERLAND AVENUE
BURLEY, IDAHO 83318

AREA CODE 208
TELEPHONE 678-5574

October 14, 1977

Mr. Michael L. Steele
Southern Region Supervisor
State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Steele:

We are returning herewith Notices of Protest on
Application # 45-7326 and 45-7327 duly signed.

We apologise for any inconvenience caused.

Very truly yours,

NIELSON & BEDKE

By: 

Norman H. Nielson

NHN:dk

RECEIVED

NIELSON & BEDKE
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 249
1734 OVERLAND AVENUE
BURLEY, IDAHO 83318

NORMAN H. NIELSON
HERMAN E. BEDKE

Department of Water Resources
Southern District Office

October 10, 1977

AREA CODE 208
TELEPHONE 678-5574

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

Gentlemen:

Would you please lodge the enclosed protests against
application # 45-7326 and # 45-7327 by Fred &/ or Gay Neiwert of
Burley, Idaho.

Thank you.

Very truly yours,

NIELSON & BEDKE

By: Norman H. Nielson

Norman H. Nielson

NHN:dk

NIELSON & BEDKE
ATTORNEYS AT LAW
P. O. Box 249
BURLEY, IDAHO 83318
TELEPHONE: (208) 678-5574

NOTICE OF PROTEST

COMES NOW, the Burley Irrigation District a municipal sub-
division of the State of Idaho and hereby protests application # 45-7326
for permit to appropriate .80 cubic foot per second of water from ground water
on the grounds and for the reasons that the ground water which is to be
appropriated is water which would return into the Snake River and the Burley
Irrigation District would get an interest in return flow from the Federal
Government for the water returned into the Snake River.

Would you please lodge this protest in the said application.

DATED this 15 day of October, 1977.

Burley Irrigation District

By: Norman H. Nielson

Norman H. Nielson

Attorney for Burley Irrigation District