Water Application 43-7208

Owner Type	Name and Address
Current Owner	SCOTT KNUDSEN
	1424 S 2350 E
	MALTA, ID 83342-8629
	(208) 645-2541

Status: Denied

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
Application Denied Date: 11/1/2000
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

MEMO

FROM: Allen Merritt   DATE September 26, 2000

TO: Permit No: **43-07208**   In the Name of: **Scott Knudsen**
                  43-07211   Kirtland Yates
                  43-07212   Warr Brothers
                  43-07299   Interstate Feeders Inc
                  45-07576A   Conrad Land & Livestock
                  45-07576B   Ida-Gold Farms
                  45-07578   Cummins Farms Inc
                  45-07579   Ron Hepworth / Hepworth Farms
                  45-07607   Lambert Produce Inc
                  45-07665   Lambert Produce Inc
                  45-07666   Lambert Produce Inc
                  45-07667   Lambert Produce Inc

Subject: Review and Recommendation

The above applications for permit have been filed for development of ground water in an established critical ground water area. In reviewing the history of why these applications were filed it appears that they were filed shortly after the Swan Falls agreement and the intention was to obtain the benefits of subordination of Idaho Powers' water rights to existing or proposed developments. In many but not all instances, the lands covered by the above filings were subsequently covered by expansion claims in the SRBA process.

This block of applications in critical ground water areas was identified in July of 2000. It appears that these applications cannot and will not ever be processed due to the critical ground water designation. In early August a letter was sent providing the applicants opportunity to withdraw their application and get a refund of the fees that have been paid. A few applications were withdrawn but the remaining applications listed above have not been withdrawn.

RECOMMENDATION

I recommend that the above listed applications be denied. Denial should be in the form of a preliminary order.   The reason for denial is that they all propose ground water development in a critical ground water area which is not allowed.

43-07208

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2000

SCOTT KNUDSEN
HC 61 BOX 1016
MALTA ID 83342

RE: Application for Permit in Critical Ground Water Area

Dear Applicant:

Our office has initiated a review of applications for permits to appropriate the public waters of the State of Idaho that have been held without action for many years. One type of application being held is those which propose development of ground water within an established critical ground water area. Our records indicate you have filed such an application. (Please find attached a computer printout describing your application)

Our office intends to dispose of all applications seeking ground water development in critical areas by denying the applications. Before initiating this action our office intends to provide you opportunity to withdraw your application and request a refund of the filing fees that have been paid.

Please review this matter and if you wish to withdraw your application please complete the enclosed form. If our office does not receive a withdrawal by September 1st, 2000 your application will be forwarded to the IDWR State Office with a recommendation it be denied. Any denial will be in the form of a preliminary order which you may request reconsideration or judicial review pursuant to procedural rules.

If you have questions, please feel free to contact this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SCOTT KNUDSEN H/C 61 BOX 1016 MALTA ID 83342	06/17/1985	IRRIGATION	03/15 11/15	0.680 CFS	
				TOTAL DIVERSION:	0.680 CFS	

Water Source: GROUNDWATER   Tributary to: Stage: APPLICATION
               RAFT RIVER   SNAKE RIVER

Point(s) of Diversion: T13S R27E S06   SWNE   NWSE   CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
	NENE NWNE SWNE SENE :	NENW NWNW SWNW SENW :	NESW NWSW SWSW SESW :	NESE NWSE SWSE SESE :	
T R S :	Lt Ac Lt Ac Lt Ac Lt Ac :	Lt Ac Lt Ac Lt Ac Lt Ac :	Lt Ac Lt Ac Lt Ac Lt Ac :	Lt Ac Lt Ac Lt Ac Lt Ac :	SUM
12S 27E 31 :				30 :	30.0
13S 27E 6 :	03	01		:	4.0
				TOTAL ACRES	34.0

Pou County: CASSIA

Dates: App. Received: Priority Date: 06/17/1985
          Proof Due Date: Proof Made Date:
          Exam Made Date: Exam Sent to S.O.:
          Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 06/02/2000   User-ID: MBALDWIN Subject: RAFT RIVER GWMA
          This application is within the Raft River Groundwater Management
          Area.

Audit: 09/22/87   05/28/88 CONVERT   02/08/98 CLEARFLD   06/02/00 MBALDWIN

Ident. No. 43-7208

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant Scott Knudsen   Phone 645-2541

   Post office address H. C. 61, Box 1016, Malta, ID 83342

2. Source of water supply Groundwater
   Raft River   which is a tributary of   Snake River

3. Location of point of diversion is SW ¼ of NE ¼ of Section 6   Township 13S

   Range 27E B.M.   Cassia   County, additional points of diversion if any: _____

   NW¼SE¼ Sec. 6 T. 13S R. 27E (Raft River)

4. Water will be used for the following purposes:

   Amount 0.68cfs 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. 0.68 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump. Existing
      headgate & ditch from Raft River. Pond with re-lift pump to 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 when water will be diverted to storage _____ to _____ inclusive.
                                                          (Month/Day)   (Month/Day)

   c. Proposed well diameter is 8 inches; proposed depth of well is 80 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

   use is 1 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: _____ ¼ of _____ ¼ 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: _____

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	
13S	27E	6		3			1												4
12S	27E	31															30		30

Total number of acres to be irrigated ___34___

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

__Groundwater system was developed under Lic. 43-2487 for adjacent lands.__
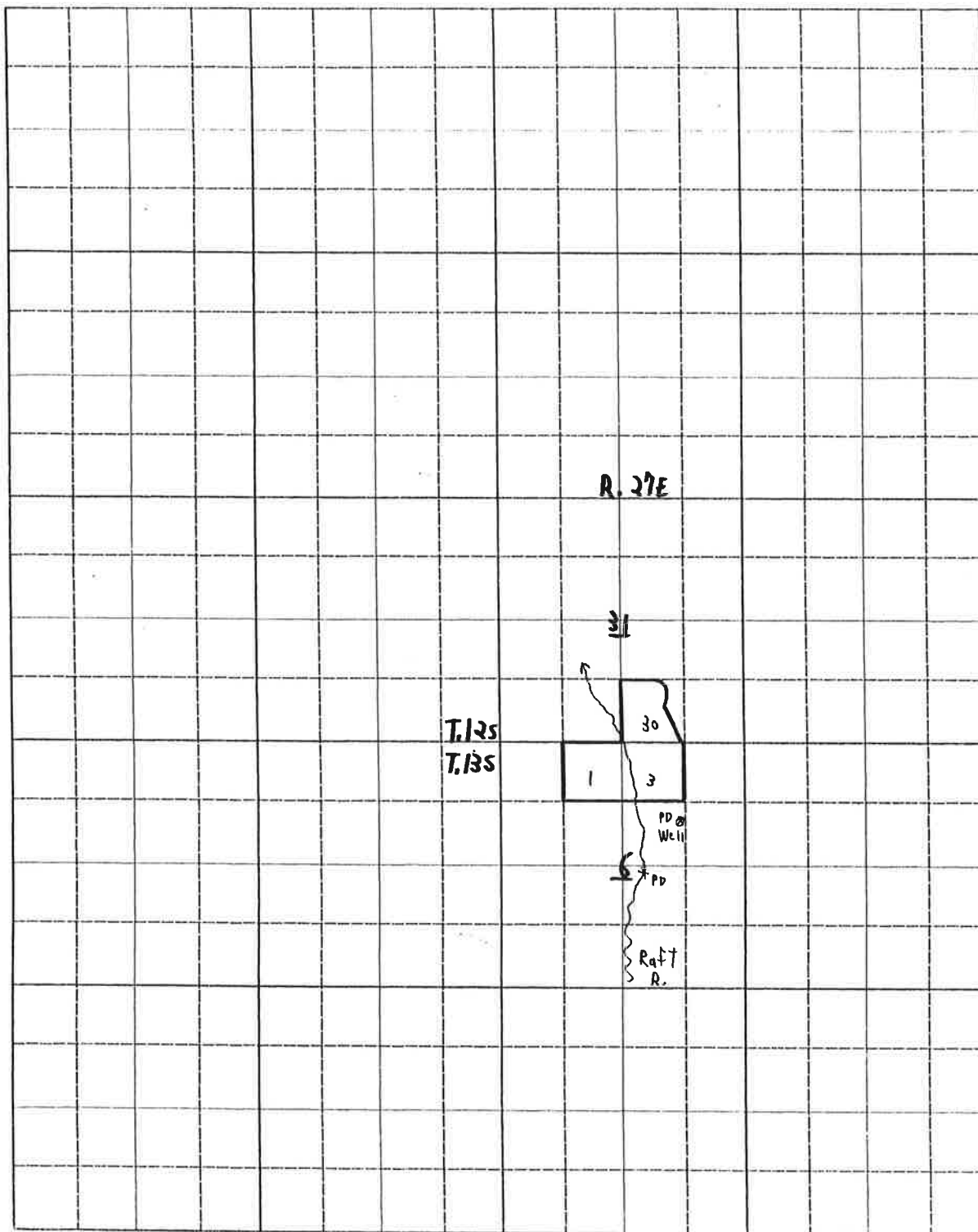
__Decree 43-0189__

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 __This farm was irrigated by gravity until 1979. This filing represents__
__an expansion that occurred in connection with the installation of sprinklers.__
__Although this is presently a critical groundwater area, I hope that rule__
__changes will allow this application to be approved. If so, I claim__
__priority over the water rights of Idaho Power Co. based on a 1979 or__
__earlier priority. If a basin-wide adjudication occurs, I plan to claim__
__an 1882 priority on the surface-water portion of this development.__

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.

Scott Knudsen
(Applicant)

Received by ___Ψ___ Date 6-17-85 Time 3:20 pm

Preliminary check by ___TB___ Fee $ 45⁰⁰ #36606

Receipted by ___Ψ___ Date 6-17-85

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

_____

_____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for   approval   (denial)   by _Adr_ _____

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 be-

        fore _____ , 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: