

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/8/2020

Water Permit 43-7203

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLEN R KUNAU 1941 MILLER AVE BURLEY, ID 83318 (208) 431-4011

Status: Cancelled

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

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

RECEIVED

MAY 7 1990

Department of Water Resources  
Southern Region Office

IN THE MATTER OF APPLICATION )  
FOR PERMIT NO. 43-7203 IN THE )  
NAME OF GLEN R. KUNAU )

ORDER VOIDING  
APPLICATION FOR PERMIT

This matter having come before the Idaho Department of Water Resources (department) as a requirement of Section 42-203C, Idaho Code, the department finds, concludes and orders as follows:

FINDINGS OF FACT

1. Application for Permit No. 43-7203 (application) proposed the diversion of 3.0 cfs from Raft River for the irrigation of 156 acres of land.

2. The Department mailed notice to the applicant(s) on February 20, 1990, informing them that Application No. 43-7203 was subject to the review requirements of Section 42-203C, Idaho Code. The notice further informed the applicant(s) that he must submit to the Department within 30 days information concerning development prior to October 1, 1984, and/or whether there is a continued interest in pursuing completion of the proposed development.

3. On March 26, 1990, the Department mailed a second notice requesting the applicant to provide the additional information within 15 days or withdraw the application. The notice further informed the applicant that failure to submit the information was cause for the Department to void the application. A response to this notice was not received.

CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, specifies that failure on the part of the applicant to supply requested information within 30 days is cause for the Director to void the application.

43-7203

2. The application should be voided as provided in Section 42-204, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 43-7203 be VOIDED as provided in Section 42-204, Idaho Code.

Dated this 30<sup>th</sup> day of April, 1990.

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 26, 1990

RECEIVED

MAR 28 1990

Department of Water Resources  
Southern Region Office

Glen R. Kunau  
1941 Miller Ave.  
Burley, ID 83318

Re: Application for Permit No. 43-7203

Dear Applicant(s):

### NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 29, 1983, you filed with the Department of Water Resources (Department) Application for Permit No. 43-7203 which proposed the diversion of 3.0 cubic feet per second from Raft River for the irrigation of 156 acres.

The Department mailed a letter and questionnaire to you on February 20, 1990 in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

This letter also requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as proposed by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE  
Sr. Water Resource Agent

Enclosure  
cc: Region

43-7203



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 20, 1990

RECEIVED

FEB 21 1990

RE: APPLICATION FOR PERMIT NO. 43-7203

Department of Water Resources  
Southern Region Office

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

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If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720  
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE  
Sr. Water Resource Agent

Enclosures

cc: Region

**RECEIVED**

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### APPLICATION FOR PERMIT

JUN 29 1983

To appropriate the public waters of the State of Idaho

Department of Water Resources  
Southern District Office1. Name of applicant GLEN R. KUNAU Phone 678-5310Post office address 1941 Miller Ave. Burley, Idaho 833182. Source of water supply Raft River ~~Surface water~~ which is a tributary of Sriake River ~~Raft River~~3. Location of point of diversion is (Lot 6) or NW 1/4 SW 1/4 ~~SW~~  $\frac{1}{4}$  of SW (L7) ~~SE~~ of Section 6 Township 12SRange 27E B.M. 266 Cassia County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 3 cfs for irrigation purposes from Mar 1 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. 3 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Sump pump for flood waters to be pumped into a 12 inch concrete pipeline for 3/4 mile for ditch sprinkler irrigation; or 1 mile for ditch irrigation.

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 \_\_\_\_\_ 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: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  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: \_\_\_\_\_

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

[illegible]

Total number of acres to be irrigated 156

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 Simplot Industries or Terry <sup>SM</sup> ~~Felt~~

b. Who owns the land to be irrigated or place of use Applicant, Glen R. Kunau

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 Applicant plans to use flood waters, when available, to water the above described acreage. No well or other diversion is planned.

A sump pump would be installed to raise the water to the ground elevation.



Received by LH Date 6/29/83 Time 3:00 PM

Preliminary check by \_\_\_\_\_ Fee \$ 85<sup>00</sup>

Receipted by LH Date 6/29/83 # 29080

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 \_\_\_\_\_

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#### 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: