IDAHO DEPARTMENT OF WATER RESOURCES Proof Report

6/8/2020

Water Permit 43-7202

Owner Type

Name and Address

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 [G G [V [G]

OF THE

STATE OF IDAHO

MAY 7 1990

Department of Water Resources Southern Region Office

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 43-7202 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. 43-7202 (application) proposed the diversion of 5.1 cfs from Raft River for the irrigation of 258 acres of land.
- 2. The Department mailed notice to the applicant(s) on February 20, 1990, informing them that Application No. 43-7202 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.

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

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 43-7202 be VOIDED as provided in Section 42-204, Idaho Code.

Dated this 3

_ day of

1990.

for

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

ECENVEC

MAR 28 1990

Constiment of Weler Resources Southern Region Office:

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

Re: Application for Permit No. 43-7202

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. 43-7202 which proposed the diversion of 5.1 cubic feet per second from Raft River for the irrigation of 258 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



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



February 20, 1990

FER 21 1990

RE: APPLICATION FOR PERMIT NO. 43-7202

Experiment et 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.

- 1. 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.
- 2. 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.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

43-7202

Page 2

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 327-7864. 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 also shown on the enclosed questionnaire.

Sincerely,

IM LUKE

Sr. Water Resource Agent

Enclosures

SMITH A LITTLE TROP WITH

- /2 17 · • 18.

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Ident. No. 43- 7202

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Wester Resources APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

			` A 17		Phone		
1. Name	of applicant _	GLEN R. KUN	AU		-0	678-5310	
Post o	office address _	1941 Mille	r Ave. Bu	rley, Idah	o 8331	8	2RK
2. Sourc	e of water supp	y Raft Rive	r	which is a tri	butary of	Shake R	ies
3. Locat	ion of point of	diversion is <u>SW</u>	¼ of _ <u>SE</u>	¼ of Section _	24	_ Township _	13 S
Range	26 E B.M.	Cassia	<i>u</i>	County, additio	nal points	of diversion if	any:
4. Water	will be used fo	r the following pu	rposes:				
Amou	ınt <u>5.1</u> fo	r <u>Irrigatio</u>	n_purposes from	Mar. 1 to	Nov. 1	5_ (both date	s inclusive)
Amou	int fo	r	purposes from _	to		(both date	s inclusive)
Ámou	intfo	r	purposes from _	to		(both date	s inclusive)
Amou	icre-reet per annum/ Int fo	r	purposes from _				
(crs or a	cre-feet per annum) quantity to be				e e		
a.	5.1	cubic feet p	er second and/or b			acre-feet	per annum.
	sed diverting w						
o, Propo	JOG GIVOI CITING TO						
	-		nps, headgates, etc.	A pond to	captur	e sub wat	er, pond
a. De	escription of di	tches, flumes, pum	nps, headgates, etc.	=-			
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a. De <u>b</u>	escription of diversity of a second a s	cres in size	e, to utilize peline to lan	storage o	f water	. Water	will be
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43-7202

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

	RANGE	SEC.		-	IE¼			NW¼					N1/4				E¼	CE!	TOTALS
IP			NE¼	NW¼	SW¼	SE¼	NE%	NW¼	SW¼	SE¼	NE%	NW¼	SW¼	SE%	NE¼	NW¼	SW1/4	SE¼	(e
	26E	24												25			2.8		5.3
	2 C E	2.5		2.0			2.5				2.0			2.0					
-	26E	25	-	28			2 5		-		38			38		38	38		205
4																			
-																			
7																			
+		-			_	-	_		-	-	_		-			_	-	-	
1														102					
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+				-	 	_			-	-	┢	_				-	-	\vdash	
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												Total	num	ber o	f acre	s to b	e irriç	gated	258
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Sictions 24+25, T. 13 S, R. 26 E. Doint of Toiverson PVC Pipeline

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.

Slow & Krimani (Applicant)

	Received by A Date 6/29/83 Time 3.00 PM
	Preliminary check by Fee \$ 145 69
	Preliminary check by Fee \$ 145 00 Receipted by
	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
	ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
This is to cer	tify that I have examined Application for Permit to appropriate the public waters of the State
of Idaho No	, and said application is hereby
	of said application is subject to the following limitations and conditions:
a. SUBJ	ECT 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 ra	te of diversion, if water is to be used for irrigation under this permit, when combined with all water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
d. Other	: :