

RECEIVED

Form 202A 04/1

MAR 25 2020

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTP- 1-106
ID No.

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

Name of applicant New Lavaside Ditch Co. Phone (208) 313-2147
 Mailing address 66 East River Road City Blackfoot
 State ID Zip 83221 Email voncornelison@gmail.com

1. Source of water Snake River tributary to Columbia River
 2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
1s	36	26	1	NW	SE	NE	Bingham	Snake River	

3. Location of place of use. If more rows are needed, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1s	35	36																	
1s	36	31.32																	

4. Proposed use of water:
 a. ☐ Prevention of flood damage ☒ Ground water recharge ☐ Ground water or surface water remediation
☐ Other (Limited to a diverted volume of 5 acre-feet.) Describe: _____
 b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.
 5. Amount of water. Complete all three:
 a. Maximum rate of diversion: 30 cfs; or _____ gpm.
 b. Maximum daily volume: 60 AF; or _____ gallons.
 c. Maximum volume over the duration of the request: 1000 AF; or _____ gallons.
 6. Duration of diversion: from March 25, 2020 (month-day) to April 10, 2020 (month-day).
 7. Describe proposed diverting works: Ground water recharge within canal itself
 8. a. Who owns the property at the requested point of diversion? New Lavaside Ditch
 b. Who owns the facilities that will convey water to the place of use? New Lavaside Ditch
 c. Who owns the land to be irrigated or place of use? New Lavaside Ditch
 d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. _____
 9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

Vm Coul Secretary/Treasurer March 25, 2020
 Signature of Applicant Title, if any Date

Received by _____ Date _____ Time _____
 \$50.00 fee receipted by m.patten # E045771 Date 3-26-20
 Watermaster comments received? _____ Date _____

We will mail the \$50.00 check

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

 A. The application for temporary approval should be denied because _____

☒ B. The application for temporary approval should be approved, since

1. The temporary approval can be properly administered.
2. Other water sources are not readily available.
3. The approval is in the public interest.
4. The approval will not injure known public values associated with the water source or any known water rights.
5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.

This application is therefore hereby:

 A. DENIED

☒ B. APPROVED, subject to the following conditions:

1. Diversion and use of water under this approval is subject to all valid existing water rights.
2. The applicant assumes all risk of the use of the water under this approval.
3. This approval authorizes a maximum diversion volume of 1,000 AF and a maximum diversion rate of 30 cfs.
4. This approval does not grant a right-of-way across the land of another.
5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
7. This approval does not create a continuing right to use water.
8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
10. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.

11. Other: Diversion under this approval is limited to times when the flow at the Snake River near Minidoka gage (#13081500) exceeds 2,700 cfs and excess

12. This approval expires on April 10, 2020 water is spilling past Milner Dam.

Signed this 2nd day of April, 2020.



For the Department

Henman, Christina

From: Olenichak, Tony
Sent: Thursday, April 02, 2020 11:17 AM
To: Henman, Christina
Subject: RE: TP-1-106 Watermaster Comment

Christina,

This needs the standard condition that excess water must be spilling past Milner Dam when water is diverted under this temporary approval.

Tony

From: Henman, Christina
Sent: Thursday, April 02, 2020 11:13 AM
To: Olenichak, Tony
Subject: TP-1-106 Watermaster Comment

Hello Tony,

Please review and provide comment for the attached temp app.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 2, 2020

NEW LAVASIDE DITCH CO LTD
66 E RIVER RD
BLACKFOOT ID 83221-5728

RE: Application for Temporary Approval of Water Use: TP-1-106

Dear Applicant(s):

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on** April 10, 2020. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 497-3793 or email me at Christina.Henman@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH', is written over the typed name.

Christina Henman
Administrative Asst. I.

Enclosure(s) Receipt

cc: TONY OLENICHAK, Water District 01.