

RECEIVED

NOV 19 2014

STATE OF IDAHO

Ident. No. 13-7925

Department of Water Resources
Eastern Region

DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of applicant(s) Steven S & Rena Kay Cann Phone (208) 852-3120
 Name connector (check one) ☐ and ☐ or ☒ and/or
 Mailing address 1644 S State Street City Preston
 State ID Zip 83263 Email cannsteve@yahoo.com
2. Source of water supply Wastewater which is a tributary of Sinks
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16S	39E	3	1		SE	NE	Franklin	Wastewater	

4. Water will be used for the following purposes:
- Amount 0.32 for Irrigation purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.32 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Pump from ditch
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

13-7925

8. Description of place of use:

AMENDED

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.
See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	3				16													16
						LI													

Total number of acres to be irrigated: 16

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

13-7025B is another wastewater right that is currently used for this place of use. Due to the nature of water, more is needed to adequately irrigate the property

10. a. Who owns the property at the point of diversion? Cub River Canal Company &/or Consolidated Irrigation

b. Who owns the land to be irrigated or place of use? Steve & Rena Cann

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
Written Authorization

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Canal is being vacated by Cub River Irrigation, canal will be used for drainage of wastewater and stormwater. We are proposing any wastewater that flows onto our property (we own ground & pay taxes on the canal) that we be allowed to use this water along with our wastewater stream to irrigate.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Steven Cann
Digitally signed by Steven Cann
DN: cn=Steven Cann, o=ou,
email=cannsteve@yahoo.com,
c=US
Date: 2014.11.18 16:33:02 -0700
Signature of Applicant

Rena Cann
Digitally signed by Rena Cann
DN: cn=Rena Cann, o=ou,
email=renakaycann@gmail.com,
c=US
Date: 2014.11.18 16:41:09 -0700
Signature of Applicant

Steven Cann
Print Name (and title, if applicable)

Rena Cann
Print Name (and title, if applicable)

For Department Use:

Received by SC Date 9-29-2014 Time _____ Preliminary check by _____
Fee \$ 250.00 Received by SC Receipt No. E040284 Date 9-29-2014

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	3	1.1			14.8													16

Total number of acres to be irrigated: 16

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

13-7025B is another wastewater right that is currently used for this place of use. Due to the nature of water, more is needed to adequately irrigate the property.

- Who owns the property at the point of diversion? Cub River Canal Company &/or Consolidated Irrigation
- Who owns the land to be irrigated or place of use? Steve & Rena Cann
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
Written Authorization

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Canal is being vacated by Cub River Irrigation, canal will be used for drainage of wastewater and stormwater. We are proposing any wastewater that flows onto our property (we own ground & pay taxes on the canal) that we be allowed to use this water along with our wastewater stream to irrigate.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Steven Cann
Digitally signed by Steven Cann
DN: cn=Steven Cann, o, ou,
email=cannsteve@yahoo.com,
c=US
Signature of Applicant
Date: 2014.11.18 16:33:02 -07'00'

Steven Cann
Print Name (and title, if applicable)

Rena Cann
Digitally signed by Rena Cann
DN: cn=Rena Cann, o, ou,
email=renakavcann@gmail.com,
c=US
Signature of Applicant
Date: 2014.11.18 16:41:09 -07'00'

Rena Cann
Print Name (and title, if applicable)

For Department Use:

Received by SC Date 9-29-2014 Time _____ Preliminary check by _____
Fee \$ 250.00 Received by SC Receipt No. E040284 Date 9-29-2014



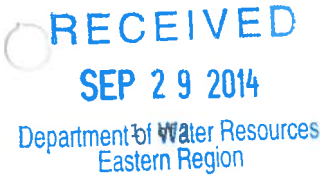
Steve & Renea Cann



-  Place of Use
-  Township/Range
-  Sections
-  QQ

13 - 7925





Application_for_Permit.pdf | Download

FORM 202 11/13

Ident. No. _____

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

9/26/2014

1. Name of applicant(s) Steven S. + Rena Kay Can Phone 208-852-3120

Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address 1644 S. State St. City Preston

State ID Zip 83263 Email cannsteve@yahoo.com

2. Source of water supply water in old which is a tributary of Cub River Canal

3. Location of point(s) of diversion: canal

lot 1

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16S	39E						Franklin	Cub River Canal (abandoned)	

4. Water will be used for the following purposes:

Amount 1 c.f. for irrigation purposes from Apr 1 to Oct 31 (both dates inclusi

Amount _____ for _____ purposes from _____ to _____ (both dates inclusi

Amount _____ for _____ purposes from _____ to _____ (both dates inclusi

Amount _____ for _____ purposes from _____ to _____ (both dates inclusi

5. Total quantity to be appropriated is (a) 1 cubic feet per second (cfs) and/or (b) _____ acre feet per year (

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 4" ditch pump

b. Height of storage dam 4 feet; active reservoir capacity 1.8 acre-feet; total reservoir capac
1.8 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.1

dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application
Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? NA; drilling firm _____
well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).

d. Domestic; show number of households _____

e. Other; describe fully. _____

8. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use belc

4565 mwy
hand description

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

lot 1

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16	South	39	E of Boise Meridian																19 Acres

Total number of acres to be irrigated: 19 Ac.

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

Waste Water Water Right # 13-07025 B Dated 7/21/97

10. a. Who owns the property at the point of diversion? Steve + Rena Cann
- b. Who owns the land to be irrigated or place of use? Steve + Rena Cann
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Canal is being vacated by Cub River Irrigation, Canal will be used for Drainage of waste water and Storm water. We are proposing any waste water that flows onto our property (we own ground + pay taxes on the canal) that we be allowed to use this water along with our other waste water stream to irrigate our 19 Acres.

12. Time required for completion of works and application of water to proposed beneficial use is by April 1, 2015 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Steven S. Cann
Signature of Applicant

Rena K. Cann
Signature of Applicant

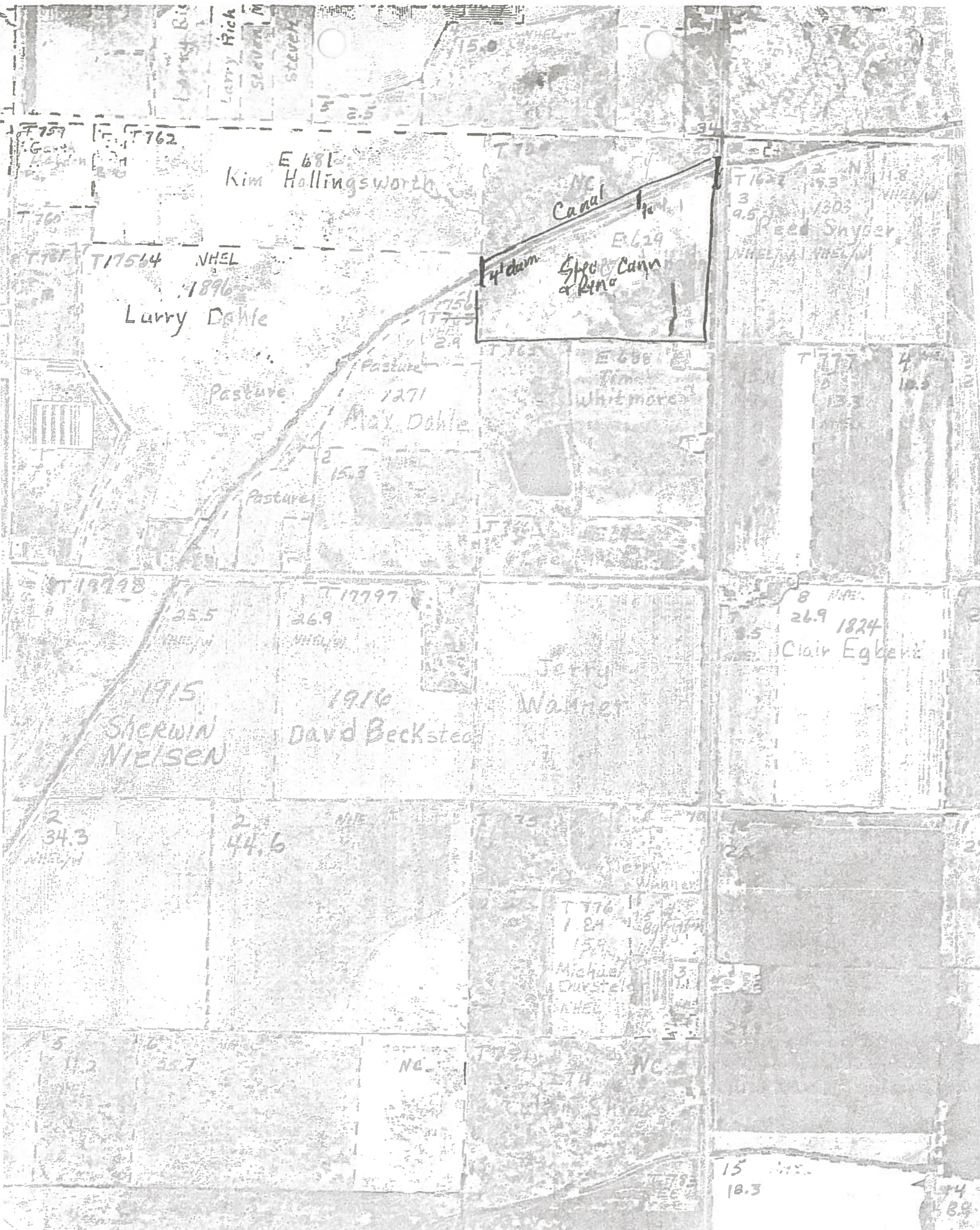
Steven S. Cann
Print Name (and title, if applicable)

Rena K. Cann
Print Name (and title, if applicable)

For Department Use:

Received by SC Date 9/29/14 Time Preliminary check by
Fee \$ 250.00 Receipted by SC Receipt No. ED40284 Date 9/29/14

13 - 7925



Mathews, Kerrie

From: Mathews, Kerrie
Sent: Wednesday, November 19, 2014 6:56 AM
To: 'Steve Cann'
Subject: RE: Amended Permit

Good Morning:

I received your amended application, I will start the process. However, we still have the same issue... Tax lot records and irrigation records still show that the canal company owns the ditch.. So I either need a signed release from the board of the irrigation company authorizing the point of diversion or the property relinquishment recorded with the county.

Thanks,

Kerrie Mathews

"Everyone thinks of changing the world, but no one thinks of changing himself."
-Leo Tolstoy

From: Steve Cann [<mailto:cannsteve@yahoo.com>]
Sent: Tuesday, November 18, 2014 4:58 PM
To: Mathews, Kerrie
Subject: Re: Amended Permit

If I get this right, you will received the amended water application with our digital signatures. I hope this will suffice, if I need to send via mail written ones, please email me back and I'll do so. Thank you for your help. Rena Cann P.S. Like your shared quote from Mark Twain, It is sure true!!

On Tuesday, November 18, 2014 11:08 AM, "Mathews, Kerrie" <Kerrie.Mathews@idwr.idaho.gov> wrote:

Steve;

It was a pleasure speaking with you on the telephone. As we discussed I am sending you an amended application... Please sign and return and we can move forward. If you have any questions, please let me know.

Sincerely,

Kerrie Mathews
Idaho Department of Water Resources
208-525-7161
208-390-6924

"It is curious - curious that physical courage should be so common in the world, and moral courage so rare." -Mark Twain



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 2, 2014

Steve Cann
1644 S State Street
Preston, ID 83263

RE: Application for Permit

Dear Mr. Cann:

The Department has received your application for permit. Unfortunately, the application cannot be processed as received. I have completed a new application and map with the corrections indicated below.

1. The maximum diversion rate is 0.02 cfs per acre, based on the enclosed GIS place of use (historical irrigation imagery) you have in the pasted irrigated 16 acres. The correct diversion rate is $0.02 \text{ cfs} \times 16 \text{ acres} = 0.32 \text{ cfs}$
2. The original application did not correctly identify the place of use and point of diversion, this has been corrected.
3. The original application did not include your wish to dam the ditch and create storage this must be part of the beneficial use and has been corrected.
4. You must have authorization to use the irrigation structure of another. Please contact the irrigation companies and obtain written authorization to use this structure as indicated.

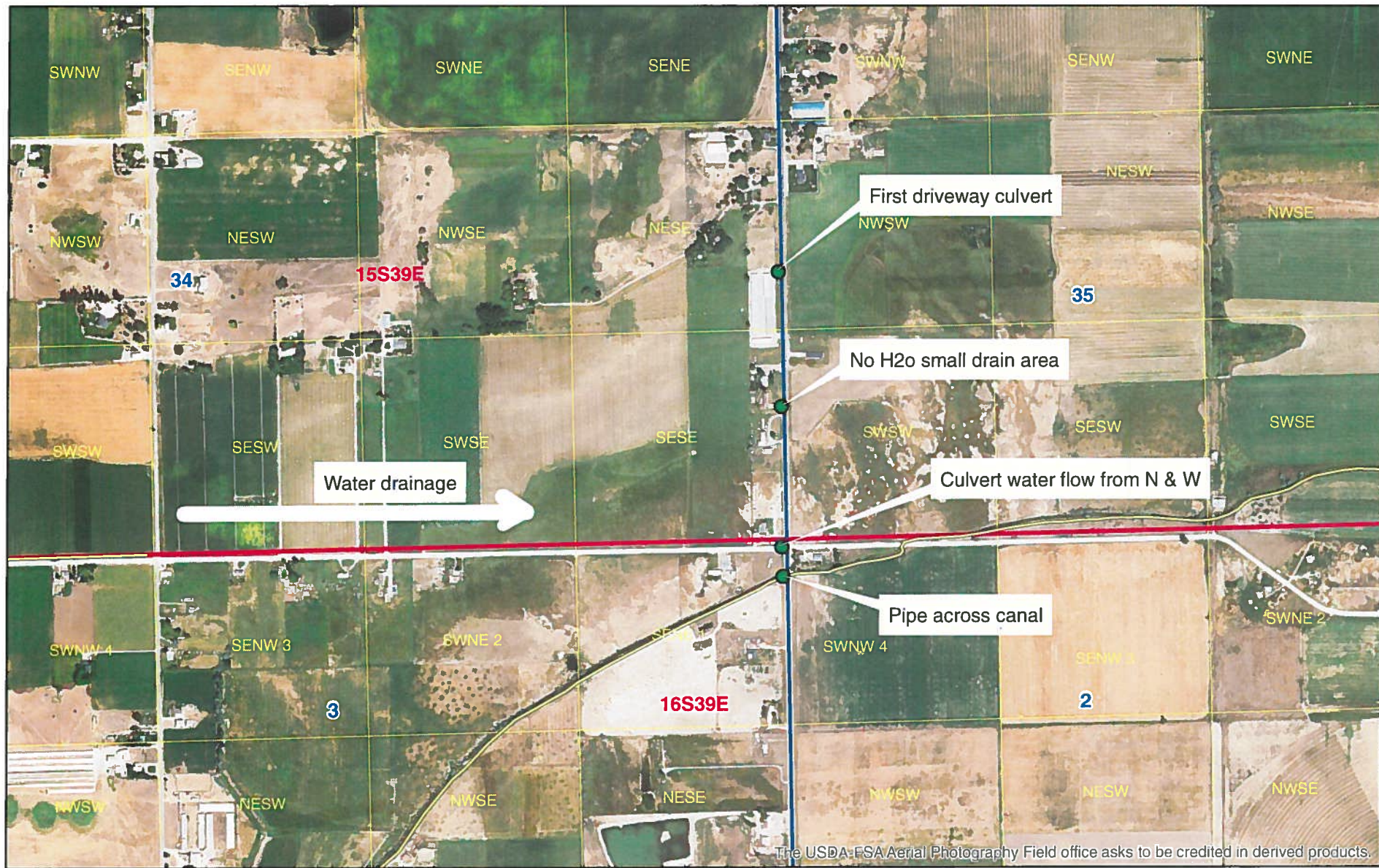
Please look over the corrected application, collect the necessary documentation, sign the application and return. Once the Department has received a complete application we can move forward with your request.

If you have any questions, please let me know.

Thank you,

A handwritten signature in black ink, appearing to read 'Kerrie Mathews'.

Kerrie Mathews



Steve Cann

- Township/Range
- Sections
- QQ





Google earth

feet 4
meters 1





Google earth

feet 10
meters 3





Google earth

feet 6
meters 1





Google earth



T
16
S

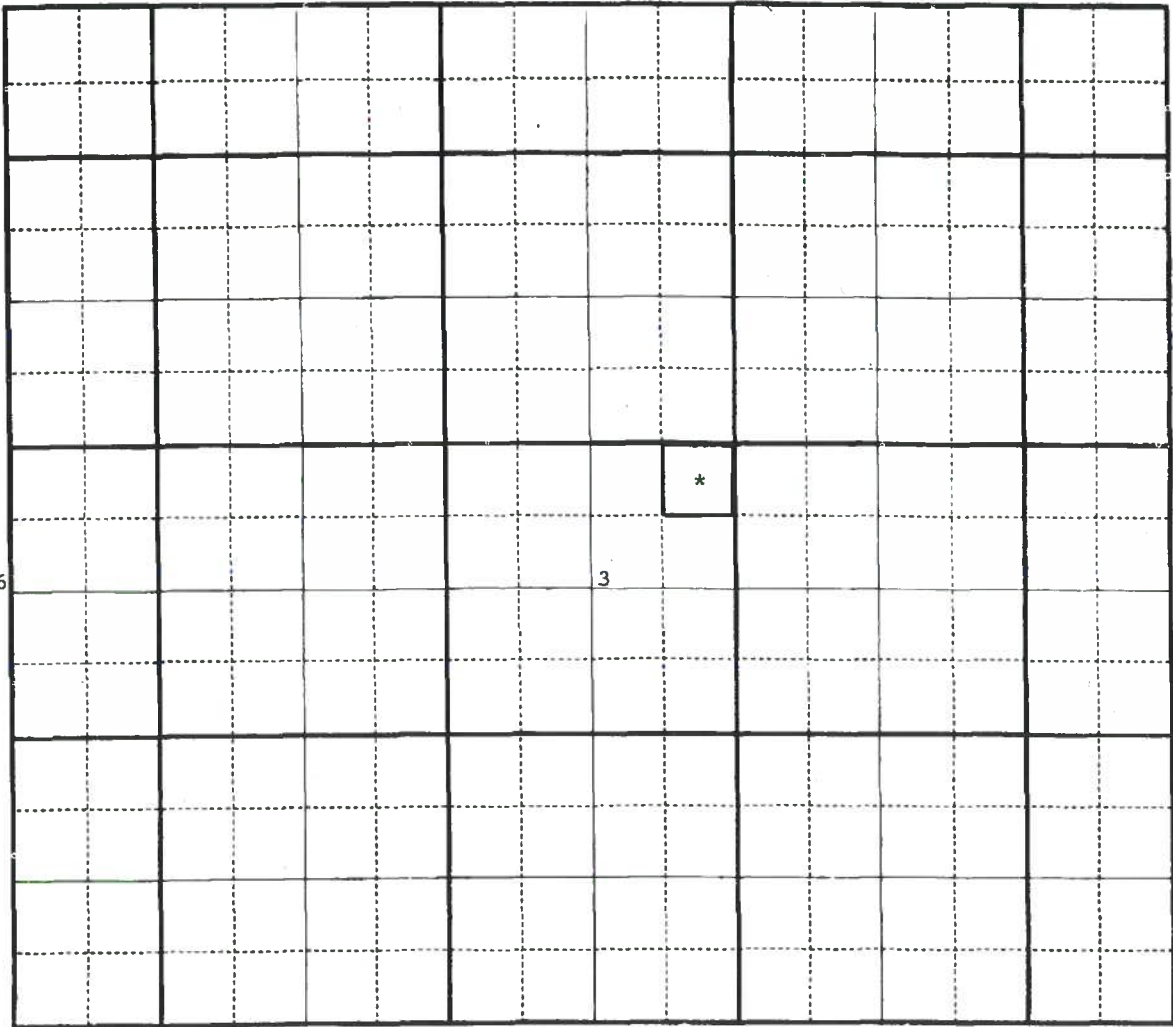
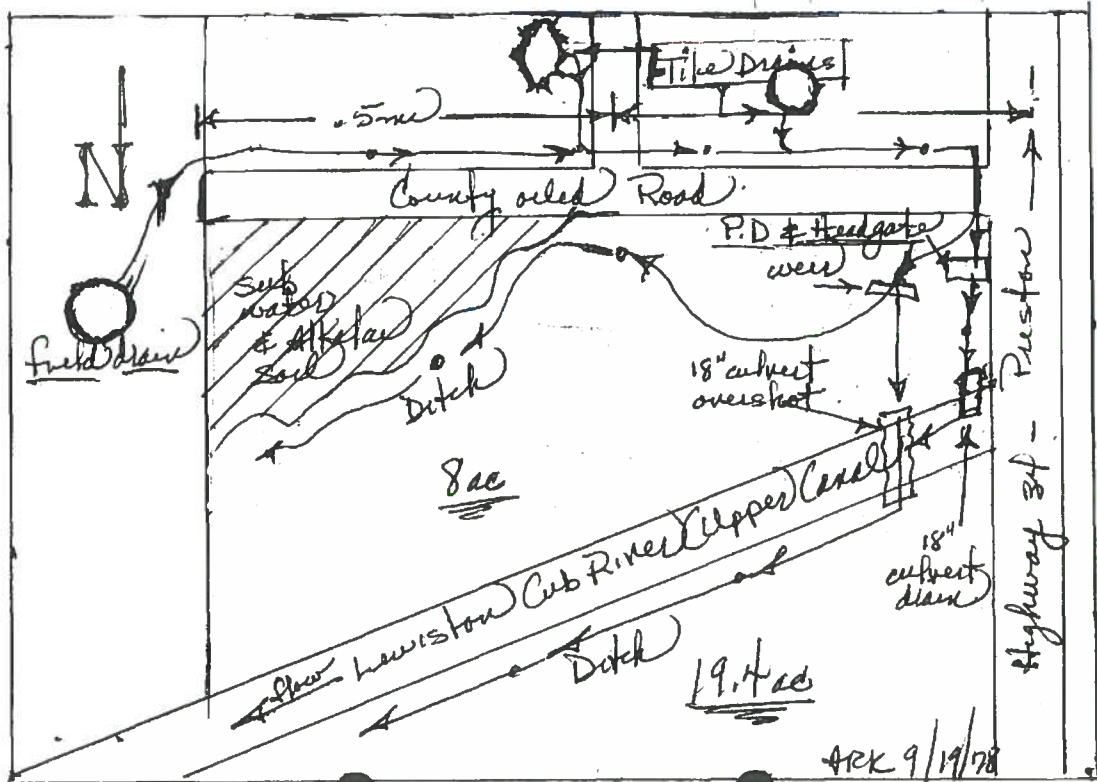


Diagram of System



DATE OF EXAM 5-11-78

ACREAGE
Found 27.04
Recommended 27.0

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .12 c.f.s. V = 50.9 AF/Ann. from April to Oct. 30
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n.a.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n.a.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n.a.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n.a.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County Suppressed

Total Q measured .12 cfs Method of measurement Ric. Langebe were

Total Q recommended .12 cfs Meter No. n.a. Type n.a. Condition 3rd

Total V recommended 50.9 AF/yr.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None (circled)

MEASUREMENT CALCULATION:
Water crest height = 24" measured head = .07' Q = .12 cfs from Table 9 p. 260 of Water Measurement manual for standard rectangular weirs.

$$V = 27.4 ac \times 3.5 ac ft/ac = 95.9 AF/yr > .12 \times 1.9835 \times 214 = 50.94 AF/yr$$

SYSTEM DESCRIPTION:
Surface water from several unlined ditches flows down roadside ditches and is diverted by concrete headgate into one irrigation ditch that branches off in two separate directions. The land is bisected by the Lewis and Clark River upper canal and one of the ditches empties into an 18" diameter culvert pipe that conveys water over the canal (overshot) and to lands on the other side.

REMARKS: The land is flood irrigated. The irrigated acreage is bordered by Highway 34 on the east and Gar county road Rd 1 on the north. System shown & described by Wayne Phillips. No conflicting rights.

Examiner's Signature Anthony R. Kozlowski Date 9/14/78

Checked by Looney Parker Date 1/11/79

Approved by _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 25, 2014

STEVEN S CANN
RENA CANN
1644 S STATE ST
PRESTON, ID 83263

Application For Permit No. 13-7925

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on December 3 and 10, 2014. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 25, 2014

Consolidated Irrigation
33 So 1st East
Preston ID 83263

Application to Permit No. 13-7925

To whom it may concern:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right applications. A copy of the applications are enclosed for your reference.

This office is publishing the notice of the applications; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee for each application within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is written in a cursive, flowing style.

Sharla Cox
Administrative Assistance

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Tuesday, November 25, 2014 8:42 AM
To: 'Preston Citizen'
Subject: Legal Notice for your paper
Attachments: Preston Citizen E-Mail.doc

Contacts: Preston Citizen

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-7925

STEVEN S CANN

RENA CANN

1644 S STATE ST

PRESTON, ID 83263

Point of Diversion

L1(ENE) S3 T16S R39E

FRANKLIN County

Source WASTE WATER Tributary SINKS

Use: IRRIGATION

04/01 to 10/31 0.32 CFS

Total Diversion: 0.32 CFS

Date Filed: 11/19/2014

Place Of Use: IRRIGATION

T16S R39E S3 L1(ENE)

Total Acres: 16

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 3 and 10, 2014