

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED

FEB 21 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Name: NAN ALLISON-STONE
PO BOX 1331
SUN VALLEY ID 83353
(208)622-8122
AND

LARRY STONE
PO BOX 1331
SUN VALLEY ID 83353
(208)721-0365

2. Source: LOWER TUCKER SPRING Tributary to: RILEY CREEK
UPPER TUCKER SPRING Tributary to: RILEY CREEK
WASTE WATER Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1	UPPER TUCKER SPRING GOODING County	NW1/4SE1/4SE1/4	Sec. 36, Twp 07S, Rge 13E, B.M.
#2	LOWER TUCKER SPRING GOODING County	SE1/4NW1/4SE1/4	Sec. 36, Twp 07S, Rge 13E, B.M.
#3	WASTE WATER GOODING County	SW1/4NW1/4	Sec. 23, Twp 07S, Rge 13E, B.M.

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01	to 12/31		1.9 AF
STOCKWATER STORAGE	01/01	to 12/31		1.9 AF
DIVERSION TO STORAGE	02/15	to 11/30	0.20 CFS	

5. Total quantity to be appropriated is: 0.20 CFS 1.9 AF
6. Proposed diverting works:

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POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

POINT OF DIVERSION #3

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 23							X										

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 23							X										

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

Point of Diversion #1: STATE OF IDAHO - The Big Bend Ditch company diverts water from Lower Tucker Springs at this location. Applicants water is delivered through the Big Bend Ditch.

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

This permit is intended to correct issues that became apparent in the licensing process for permit 36-16740. The main issue involved is the volume of the pond. Permit 36-16740 allows for a volume of 0.2 AF, but measurements made during the field exam gave a volume of 0.7 AF. This new permit will seek 0.7 AF for the actual storage volume, plus 1.4 AF to account for evaporation for the entire year. Subtracting the 0.2 AF which will be licensed under permit 36-16740, this permit will request 1.9 AF.

In addition, waste water from the fields surrounding the pond keep water in the pond year round, so the applicants seek 0.20 cfs Diversion to Storage during the irrigation season. The source of this waste water is irrigation of the field around the pond. No water is to be diverted directly from the Big Bend Ditch into this pond during the irrigation season.

In the original permit, 0.40 cfs was sought for Diversion to Storage. The field exam found that only 0.21 cfs was actually being diverted. The conveyance loss incurred over 3.5 miles of travel in the Big Bend Ditch, at 10 percent per mile, amounted to 0.12 cfs, so 0.33 cfs was recommended for licensing.

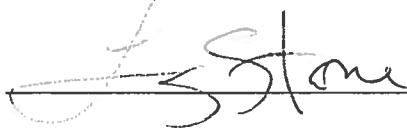
STATE OF IDAHO
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11. Map of proposed point of diversion and place of use attached? ☐

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.



Applicant

Received by DM Date 2-21-2013 Time 11:00^{Am} Preliminary check by _____
Publication prepared by DM Date 5/9/2013 Published in Times News
Publication approved _____ Date 7 May 16 & 23, 2013

Receipt No. 5033074

Date: 2-21-2013

Received by: Jim Ritzgen



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 10, 2013

LARRY STONE
NAN ALLISON-STONE
PO BOX 1331
SUN VALLEY, ID 83353

RE: Application For Permit No. 36-16965

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 **TIMES NEWS on 5/16/2013 and 5/23/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**June 3, 2013**).

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,


Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 09, 2013 3:47 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on May 16th & 23rd , 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 9, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-16965

RE: Transfer No. 78518
Water Right No(s): 45-4191A

RE: Transfer No. 78563
Water Right No(s): 43-13599, 43-13600, 43-13651, 43-13721, 43-13722

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

36-16965

LARRY STONE

NAN ALLISON-STONE

PO BOX 1331

SUN VALLEY, ID 83353

Point of Diversion NWSESE S36 T07S R13E GOODING County Source UPPER TUCKER SPRING Tributary RILEY CREEK
Point of Diversion SENWSE S36 T07S R13E GOODING County Source LOWER TUCKER SPRING Tributary RILEY CREEK
Point of Diversion SWNW S23 T07S R13E GOODING County Source WASTE WATER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 02/15 to 11/30 0.2 CFS

Use: RECREATION STORAGE 01/01 to 12/31 1.9 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 1.9 AF

Total Diversion: 0.2 CFS

Date Filed: 2/21/2013

Place Of Use: RECREATION STORAGE & STOCKWATER STORAGE

T07S R13E S23 SWNW

Application for permit, 36-16965, seeks to divert 0.20 CFS of wastewater for recreation storage and stockwater storage to an existing pond with a total volume of 1.9 acre-feet. The pond and proposed point of diversion (POD) are located approximately 0.4 mi. S and 0.4 miles W of Hagerman, Idaho. Application also proposes two additional PODs at Upper and Lower Tucker Springs, located approximately 2.8 miles south and 1.3 miles east of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78518

MANNING RANCHES INC, 2233 BIRCH CREEK RD, OAKLEY, ID 83346; has filed Application No. 78518 for changes to the following water rights within CASSIA County(s): Right No(s). 45-4191A. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add a POD to a groundwater irrigation right that is currently authorized to divert 0.32 CFS from a well located approximately 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27, in Oakley, Idaho. Currently this right is authorized to irrigate 16 acres, located on the NE side of the intersection of MAIN ST. & WILSON AVE in Oakley, ID, approximately 0.5 to 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27. Application proposes to create a 38.4-acre permissible place of use (PPU), on property owned by the applicant, located approximately 2.0 to 2.4 mi. E & 2.4 to 2.8 mi. S of Oakley, Idaho. Up to two authorized wells, located approximately 2.3 mi. E & 2.3 mi. S and 2.4 mi. E & 2.8 mi. S of Oakley, ID, will be used to irrigate 16 acres within the 38.4-acre PPU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78563

NATHANIEL S and DESIREE C CARSON and GWEN SQUIRES, 1174 S HWY 81, DECLO, ID 83323; have filed Application No. 78563 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13599, 43-13600, 43-13651, 43-13721, 43-13722. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an additional authorized point of diversion to a group of groundwater rights used on a farm located approximately 3.25 – 3.75 miles north of Malta. The new well and two existing wells will be used to divert up to 1.38 cfs and 267.7 afa for irrigation use and stockwater and commercial use associated with a mink farm on the property. The new well will be drilled at a site approximately 3.3 miles north of Malta, on the west side of Highway 81.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 3, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 16th & 23rd, 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 9, 2013

FRANK ERWIN
WATER DISTRICT #36-A
711 EAST AVE N
HAGERMAN, ID 83332

RE: Application for Permit: 36-16965

Dear Mr. Erwin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

RECEIVED

APR 05 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Big Bend Irrigation and Mining Co., Inc.

P O Box 334, Hagerman, ID 83332

March 30, 2013

State of Idaho Department of Water Resources

Southern Region 1341 Fillmore Street, Suite 200

Twin Falls, ID 83301-3380

Attn: Jim Bitzenberg, Water Resource Agent

RE: Revised Application for Permit: ID # 36-16965; Larry Stone and Nan Allison-Stone

Dear Mr. Bitzenberg,

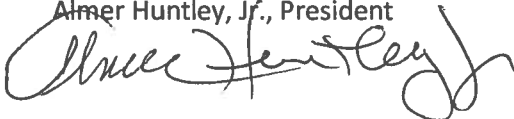
At a Big Bend Board of Director's meeting held on March 19, 2013, the Board unanimously approved the Stone's application for the referenced permit, with the following conditions.

1. Irrigation waste water will fill the pond from Feb. 15 through Nov. 15.
2. From Nov. 15 through Feb. 15, Big Bend water may be used to maintain the pond through the existing pond gating system.
3. The pond is to be lined with clay to prevent seepage losses.

Sincerely,

Big Bend Irrigation and Mining Co., Inc.

Almer Huntley, Jr., President



cc: Larry and Nan Allison-Stone



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 8, 2013

LARRY STONE AND NAN ALLISON-STONE
PO BOX 1331
SUN VALLEY ID 83353

RE: New Application to Appropriate Water No. 36-16965

Dear Applicants:

Enclosed you will find proposed Application for Permit, No. 36-16965, which I have been working on to rectify issues that came up during the Beneficial Use Exam and Licensing process for permit 36-16740. That permit was for a pond to be used for Recreation, Recreation Storage, Stockwater Storage, and Diversion to Storage. The pond is located on your property just south of the town of Hagerman.

I carried out the field exam on January 16, 2013 in the company of Chuck Steele, the caretaker of your property. During the exam, it was determined that the volume of the pond was greater than the 0.2 acre-feet allowed on the original permit. Using aerial photography and field measurements, I calculated the volume to be approximately 0.7 AF. In addition, I was informed by Mr. Steele that water runs off of the field surrounding the pond during the irrigation season, keeping water in the pond year round. Because this run-off water is used for a purpose other than irrigation, it requires a water right.

To address these issues, I have drafted a new permit that increases the storage volume of the pond and covers evaporation losses, which were not covered under the original permit. The new permit will also add a Point of Diversion at the pond to account for run-off from the field around the pond.

I have enclosed the application for you to review. Please check for accuracy, sign, and return it to our office with the \$100.00 fee. If you have any questions, don't hesitate to call me at 208-736-3033, or Email me at james.bitzenburg@idwr.idaho.gov. Thank you.

Sincerely,

Jim Bitzenburg
Water Resource Agent

Enclosure