

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 22-7114

WATER RIGHT NUMBER: 22-7114

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVECO CANYON FARMS INC C/O MIKE STEVENS 49 E SUNSET CIR REXBURG, ID 83440 (208)458-4469
Current Owner	NORTHWEST FARM CREDIT SERVICES ACA PO BOX 157 REXBURG, ID 83440-0157 (208)356-4442

Priority Date: 11/20/1974

Basis:

Status: Voided

<u>Source</u>	<u>Tributary</u>
CANYON CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	20.000 CFS	
	<u>Total Diversion:</u>	20.000 CFS	

Location of Point(s) of Diversion

CANYON CREEK SE1/4SE1/4 Sec. 13, Twp 06N, Rge 42E, B.M. MADISON County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 42E 11									15.0	25.0	40.0	40.0			25.0	15.0	160.0
06N 42E 13					5.0	35.0	40.0	20.0	40.0	40.0		40.0		22.0	35.0		277.0
06N 42E 14	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0			480.0
06N 42E 15	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0			40.0	40.0	40.0	40.0	40.0	520.0
06N 42E 22	40.0	40.0			40.0												120.0
06N 43E 18	40.0	40.0		40.0	25.0												145.0

Total Acres: 1702

Conditions of Approval:

- 2 P/D IN SESE, S13, T6N, R42E.
PERMIT INCORRECTLY DESCRIBES P/D AS SESE, S13, T6N, R43E.

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Comments:

1. CZIMMERM 12/8/1994 CORPORATE OFFICERS

Comment: The corporate officers of Steveco Canyon Farms Inc are: Mike A Stevens, President; Phyllis F Stevens, Secretary; Phil J Stevens, Vice President.

2. dcarlson 5/31/2007 POD

Comment: Correlated PODID 9440 from SpatialDataID 374708 to SpatialDataID 267050

3. dcarlson 5/31/2007 POD

Comment: Correlated PODID 9440 from SpatialDataID 374708 to SpatialDataID 267050

4. dcarlson 5/31/2007 POD

Comment: Correlated PODID 9440 from SpatialDataID 374708 to SpatialDataID 267050

5. amarshall 8/1/2008 Licensing Review

Comment: Application for permit no. 22-7114 (permit) was approved on February 25, 1975, with a proof due date of March 1, 1978. The permit authorized the use of water from Canyon Creek for irrigation of 1,702 acres at a rate of 20.0 cfs. A condition of approval required the permit holder to permanently install and maintain a measuring device as part of the diverting works.

The proof due date was later extended by order to August 1, 1978, since the permit holder was not given 60 days notice prior to the proof due date. A request for extension of time was approved on July 13, 1978, further postponing the proof due date to August 1, 1980, since installation of larger motors were needed at the pumping plant to divert the permitted rate. Proof of beneficial use was received on July 9, 1980, thereby ending the authorized development period under this permit.

The beneficial use field report was completed for this right on June 25, 2008. The examiner recommended licensing this right for the irrigation of 1,702 acres within a 2,725.4 acre permissible place of use at a rate of 20.0 cfs.

State Water District No. 1 (WD 01) staff measured the diversion works capacity at 21.65 cfs on June 20, 2008. IDWR has diversion records for this pumping plant from 1978 to present. The greatest diversion rate during the authorized development period, 1975 to 1980, was 10.0 cfs in 1978 (see attached records for 1978 through 1980).

Prior licensed water rights 22-7069, 22-7103, and 22-7230 are claimed in the Snake River Basin Adjudication (SRBA) and recommended with a combined rate limit of 12.94 cfs and the irrigation of 2,725.4 acres. These rights overlap entirely the place of use recommended by the examiner.

I have been informed by WD 01 staff that the permit holder has not maintained measuring devices at the point of diversion from Canyon Creek as required by the permit. The permit holder was notified by telephone in July 2007 of the requirement for permanent measuring devices. The permit holder has not yet fulfilled this obligation.

No beneficial use of water was developed under permit no. 22-7114 above and beyond prior water rights. The permit holder has not complied with all conditions of the permit. The permit should be voided.

6. amarshall 9/10/2008 9:28:59 AM Explanatory Comment

Comment: Permit voided since no beneficial use of water was developed above and beyond prior water rights.

7. amarshall 9/19/2008 8:25:39 AM Status Change

Comment: Petition for Reconsideration filed on behalf of permit holder, followed by Order Withdrawing A Preliminary Order to void permit 22-7114. Permit status changed from voided to active.

8. amarshall 12/4/2008 1:15:48 PM Explanatory Comment

Comment: Permit voided since no beneficial use of water was developed above and beyond prior water rights during the authorized development period.

Dates and Other Information:

Permit Proof Due Date: 8/1/1980

Permit Proof Made Date: 7/9/1980

Permit Approved Date: 2/25/1975

Field Exam Date: 6/20/2008

Date Sent to State Office: 6/25/2008

Date Received at State Office: 6/30/2008

Water District Number: 01