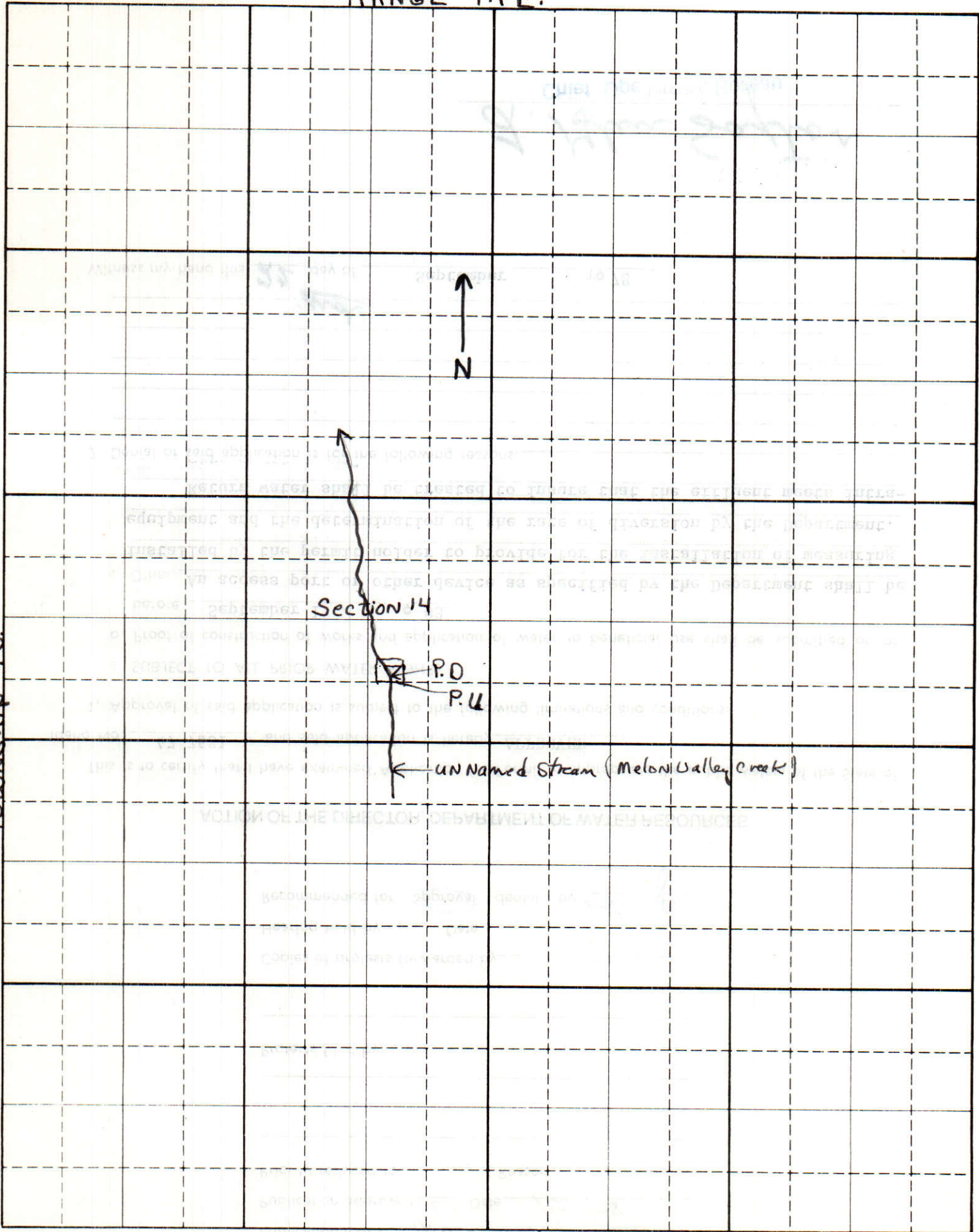


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 14 E.

Township 9 S.

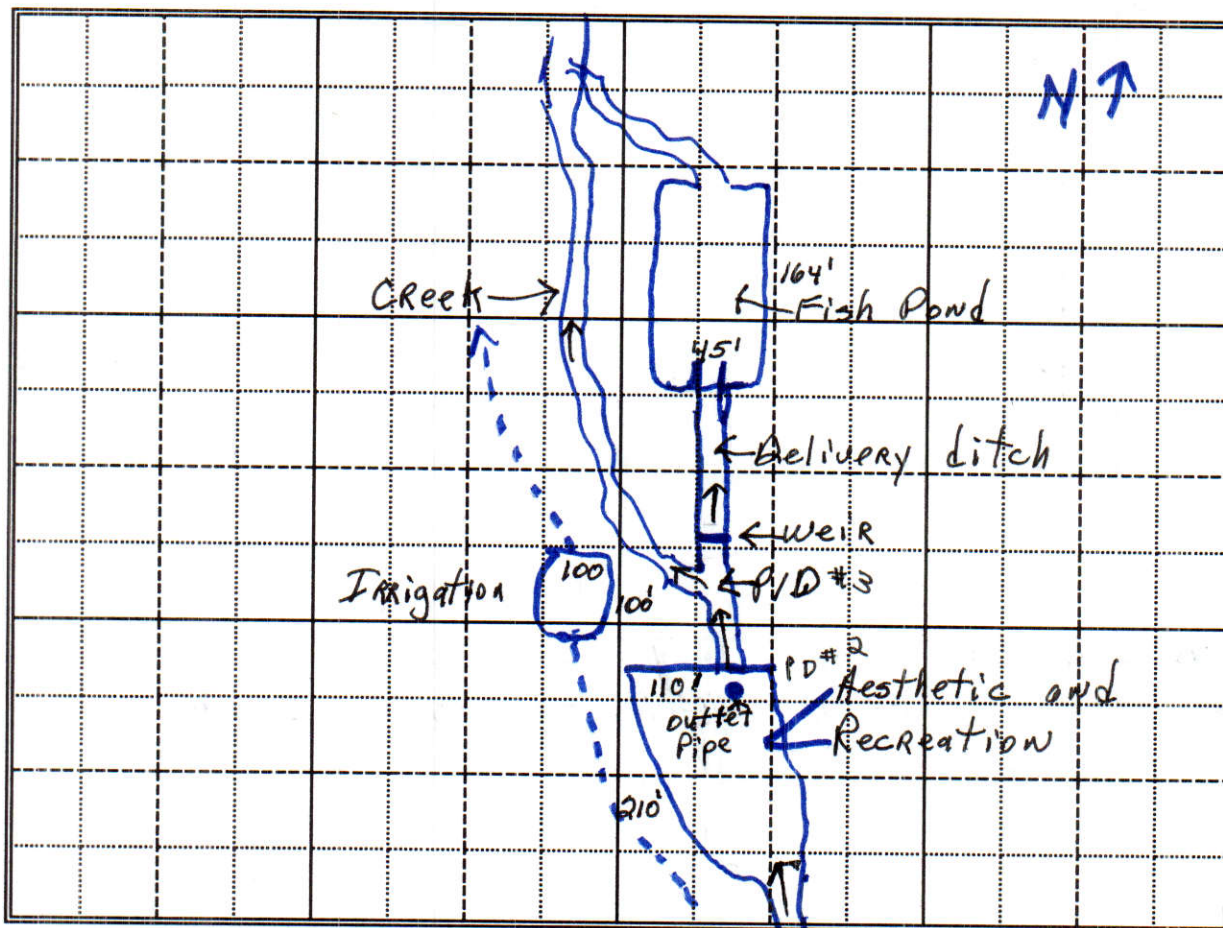


Scale: 2 inches equal 1 mile

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.

Larry A. Blau
(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = *Not to scale*

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

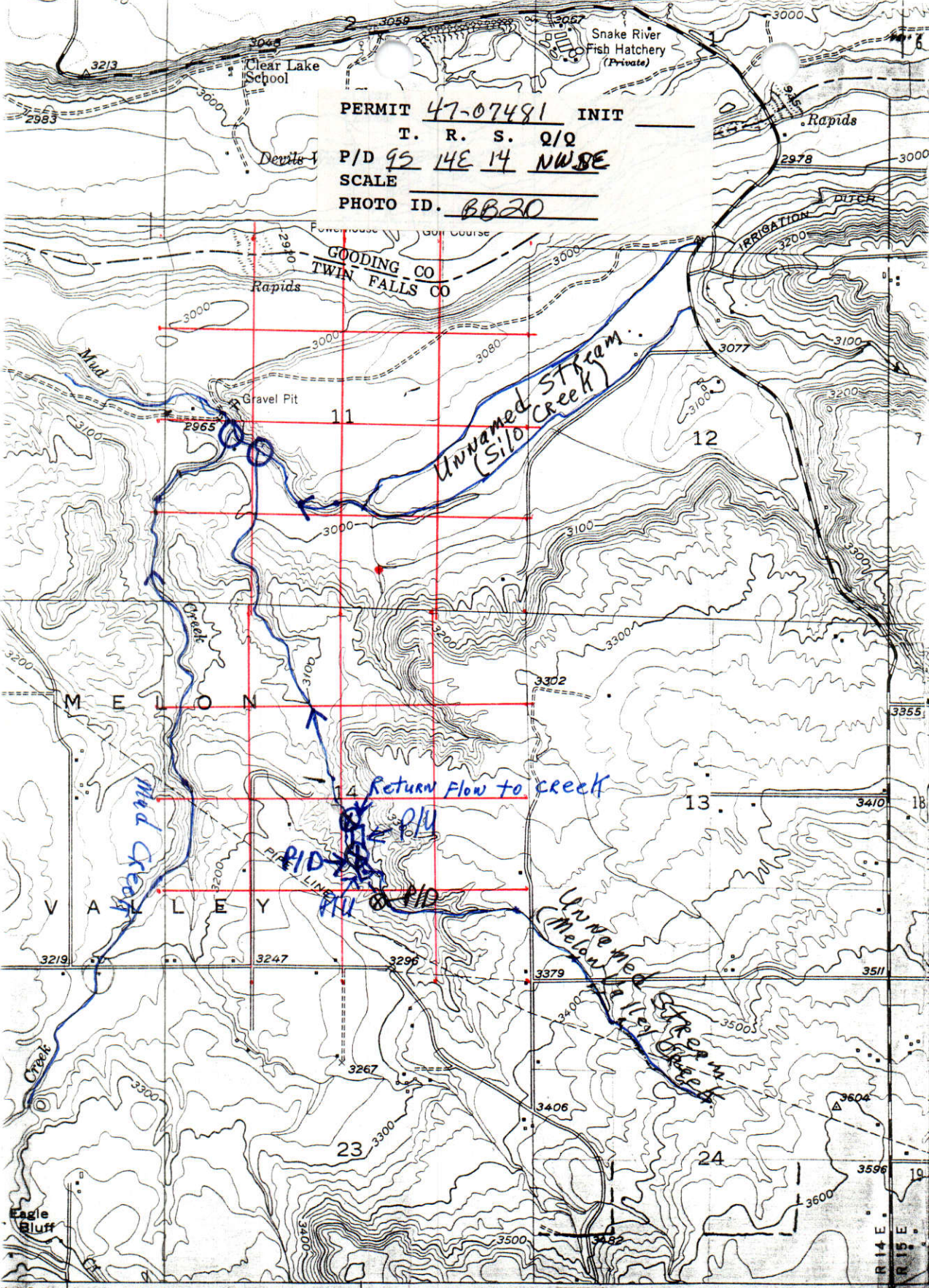
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
3' staff gauge and 4' rectangular weir						
5 gallon bucket and stop watch.						

2. Measurements: *.90' on a 4' rectangular weir - fish pond*

5 gallons in 49 seconds for irrigation.

RECEIVED

DEC 29 1994



95, 14E
Sec 14

1 MILE
7000 FEET
OMETER

DEC 29 1994

ROAD CLASSIFICATION
Heavy-duty... 4 LANE 16 LANE Light duty...
Medium-duty... 4 LANE 16 LANE Unimproved dirt...
U. S. Route State Route

INTERIOR GEOLOGICAL SURVEY, WASHINGTON, D. C.
BUHL (U. S. 30) 1.9 MI.
TWIN FALLS 19 MI.

42°37'30" 114°45'

47-07481



#1
PID



#2
Measurement weir
located in ditch
about 50' below
PID.

DEC 29 1994

47-07481



#3 Delivery ditch to Fish pond looking downstream from site of weir.



#4.
Two 18" steel pipe that deliver water from ditch to Fish pond

MISSOURI
DEC 29 1994

47-07481



#5 Fish pond looking North From South end of pond.



#6
Over Flow From
aesthetic pond in
creek channel.

ARCHIVED
DEC 29 1994

47-07481



#7.

P/U - Aesthetic pond



#8.

P/U. - Small orchard
and irrigated pasture,

ABANDONED
DEC 29 1994

47-07481

#9



P14 - Aesthetic
pond. Photo
taken 12-8-93

#10



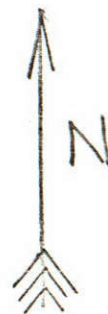
P14 -
Irrigated area
looking West
from dam.

RECEIVED
DEC 29 1994

RECEIVED

AUG 31 1978

Department of Water Resources
Southern District Office



Raceways will be
Approx. 30'x100'
Dirt ponds constructed
to fit into the terrain

Alternate
P.D.
P.D.
Small Diversion
Dam

Stream

South 1/16 cor.
Section 14

SE 1/4 cor
Sec 14

MICROFILMED

7/25/78
OKCS

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Terry G. &/or Connie Blau, Twin Falls, Id., has on 6/30/78 submitted Application No. 47-7481 for a permit to appropriate 8.0 cubic feet per second of water from Unnamed stream (Melon Valley Cr.) tributary of Unnamed Stream (Silo Cr.) by means of diversion dam, ditches to ponds within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 9S, Rge. 14E., B.M., Twin Falls County to be used from Jan. 1 to Dec. 31 for recreation, aesthetics, & fish production, and from March 15 to November 15 for irrigation purposes of 3 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 9S, Rge. 14E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 31, 1978.

C. STEPHEN ALLRED
Director

PUBLISH: July 13 and 20, 1978.

RECEIVED

JUL 24 1978

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS ss.

No 7232

I, Iola S. Laughlin being first duly sworn upon oath, depose and say that I am Thurs. Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated July 13, 1978, and ending with the issue dated July 20, 1978.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Iola S. Laughlin
Subscribed and sworn to before me on this July, 1978 day of

Joseph Jennings
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07481

Priority: June 30, 1978

Maximum Diversion Rate: 7.84 CFS
Maximum Diversion Volume: 5659.6 AF

This is to certify, that TERRY G BLAU
CONNIE BLAU

2997 APRIL DR

TWIN FALLS ID 83301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1978; and has submitted Proof of Beneficial Use on September 1, 1988. An examination indicates that the works have a diversion capacity of 10.890 cfs of water from:

UNNAMED STREAM

tributary to MUD CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.02 CFS	0.8 AF
FISH PROPAGATION	01/01 to 12/31	7.82 CFS	5658.2 AF
RECREATION STORAGE	01/01 to 12/31		0.6 AF
AESTHETIC STORAGE	01/01 to 12/31		0.6 AF
Totals		7.84 CFS	5659.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 09S, Range 14E
SWSE , Sec. 14, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	14E	14	NWSE	0.2		0.2

Total number of acres irrigated: 0.2

PLACE OF USE:

FISH PROPAGATION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

DEC 29 1984

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

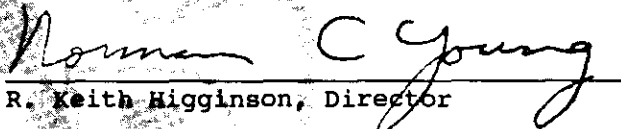
WATER RIGHT NO. 47-07481

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
7. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. Two points of diversion are located within NWSE, S14, T09S, R14E.
9. Source is known locally as Melon Valley Creek.
10. The fish propagation facility volume is 29,520 cubic feet.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20TH
day of DECEMBER, 1994.

Acting for


R. Keith Higginson, Director

DEC 20 1994

RECEIVED

NOV 17 1994

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-07481

Date of Priority: June 30, 1978

Maximum Diversion Rate: 8.00 CFS
Maximum Diversion Volume: 5791.8 AF

Comes now

TERRY G BLAU
CONNIE BLAU

2297 APRIL DR
TWIN FALLS ID 83301

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 47-07481, and requests that the permit be changed as follows:

Source: **UNNAMED STREAM**

tributary to **MUD CREEK**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.02 CFS	0.8 AF
FISH PROPAGATION	01/01 to 12/31	7.82 7.80 CFS*	5658.2 5647.0 AF*
RECREATION	01/01 to 12/31	8.00 CFS	5791.8 AF
AESTHETIC	01/01 to 12/31	8.00 CFS	5791.8 AF
Totals		8.00 CFS	5791.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 09S, Range 14E
SWSE , Sec. 14, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	14E	14	NWSE	0.2		0.2

Total number of acres irrigated: 0.2

PLACE OF USE:

FISH PROPAGATION, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

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DEC 29 1994

* Per telephone conversation with Terry Blau on 12/12/94.

S.W. Keen

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-07481

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Twain Falls, this 14th day of Nov, 1994.

Len Blau
(Signature)

DEC 29 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07481

FOR DEPARTMENT USE ONLY

Preliminary check by B Fee = 50⁰⁰ Received by RT # 0031676 Date 11-17-94 ✓

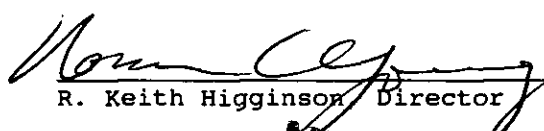
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 47-07481 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
7. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. Two points of diversion are located within NWSE, S14, T09S, R14E.
9. Source is known locally as Melon Valley Creek.
10. The fish propagation facility volume is 29,520 cubic feet.

Witness my hand this 20TH day of DECEMBER, 1994.


R. Keith Higginson Director

DEC 29 1994

SEP - 1 1988

Form 217

03/86

RECEIVED

SEP 1 1988

RECEIVED

SEP 06 1988

For Office Use Only
Fee Received \$275.00
Date 9/1/88
Receipt # 5007026
Receipt by JG
Reviewed by JG
Sent to region SO

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 47-7481

Name(s) of Permit Holder: TERRY G. AND/or CONNIE BLAU

Post Office Address: 157 BONNY DRIVE, TWIN FALLS, ID, 83301

Telephone No. 733-6008

Source of Water: UN NAMED Stream (Melon Valley cr)

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Fish Production 8 cfs

Recreation + Aesthetics 7.8 cfs

Total rate and/or volume for which proof is submitted 8.0 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 6/30/78

Measuring Device: Required? ☒ Yes _____ No
Installed? ☒ Yes _____ No

Fee enclosed \$ 275.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? _____ Yes _____ No
Installed? _____ Yes _____ No

Person to contact to accompany the Department representative during the field examination:

SAME AS ABOVE
(Name) (Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

9/1/88
Date

Terry Blau
Signature of Permit Holder (and title, if appropriate)

OCT 11 1988

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**RECEIVED**

AUG 29 1983

SEP 2 1983

Department of Water Resources
Southern District OfficeTo provide additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

REQUEST FOR EXTENSION OF TIMETERRY G. ^{And} or Connie Blau of 157 Bonny Drive, Twin Falls, ID 83301
(Name) (Address)State of Idaho, deposes and says:That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 47-7481.That under the terms and conditions of said permit, work thereunder was required to be completed on or before Sept. 1, 1983.That he has heretofore performed the following work described under said permit: Approved with
a capacity of Approx. 100,000 cu.ft. has been constructed for the purpose
of Recreation, Aesthetics and fish production. This will also act as a
diversion for Commercial ponds. 1.5-2 acres has been irrigated. At least
300 man hours have been spent on construction site preparation ^{Plus} Costing \$ 3500⁰⁰That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The Commercial fish market became depressed shortly after opening and
is just now beginning to recover. It did not seem prudent to develop for that purpose during the
time the permit was valid. If the market continues to recover I would like to complete development
I did not want to purchase a pump sprayer & drip system to complete irrigation until the
the Susan Falls Fed Power vs. State of Idaho litigation was settledWherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Sept. 1, 1988.Terry G. Blau
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESIT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial is extended to September 1, 1988.Signed this 15th day of September, 19 83.J. Glen Saxton
Chief, Operations Bureau\$15.00 fee received by afDate 9-2-83Receipt # 32643

MICROFILMED

Identification No. _____

Application No. 47-7481

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Terry G. &/or Connie Blau Phone: 733-6008
post office address Route #2, Twin Falls, ID 83301
Valley Cr.)
2. Source of water supply Unnamed Stream (Melon which is a tributary of Unnamed Stream (Sito Cr.)
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 Township 9S
Range 14E., B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Unnamed Stream (Melon at a point in NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 14 Township 9S Range 14E., B.M. _____
4. Water will be used for the following purposes:
Amount 7.8cfs for Fish Production purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) Per Phone call J.S.
Amount .2cfs for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 8.0cfs for Recreation & Aesthetics purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 8.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam, ditches to ponds.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 Township 9S
Range 14E., B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: Raising fish for recreational, domestic,
and commercial.

MICROFILMED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	14														3			3

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

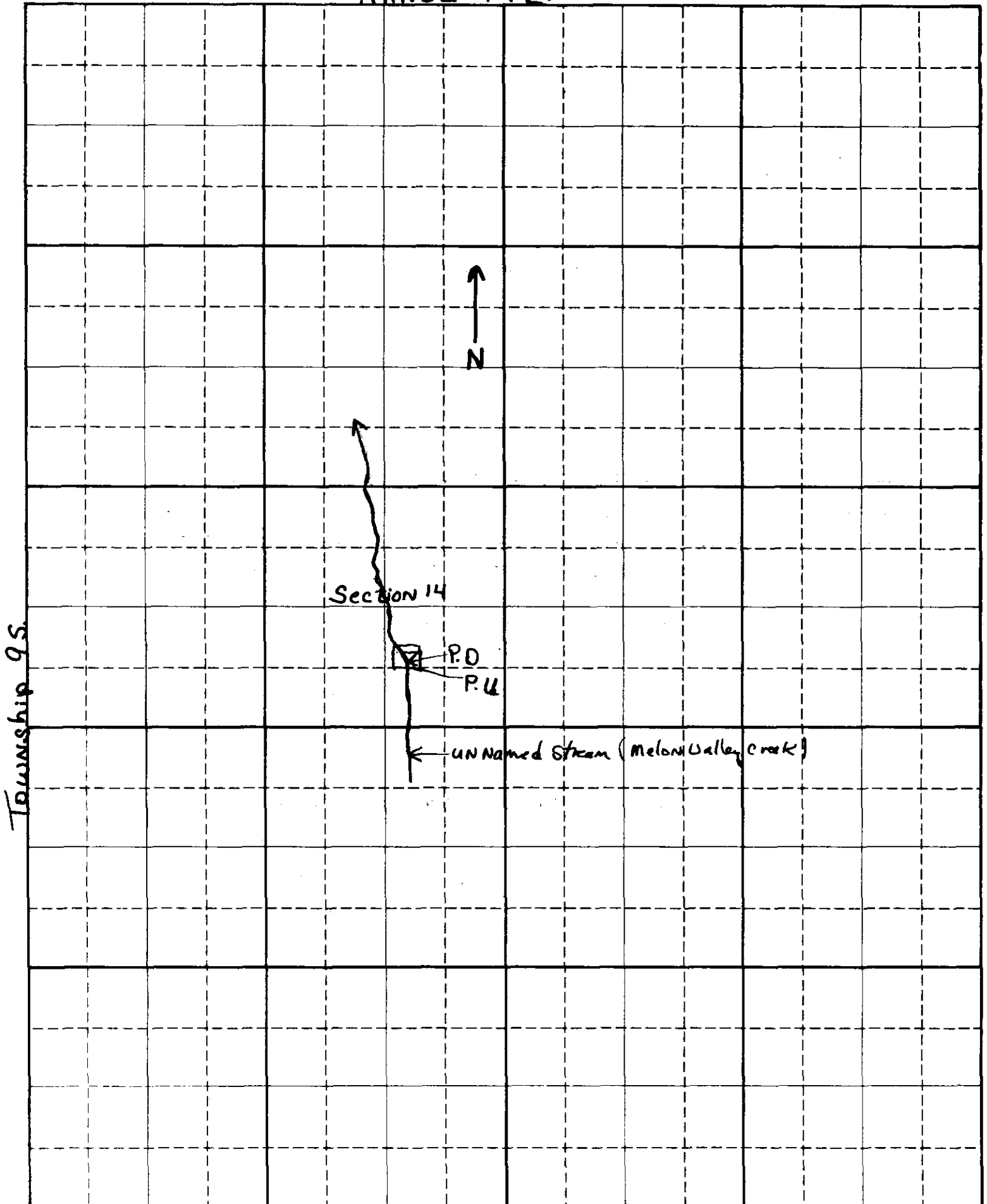
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 14 E.



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.

James A. Blaw
(Applicant)

Proposed Priority 6/30/78
Received by Sm Date 6/30/78 Time 3:50 p.m.
Preliminary check by JP Fee \$ 95.00 # 10488
Received by Sm Date 6/30/78
Publication prepared by Sm Date 7/6/78
Published in Times News
Publication dates 7/13 + 7/20/78
Publication approved CS Date 7/25/78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LH JP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7481, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 83.
- c. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Return water shall be treated to insure that the effluent meets intra-state stream water quality standards.

Witness my hand this 22 day of September, 19 78.

J. Glen Saxton
Chief, Operations Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 22, 1994

TERRY G BLAU
CONNIE BLAU
2997 APRIL DR
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-07481

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

A faint, rectangular stamp with illegible text, possibly a date or administrative mark.

DEC 29 1994

M E M O R A N D U M

DATE: December 16, 1994

TO: File 47-07481

FROM: Shelley W. Keen

SWK

RE: Fish Propagation Diversion Rate

=====

Under permit 47-07481 the amount allowed for irrigation was not entirely appropriated. However, the amount allowed for fish propagation was exceeded. Therefore, the permit holder has asked that some of the amount allowed for irrigation be applied to the fish propagation use. Based on the following change in nature of use analysis, I am recommending that 0.02 cfs and 11.2 AF be added to the fish propagation use.

The permit allowed 0.12 cfs to be appropriated for the irrigation of 3 acres. The irrigation of 3 acres would require a diversion volume of about 12 AF and a consumptive use volume of about 9 AF. But, because only 0.2 acres are irrigated, the irrigation appropriation is only 0.02 cfs, 0.8 AF diversion volume, and 0.6 AF consumptive use volume. Therefore, there is a difference of 0.10 cfs, 11.2 AF diversion volume, and 8.4 AF consumptive use volume available for bolstering the fish propagation appropriation.

The fish propagation diversion occurs 24 hours a day for 365 days per year. A diversion of 0.10 cfs for that duration would produce 72 AF, which exceeds the 11.2 AF volume available. The fish propagation use is non-consumptive, so the available consumptive use volume would not be exceeded. Therefore, the controlling parameter is the 11.2 AF diversion volume.

Because only 11.2 AF is available to be applied to the fish propagation use, and because 0.10 cfs would exceed that volume, the rate that would produce 11.2 AF should be determined. A diversion of 0.015 cfs for 24 hours each day over 365 days a year would produce 11.2 AF. Rounding that up, the allowable rate is 0.02 cfs.

Therefore, the rate for fish propagation can be increased by 0.02 cfs from 7.80 cfs to 7.82 cfs. The diversion volume for fish propagation can be increased by 11.2 AF from 5647 AF to 5658.2 AF.

DEC 29 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 10, 1994

TERRY G BLAU
CONNIE BLAU
2297 APRIL DR
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-07481

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 29 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 12, 1994

TERRY G BLAU
CONNIE BLAU
2297 APRIL DR
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 47-07481

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

A faint, circular official stamp or seal, mostly illegible due to fading.

DEC 29 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-07481

1. Owner: TERRY G. & CONNIE BLAU Phone No. 733-6008

Current Address: 2297 APRIL DR.; TWIN FALLS ID 83301

2. Accompanied by: TERRY BLAU EXAM DATE: 10-27-93

Address: SAME Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: UNNAMED STREAM (MELON VALLEY CR.) tributary to UNNAMED STREAM (SILCO CREEK) to Mud Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE Irrig. P/D also serves Claim

C. DIVERSION AND DELIVERY SYSTEM

A47-04166A per unrecorded transfer

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
293			NW	SE	14	9S	14E	Twin Falls	USGS Topo map - Fish P/D
1			SW	SE	14	9S	14E	"	" " " - Irr. P/D

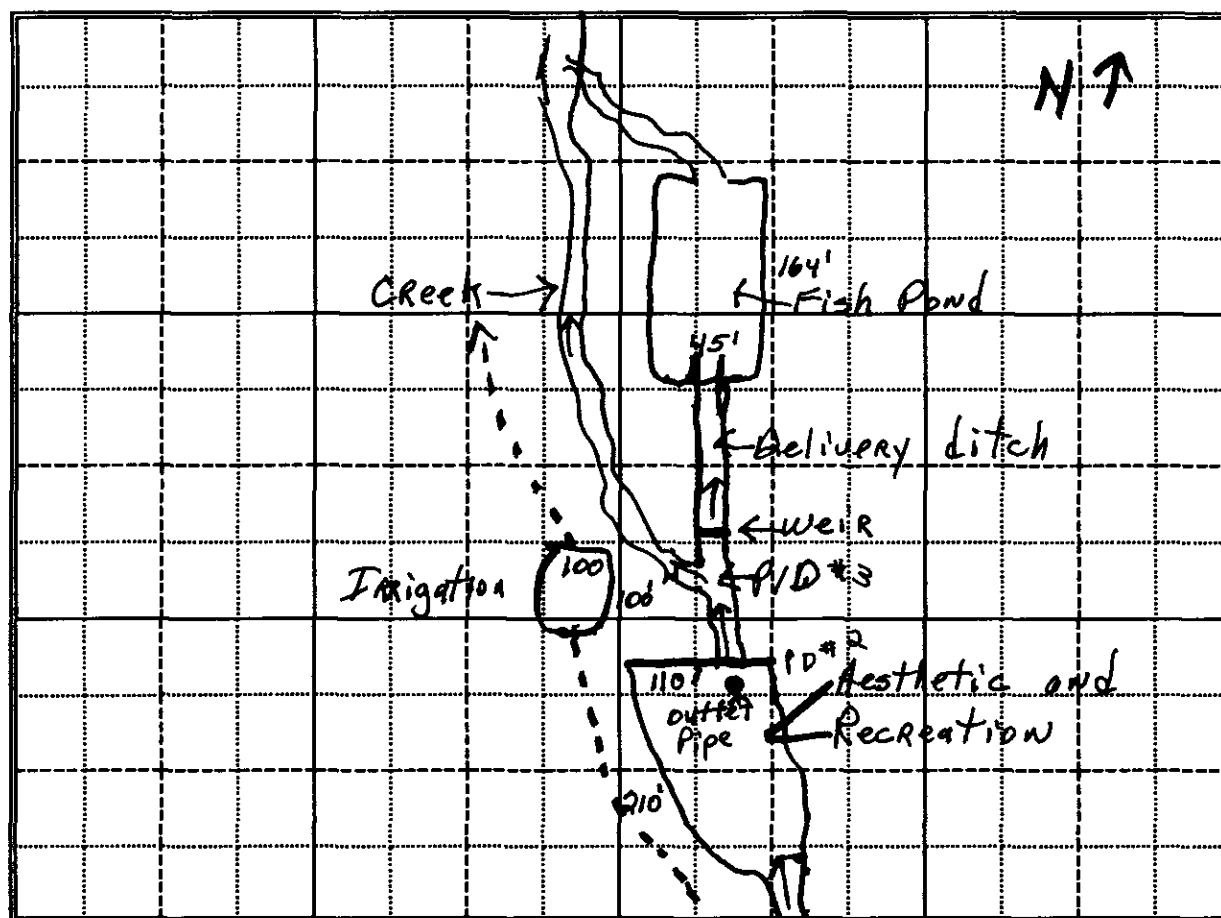
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	14E	14														.2			.2
																R			
																J			
																H			

DEC 29 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = Not to scale

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
3' staff gauge and 4' rectangular weir						
5 gallon bucket and stop watch.						

2. Measurements: .90' on a 4' rectangular weir - fish pond

5 gallons in 49 seconds for irrigation.

DEC 20 1984

E. NARRATIVE/REMARKS/COMMENTS

No overlaps

See attached

When first built, the on-stream pond was deep enough for fishing & swimming. The pond has nearly silted in, causing warming of the water & heavy weed growth. Owner plans to dredge out the pond so that recreational uses can resume, so this use is recommended for licensing. 2-11-94

Have conditions of permit approval been met? ☐ yes ☐ no ? Unknown if return flows meet water quality standards.

DEC 29 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

*See attached table for fish propagation measurement.***G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:**

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .2 \times 4 = 0.8 \text{ ofa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .01 \times 214 \times 1.9835 = 4.2 \text{ ofa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 0.8$$

2. Volume Calculations for Other Uses:*See attached for fish propagation calculations**Recreation & Aesthetic:*

$$8 \text{ cfs} \times 1.9835 \times 365 = 5,791.8 \text{ ofa (non-consumptive)}$$

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Irrigation</i>	<i>4-1</i>	<i>10-31</i>	<i>.02 cfs</i>	<i>0.8 ofa</i>
<i>Fish Propagation</i>	<i>1-1</i>	<i>12-31</i>	<i>7.8 "</i>	<i>5,647.8 "</i>
<i>Recreation</i>	<i>1-1</i>	<i>12-31</i>	<i>8.0</i>	<i>5,791.8 "</i>
<i>Aesthetic</i>	<i>1-1</i>	<i>12-31</i>	<i>8.0</i>	<i>5,791.8 "</i>
Totals:			<i>8.0 cfs</i>	<i>5,792.6 ofa</i>

2. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name *Mike Schulte* Date *12-22-93*

Reviewer _____ Date _____

SEAL

RECEIVED

DEC 29 1994

47-07481 NARRATIVE/REMARKS/COMMENTS

The source of water for this permit is an unnamed stream known locally as Melon Valley Creek. Water for the fish propagation component is diverted into a small ditch that carries water for about 200' where it flows through two 18" x 20' steel pipe into the fish pond. The pond dimensions are about 45' x 164' x 4' deep as determined with a 100' tape measure. About 50' below the P/D a 4' rectangular weir has been permanently installed in the diversion ditch. The construction of the weir appeared to be satisfactory. The flow on the weir blade was measured at .90' of head. While a measurement on the weir blade is not the preferred method, it does substantiate the amount diverted is sufficient to cover the permitted rate of 7.8 cfs and is not excessive. Discharge water from the pond returns to the stream about 100' below the pond. The location is further described below.

The recreational and aesthetic components utilize a small instream pond about .25 of an acre in surface size. This pond is about 300' upstream from the fish pond and about 100' upstream from the fish pond P/D. It was constructed by building a small dam about 9' high across the unnamed stream channel. The pond has a 24" vertical overflow pipe that helps maintain a relative constant depth in the pond. It is used for fishing, swimming and other aesthetic uses.

No separate measurement was made for the aesthetic/recreational use. The measurement of 10.89 cfs at the fish propagation weir was estimated to be about one-half of the total stream flow and supports that there is more than enough water in stream to support the 8.0 cfs diversion rate for aesthetic and recreational use.

The irrigation component consists of a small orchard area about 100' x 100'. Irrigating the fruit trees also irrigates pasture grass around the trees. Water is delivered to this area in a small irrigation ditch that also carries water to a pasture downstream that is not part of this permit. A one inch plastic pipe is used to divert water from the ditch and to irrigate. It is manually moved from one area to another. A 5 gallon bucket and stop watch measured .013 cfs (6gpm) from the pipe which is adequate to efficiently water the orchard. Allow 0.03 cfs minimum flow.

Water from the fish pond returns to the unnamed stream known as Melon Valley Creek in the NWNWSE, S14, 9S, 14E. Melon Valley Creek flows North and enters another unnamed stream known as Silo Creek in the NESW, S11, 9S, 14E. Silo Creek flows into Mud Creek in the NWSW, S11, 9S, 14E.

47-07481
NARRATIVE/REMARKS/COMMENTS
P. 2 of 2

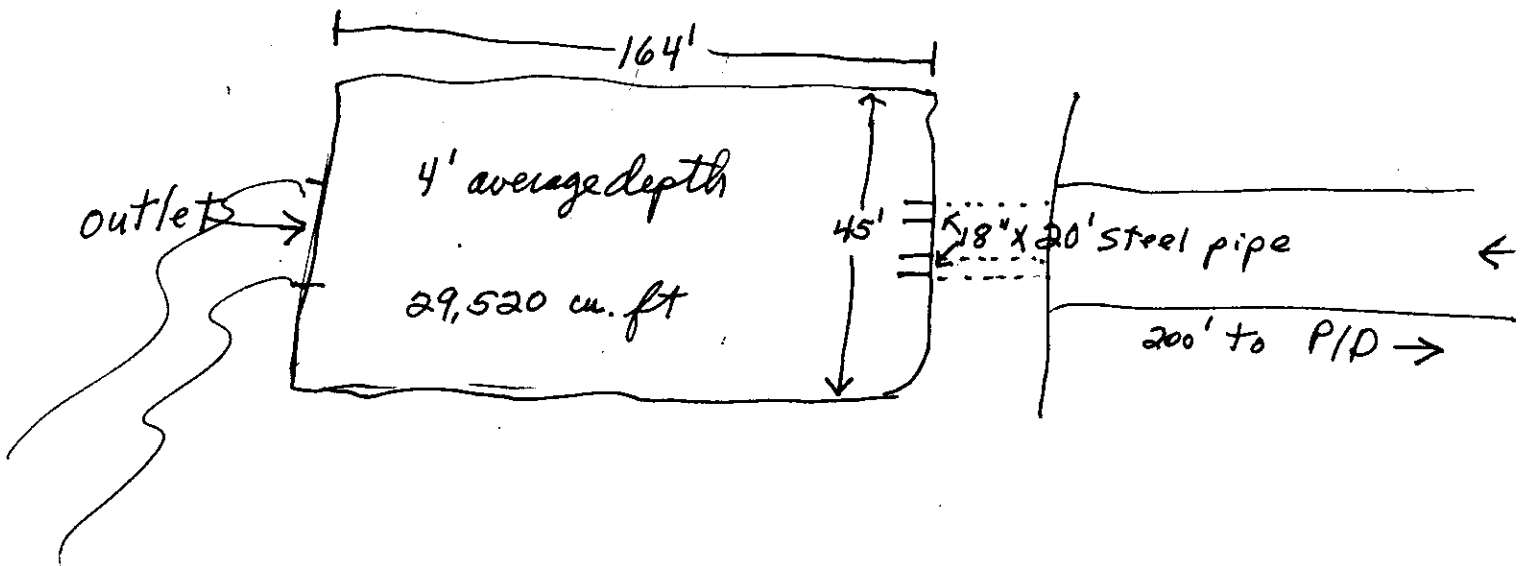
47-07481

Annual Volume for Fish Propagation

1. Calculate changes per hour:
total flow into facility x 3600/facility volume(cf)=changes
2. Calculate annual volume:
facility volume(AF) x changes x 8760=AFA
3. Calculate volume given by permitted flow:
flow rate(cfs) x 1.9835 x 365 days=AFA
4. Recommend lower figure

-
1. 7.8 cfs x 3600/ 29,520 cf = .95
 2. .67 AF x .95 x 8760 = 5659 AFA
 3. 7.8 cfs x 1.9835 x 365 days = 5647.0 AFA

RECOMMENDATION: 5647.0 AFA



APPROVED
JUN 29 1994

47-07481

Table 3 (Continued). Flow over rectangular contracted weirs.

Head in ft. "H"	Head in inches, approx.	Crest length (L)					For each additional foot of crest in excess of 4 ft. (approx.)
		1.0 foot	1.5 feet	2.0 feet	3.0 feet	4.0 feet	
		Flow in cubic feet per second					
0.60	7-3/16	1.45	2.20	2.96	4.47	6.00	1.53
0.61	7-5/16	1.49	2.25	3.03	4.59	6.14	1.55
0.62	7-7/16	1.52	2.31	3.10	4.69	6.29	1.60
0.63	7-9/16	1.56	2.36	3.17	4.81	6.44	1.63
0.64	7-11/16	1.60	2.42	3.25	4.92	6.59	1.67
0.65	7-13/16	1.63	2.47	3.32	5.03	6.75	1.72
0.66	7-15/16	1.67	2.53	3.40	5.15	6.90	1.75
0.67	8-1/16	1.71	2.59	3.47	5.26	7.05	1.79
0.68	8-3/16	1.74	2.64	3.56	5.38	7.21	1.83
0.69	8-1/4	1.78	2.70	3.63	5.49	7.36	1.87
0.70	8-3/8	1.82	2.76	3.71	5.61	7.52	1.91
0.71	8-1/2	1.86	2.81	3.78	5.73	7.68	1.95
0.72	8-5/8	1.90	2.87	3.86	5.85	7.84	1.99
0.73	8-3/4	1.93	2.93	3.94	5.97	8.00	2.03
0.74	8-7/8	1.97	2.99	4.02	6.09	8.17	2.08
0.75	9	2.01	3.05	4.10	6.21	8.33	2.12
0.76	9-1/8	2.05	3.11	4.18	6.33	8.49	2.16
0.77	9-1/4	2.09	3.17	4.26	6.45	8.66	2.21
0.78	9-3/8	2.13	3.23	4.34	6.58	8.82	2.24
0.79	9-1/2	2.17	3.29	4.42	6.70	8.99	2.29
0.80	9-5/8	2.21	3.35	4.51	6.83	9.16	2.33
0.81	9-3/4	2.25	3.41	4.59	6.95	9.33	2.38
0.82	9-13/16	2.29	3.47	4.67	7.08	9.50	2.42
0.83	9-15/16	2.33	3.54	4.75	7.21	9.67	2.46
0.84	10-1/16	2.37	3.60	4.84	7.33	9.84	2.51
0.85	10-3/16	2.41	3.66	4.92	7.46	10.01	2.55
0.86	10-5/16	2.46	3.72	5.01	7.59	10.19	2.60
0.87	10-7/16	2.50	3.79	5.10	7.72	10.36	2.64
0.88	10-9/16	2.54	3.85	5.18	7.85	10.54	2.69
0.89	10-11/16	2.58	3.92	5.27	7.99	10.71	2.72
0.90	10-13/16	2.62	3.98	5.35	8.12	10.89	2.77
0.91	10-15/16	2.67	4.05	5.44	8.25	11.07	2.82
0.92	11-1/16	2.71	4.11	5.53	8.38	11.25	2.87
0.93	11-3/16	2.75	4.18	5.62	8.52	11.43	2.91
0.94	11-1/4	2.79	4.24	5.71	8.65	11.61	2.96
0.95	11-3/8	2.84	4.31	5.80	8.79	11.79	3.00
0.96	11-1/2	2.88	4.37	5.89	8.93	11.98	3.05
0.97	11-5/8	2.93	4.44	5.98	9.06	12.16	3.10
0.98	11-3/4	2.97	4.51	6.07	9.20	12.34	3.14
0.99	11-7/8	3.01	4.57	6.15	9.34	12.53	3.19
1.00	12	3.06	4.64	6.25	9.48	12.72	3.24
1.01	12-1/8		4.71	6.34	9.62	12.91	3.29
1.02	12-1/4		4.78	6.43	9.76	13.10	3.34
1.03	12-3/8		4.85	6.52	9.90	13.28	3.38
1.04	12-1/2		4.92	6.62	10.04	13.47	3.43
1.05	12-5/8		4.98	6.71	10.18	13.66	3.48
1.06	12-3/4		5.05	6.80	10.32	13.85	3.53
1.07	12-13/16		5.12	6.90	10.46	14.04	3.58
1.08	12-15/16		5.20	6.99	10.61	14.24	3.63
1.09	13-1/16		5.26	7.09	10.75	14.43	3.68

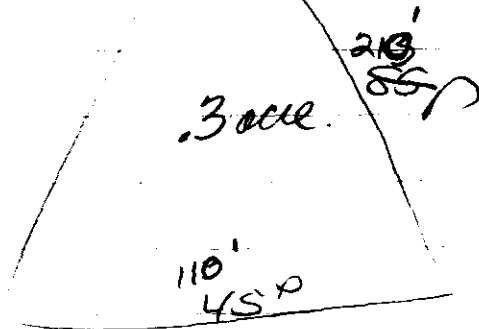
DEC 29 1994

10-27-93

47-7481

100' from outlet to ~~Unnamed~~ ~~Unnamed~~ Creek 5
Unnamed ^{NESW, S11} Sili Creek to Mud Creek ^{NWSW, S11}

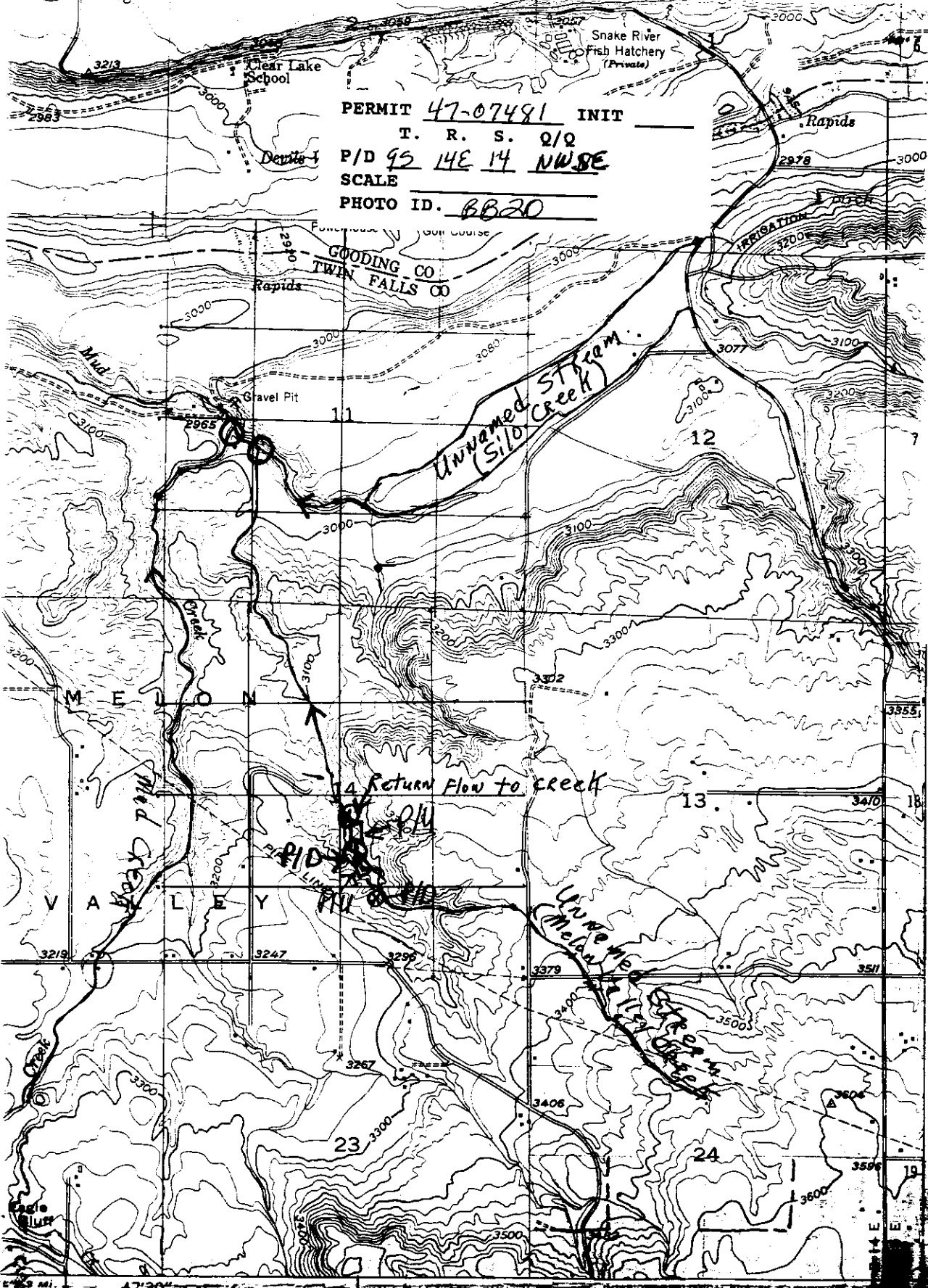
Aesthetic pond
45' x 85'



5 gallons = 49 sec from 1" PVC pipe
for irrigation of about $\frac{1}{2}$ acre ^{if fruit trees 6 gpm} = 5.61 gpm

.90' on 4' rectangular weir = 10.89 cfs.

DEC 29 1994



PERMIT 47-07481 INIT
T. R. S. Q/Q
P/D 95 14E 14 NWSE
SCALE
PHOTO ID. BB20

95, 14E
Sec 14

1 MILE
7000 FEET
OMETER

DEC 29 1994

ROAD CLASSIFICATION

Heavy-duty ——— 4 LANE 18 LANE Light duty ———
Medium-duty ——— 4 LANE 18 LANE Unimproved dirt ———
□ U. S. Route ○ State Route

BUHL (U.S. 30) 1.9 M
TWIN FALLS TO M

47-07481



#1
PID



#2
Measurement weir
located in ditch
about 50' below
PID.

DEC 29 1994

47-07481



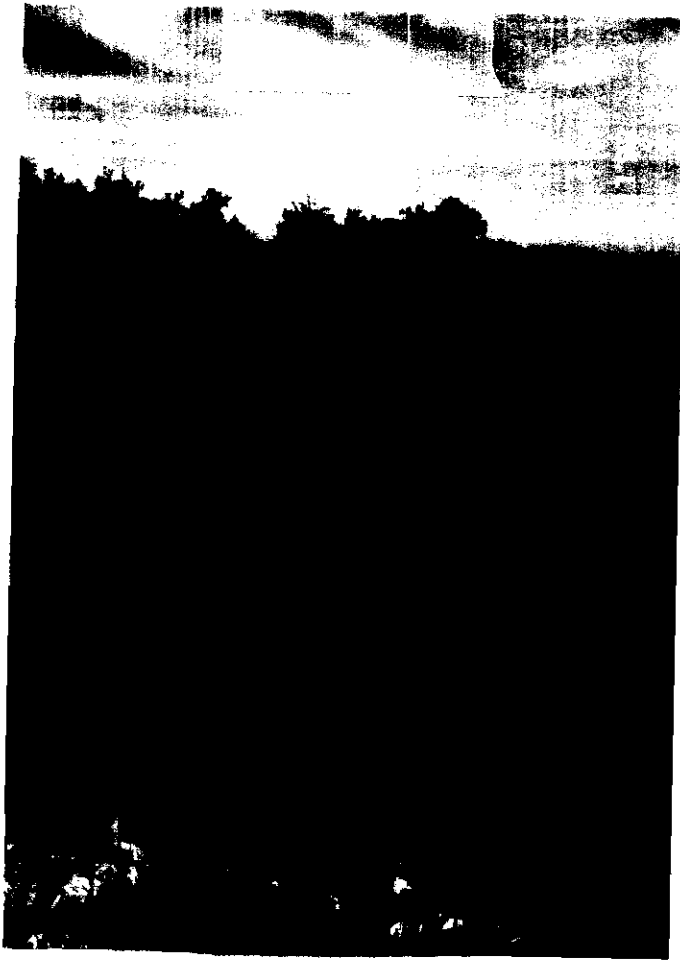
#3 Delivery ditch to fish pond looking downstream from site of weir.



#4.
Two 18" steel pipe
that deliver water
from ditch to fish
pond

DEC 29 1994

47-07481



#5 Fish pond looking
North From South end
of pond.



#6
Over Flow From
aesthetic pond in
creek channel.

DEC 29 1994

47-07481



#7.

P/U - Aesthetic pond



#8.

P/U. - Small orchard
and irrigated pasture,

DEC 29 1994

47-07481

#9



P14 - Aesthetic
pond. Photo
taken 12-8-93

#10



P14 -
Irrigated area
looking West
from dam.

DEC 29 1994

138044
CERTIFIED MAIL
June 30, 1988

BLAU, TERRY G. & CONNIE
157 BONNY DR.
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: Permit No. 47-7481

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAILED

OCT 11 1988

TERRY B. Blau
157 Bonny Dr
TWIN Falls ID. 83301

PLACE
STAMP
HERE

MAILED

OCT 11 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
JUN 24 1988
IDAHO DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-7481
Name(s) of Permit Holder(s): TERRY G AND/or CONNIE BLAU
Post Office Address: 157 BONNY DR - TWIN FALLS
ID 83301 Tel. No. 733-6008

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on April 1979 ^(date) and that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diversion works on the above referenced project has not yet begun due to the following reason beyond my control*:
NOT YET 11 1988

*Note: A financing difficulty is not an acceptable reason.

6-20-83
Date

Terry S. Blau
Signature of Permit Holder



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

OCT 11 1988

September 21, 1983

Terry G. and/or Connie Blau
157 Bonny Drive
Twin Falls, ID 83301

Dear Mr. and Mrs. Blau:

Re: Permit No. 47-7481

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to September 1, 1988.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure: Ext. of Time

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

September 2, 1983

**Terry G. Blau
157 Bonny Drive
Twin Falls, ID 83301**

PERMIT NO. **47-7481**

We are in receipt of the **\$15** extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. **32643.**

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

BLAU, TERRY G. & CONNIE
RT. 2
TWIN FALLS, ID 83301

PROOF DUE NOTICE

JUNE 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7481 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

ENCLOSURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 3, 1978

Re: Permit No. 47-7481

Terry G. &/or Connie Blau
Route #2,
Twin Falls, Idaho 83301

Dear Mr. or Mrs. Blau:

Your approved copy of your Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide the specifications for the installation to you.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw Enclosure

*sent access
port specs
2.20.79*

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes

DATE Aug 31, 1978

TO File 47-7481

SUBJECT Financial statement of Applicant

A review of the Applicant's finances on the above date indicates that he has sufficient resources to complete the project as proposed.

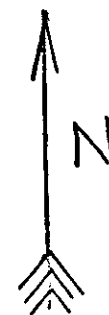
LH

MICROFILMED

RECEIVED

AUG 31 1978

Department of Water Resources
Southern District Office



Raceways will be
Approx. 30'x100'
Dirt ponds constructed
to fit into the terrain

Alternate
P.D.
P.D.
Small Diversion
Dam

Stream

SE 1/6 COR
Sec 14

South 1/4 Cor.
Sec 14

MICHAEL

RECEIVED

THIS DEED OF TRUST, Made this 7th day of September, 1977, BETWEEN

AUG 31 1978

TERRY BLAU and CONNIE BLAU, husband and wife,

herein called GRANTOR,
Department of Water Resources
Southern District Office

whose address is

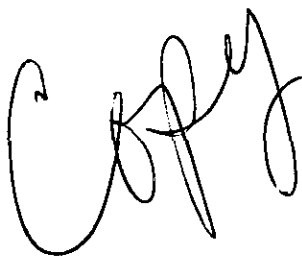
TITLEFACT, INC., an Idaho Corporation, herein called TRUSTEE, and

TitleFact, Inc., trustee for Melon Valley Ranches,

herein called BENEFICIARY

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the county of Twin Falls State of Idaho, described as follows and containing not more than twenty acres:

Lot G-11 in MELON VALLEY RANCHES, Twin Falls County, Idaho, according to the map recorded March 17, 1977, as Instrument No. 711808, records of Twin Falls County, Idaho.



TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority herein-after given to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of

Eight Thousand Seven Hundred and no/100----- Dollars, (\$8,700.00),

final payment due September 1, 1997 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

To protect the security of this Deed of Trust, Grantor agrees:

By the execution of this Deed of Trust and the note secured thereby, there are hereby incorporated and made an integral part hereof, for all purposes as though set forth herein at length, the provisions 1 to 6, inclusive of Part A and provisions 1 to 9, inclusive of Part B of the Master form Deed of Trust, a copy of which has been furnished to Grantor, said Deed of Trust recorded by TitleFact, Inc., in the miscellaneous records in the office of the County Recorder of the following County on the respective date and in the book and page or instrument No. hereinafter designated:

County	Recording Date	Instrument No.	Book	Page
Twin Falls	March 19, 1970		28	317
Owyhee	March 26, 1970	125264		

Request is hereby made that a copy of any Notice of Default and a copy of any such Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

Terry J. Blau
Terry Blau
Connie Blau
Connie Blau

STATE OF IDAHO, COUNTY OF Twin Falls
On this day of September, 1977,
before me, a Notary Public in and for said State, personally appeared

TERRY BLAU and CONNIE BLAU,
husband and wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same

Notary Public,

Residing at

Idaho.

STATE OF IDAHO, COUNTY OF Twin Falls

I HEREBY CERTIFY That this instrument was filed for record
at the request of TitleFact, Inc.

at minutes past o'clock M.,
this day of 19
in my office, and duly recorded in Book
of Mortgages at page

Ex-Officio Recorder.

Deputy.

Fees: \$

Mail to: Escrow Department
TitleFact, Inc.

P. O. Box 486
Twin Falls, Idaho 83301

MICROFILMED

INSTRUMENT No.

Department of Resources
Southern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Terry G. &/or Connie Blau
Twin Falls, ID
has on 6/30/78 submitted Application No. 47-7481
for a permit to appropriate 8.0 cubic feet per second ~~acre feet per annum~~
of water from Unnamed stream (Melon Valley Cr.) tributary of Unnamed Stream (Silo Cr.)
by means of diversion dam, ditches to ponds
within the NW 1/4 Sec. 14, Twp. 9S, Rge. 14E., B.M., Twin Falls County

to be used from Jan. 1 to Dec. 31 for recreation, aesthetics, & fish production, and
~~xxx~~ from Mar. 15 to Nov. 15 for irrigation purposes of 3 acres

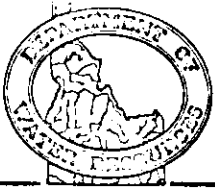
within the NW 1/4 Sec. 14, Twp. 9S, Rge. 14E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 31, 1978.

C. STEPHEN ALLRED

Director

Published in the Times News
on 7/13 and 7/20/78



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-6070

July 6, 1978

Times News
P. O. Box 548
Twin Falls, ID 83301

Re: Application For Permit No. 47-7480 - Terry G. &/or Connie Blau
" " " No. 47-7481 - Terry G. &/or Connie Blau

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Terry G. Blau
Acting Southern Region Supervisor

TGB:sm

Enc.

MICROFILMED