

RECEIVED

MAR 31 2021

WATER RESOURCES
WESTERN REGION

AMENDED

\$100.00
check
mailed/paid

Ident. No. 63-35034

FORM 202 Rev. 09/16

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

1. Name of applicant(s) DIANE E. RICE Phone 208-310-6211
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 10161 LILAC PL City MIDDLETON
 State IN ZIP 83644 Email derice102@gmail.com
2. Name of representative, if any N/A Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
04N	02W	8		SENE			CANYON	ground water	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.01 for Irrigation purposes from Mar. 15 to Oct. 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)
6. Total quantity to be appropriated is (a) 0.05 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 1 1/2" galvanized pipe
- 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 12. For dams 10 feet or more in height AND having a 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 6 inches; proposed depth of well is 100 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 3/19/2021; drilling firm BEAN'S WELL DRILLING; well was drilled for (well owner) NOLINA WAGNER (10161 LILAC PL); Drilling Permit No. D-008794
LEO & KELLY SAMUELS (1035 LILAC PL), DIANE E. RICE (10161 LILAC PL), MIDDLETON ID 83644

For Department Use

Received by LE Date 3/15/2021 Time 11:00 AM Preliminary check by JS
 Fee \$ 100.00 Receipted by LE Receipt No. W049196 Date 3/15/2021

8. Description of proposed uses (If irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- ☒ Domestic; show number of households 1 (0.43 acres my property)
- Other; describe fully. _____

9. 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	
04N	02W	8				0.4													
04N	02W	8				D													

Total number of acres to be irrigated: 0.43

10. 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? SOUTH MIDDLETON DRAIN

IS AVAILABLE FOR IRRIGATION; HOWEVER, I AM NOT PRESENTLY USING IT FOR SUCH.

- Who owns the property at the point of diversion? NONNA WAGNER, 1011 LILAC PL.
- Who owns the land to be irrigated or place of use? DIANE E. RICE
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. ORIGINAL WELL COLLAPSED, NECESSITATING DRILLING A NEW WELL. DURING PROCESS, IT WAS DISCOVERED THAT WATER RIGHTS HAD NEVER BEEN FORMALLY ASSIGNED.

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

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Diane E. Rice
Signature of Applicant

DIANE E. RICE
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

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MAR 31 2021

WATER RESOURCES
WESTERN REGION

Permission To Access Ground Water From Shared Well

I, Nonna Wagner, hereby grant permission for the owner of the property defined as 10161 Lilac Place, Middleton, Idaho, to access and divert water to said property indefinitely from the shared well located on my property at 10111 Lilac Place, Middleton, Idaho.

Nonna Wagner
Nonna Wagner, owner
10111 Lilac Place
Middleton ID 83644

3/31/21
Date

Diane E. Rice
Diane E. Rice, owner
10161 Lilac Place
Middleton ID 83644

3/31/21
Date

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MAR 15 2021

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
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 State ID ZIP 83644 Email derice102@gmail.com
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 Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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- c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 3/9/2021; drilling firm BEN'S WELL DRILLING;

well was drilled for (well owner) NOLAN WAGNER (10161 LILAC PL); Drilling Permit No. D-0087941.LEO & KELLY SAMUELS (10161 LILAC PL), DIANE E. RICE (10161 LILAC PL) MIDDLETON ID 83644

For Department Use

Received by LE Date 03/15/2021 Time 11:00 AM Preliminary check by [Signature]
 Fee \$ 100.00 Received by LE Receipt No. W049196 Date 03/15/2021

Superseded by Amended App RCVD 3/31/21 - [Signature]

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- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households 3 (0.43 acres my property)
- e. Other; describe fully. _____

9. 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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	8				0.4													
04N	02W	8				D													

Total number of acres to be irrigated: 0.43

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- b. Who owns the land to be irrigated or place of use? DIANE E. RICE
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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.

Diane E. Rice

Signature of Applicant

DIANE E. RICE

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources

Diane Rice Place of Use and Point of Diversion

10161 Lilac Place, Middleton, ID 83644



0 0.0125 0.025 0.05 Miles

- Place of Use (Rice)
- Shared Well Location





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 30, 2021

DIANE E RICE
10161 LILAC PL
MIDDLETON, ID 83644-5408

RE: Application for Permit No. 63-35034

Dear Applicant:

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 PRESS TRIBUNE on 5/6/2021 and 5/13/2021. 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,

Denise Lauerman
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 30, 2021

NONNA WAGNER
10111 LILAC PLACE
MIDDLETON, ID 83644

RE: Application for Permit No. 63-35034

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

Denise Lauerman
Administrative Assistant

Enclosure(s)

Lauerman, Denise

From: Lauerman, Denise
Sent: Thursday, April 29, 2021 4:54 PM
To: Legal Clerk
Subject: CANYON COUNTY Legal Notice - Application for Permit No.63-35034, 63-35042, Transfer No. 84799; WR No(s). 63-35046, 63-35047
Attachments: Cover Letter Canyon County 63-35034 63-35042 TR84799.docx; Legal Notice Canyon County 63-35034 63-35042 TR84799.docx

Good afternoon,

Please see the attached ad for publication on 05/06/2021 and 05/13/2021.

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 05/24/2021. Your cooperation is appreciated

Please *confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.*

Thanks much!
Denise

Denise Lauerman | Administrative Assistant
Idaho Dept. of Water Resources - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334.2190 | denise.lauerman@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 29, 2021

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 63-35034, 63-35042
Transfer No. 84799
Water Right No(s). 63-35046, 63-35047

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 5/24/2021. Your cooperation is appreciated.

Sincerely,

Denise Lauerman
Administrative Assistant

Enclosure(s)

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

63-35034

DIANE E RICE

10161 LILAC PL

MIDDLETON, ID 83644-5408

Point of Diversion SENE S8 T04N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.01 CFS

Total Diversion: 0.05 CFS

Date Filed: 03-15-2021

Place Of Use: DOMESTIC, IRRIGATION

T04N R02W S8 SENE

Water bearing zone to be appropriated is from 38 to 105 feet.

63-35042

JEFF SUTTON

CHERYL SUTTON

PO BOX 790

PARMA, ID 83660-0790

Point of Diversion SWSE S10 T05N R05W CANYON County Source UNNAMED DRAIN Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 0.26 CFS

Total Diversion: 0.26 CFS

Date Filed: 04-02-2021

Place Of Use: IRRIGATION

T05N R05W S10 SWSE

Total Acres: 13

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84799

MAMMOTH PROPERTIES INC DEFINED BENEFIT PENSION PLAN JOHN E THILL TRUSTEE, C/O GARRETT THILL

5233 N FIFESHIRE PL, BOISE, ID 83713-1828 has filed Application No. 84799 for changes to the following water rights

within CANYON County(s): Right No(s). 63-35046, 63-35047; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

Mammoth Properties Inc. (Company) is a property owner and developer near the Northwest edge of Lake Lowell in Canyon County.

The Company filed transfer no. 84799 to split ownership of water rights 63-32429 and 63-32432 and change the point of diversion for the applicant's split portions. The point of diversion will be a new well on the applicant's property.

Lori Graves of SPF Water Engineering is the representative for the transfer. Ms. Graves can be reached at 208-383-4140 or lgraves@spfwater.com.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 5/24/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/6/2021 and 5/13/2021

Shearer, Justin

From: Diane Rice <derice1022@gmail.com>
Sent: Wednesday, March 31, 2021 3:33 PM
To: Shearer, Justin
Subject: Re: Application for permit to appropriate water
Attachments: 2021.03.31WellAccessPermission.jpg

Hi, Justin

Here's the signed permission to access water from my neighbor, the property owner where the well is located.

Please let me know if you need anything else.

Diane

On Mon, Mar 29, 2021 at 11:56 AM Diane Rice <derice1022@gmail.com> wrote:
Hi Justin

Thanks for your email. Attached is the map I received from Aaron Skinner showing the point of diversion (Nonna Wagner's property at 10111 Lilac Pl), the place of use (my property at 10161 Lilac Pl) and other location information. Sorry, I thought that had been provided to you already.

I will secure written permission from Nonna today and forward that as well.

The number of households on my property using this well is one; the total number of households on all three properties (including Nonna Wagner at 10111 Lilac Pl and Kelly Wagner Samuels at 10135 Lilac Pl) is three.

Regarding the uses/amounts, I listed 0.04 cfs according to the * on page 2 of instructions: "*Domestic may describe uses where the total use does not exceed 2,500 gal/day nor 0.04 cfs." However, if I misunderstood, then by all means that can be changed to

On Thu, Mar 25, 2021 at 3:43 PM Shearer, Justin <Justin.Shearer@idwr.idaho.gov> wrote:

Good afternoon Diane,

I was recently assigned your application for permit to appropriate water (attached) and there are a few clarifications and pieces of additional information needed to make your application complete and accurate. I see that you have applied for a permit from ground water for domestic purposes. However, further on in the application you mention also wanting to irrigate up 0.43 acres. If this is the case, then I would recommend adding 'irrigation' as a proposed beneficial use/purpose in the amount of 0.01 cfs and changing the total quantity to be appropriated to 0.05 cfs. Additionally, I see that you have specified that this right would be for 3 households. If that is the case, then the total amount applied for domestic use should be $3 \times 0.04 \text{ cfs} = 0.12 \text{ cfs}$. If you are just applying for your household then the amount should remain 0.04 cfs for domestic purposes.

Secondly, a map of the proposed project is required with the application (item 14). Please provide a map that clearly identifies the proposed point of diversion, place of use, section #, township & range.

Lastly, you have noted that you do not own the property at the point of diversion. If this is the case, then please provide documentation showing that you have permission/access to the point of diversion.

Please make the necessary changes to your application and provide the requested additional information at your earliest convenience to allow for processing of your application to continue.

If you have any questions please feel free to contact me.

Thanks and regards,

Justin Shearer

Water Resource Agent, Sr.

(208)-334-2190

--

Diane Rice - Communications & Media

Equine Writer & Editor

10161 Lilac Pl, Middleton ID 83644

208-310-6211

"A reader lives a thousand lives before he dies...The man who never reads lives only one."

--George R. R. Martin

--

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IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED

MAR 17 2021

WATER RESOURCES
WESTERN REGION

1. WELL TAG NO. D 0087914

Drilling Permit No. 897820
Water right or injection well # _____

2. OWNER:

Name Nonna Wagner
Address 10111 Lilac Pl
City Middleton State ID Zip 83644

3. WELL LOCATION:

Twp. 04 North ☒ or South ☐ Rge. 02 East ☐ or West ☒
Sec. 8 10 acres 1/4 SE 1/4 NE 1/4Gov't Lot _____ County Canyon
Lat. 43 ° 42.0102 (Deg. and Decimal minutes)
Long. 116 ° 35.7222 (Deg. and Decimal minutes)
Address of Well Site 10111 Lilac PlCity Middleton
(Give at least name of road + distance to Road or Landmark)
Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☒ Other shared

5. TYPE OF WORK:

☐ New well ☒ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
bentonite chip	0	38	30 sacks	temp casing

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6	+2	98	.250	steel	☒	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 98

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☐ N Method _____Manufactured screen ☒ Y ☐ N Type alloy telescopeMethod of installation wash in

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
100	105	16		5	ss	.350

Length of Headpipe 4.5ft Length of Tailpipe wash in valvePacker ☒ Y ☐ N Type 3lip

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
-----------------	-----------	---------	------------------------------------	------------------

11. FLOWING ARTESIAN:

Flowing Artesian? ☒ Y ☐ N Artesian Pressure (PSIG) low

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 8 Static water level (ft) +2Water temp. (°F) cold Bottom hole temp. (°F) _____Describe access port turtle cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
at 100	35	60
	3	12hs

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐
☐	☐	☐	☒

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	2	topsoil		X
	2	33	gravel	X	
	33	38	clay		X
6	38	55	clay sandy streaks	X	
	55	75	clay		X
	75	90	sandy clay	X	
	90	100	clay		X
	100	105	sand medium	XX	

Completed Depth (Measurable): 105Date Started: 3-8-21Date Completed: 3-9-21

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Bens Well Drilling and Repair Co. No. 753*Principal Driller Ben M. Serrin Date 8-13-21

*Driller _____ Date _____

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.