

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Amended
@ office visit 4/23/15

1. Name of applicant(s) Roger Fairchild Phone 208-739-3287
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 2667 SW 3 1/2 Ave. City Fruitland
 State ID Zip 83619 Email roger@fmtc.com
2. Source of water supply ground water which is a tributary of _____
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
7N	5W	13			NW	SE	Payette	ground water	

4. Water will be used for the following purposes: irrigation 3/1 11/15
 Amount 0.27 for diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
 Amount 0.27 40 AF for industrial storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
 Amount 135 AF for irrigation from storage purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
 Amount 135 AF 40 AF for irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
10 AF aesthetic storage 1/1 12/31
5. Total quantity to be appropriated is (a) 0.27 cubic feet per second (cfs) and/or (b) 145 acre feet per year (af).
6. Proposed diverting works:
- Describe type and size of devices used to divert water from the source. Ground water to reservoir storage then to adjacent land by gravity flow to trees and to create pheasant habitat along canal banks.
 - Height of storage dam <10 feet; active reservoir capacity <10 acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
 - Proposed well diameter is 10 inches; proposed depth of well is 300 feet.
 - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 - If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. Growing trees which will create pheasant habitat along ditch bank. Pond will be kept full for aesthetic purposes along with storage.

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8. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	5W	13													5	25			30
																X			
																I			

Total number of acres to be irrigated: 30

x = storage pond I = industrial

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

none

10. 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:

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

Well will be used to fill pond or diverted directly into irrigation system. Industrial use is for cooling process water for vinegar distillery and cleaning of plant. Pond will continually be filled with water - evaporation losses n/a.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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

Roger Fairchild
Signature of Applicant

Roger Fairchild
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by KW Date 3-6-2014 Time 2:10 Preliminary check by KW

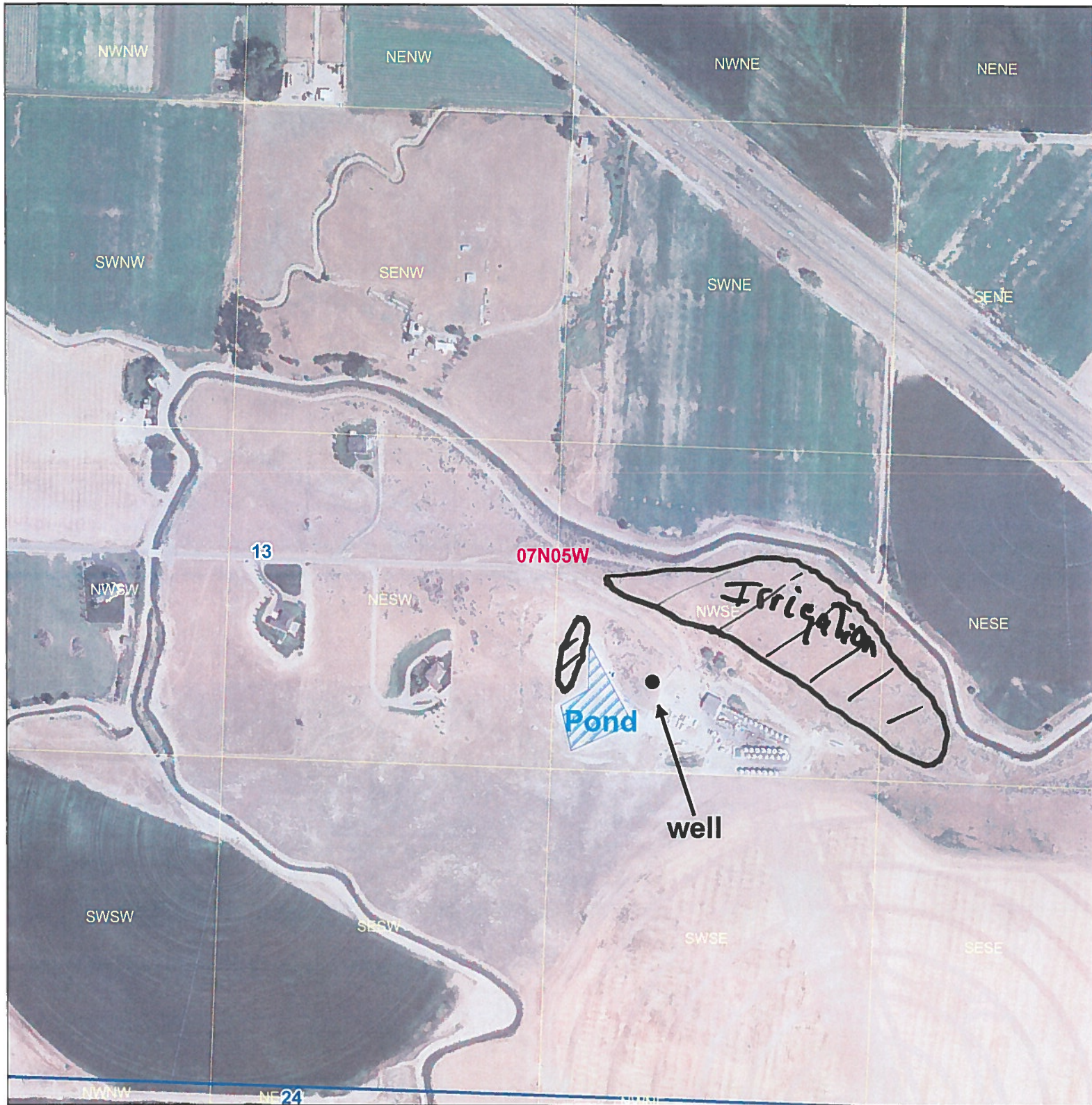
Fee \$ 290.00 Received by BB Receipt No. W042481 Date 8/28/14

\$50.00 read fee RS W043036 4/23/15

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Application Map



0 0.05 0.1 0.2 Miles

Legend

- Township/Range
- Sections
- QQ



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Sommer, Rachel

From: Sommer, Rachel
Sent: Friday, May 01, 2015 8:55 AM
To: 'LEGALS@IND-ENT.COM'
Subject: Payette Legal Ad
Attachments: Payette Cover Letter.docx; Payette Legal Ad.docx

Categories: Legal Ad Confirmed

Good Morning Melissa Swetland,

Please see the attached ad for publication on 5/6/15 & 5/13/15.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Water Resource Agent
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

May 1, 2015

LEGAL NOTICE DEPARTMENT
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23597

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 5/26/2015. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

65-23597

ROGER FAIRCHILD

2667 SW 3 1/2 AVE

FRUITLAND, ID 83619

Point of Diversion NWSE S13 T07N R05W PAYETTE County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 10 AF

Use: DIVERSION TO STORAGE, INDUSTRIAL 01/01 to 12/31 0.27 CFS

Use: IRRIGATION 03/01 to 11/15 0.27 CFS

Use: IRRIGATION FROM STORAGE 03/01 to 11/15 135 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 135 AF

Total Diversion: 0.27 CFS

Date Filed: 8/28/2014

Place of Use: INDUSTRIAL, AESTHETIC STORAGE, IRRIGATION STORAGE

T07N R05W S13 NWSE

Place of Use: IRRIGATION, IRRIGATION FROM STORAGE

T07N R05W S13 NESE NWSE

Total Acres: 30

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the rights, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. 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 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 5/26/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/6/2015 and 5/13/2015

Walker, Kay

From: Walker, Kay
Sent: Tuesday, April 21, 2015 1:56 PM
To: Roger Fairchild
Cc: Walker, Kay
Subject: RE: Water right application

Mr. Fairchild:

I was just looking at your application. It went through advertising and there were no protests. However, in our meeting before final action, my supervisor came up with some additional questions regarding this proposal. The questions we need to resolve are:

1. Are you going to pump water from the pond for your industrial use? If so, we will need to add an "Industrial from Storage" use to your application. If you are going to pump the water from the pond into your vinegar plant, how much water do you propose to pump for that use?
2. We need to add an "Aesthetic Storage" use to the application since you are going to look upon the pond from your home. This use can be added for year around use at 10 acre feet. We will have to re-advertise the application due to the additional uses.
3. We need to change the amount of water for your irrigation storage use to include all the water that will be stored in your pond. We have shown it to be 10 acre feet but will need to change that to the 135 acre feet that will be diverted into and out of the pond during the irrigation season.

If you will respond to the above questions, I will prepare an "Amended" Application for your signature and mail it to you so you don't have to come to Boise again. We will also have to charge you another \$100.00 to re-advertise this proposal. If you have any questions regarding this, feel free to e-mail or call me. Thanks for your attention to this matter.

Kay Walker
(208)334-2190

From: Roger Fairchild [<mailto:roger@goldenvalleyninegar.com>]
Sent: Tuesday, April 21, 2015 1:25 PM
To: Walker, Kay
Subject: Water right application

Hello Kay, I appreciate the help you gave me on my water right application.

Could you update me on its status?

Roger Fairchild
2667 S.W. 3 ½ Ave.
Fruitland, Id. 83619

208-452-4701 – Office
208-739-3287 – Cell
208-452-2964 - Fax

The following application has been filed to appropriate the public waters of the State of Idaho:

65-23597

ROGER FAIRCHILD

2667 SW 3RD AVE

FRUITLAND, ID 83619

Point of Diversion NWSE S13 T07N R05W

PAYETTE County Source GROUND WATER

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.27 CFS

Use: INDUSTRIAL STORAGE 01/01 to 12/31 10 AF

Use: IRRIGATION FROM STORAGE 03/01 to 11/15 135 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 10 AF

Total Diversion: 0.27 CFS

Date Filed: 8/28/2014

Place of Use: IRRIGATION STORAGE, INDUSTRIAL STORAGE

T07N R05W S13 NWSE

Place of Use: IRRIGATION FROM STORAGE

T07N R05W S13 NESE NWSE

Total Acres: 30

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GARY SPACKMAN, Director

Legal Number 86236

March 18, 25, 2015

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

County of Payette }

Jone B Hansen

Of Payette, Payette County, Idaho, being

First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Independent Enterprise, a weekly newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said County of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:

March 18, 25, 2015

Legal # 86236

Public Water

Department of Water Resources

2735 Airport Way

Boise, Id. 83705

Jone B Hansen

State of Idaho }

County of Payette }

On this 25th day of March in the year 2015

Before me a Notary Public, personally appeared.

Jone B Hansen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Yvonne DeLee

Notary Public for Idaho

Residing at Payette County

My Commission expires November 4, 2019

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WESTERN REGION

OK
4-8-15
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