

RECEIVED

Amended

NOV 05 2020

STATE OF IDAHO

Ident. No. 67-15366

RECEIVED

OCT 19 2020

DEPARTMENT OF WATER RESOURCES
WESTERN REGION
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) William Mooney Phone 208-991-2651
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 974 N. Woodvalley Pl City Eagle
 State IDAHO ZIP 83606 Email wtm@jwa.com
2. Name of representative, if any SAME 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 Springs which is a tributary of SINKS
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16N	04W	21		SE	NE	NE	Washington	Spring	N/A

5. Water will be used for the following purposes:
- Amount 10.0 cfs for Fire Protection purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 8.3 AF for Fire Protection Storage purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 8.3 AF for Fire protection from storage purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.06 cfs for Diversion to storage purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) 8.3 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing 2' diameter cistern pipe with 4" overflow 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 _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by LE Date 10/19/2020 Time 10:45AM Preliminary check by AS
 Fee \$ 100.00 Receipted by LE Receipt No. W048802 Date 10/19/2020

* This amended page supersedes
 the Oct 19, 2020 page

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DEPARTMENT OF WATER RESOURCES

OCT 19 2020**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. **WATER RESOURCES** Name of applicant(s) William Mooney Phone 208.941.2651
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 974 N. Woodvalley Pl City Eagle
 State Idaho ZIP 83606 Email wtm@jwcj.com
2. Name of representative, if any Same 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 Springs which is a tributary of Sinks
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>16N</u>	<u>04W</u>	<u>21</u>		<u>SE</u>	<u>NE</u>	<u>NE</u>	<u>Washington</u>	<u>Spring</u>	<u>N/A</u>

5. Water will be used for the following purposes:
- Amount .06 cfs for Fire Protection purposes from 01/01 to 12/31 (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)
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- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

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* This page is superseded by
 Nov 5, 2020 page

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 _____
 - Other; describe fully. Recent WILDFIRE thru property - Fire protection
pond - Storage water
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	
16N	04W	21	F																

Total number of acres to be irrigated: -0-

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? N/A
11. 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: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Recent WOODHEAD WILDFIRE - BUILD pond for
Fire protection water source.
13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

Signature of Applicant

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

2080 SEID creek - William Mooney
Cambridge, ID

Existing Spring - proposed pond for fire protection water.



Total Storage Calculations

FILE NUMBER	XX-XXXX
REVIEWER	Joe Agent
DATE	1/1/2000

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.04	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	8	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.32	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	5	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	2.9	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.1	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	8.3	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.06	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	4.78	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.01	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	3	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	10	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 13, 2020 1:58 PM
To: 'Brandi Horton-Bonner'
Subject: Application 67-15366
Attachments: 67-15366.pdf; Watermaster Recommendation Form.docx

November 13, 2020

BRANDI BONNER
WATER DISTRICT #67

RE: Application for Permit 67-15366

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **December 7, 2020**.

If you desire to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline..

IDWR will assume you do not object to this application(s) if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



Brad Little
Governor

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

Gary Spackman
Director

November 13, 2020

WILLIAM MOONEY
974 N WOOD VALLEY PL
EAGLE, ID 83616-3587

RE: Application for Permit No. 67-15366

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORD REPORTER on 11/18/2020 and 11/25/2020. 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,

Anna Kaiser
Water Resource Agent

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 13, 2020 12:59 PM
To: 'Gamaliel Masters'
Subject: WASHINGTON Legal Notice
Attachments: WASHINGTON Cover Letter.docx; WASHINGTON Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/18/2020 and 11/25/2020.

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

Thank you,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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Brad Little
Governor

Gary Spackman
Director

November 13, 2020

LEGAL NOTICE DEPARTMENT
RECORD REPORTER

RE: Application for Permit No. 67-15366

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 12/7/2020. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosure(s)

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

67-15366

WILLIAM MOONEY

974 N WOOD VALLEY PL

EAGLE, ID 83616-3587

Point of Diversion SENENE S21 T16N R04W WASHINGTON County Source SPRINGS Tributary SINKS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 8.3 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.06 CFS

Use: FIRE PROTECTION FROM STORAGE 01/01 to 12/31 8.3 AF

Total Diversion: 0.06 CFS 8.3 AF

Date Filed: 10-19-2020

Place Of Use: DIVERSION TO STORAGE, FIRE PROTECTION FROM STORAGE, FIRE PROTECTION STORAGE
T16N R04W S21 NENE

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 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/19/2020 and 11/26/2020

MEMORANDUM

TO: 67-15366
FROM: Shilynn Novak
DATE: November 5, 2020
RE: Communication with Applicant

William "Bill" Mooney submitted his application for permit Oct 19, 2020. After initial review, additional information regarding pond parameters was requested by email on October 29, 2020. The additional information was to determine if the pond met the 24 hour rule or if it was storing water. Mr. Mooney called November 3, 2020 and stated he intended to store water and that he was going to try building a 40' (L) x 40' (W) x 20' (deep) pond to protect his property from fires such as the Woodhead Fire.

An email was sent to Mr. Mooney November 5th that described necessary changes to his application to show a storage component. Mr. Mooney amended his application November 5, 2020 to show his intentions to store water. Since the pond is being filled by surface water in Water District 67, a letter was included in the email to Mr. Mooney that described the June 15th curtailment for surface water users. Mr. Mooney returned the questionnaire enclosed with the letter stating the June 15th curtailment will work for him.

APPLICATION NUMBER

67-15366

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WATER RESOURCES
WESTERN REGION

CHOOSE ONE OF THE FOLLOWING OPTIONS:

 NO

An approved application with a June 15 curtailment requirement will not work for me.
I withdraw my application. Please issue a full refund of the application fee that I paid.

 X YES

An approved application with a June 15 curtailment requirement will work for me.
Please process my application.

If Yes: Provide at least 1 example of how you will benefit from the water through June 15 and how you can stop diverting water if needed:

USE A GASOLINE TRASH PUMP w/ HOSE FOR FIRE PROTECTION IF NEEDED - SPRAY HOUSE AND DECK AREAS. - WILL HAVE TO INSTALL A SHUT OFF AT PIPE THAT DIVERTS WATER FROM SPRING.

 MORE TIME

I request an interruption in processing for up to six months, the maximum amount of additional time under IDWR Water Appropriation Rule 40, to help me decide what to do.

Applicant Name (Print)

William Mooney

Applicant Signature

W. Mooney

Date

11.5.20

Return to:

IDWR Western Region
2735 Airport WY
Boise, ID 83705-5082



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 5, 2020

WILLIAM MOONEY
974 N WOODVALLEY PL
EAGLE, ID 83616

COPY

Re: Application for Permit No. 67-15366

Dear Applicant:

You filed an application for a new water right from a regulated source within the Weiser River Water District. Regulated sources include tributary surface water and tributary shallow ground water (ground water above the first confining layer in the aquifer). If approved, your application would be a junior water right.

The Weiser River Watermaster regularly curtails junior water rights by June 15 each year. This is necessary under Idaho law to protect senior water rights when the water supply is not adequate to fill all rights at the same time.

This means your application, if approved, would include conditions of approval automatically curtailing your new use by June 15 of each year. This condition of approval balances protection of senior water rights with promotion of the maximum economic benefit of water resources.

If your application is approved, it could include the following conditions:

No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

Diversion of water after June 15 of each year in violation of the conditions of this water right is cause for the director to cancel or revoke this water right.

To determine if you want to proceed with your application based on the above explanation, please complete and return the enclosed questionnaire. Your written reply must be received within the next thirty (30) days. Failure to make a timely response will cause your application to be voided. A refund of the application fee cannot be issued for a voided application.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions.

Sincerely,

Shilynn Novak
Water Resource Agent

Enclosure: Curtailment Form