

RECEIVED

OCT 15 2020

FORM 202 Rev. 09/16

RECEIVED

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

Ident. No. 63-34962

DEPARTMENT OF WATER RESOURCES

SEP 25 2020

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Mussell Construction Phone 208-466-3111
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 3304 City Nampa
 State Idaho ZIP 83653 Email mike@mussellconstruction.com
2. Name of representative, if any Mike Mussell Phone 208-850-7777
 Mailing address P.O. Box 3304 City Nampa
 State Idaho ZIP 83653 Email mike@mussellconstruction.com
- 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 Groundwater which is a tributary of N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
2N	2W	5			SW	SE	Canyon	Groundwater	63-23337

5. Water will be used for the following purposes:

Amount .03cfs for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)

correct 10/13 Amount 3.34cfs for fire suppression purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

10/13 Amount .04cfs for commercial purposes from 1/1 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)

6. Total quantity to be appropriated is (a) 3.34cfs cubic feet per second (cfs) and/or (b) n/a acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Pressurized irrigation from well
- b. Height of storage dam n/a 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 8" inches; proposed depth of well is 300 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by LE Date 09/25/2020 Time 10:40AM Preliminary check by AB
 Fee \$ 370.00 Received by LE Receipt No. W048735 Date 09/25/2020

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

- Hydropower; show total feet of head and proposed capacity in kW. n/a
- 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. Commercial use is a reception hall.

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	
2N	2W	5															1		1
																	C		

Total number of acres to be irrigated: 1

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? Water rights with Boise-Kuna Irrigation and Nampa and Meridian Irrigation. Yes well water will be used for irrigation.

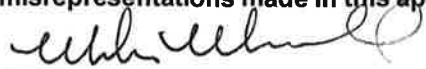
- Who owns the property at the point of diversion? Lovelace Kido Lakeside Venues, LLC
- Who owns the land to be irrigated or place of use? Lovelace Kido Lakeside Venues, LLC
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Mussell Construction is the contractor

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. For our fire suppression of this building, the city is requiring at minimum 1500GPS for the duration of 30 minutes. Water bearing zone expected to be 160ft to 220 ft.

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.


 Signature of Applicant
MIKE MUSSELL REP
 Print Name (and title, if applicable)

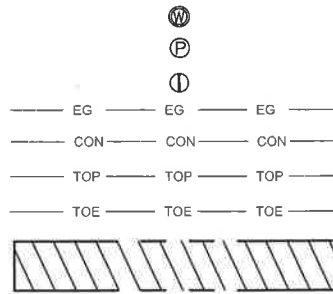
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 Print Name (and title, if applicable)

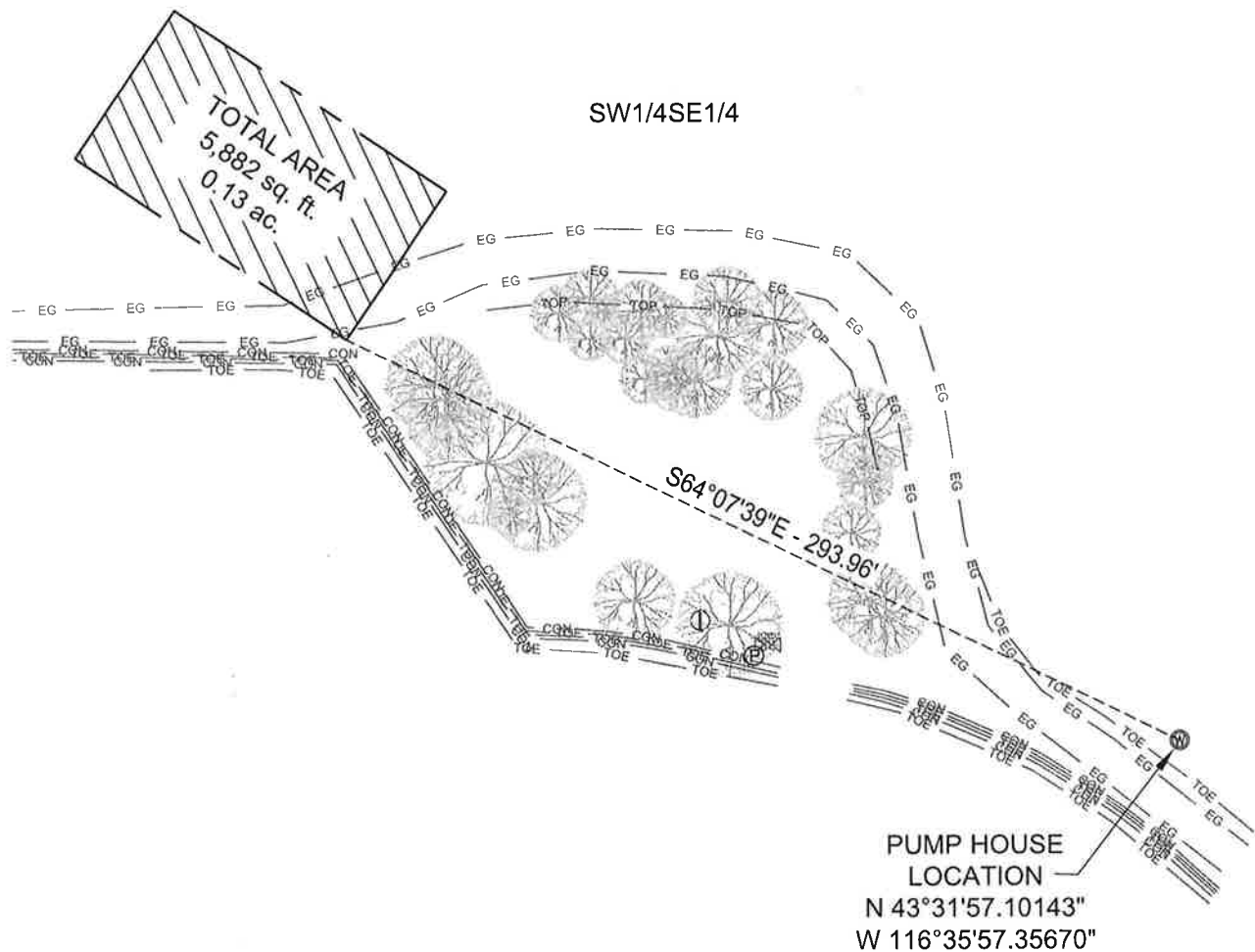


1" = 60'

LEGEND

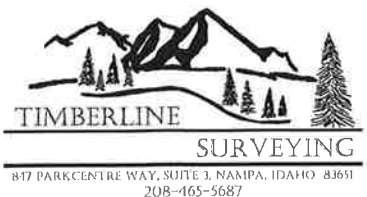


PROPOSED PUMP HOUSE
EXISTING PUMP
SPIGOT
EDGE OF GRAVEL
CONCRET
TOP OF SLOPE
TOE OF SLOPE
AREA OF USE



DISPLAY FOR A PROPOSED
PUMP HOUSE & DELIVERY SYSTEM
LOCATED IN THE SW1/4SE1/4 SEC. 5, T2N R2W, B.M.
CANYON COUNTY, IDAHO

FILE: U:\TS-19\CANYON\19149 - KIDO BOUNDARY 411-08-1\dwg\KIDO WATER DELIVERY.dwg

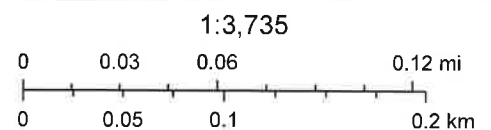


Mussell Map



September 29, 2020

- PLS - quarter quarter
- PLS - Section
- PLS - Township/Range
- POD - Water Rights



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Source: Idaho Department of Water Resources



Mike Mussell <mike@mussellconstruction.com>

Commercial Well

charleskido1@gmail.com <charleskido1@gmail.com>

Wed, Sep 23, 2020 at 11:37 AM

To: Mike Mussell <mike@mussellconstruction.com>

Hey Mike,

I just spoke with Boise-Kuna Irrigation and it looks like we have 134.25 shares of irrigation water rights. The account number is #505 and is under Lovelace Kido Lakeside Venues LLC.

We do have rights with Nampa & Meridian Irrigation District as well. That water is not pressurized but is under the assessment #2168 and services the Canyon County Parcel #29325000 0.

Hopefully they can work with that information but let me know if you need anything else.

Thanks!

-Charlie

Sent from my iPhone

On Sep 23, 2020, at 10:25 AM, Mike Mussell <mike@mussellconstruction.com> wrote:

[Quoted text hidden]

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SEP 25 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 63-34962**COPY**

1. Name of applicant(s) Mussell Construction Phone 208-466-3111
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 3304 City Nampa
 State Idaho ZIP 83653 Email mike@mussellconstruction.com
2. Name of representative, if any Mike Mussell Phone 208-850-7777
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- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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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.

Signature of Applicant

MIKE MUSSELL REP

Print Name (and title, if applicable)

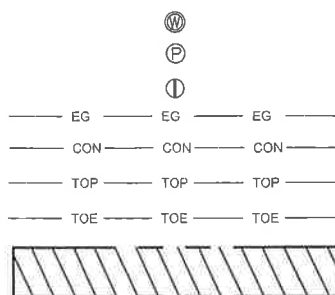
Signature of Applicant

Print Name (and title, if applicable)

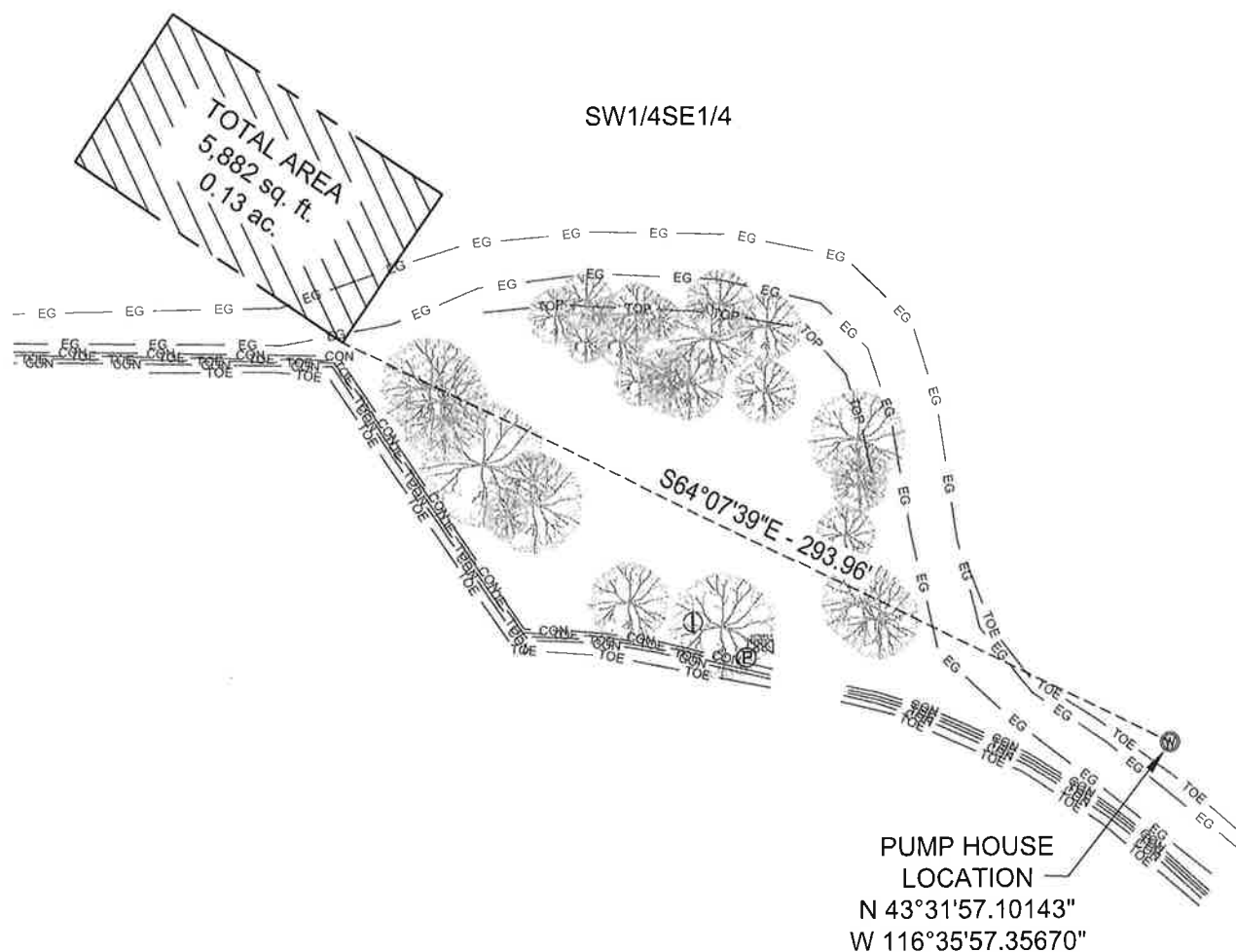


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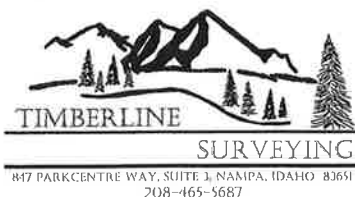
LEGEND



PROPOSED PUMP HOUSE
EXISTING PUMP
SPIGOT
EDGE OF GRAVEL
CONCRET
TOP OF SLOPE
TOE OF SLOPE
AREA OF USE



DISPLAY FOR A PROPOSED
PUMP HOUSE & DELIVERY SYSTEM
LOCATED IN THE SW1/4SE1/4 SEC. 5, T2N R2W, B.M.
CANYON COUNTY, IDAHO





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

October 28, 2020

BOISE PROJECT BOARD OF CONTROL
2465 W OVERLAND RD
BOISE ID 83705-3155

BOISE KUNA IRRIGATION DIST
209 S SCHOOL AVE
KUNA ID 83634

NAMPA MERIDIAN IRRIGATION
5525 E GREENHURST RD
NAMPA ID 83686

Re: Application for Permit No. 63-34962

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Press Tribune* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you wish to formally protest the approval of the application, you must submit a protest with the \$25.00 protest fee to this office by **5:00 p.m., November 23, 2020**. You must also send a copy of your protest to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

October 28, 2020

MUSSELL CONSTRUCTION
ATTN: MIKE MUSSELL
PO BOX 3304
NAMPA, ID 83653-3304

RE: Application for Permit No. 63-34962

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 PRESS TRIBUNE on 11/5/2020 and 11/12/2020. 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: Wednesday, October 28, 2020 3:09 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: CANYON Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/5/2020 and 11/12/2020.

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

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

Brad Little
Governor

Gary Spackman
Director

October 28, 2020

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

RE: Application for Permit No. 63-34958, 63-34962, 63-34970

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 11/23/2020. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34958

UNDURRAGA FARMS LLC
9971 N BOGUS BASIN RD
BOISE, ID 83702-1566

(2) Points of Diversion SWNW S12 T06N R06W CANYON County Source ROSS DRAIN Tributary SNAKE RIVER

Use: WILDLIFE STORAGE 09/15 to 03/14 915.4 AF

Use: RECREATION STORAGE 09/15 to 03/14 915.4 AF

Use: AESTHETIC STORAGE 09/15 to 03/14 915.4 AF

Use: DIVERSION TO STORAGE 09/15 to 03/14 3 CFS

Total Diversion: 3 CFS 915.4 AF

Date Filed: 09-17-2020

Place Of Use: AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATION STORAGE, WILDLIFE STORAGE
T06N R06W S12 SWNW

63-34962

MUSSELL CONSTRUCTION
PO BOX 3304

NAMPA, ID 83653-3304

Point of Diversion SWSE S5 T02N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Use: FIRE PROTECTION 01/01 to 12/31 3.34 CFS

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

Total Diversion: 3.41 CFS

Date Filed: 09-25-2020

Place Of Use: COMMERCIAL, FIRE PROTECTION, IRRIGATION

T02N R02W S5 SWSE

Total Acres: 1

Water bearing zone to be appropriated is from 160 to 220 feet.

63-34970

MOSAICS PUBLIC SCHOOL
PO BOX 3304

NAMPA, ID 83653-3304

TVM INC

PO BOX 3304

NAMPA, ID 83653-3304

Point of Diversion SWSE S14 T04N R03W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.2 CFS

Use: IRRIGATION 03/01 to 11/15 0.11 CFS

Total Diversion: 0.31 CFS

Date Filed: 10-22-2020

Place Of Use: DOMESTIC, IRRIGATION

T04N R03W S14 SWSE

Total Acres: 3.5

Water bearing zone to be appropriated is from 18 to 135 feet.

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 11/23/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/5/2020 and 11/12/2020

OCT 15 2020

WATER RESOURCES
WESTERN REGION

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.govBRAD LITTLE
GovernorGARY SPACKMAN
Director

September 30, 2020

MIKE MUSSEL
P.O. BOX 3304
NAMPA, ID 83653**RE:** Application for Permit- Request for more information

Dear Applicant,

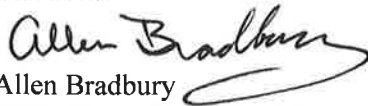
The purpose of this letter is to request additional information related to the application for permit 63-34962 submitted on September 25, 2020. There are a few points of clarification that need to be addressed in order to further process your application.

- ✓ #12 Your proposed irrigation area is in water basin 63. Applicants in basin 63 are required to define the water bearing zone for their wells. This question is not on the original application, however it is necessary for advertising the application later on. Please provide the approximate water bearing zone your proposed well will draw from.
- ✓ • **Section 6** of your application, please enter correct total quantity to be appropriated.
- ✓ • **Section 8e** of your application states that, "commercial use is a reception hall", however section 5 does not indicate that there is a commercial use of the groundwater. Please fill out section 5 if you intend to apply for a commercial use.
- ✓ • **Section 14** of the application requires a map that clearly identifies the proposed point of diversion and place of use. Please include the map to show where the well will be drilled as well as outline the 1 acre area you are planning to irrigate.

I am returning a copy of your original application. Changes to your application should be made by crossing out the old values, writing in the new values, and adding the date and your initials next to the changes. Please submit the requested information for the application processing to continue. The application will be voided without a timely written reply within the next **thirty (30) days**. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,


Allen Bradbury
Water Resource Agent, Sr.
IDWR, Western RegionEnclosed: Copy of original application
Map



State of Idaho

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September 30, 2020

MIKE MUSSEL
P.O. BOX 3304
NAMPA, ID 83653

RE: Application for Permit- Request for more information

Dear Applicant,

The purpose of this letter is to request additional information related to the application for permit 63-34962 submitted on September 25, 2020. There are a few points of clarification that need to be addressed in order to further process your application.

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