

Form 211 07/2011 Print Form 14 2 1986 size 20 ded document Corrected STATE OF IDAHO RECEIVEMENT REGION DEPARTMENT OF WATER RESOURCES

MAY 2 2 2020 Incorrect WEND WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

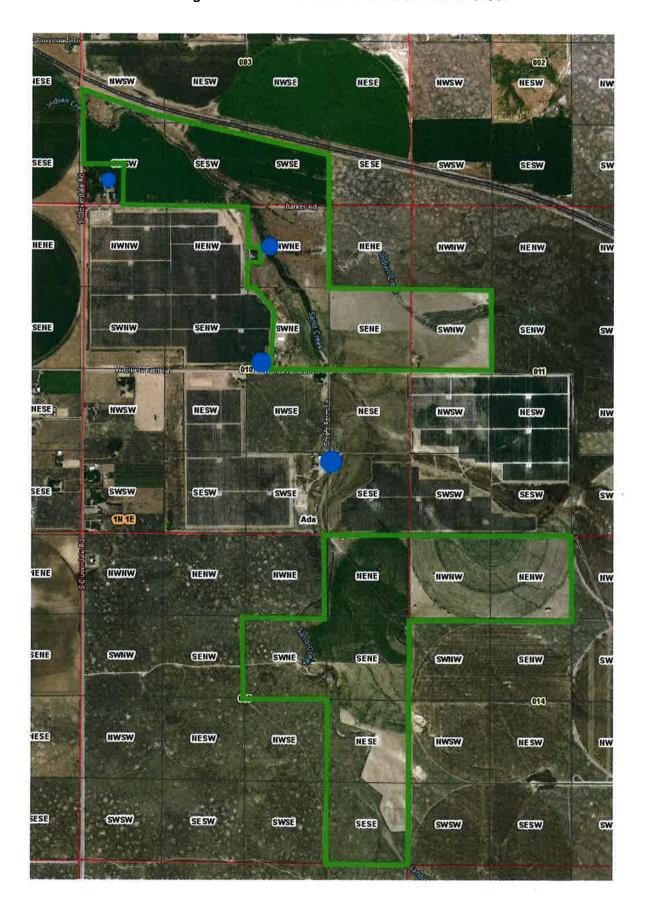
Fee is \$100 per § 42-221C, Idaho Code

۸	WESTERN REGION Applicant(s) CS Property Development LLC																			
Ap	Applicant(s) CS Property Development LLC Name connector (check one): and or and/or																			
Ma	ailing ad	dress 10	99 W.	Front	Stree	et									Ci	ty <u>Boi</u>	se			
Sta	ite Idah	0	_ Zip	8370	7				Email	vic.c	onrad	@sim	plot.c	om						
I a	I am the owner of Water Appropriation Permit No																			
☐ Change point of diversion ☐ Change period of use																				
	☐ Change nature of use ☐ Change place of use ☐ Change period of use																			
1.	1. Point of diversion: No changes to point(s) of diversion. Skip item #1 and proceed to #2.											d DODA								
	☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.												the ESPA.							
	Twp	Rge Sec Govt 1/4 1/4 County Source										Local name or tag #								
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				_	SW NE Groundwater															
				丄		1M	SE		Ada				round							
		shows			Poin	ts of D	Diversi	ion on	ly. Al	I Exist	ting P	ODs :	shall re	emain	perm	itted.				
2.	Period												of use	-			_			
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3.	Place of	f use or	land to	be ir	rigate	d: [] No c	hange	s to pl	ace of	use. S	Skip it	em #3	and pr	oceed	to #4.				
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Total number of acres to be irrigated _

4. Property ownership:	oint of diversion and/or place of use. Skip item #4 an	d proceed to #5.										
a. Who owns the property at the point of diversion?	Applicant, Anderson Enterprises, HA Winterfell	LLC										
b. Who owns the land to be irrigated or place of use												
c. If the property is owned by a person other than the For those points of diversion located on Andrews	If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: For those points of diversion located on Anderson Enterprises and HA Winterfell, LLC, easements recorded in the											
official real property records of Ada County,	daho provide access for Applicant's use.											
5. Describe the proposed change in narrative form: This application adds the land described in n	o. 3 above and the existing points of diversion id	entified in no. 1 above to										
the industrial place of use and authorized po	ints of diversion of water for industrial purposes t	to IDWR Permit No.										
63-33207.		Parkage to 1811(1 Ollin 140.										
		Y-11) Y-2										
6. Map:	place of use are not amended, therefore a map is not at	toohad										
Attach a map showing the proposed point(s) of dive	-											
and 1/4 1/4 of section information. A photocopy of	a USGS 7.5 minute topographic quadrangle is com-	monly used, or the Man Tool										
available on the Department website p (http://maps.idwr.idaho.gov/TransferApplicationLay	rovides a satisfactory template for crea	ting the required map										
(http://maps.tdwi.idano.gov/TransferApplicationLay	outs/Map).											
7. Signature:												
The information in this application is true to the bes	it of my knowledge. Lunderstand that any willful m	iscopresentations in this										
application may result in rejection of the application	or cancellation of an approval.	not optications in this										
Road Barelin		191										
Tarac Caraci	Thomas J. Basabe, Director	May 13,2020										
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date										
St												
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date										
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Reviewed by Da	te	(Ketudel 100 -)										
Aldt'n1 Free - 10000 Peer	reprol lay: LE 7/15/2020	_										
AP.	1 / 2026	2										

Water Right Permit Amendments for 63-33207 and 63-34308



Blue Dots: Additional Points of Diversion

Green Outline: Additional Industrial Places of Use

RECEIVED

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

MAY 2 2 2020

APPLICATION FOR AMENDMENT OF A PERMIT



WATER RESOURCES

Fee is \$100 per § 42-221C, Idaho Code

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Mailing	address 1	099 W.	Front	Stre	et									Ci	ty Boi	se				
State Id	aho	Zip	8370	7			1	Email	vic.c	onrad	@sim	plot.c	om							
I am the	owner of	Water A	Approp	riatio	n Perr	nit No.	¥	63	-3430	8		and rec	luest t	nat the	permi	t be an	nende	d as fo	llows:	
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Total number of acres to be irrigated _____

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4.	Pr	operty ownership:	☐ No changes to point of d	liversion and/or place of use. S	kip item #4 and r	proceed to #5									
	a.	Who owns the property at	the point of diversion? Applie	cant, Anderson Enterprises,	HA Winterfell, L	TC									
			nd to be irrigated or place of use? Applicant												
8	c.	If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: For those points of diversion located on Anderson Enterprises and HA Winterfell, LLC, easements recorded in the													
		official real property reco	rds of Ada County, Idaho p	rovide access for Applicant's	s use.										
			* Time = Time = Air												
5.		scribe the proposed chang This application adds the the industrial place of us 63-33207.	land described in no. 3 ab	ove and the existing points o	of diversion ider	ntified in no. 1 above to IDWR Permit No.									
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6	Ma	In:	ef disconsion on d/outle - 1	use are not amended, therefore	_										
	ava (htt	ilable on the Depar p://maps.idwr.idaho.gov/Tr nature:	on. A photocopy of a USGS tment website provides ansfer Application Layouts/Ma	knowledge. I understand that	rangle is commo for creating any willful miss	only used, or the Map Tool ag the required map representations in this									
Sig	natu	are of applicant or authorize	d agent	Thomas J. Basabe, Direct Print name (and title, if app		May 13,700									
Sign	natu	ire of applicant or authorize	d agent	Print name (and title, if app	,	Date									
		-	FOR DEPA	RTMENT USE ONLY											
		ed by LE	Date <u>05</u>	122/2020											
		ed by <u>UE</u>		12212020	Receipt No. 1	1048307									
Rev	iew	ed by	Date												

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

September 11, 2020

CS PROPERTY DEVELOPMENT LLC PO BOX 27 BOISE, ID 83707-0027

RE: Application for Amendment of Permit No. 63-33207, 63-34038, 63-34385

Dear Applicant(s):

The Department of Water Resources has received your application to amend the above referenced permit. 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 IDAHO STATESMAN on 9/17/2020 and 9/24/2020. 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 to amend the permit is approved, the Department will send you a copy of the amended permit.

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

Sincerely.

Kensie Thorneyeroft Administrative Assistant

CC:

WELLS FARGO BANK

Thorneycroft, Kensie

From:

Thorneycroft, Kensie

Sent:

Friday, September 11, 2020 9:55 AM

To: Subject: 'BOI Legals'

Subject:

Ada Legal Notice

Attachments:

CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Flag Status:

Follow up Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 09/17/2020 and 09/24/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft Administrative Assistant IDWR Western Region 208-334-2190

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

September 11, 2020

Governor

LEGAL NOTICE DEPARTMENT IDAHO STATESMAN PO BOX 40 BOISE, ID 83707

RE: Application for Permit No. 63-34951 Application for Amendment of Permit No. 63-33207, 63-34038, 63-34385

Transfer No. 84109
Water Right No(s). 63-34303, 63-34304, 63-34305, 63-34306, 63-34307, 63-34308, 63-34309, 63-34310, 63-34311, 63-34312, 63-34339

Transfer No. 84291
Water Right No(s). 63-226, 63-227, 63-2279, 63-228, 63-229, 63-2374, 63-2389, 63-266, 63-267, 63-268, 63-299, 63-300, 63-33252, 63-33682, 63-33683, 63-33735, 63-33736A, 63-33736B, 63-4007, 63-4008, 63-4010

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 10/5/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 63-34951

TODD W CORMAN 2565 S MILL POINT LN BOISE, ID 83712-8512

Point of Diversion L4(NESW) S19 T03N R03E ADA County Source GROUND WATER

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

Total Diversion: 0.11 CFS
Date Filed: 08-17-2020
Place Of Use: IRRIGATION

T03N R03E S19 L4(NESW),L3(NWSW)

Total Acres: 3.5

Water bearing zone to be appropriated is from 200 to 300 feet.

PROPOSED AMENDMENT OF WATER PERMIT

CS PROPERTY DEVELOPMENT LLC, PO BOX 27, BOISE, ID 83707-0027 filed an application to amend permit no. 63-33207 on 05-22-2020. Application proposes to add to area within sections 3, 10, 11, 14, and 15 of T01N R01E to industrial place of use and add 4 points of diversion – one in T01N R01E Sec 3 SWSW, one in T01N R01E Sec 10 NWNE, one in T01N R01E Sec 10 SWNE, and one in T01N R01 Sec 10 SESE to the current system. Application will not change water use purpose or quantity. 63-34038

CS PROPERTY DEVELOPMENT LLC, PO BOX 27, BOISE, ID 83707-0027 filed an application to amend permit no. 63-34038 on 05-22-2020. Application proposes to add to area within sections 3, 10, 11, 14, and 15 of T01N R01E to industrial place of use and add 4 points of diversion – one in T01N R01E Sec 3 SWSW, one in T01N R01E Sec 10 NWNE, one in T01N R01E Sec 10 SWNE, and one in T01N R01 Sec 10 SESE to the current system. Application will not change water use purpose or quantity. Application proposes no changes to the permitted irrigation uses.

CS PROPERTY DEVELOPMENT LLC, PO BOX 27, BOISE, ID 83707-0027 filed an application to amend permit no. 63-34385 on 08-19-2020. Application proposes to change the place of use to 264 acres within T01N R01E Sec 14 & 15 and proposes to add a point of diversion in the SESE guarer-guarter of T01N R01E Sec 10.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84109

CS PROPERTY DEVELOPMENT LLC, PO BOX 27, BOISE, ID 83707-0027 has filed Application No. 84109 for changes to the following water rights within ADA County(s): Right No(s). 63-34303, 63-34304, 63-34305, 63-34306, 63-34307, 63-34308, 63-34309, 63-34310, 63-34311, 63-34312, 63-34339; 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:Transfer proposes changing the place of use and establishing a permissible place of use for 11 irrigation water rights (63-34303 thru 63-34312, and 63-34339), Water will be used within a 265-acre boundary in Ada County, on the east side of S Cloverdale Rd., off the intersection of S Cloverdale and Barker Rd., and within a separate 287-acre boundary 0.5 miles south of the 265-acre boundary. Transfer also proposes adding point(s) of diversion to 9 of those water rights, (63-34-34304 thru 63-34311, and 63-34312). Water will be taken from 4 ground water points of diversion near and within the proposed place of use boundaries. (Transfer will not change the points of diversion of surface water rights 63-34303 and 63-34312).

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84291

RIVERSIDE IRRIGATION DISTRICT LTD, 120 N THIRD ST PO BOX 1080, PARMA, ID 83660 has filed Application No. 84291 for changes to the following water rights within CANYON County(s): Right No(s). 63-226, 63-227, 63-2279, 63-228, 63-229, 63-2374, 63-2389, 63-266, 63-267, 63-268, 63-299, 63-300, 63-33252, 63-33682, 63-33683, 63-33735, 63-33736A, 63-33736B, 63-4007, 63-4008, 63-4010; 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: Riverside Irrigation District LTD is an irrigation district that operates multiple water rights within Canyon County. The company filed transfer no. 84291 to change the place of use on its irrigation rights to include an additional 90 acres within its service boundary. The new acres will be irrigated from treasury shares that have been returned to Riverside.

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/WRApplicationResults/. 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 10/5/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/17/2020 and 9/24/2020



J.R. Simplat Company P.O. Box 27, Boise, Idaho 83707 0027

1099 West Front Street Boise, Idaho 83702

Vic.conrad@simplot.com 208 780 7359 Business 208 780 7333 Fex

RECEIVED

JUL 15 2020

WATER RESOURCES

July 2, 2020

Anna Kaiser
Water Resource Agent
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Application to Amend Permit No. 63-34038.

Dear Anna:

In response to your letter dated June 25, 2020 enclosed is the corrected permit amendment application for 63-34038. On the original submission, I inadvertently identified water right 63-34308 on the application. The correct number for the permit to be amended is 63-34038.

Under separate cover a new check will be sent to you to replace the reimbursement received from the State earlier this week.

Sincerely,

Vic Conrad

Land, Water & Asset Recovery

Enclosure

July 14, 2020

Aura Cistue replacement

Enclosed the Cover the Cov



J.R. Simplot Company RECEIVED P.O. Box 27, Boise, Idaho 83707 0027

JUL 0 6 2020

1099 West Front Street Boise, Idaho 83702

Vic.conrad@simplot.com 208 780 7359 Business 208 780 7333 Fax

July 2, 2020

Anna Kaiser Water Resource Agent State of Idaho Department of Water Resources 2735 Airport Way Boise, ID 83705

Re: Application to Amend Permit No. 63-34038.

Dear Anna:

In response to your letter dated June 25, 2020 enclosed is the corrected permit amendment application for 63-34038. On the original submission, I inadvertently identified water right 63-34308 on the application. The correct number for the permit to be amended is 63-34038.

Under separate cover a new check will be sent to you to replace the reimbursement received from the State earlier this week.

Sincerely,

Land, Water & Asset Recovery

Enclosure



State of Idaho DEPAR_MENT OF WATER ESOURCES

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 June 25, 2020

GARY SPACKMAN
Director

CS PROPERTY DEVELOPMENT LLC PO BOX 27 BOISE ID 83707



Re: Application for Amendment of Permit 63-34308 – Returned Transfer 84109 – Information Needed

Dear Applicant,

On May 22, 2020, the Idaho Department of Water Resources (Department) received transfer application no. 84109 and applications for amendment of permit for water nos. 63-34308, 63-33207, and 63-34385 all in the name of CS Property Development LLC. This letter serves two purposes – (i.) returning your application for amendment of permit no. 63-34308 and (ii.) requesting additional information regarding your transfer application no. 84109.

Water right no. 63-34308 is a decreed water right, not a water permit. Decreed water rights cannot be changed through an amendment of permit. The Department is returning application for amendment of permit no. 63-34308 to you at this time and will refund you the \$100.00 application processing fee.

After an initial review of transfer application 84109, the Department determined the application cannot be processed until the following items are addressed:

- Concern of enlargement in unstacking water rights:

Water rights are considered stacked "when two or more water rights, generally of different priorities and often from different sources, are used for the same use and overlie the same place of use" (Transfer Processing Memo 24-5(d) (3)). The four water rights listed on your transfer application are historically stacked with six other water rights (63-34303, 63-34305, 63-34306, 63-34309, 63-34311, and 63-34312). Your transfer proposes changing the POU of water rights 63-34304, 63-34307, 63-34308, and 63-34310 without changing the POU for the other six stacked irrigation rights within this stacked group. The POU transfer for these four water rights exclusively is concerning to the Department as "unstacking" is presumed to enlarge some or all of the water rights within a stacked group.

 Supplemental ground water irrigation rights generally cannot be transferred to a place of use (POU) without surface water:

Supplemental irrigation rights are "stacked water right(s) authorizing the diversion of water for irrigation from a secondary source to provide a full supply for crops when used in combination with a primary right" (Transfer Processing Memo 24-5(d) (4)). Your transfer proposes to change the POU and point of diversion (POD) of water rights 63-34304, 63-34307, 63-34308, and 63-34310. These four water rights are all "supplemental ground water rights" and thus can only be used as secondary sources in conjunction with primary surface water rights within a common POU. In other words, the four rights listed in your transfer cannot be used to irrigate an area of land if that land is lacking surface water irrigation rights. The POU your transfer proposes does not currently have surface irrigation rights nor does your transfer currently propose changing the POU of CS Property LLC's surface water irrigation rights (63-34303 & 63-34312).

The Department cannot process your transfer application until you provide ifficient evidence that (i.) surface water will be available for irrigation at your proposed POU and (ii.) this transfer will not result in enlargement of any water right due to unstacking historically stacked water rights. How you wish to proceed with this transfer application is ultimately up to you. For your reference and hopefully to provide you with useful information, I enclosed water right reports and a map for each of the ten of CS Property LLC's water rights in the stacked group described above. On the reports, I highlighted the source of each water right in pink, and highlighted the condition describing combined use limits for the stacked water rights group and condition 206-defining the groundwater rights as supplemental in yellow. I also enclosed a copy of your transfer no. 84109 for your reference.

You may submit information to the Department's Western Regional Office by mail or in person to the address listed below, or email to me at anna.kaiser@idwr.idaho.gov. If you have any questions please do not hesitate to call me at (208)-334-2190.

Sincerely,

Anna Kaiser

Water Resource Agent

Idaho Dept. of Water Resources | Western Regional Office

2735 W Airport Way, Boise ID 83705

Enclosures:

RETURNED Application for Amendment of a Permit (water right 63-34308)

(10) Water Right Reports (63-34303 – 63-34312) COPY of CS Property LLC's Transfer No. 84109

Kaiser, Anna

From:

Kaiser, Anna

Sent:

Wednesday, June 24, 2020 4:29 PM

To:

Marston, Sascha

Subject:

FW: Refund - TODD AND JESSICA SALZSIEDER

CSProperty Davelopment LLC

TO:

Sascha Marston

FROM:

Anna Kaiser

DATE:

June 24, 2020

RE: Refund: Application for Permit

Please refund \$100. On 5/22/2020, CS Property Development LLC submitted an Application for Amendment of a Permit. The department was unable to process this application as it is a decreed right, not permit.

Please issue a refund of \$100 (of the \$200.00 payment) to:

CS BEEF PACKERS 17365 COLE RD KUNA ID 83643

RECEIPT #

W048307



J.R. Simplot Company P.O. Box 27, Boise, Idaho 83707 0027

1099 West Front Street Boise, Idaho 83702

Vic.conrad@simplot.com 208 780 7359 Business 208 780 7333 Fex

RECEIVED

MAY 2 2 2020

WATER RESOURCES

May 20, 2020

Nick Miller, Manager State of Idaho Department of Water Resources 2735 Airport Way Boise, Idaho 83705-5082

Re: IDWR Water Right Permit Nos. 63-33207 and 63-34308.

Dear Nick:

Enclosed for filing are applications to amend the above referenced permits to add points of diversion and to provide additional places of use to land apply water discharged from the meat processing facility owned by the applicant. Also enclosed is a check in the amount of \$200.00 to cover your fee for filing the enclosed applications.

Sincerely,

Vic Conrad

Land, Water & Asset Recovery

Enclosure