

RECEIVED

AUG 03 2020

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

WATER RESOURCES  
WESTERN REGION

1. Name of applicant(s) Erik Bry Phone 208-462-5433  
Name connector (check one): ☐ and ☐ or ☐ and/or  
Mailing address PO Box 204 City Garden Valley  
State Idaho ZIP 83622 Email benthic11@gmail.com
2. Name of representative, if any \_\_\_\_\_ 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 Scriver Creek which is a tributary of Middle Fork Payette River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10N	04E	22		SE	SW		Boise	Scriver Creek	

5. Water will be used for the following purposes:
- Amount 0.04 cfs for Domestic purposes from 01/01 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)
- Amount 0.08 cfs for Irrigation purposes from 03/15 to 10/30 (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) 0.12 cubic feet per second (cfs) and/or (b) 4.0 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 3 HP pump
- 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 08/03/2020 Time 1:15 PM Preliminary check by AK  
Fee \$ 100.00 Received by LE Receipt No. W 048590 Date 08/03/2020

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 household, domestic use of water, watering garden, lawn and trees
- 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	
10N	04E	22												D					
10N	04E	22												1					1

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? \_\_\_\_\_

Yes, this water will irrigate lawns, gardens, water trees, and domestic use

- Who owns the property at the point of diversion? Erik Bry
- Who owns the land to be irrigated or place of use? Erik Bry
- 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. \_\_\_\_\_

We will pump water from Scriver Creek to water gardens, lawn, trees and irrigation.  
Pine Tree Ranch Sub 3 Lot 1 RP054030000010

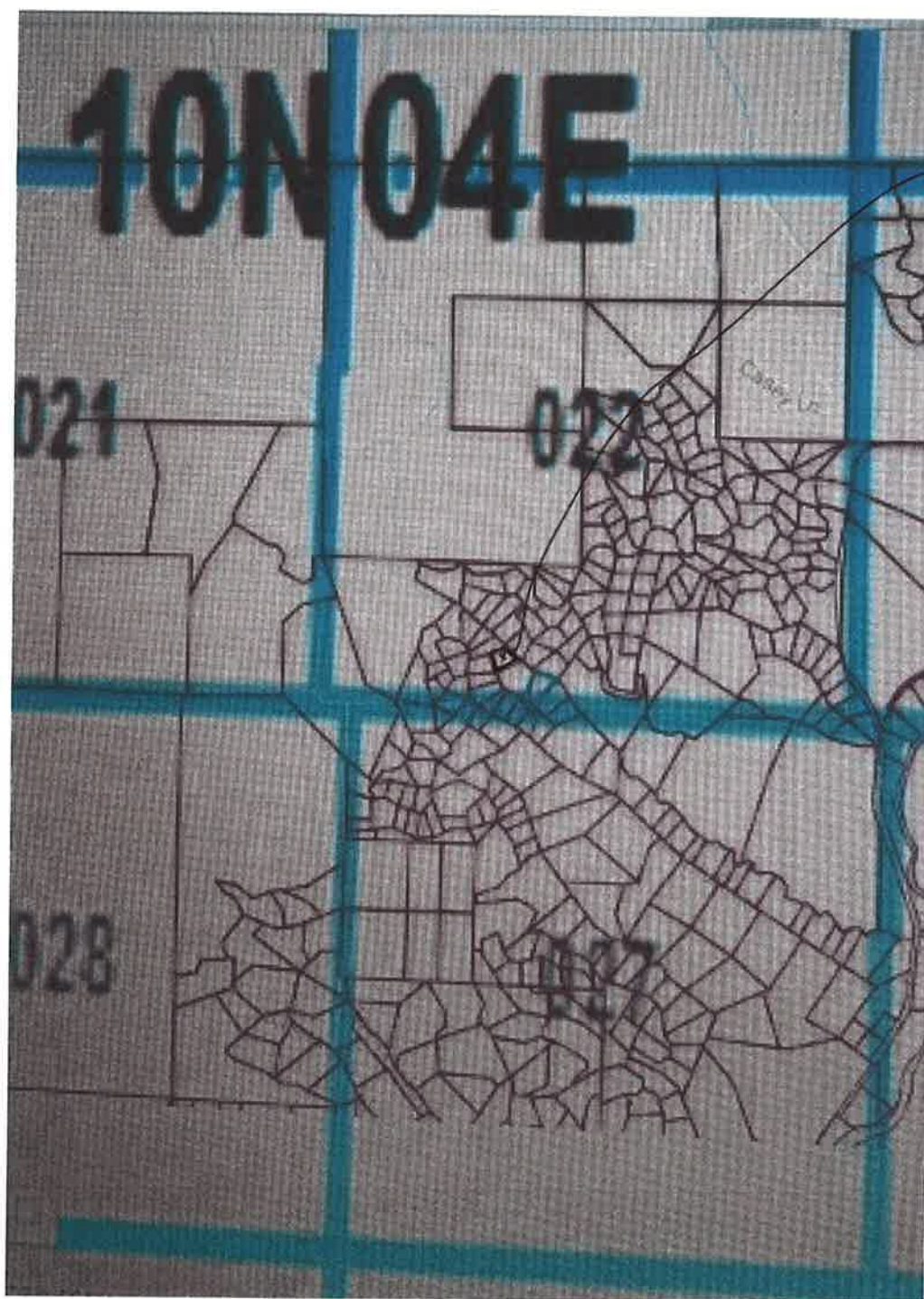
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

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.**

Erik Bry  
 Signature of Applicant  
Erik Bry  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant  
 \_\_\_\_\_  
 Print Name (and title, if applicable)



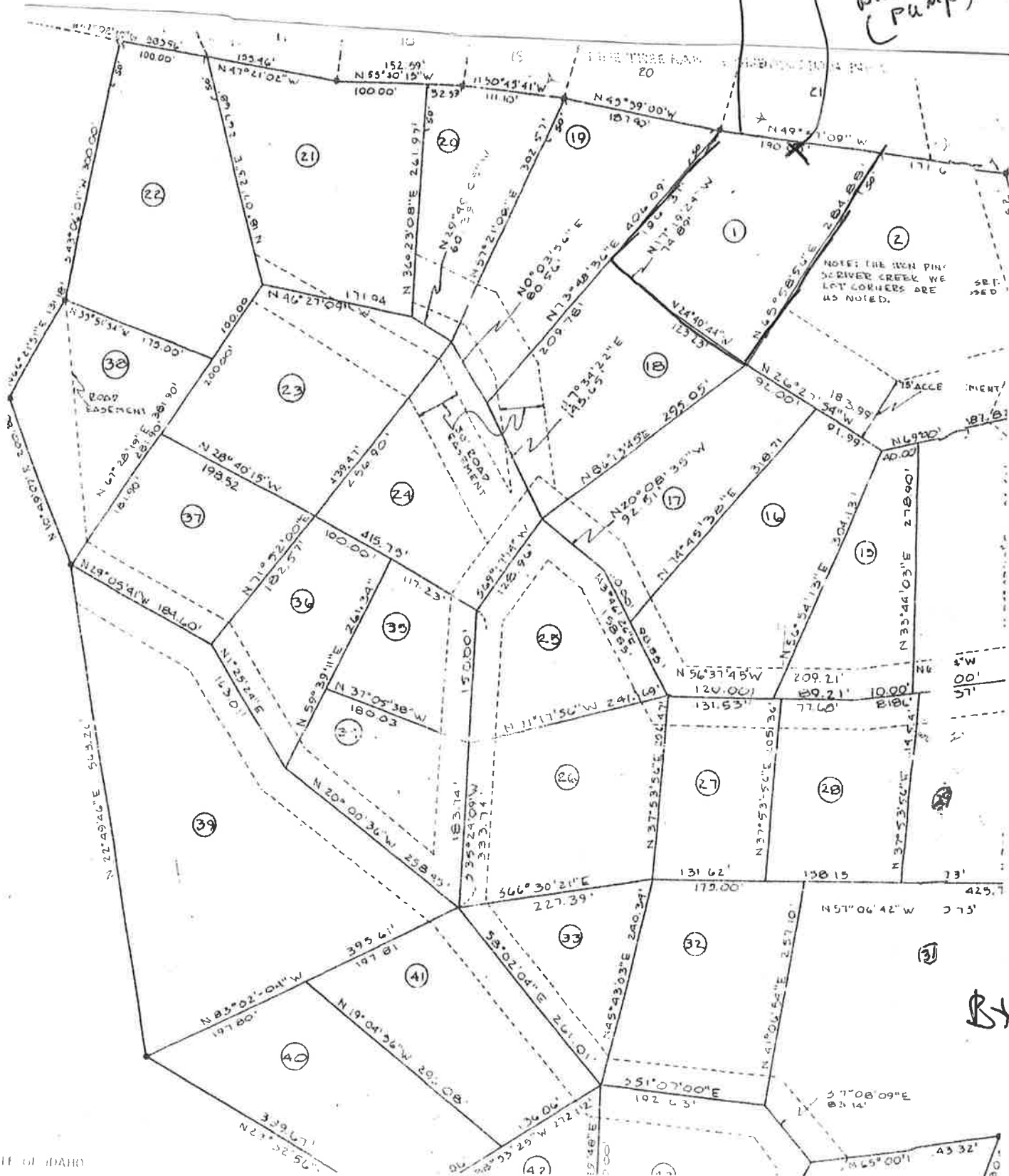
PINE TREE  
RANCH

SUB 3  
LOT 1

LEFT

As

SCRIPPER  
CREEK  
POINT OF  
WATER  
DIVERSION  
(PUMP)

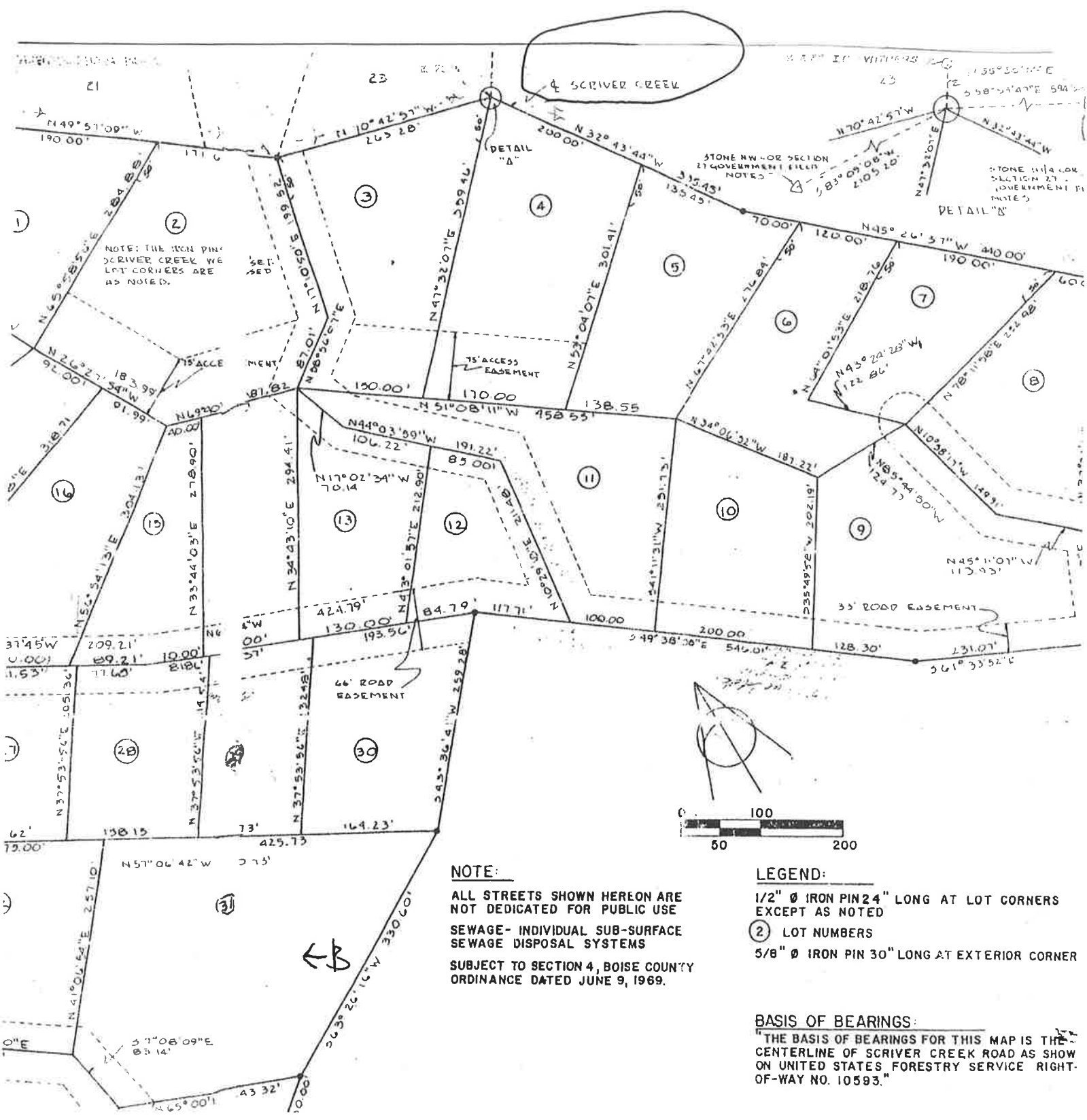


Bt



←A

RIGHT



**NOTE:**  
 ALL STREETS SHOWN HEREON ARE NOT DEDICATED FOR PUBLIC USE  
 SEWAGE- INDIVIDUAL SUB-SURFACE SEWAGE DISPOSAL SYSTEMS  
 SUBJECT TO SECTION 4, BOISE COUNTY ORDINANCE DATED JUNE 9, 1969.

**LEGEND:**  
 1/2" Ø IRON PIN 24" LONG AT LOT CORNERS EXCEPT AS NOTED  
 (2) LOT NUMBERS  
 5/8" Ø IRON PIN 30" LONG AT EXTERIOR CORNER

**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTERLINE OF SCRIVER CREEK ROAD AS SHOWN ON UNITED STATES FORESTRY SERVICE RIGHT-OF-WAY NO. 10593.

## Thorneycroft, Kensie

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**From:** Thorneycroft, Kensie  
**Sent:** Thursday, August 27, 2020 11:52 AM  
**To:** 'Bassista,Tom'  
**Subject:** Application for Permit 65-23971, 63-23944  
**Attachments:** IDFG Recommendation Form.docx

Dear Interested Party:

The Idaho 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>. Please review the application, complete the enclosed recommendation form, and submit it to this office on or before **09/21/2020**.

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 after final publication.

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

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

## Thorneycroft, Kensie

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**From:** Thorneycroft, Kensie  
**Sent:** Thursday, August 27, 2020 11:51 AM  
**To:** 'Water District 65'  
**Subject:** Applications for Permit of 65-23964, 65-23970, 65-23971  
**Attachments:** Watermaster Recommendation Form.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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>. Please review the application, then complete the enclosed recommendation form and return it to this office by **09/21/2020**.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **09/21/2020**, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

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



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 27, 2020

ERIK BRY  
PO BOX 204  
GARDEN VALLEY, ID 83622-0204

### RE: Application for Permit No. 65-23971

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 IDAHO WORLD on 9/2/2020 and 9/9/2020. 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,

Kensie Thorneycroft  
Administrative Assistant



## Thorneycroft, Kensie

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**From:** Thorneycroft, Kensie  
**Sent:** Thursday, August 27, 2020 11:48 AM  
**To:** 'Eileen Capson'  
**Subject:** Boise Legal Notice  
**Attachments:** CoverLetter.docx; LegalNotice.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon Legal Clerk,

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

Please see the attached ad for publication on 09/02/2020 and 09/09/2020.

Please confirm these are okay to publish as shown.

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



**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 27, 2020

LEGAL NOTICE DEPARTMENT  
IDAHO WORLD  
PO BOX 50248  
BOISE, ID 83705

RE: Application for Permit No. 65-23970, 65-23971

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 9/21/2020. 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:

**65-23970**

RIK FRASER

MARGO FRASER

5701 WILLOW CREEK RD

EAGLE, ID 83616-2025

Point of Diversion NWSE S10 T09N R04E BOISE County Source PAYETTE RIVER Tributary PAYETTE RIVER

Use: IRRIGATION 03/15 to 10/31 0.42 CFS

Total Diversion: 0.42 CFS

Date Filed: 08-13-2020

Place Of Use: IRRIGATION

T09N R04E S10 NWSE, SWNE

Total Acres: 21

**65-23971**

ERIK BRY

PO BOX 204

GARDEN VALLEY, ID 83622-0204

Point of Diversion SESW S22 T10N R04E BOISE County Source SCRIVER CREEK Tributary PAYETTE RIVER

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

Use: IRRIGATION 03/15 to 10/30 0.08 CFS

Total Diversion: 0.12 CFS

Date Filed: 08-03-2020

Place Of Use: DOMESTIC, IRRIGATION

T10N R04E S22 SESW

Total Acres: 1

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 9/21/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/2/2020 and 9/9/2020