

JUN 22 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 65-23944

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Tyler Shillig Phone 435-619-9358
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 4868 S 300 W City Washington Terrace
 State UT ZIP 84405 Email tshillig@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 Shafer Creek which is a tributary of Payette River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
6N	2E	12		NW	NE	SW	Boise	Shafer Creek	

5. Water will be used for the following purposes:
- Amount .15 cfs for Irrigation purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .03 cfs for Irrigating Trees purposes from 11/1 to 03/31 (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)
6. Total quantity to be appropriated is (a) .15 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. There will be a 2" suction hose with filter installed directly in creek and connected to a 2 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 06/22/2020 Time 10:45 AM Preliminary check by AK
 Fee \$ 100 Received by LE Receipt No. W048414 Date 06/22/2020

Amended

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. _____
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	
6N	2E	12									4.5					0.5			5
		12									J					J			

Total number of acres to be irrigated: 5

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? Domestic use well on the property could potentially be used to water trees if water rights associated with this application are unusable due to extreme drought conditions.
11. a. Who owns the property at the point of diversion? Tyler Shillig
b. Who owns the land to be irrigated or place of use? Tyler Shillig
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. A 2" suction hose will be placed directly in the creek and connected to a 2 HP electric centrifugal pump. This pump will connect to 2" polyethylene pipe and/or 2" lay-flat hose for directing water to the final irrigation point of use. During winter months, water requirements are drastically reduced and irrigating trees will be accomplished via a small (1/4 HP) solar-electric pump connected to a 1" suction hose in the stream.
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
Tyler Shillig
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2E	12									5								5
		12									J								

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Signature of Applicant

Tyler Shillig

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

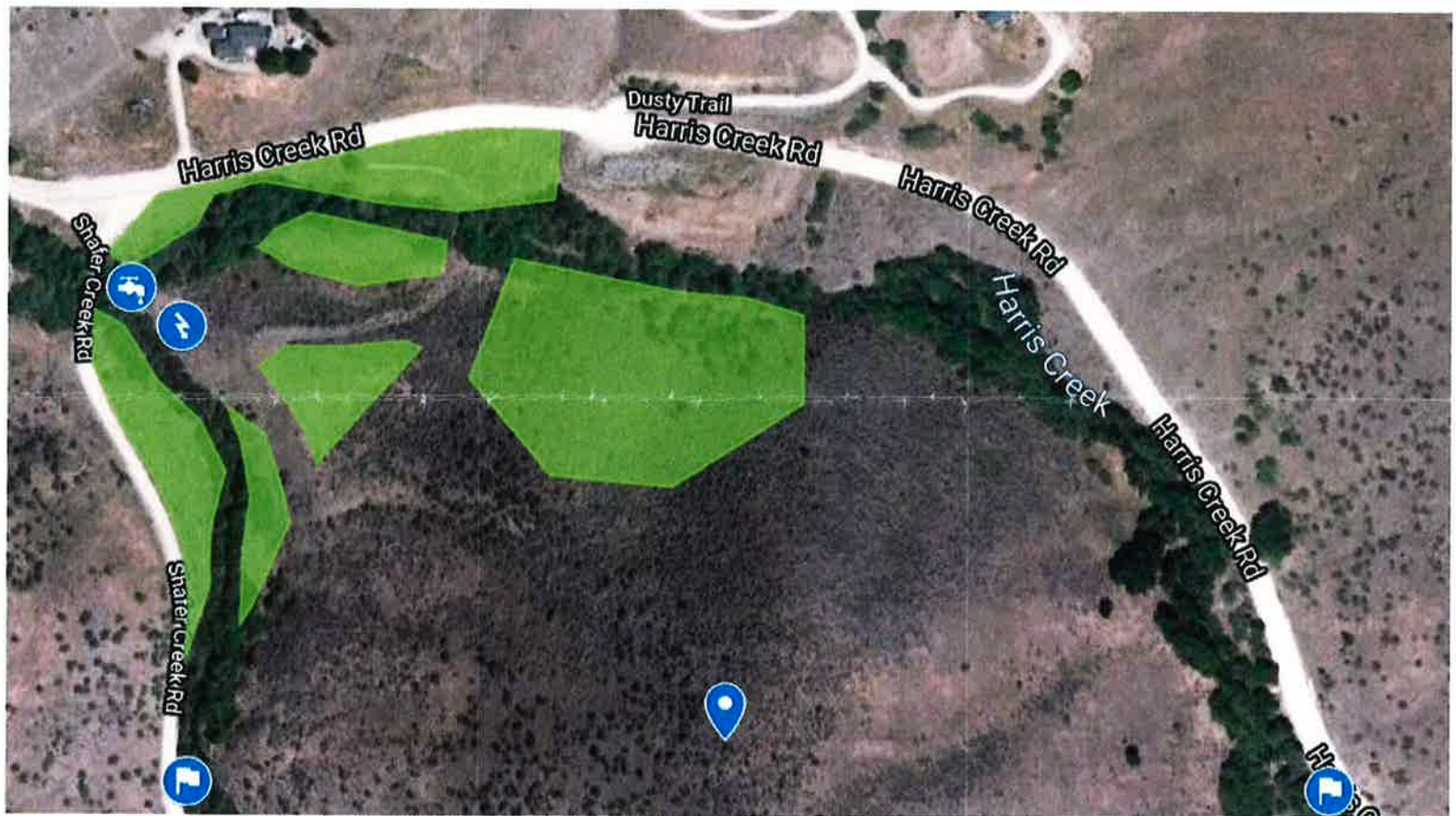
****SUPERSEDED BY AMENDED 767.2****



Area Map



Area of Interest showing sections 06N02E12NESW and 06N02E12NWSE



Map highlighting proposed irrigation areas. Combined area of highlighted sections is 5 acres.

- Diversion/pump location from Shafer Creek is indicated by the blue 'faucet' icon
- Lightning bolt icon indicates source of power for 2 HP pump
- All highlighted areas and the pump placement point are within my personal property boundaries

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, August 14, 2020 9:56 AM
To: 'Water District 65'
Subject: Applications for Permit of 65-23944, 65-23967, & 65-23968
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 **09/08/2020**.

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 within by **09/08/2020**, 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



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

August 14, 2020

TYLER SHILLIG
4868 S 300 W
WASHINGTON TR, UT 84405-6016

RE: Application for Permit No. 65-23944

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 8/19/2020 and 8/26/2020. 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

From: Thorneycroft, Kensie
Sent: Thursday, August 13, 2020 3:26 PM
To: Eileen Capson
Subject: Boise Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Completed

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 08/19/2020 and 08/26/2020.

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

Brad Little
Governor

Gary Spackman
Director

August 14, 2020

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

RE: Application for Permit No. 65-23944

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 9/8/2020. 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:

65-23944

TYLER SHILLIG

4868 S 300 W

WASHINGTON TR, UT 84405-6016

Point of Diversion NWNESW S12 T06N R02E BOISE County Source SHAFER CREEK Tributary PAYETTE RIVER

Use: IRRIGATION 04/01 to 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 06-22-2020

Place Of Use: IRRIGATION

T06N R02E S12 NESW,NWSE

Total Acres: 5

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 9/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/19/2020 and 8/26/2020

Kaiser, Anna

From: Tyler Shillig <tshillig@gmail.com>
Sent: Wednesday, July 29, 2020 11:52 AM
To: Kaiser, Anna
Subject: Re: FW: Application for Permit- Water use information
Attachments: Shillig - Water Rights - Application - Page 2 Amended.pdf

Anna,

1) We will probably not need the winter irrigation water. I was just trying to cover all possible bases with the request. Please process the application without the requested water rights from 10/31 - 04/01.

2) I have updated and attached page 2 of the original application to reflect the small portion of land in the NWSE quadrant that will also be used. The map indicating the POU remains unchanged from the original version that I submitted.

Thank you,
Tyler

On Tue, Jul 28, 2020 at 10:46 AM Kaiser, Anna <Anna.Kaiser@idwr.idaho.gov> wrote:

Good morning!

Here are the two emails with the attachments of the first email.

Please let me know if you have any questions.

Have a great day!

Anna

Anna Kaiser | Water Resource Agent

IDWR-Western Region

2735 W Airport Way, Boise ID 83705

(208).334.2190 | anna.kaiser@idwr.idaho.gov

From: Kaiser, Anna
Sent: Wednesday, July 1, 2020 11:06 AM
To: 'tshilling@gmail.com' <tshilling@gmail.com>
Subject: RE: Application for Permit- Water use information

Additionally, the Department generally cannot approve any irrigation uses outside the irrigation season. The irrigation season in your area is 3/15 – 10/30.

The “Irrigating Trees” water usage on your application is proposed from 11/2 – 3/31, which outside the irrigation season in your area. Unless you provide the Department with substantial evidence supporting why you need irrigation beyond the irrigation season, the Department will not permit you for this non-seasonal irrigation purpose.

In other words, I can proceed processing your application with your irrigation usage of 0.15 acres 4/1 - 10/31, but will not include your irrigation trees usage.

Again, please contact me with any questions you may have.

Thank you!

Anna

From: Kaiser, Anna
Sent: Wednesday, July 1, 2020 9:03 AM
To: 'tshilling@gmail.com' <tshilling@gmail.com>
Subject: Application for Permit- PLACE OF USE CLARIFICATION

Good morning,

I am currently processing your application for permit for irrigation water use. I need clarification on your proposed place of use (POU). The table under application section 9- "*Description of place of use*" places your proposed POU in the NESW quarter-quarter of TWN 6N, RGE 2E, SEC 12. The map enclosed with your application suggests your proposed POU may actually cross over into the NWSE quarter-quarter as well.

With this email, I enclosed an aerial map of your property and page 2 of your application for permit. Please draw your intended POU on the MAP. If the POU does indeed cross over into the NWSE quarter-quarter, please update the table under section 9 appropriately.

Please email me back a copy of the MAP with your POU drawn along with your updated pg.2 (if you made amendments to the POU table). I will add these to your application file.

If you have any further question regarding the enclosed information, please contact me!

Have a great day.

Anna

Anna Kaiser | Water Resource Agent

IDWR-Western Region

2735 W Airport Way, Boise ID 83705

(208).334.2190 | anna.kaiser@idwr.idaho.gov