

RECEIVED

MAY 14 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. 63-34912

1. Name of applicant(s) Utahna LLC Phone 208-794-6448
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address PO Box 1281 City Eagle
 State Idaho ZIP 83616 Email jamin@mandmcapital.com
2. Name of representative, if any JAMIN MARTIN Phone 208-794-6448
 Mailing address PO Box 1281 City Eagle
 State Idaho ZIP 83616 Email jamin@mandmcapital.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 Ground Water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
04N	01E	14			NW	SW	Ada	Ground Water	
04N	01E	14			SW	NW	Ada	Ground Water	

5. Water will be used for the following purposes:
- Amount 0.11 for Domestic 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.11 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. N/A
- 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 6" inches; proposed depth of well is 100 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 05/14/2020 Time 11:15am Preliminary check by AB
 Fee \$ 100 Receipted by LE Receipt No. W048270 Date 05/14/2020

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

- a. Hydropower; show total feet of head and proposed capacity in kW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households Up to 6 units
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
04N	01E	14							D			D							

Total number of acres to be irrigated: _____

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? lots 13 & 14 Blk 4, Randall Acres

Sub NO 09 → On this property we have a well water supplying 4 units currently 10200, 10218, 10220, 10222 Utaha.

11. a. Who owns the property at the point of diversion? N/A
- b. Who owns the land to be irrigated or place of use? Utaha LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Existing Well supplying water on property for 10200, 10218, 10220, 10222 Utaha. Want to install a new well capable of supplying 6 units

Not 4 units. Property is Zoned RB & is 0.80 of an acre. old well will no longer be used.

13. Time required for completion of works and application of water to proposed beneficial use is 1.5 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.

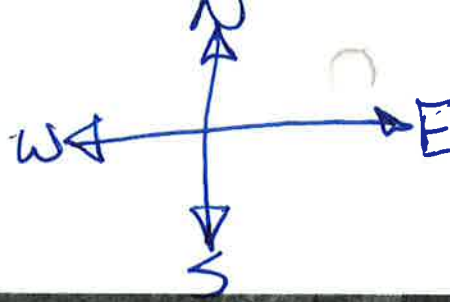
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

James Martin Mar Member Utaha
Print Name (and title, if applicable) LLC

Signature of Applicant

Print Name (and title, if applicable)



Utahna Street



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

June 26, 2020

CITY OF EAGLE
PARSONS BEHLE & LATIMER
C/O NORMAN M SEMANKO
800 W MAIN ST STE 1300
BOISE ID 83702

RE: Application for Permit No: 63-34912

Dear Interested Party:

The 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>.

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 of the final publication.

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

Sincerely,

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



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

June 26, 2020

UTAHNA LLC
PO BOX 1281
EAGLE, ID 83616-1281

RE: Application for Permit No. 63-34912

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 STATESMAN on 7/2/2020 and 7/9/2020. 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

CC:
JAMIN MARTIN

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:42 AM
To: 'BOI Legals'
Subject: Ada Legal Notices
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: 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 07/02/2020 and 07/09/2020.

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

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

RE: Application for Permit No. 63-34912, 63-34926, 63-34929
Transfer No. 84173
Water Right No(s). 63-199B, 63-200B

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 7/20/2020. 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:

63-34912

UTAHNA LLC

PO BOX 1281

EAGLE, ID 83616-1281

Point of Diversion NWSW S14 T04N R01E ADA County Source GROUND WATER

Point of Diversion SWNW S14 T04N R01E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.11 CFS

Total Diversion: 0.11 CFS

Date Filed: 05-14-2020

Place Of Use: DOMESTIC

T04N R01E S14 NWSW,SWNW

Water bearing zone to be appropriated is from 80 to 100 feet.

63-34926

CITY OF BOISE DEPT OF PARKS & RECREATION

1104 ROYAL BLVD

BOISE, ID 83706

Point of Diversion NWSWSW S4 T03N R02E ADA County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion NESE S5 T03N R02E ADA County Source BOISE RIVER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 35 CFS

Use: RECREATION 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 05-26-2020

Place Of Use: AESTHETIC, RECREATION

T03N R02E S4 NWNW,L6(NWSW),SWNW

Place Of Use: AESTHETIC,RECREATION

T03N R02E S5 NENE,L11(NESE)

63-34929

RANDY HOPKINS

1390 E MALLORY LN

MERIDIAN, ID 83642-7264

(2) Point of Diversion NESE S7 T02N R01E ADA County Source GROUND WATER Tributary

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.14 CFS

Use: IRRIGATION 03/01 to 11/15 0.14 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 8.5 AF

Total Diversion: 0.14 CFS, 6.0 AF

Date Filed: 06-08-2020

Place Of Use: AESTHETIC STORAGE,DIVERSION TO STORAGE,IRRIGATION

T02N R01E S7 NESE

Total Acres: 7

Water bearing zone to be appropriated is from 95 to 250 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84173

NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O SAWTOOTH LAW OFFICES PLLC, 1101 W RIVER ST STE 110

PO BOX 7985, BOISE, ID 83701 has filed Application No. 84173 for changes to the following water rights within ADA, BOISE County(s): Right No(s). 63-199B, 63-200B; 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: The purpose of the transfer is to convert an 11.00 cfs portion of the applicant's water rights from Irrigation to Industrial (3.00 cfs) and Groundwater Recharge (8.00 cfs). Irrigation use will be reduced within the Nampa & Meridian Irrigation District service boundary and appropriated for the proposed changes on a pre-determined amount each season. Diversion of the proposed uses will occur at Surprise Valley located within the NWNE, 2 North, 3 East, Sec. 4, Ada County, B.M. The rate of flow diverted under water rights 63-198AJ, 63-199B, 63-200B and 63-30181 at the Surprise Valley location shall not exceed a combined total of 26.00 cfs.

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 7/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/2/2020 and 7/9/2020

MEMORANDUM

June 18, 2020

Application for Permit: 63-34912

Author: abradbury

Subject: Legal Notice Remarks

Water bearing zone to be appropriated is from 80 to 100 feet.

MEMORANDUM

June 18, 2020

Application for Permit: 63-34912

Author: abradbury

Subject: Comment/Analysis

Response to application question 7a description of proposed diverting works and confirmation of WBZ were received via email from Jamin Martin on 6/18/20.

Bradbury, Allen

From: Jamin Martin <jamin@mandmcapital.com>
Sent: Thursday, June 18, 2020 11:06 AM
To: Bradbury, Allen
Cc: Skinner, Aaron; Andrew George; Kelly, Patrick
Subject: Re: Water right permit for 10200 Utahna hopefully issued July 21, 2020 by department of water resources

Allen thank you for the email and your work on this permit.

Here is the answer

Water from the well head is diverted to pressurized system for distribution directly to the units

Jamin Martin



[PO BOX 1281, Eagle, Idaho 83616](#)

On Jun 18, 2020, at 10:18 AM, Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov> wrote:

Hi Jamin,

I am working on your permit application for ground water. In my initial review of the information required by the Department, the only thing I found missing was an answer to item 7a. which is a description of the diverting works. In the Departments verbiage this generally means to describe how you access the source of water and distribute it to the location it will be used, for example a submersible pump in a well to a pressurized water line. Please provide an answer to item 7a, then I can continue to prepare your application for advertising.

Regards,

Allen Bradbury

Water Resource Agent, Sr.
IDWR-Western Region
Phone: (208) 334-2190
Email: Allen.Bradbury@idwr.idaho.gov

From: Skinner, Aaron
Sent: Thursday, June 18, 2020 9:43 AM
To: Jamin Martin <jamin@mandmcapital.com>
Cc: Andrew George <andrew@baseconstructors.com>; Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>; Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: RE: Water right permit for 10200 Utahna hopefully issued July 21, 2020 by department of water resources

Yes. What Mark provided is adequate if you are okay with that bearing zone.

From: Jamin Martin [<mailto:jamin@mandmcapital.com>]
Sent: Thursday, June 18, 2020 9:39 AM
To: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>
Cc: Andrew George <andrew@baseconstructors.com>; Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>; Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: Water right permit for 10200 Utahna hopefully issued July 21, 2020 by department of water resources

Thanks for email Aaron.
Working through phone messages now

Is the answer Mark Phipps has on the water bearing zone adequate for you to move forward on your end?

I do not have the information off hand and am not aware of how that is determined?

Thank you for your time

Jamin Martin



PO BOX 1281, Eagle, Idaho 83616

On Jun 18, 2020, at 9:25 AM, Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov> wrote:

Jamin,

The Department needs to know the water bearing zone or production zone determination before it can go in to advertising. I spoke to Mark Phipps this morning. He thought a water bearing zone from 80' to 120' would seem appropriate relative to existing wells in the neighborhood. If we can get you to respond to this email in agreeance or provide a different water bearing zone, the Department can move forward to advertisement.

The next round of advertisement is scheduled to in the Idaho Statesman Thursday July 2nd and July 9th making the protest deadline July 20th. If there is no opposition received by July 20th, Phipps can start drilling the well Tuesday July 21st.

Patrick and I have spoken to the agent working on the file and they are making this a high priority. My apologies for the delay in processing your file.

Let me know if you have any questions.

Best,

Aaron Skinner
Idaho Department of Water Resources
Water Resource Agent, Sr.
Mobile: (208) 830-4686
Office: (208) 334-2190

From: Jamin Martin [<mailto:jamin@mandmcapital.com>]
Sent: Wednesday, June 17, 2020 2:27 PM
To: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>
Cc: Andrew George <andrew@baseconstructors.com>
Subject: Aaron at IDWRhelp please Fwd: May 19 Re: Water permit for 10200 Utahna

Aaron, can I get some clarification on the comments below?
How is this possible ? Please see emails below for June 18th.

These people can not wait for this well?

Jamin Martin



PO BOX 1281, Eagle, Idaho 83616

Begin forwarded message:

From: "Kelly, Patrick" <Patrick.Kelly@idwr.idaho.gov>
Date: June 17, 2020 at 2:00:49 PM MDT
To: Jamin Martin <jamin@mandmcapital.com>, "Skinner, Aaron" <Aaron.Skinner@idwr.idaho.gov>

Cc: Andrew George <andrew@baseconstructors.com>
Subject: RE: May 19 Re: Water permit for 10200 Utahna

Jamin,

Your application was received May 14 and has been assigned to an agent to process. Please be aware that the application still needs to be advertised and a protest period to pass before a permit can be issued. This may take 4-6 months to complete.

Regards,

Patrick Kelly

Water Rights Supervisor
Emergency Agency Coordinator
2735 Airport Way
Boise, Idaho 83705
o: 208.334.2190
patrick.kelly@idwr.idaho.gov

From: Jamin Martin [<mailto:jamin@mandmcapital.com>]
Sent: Wednesday, June 17, 2020 1:35 PM
To: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>; Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>
Cc: Andrew George <andrew@baseconstructors.com>; Jamin Martin <jamin@mandmcapital.com>
Subject: Re: May 19 Re: Water permit for 10200 Utahna

Aaron and Patrick,

Regarding the property at 10200 Utahna, Boise, Idaho 83714 Water Right owned by Utahna LLC.

As we have patiently waited for the ability to drill a new well for the tenants to correct water issues, I have now been served with legal documentation a second time requesting the water issues be resolved.

Would you kindly advise asap how we can get this done?

Jamin Martin



PO BOX 1281, Eagle, Idaho 83616

On Tue, May 19, 2020 at 12:51 PM Skinner, Aaron
<Aaron.Skinner@idwr.idaho.gov> wrote:

Jamin,

The next round of advertising goes out next week to be in the local paper June 4th and 11th. The protest deadline would be June 18th and is when I can approve drilling if there isn't any opposition.

Thanks,

Aaron Skinner

Idaho Department of Water Resources

Water Resource Agent, Sr.

Mobile: (208) 830-4686

Office: (208) 334-2190

From: Jamin Martin [mailto:jamin@mandmcapital.com]

Sent: Tuesday, May 19, 2020 12:30 PM

To: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>

Cc: Andrew George <andrew@baseconstructors.com>; Kelly, Patrick
<Patrick.Kelly@idwr.idaho.gov>

Subject: Re: May 19 Re: Water permit for 10200 Utahna

Thanks Aaron,

Appreciate all your time on this.

May ask how often are the rounds of advertising ?

Thank you for your time

Jamin Martin



PO BOX 1281, Eagle, Idaho 83616

On May 19, 2020, at 9:55 AM, Skinner, Aaron
<Aaron.Skinner@idwr.idaho.gov> wrote:

Hi Jamin,

The Department received your paperwork last Thursday. It was passed on to the water right supervisor whom I've Cc'd to this email. Generally speaking, it will be assigned to an agent for review and if complete, will be processed for the next round of advertising.

Thanks,

Aaron Skinner

Idaho Department of Water Resources

Water Resource Agent, Sr.

Mobile: (208) 830-4686

Office: (208) 334-2190

From: Jamin Martin
[mailto:jamin@mandmcapital.com]
Sent: Tuesday, May 19, 2020 9:27 AM
To: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>
Cc: Andrew George <andrew@baseconstructors.com>
Subject: May 19 Re: Water permit for 10200 Utahna

Aaron, just wanted to touch base and see if the paperwork and fee sent in made it to you, for the permit?

Thank you for your time

Respectfully

Jamin Martin



PO BOX 1281, Eagle, Idaho 83616

On May 13, 2020, at 8:37 AM,
Skinner, Aaron
<Aaron.Skinner@idwr.idaho.gov>
wrote:

Thanks Jamin. I'll let the office know your sending it in.

Aaron

Sent from my iPhone

On May 12, 2020, at
4:36 PM, Jamin
Martin
<jamin@mandmcapital.com> wrote:

Aaron, please find
the completed map
and application.
I am putting this in
the mail with a check
for fees.

Please let me know
if I have missed
anything

Thank you for your
help

Created with
Scanner
Pro<[https://bit.ly/fro
m_email_template](https://bit.ly/fro_m_email_template)>

<Scan May 12, 2020
at 4.33 PM.pdf>

<image001.jpg>

Jamin Martin
MS, CLT, CLP, Cert
Green Services, Inc

Phone: [208-939-PEST](tel:208-939-PEST)
Website: www.mygreecapital.com
Email: jamin@mygreecapital.com

Jamin Martin



PO BOX 1281,
Eagle, Idaho 83616