

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 63-34880

Priority: April 06, 2020

Maximum Diversion Rate: 0.22 CFS

This is to certify that

LESLIEANN SCHWEIGER 9930 NEARPOINT DR ANCHORAGE AK 99507-1207 AND
GREGORY SCHWEIGER 9930 NEARPOINT DR ANCHORAGE AK 99507-1207

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
IRRIGATION	03/01 to 11/15	0.18 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion

GROUND WATER NE¼ SW¼, Sec. 8, Twp 05N, Rge 01W, B.M. ADA County
GROUND WATER NE¼ SW¼, Sec. 8, Twp 05N, Rge 01W, B.M. ADA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	8									9.0								9.0

Total Acres: 9.0

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	8									X								

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2025**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Point of diversion and place of use are located within Lot 8 & 9, Block 1, Colton Ranch Subdivision.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 63-34880

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 03 day of June, 20 20.



PATRICK KELLY
Water Rights Supervisor



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34880

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01W



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water






63-34880

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01W

05N



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





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 03, 2020

GREGORY SCHWEIGER
LESLIEANN SCHWEIGER
9930 NEARPOINT DR
ANCHORAGE AK 99507-1207

RE: Permit No. 63-34880

Permit Approval Notice

Dear Permit Holders:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

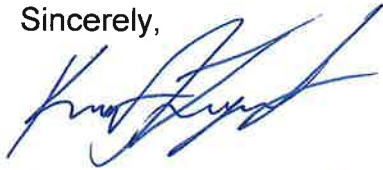
You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your

proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kersie Thorneycroft".

Kersie Thorneycroft
For: Patrick Kelly
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 03, 2020, I served a true and correct copy of Permit to Appropriate Water No. 63-34880 by U.S. Mail, postage prepaid, to the following:

GREGORY SCHWEIGER
LESLIEANN SCHWEIGER
9930 NEARPOINT DR
ANCHORAGE AK 99507-1207

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660



Kensie Thorneycroft
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Idaho Statesman

Keeping you connected | IdahoStatesman.com

RECEIVED

MAY 18 2020

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
263978	0004638037	The following application(s) have been filed to appropriate the public waters of the State of Idaho:	TRANSFER NO. 84018	\$286.18	2	8.78 In

Attention: Kensie Thorneycroft

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

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

63-34880

LESLIEANN SCHWEIGER

GREGORY SCHWEIGER

9930 NEARPOINT DR

ANCHORAGE, AK 99507-1207

(2) Point of Diversion NESW S8 T05N R01W ADA County Source

GROUND WATER

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

Use: IRRIGATION 03/01 to 11/15 0.18 CFS

Total Diversion: 0.22 CFS

Date Filed: 04-06-2020

Place Of Use: DOMESTIC, IRRIGATION

T05N R01W S8 NESW

Total Acres: 9

Water bearing zone to be appropriated is from 450 to 650 feet.

Domestic use is for one home in Colton Ranch Subdivision Lot 8 & 9

Block 1.

63-34883

CITY OF MERIDIAN

33 E BROADWAY AVE STE 206

MERIDIAN, ID 83642-2619

Point of Diversion SENW S10 T03N R01W ADA County Source

GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 158.5 AF

Use: RECREATION STORAGE 01/01 to 12/31 158.5 AF

Use: IRRIGATION 03/01 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS, 158.5 AF

Date Filed: 04-08-2020

Place Of Use: AESTHETIC STORAGE, RECREATION STORAGE

T03N R01W S10 SWNE, SENW

Place Of Use: IRRIGATION

T03N R01W S10 NWNE, SWNE, SENW

Total Acres: 14 within a 23 acre permissible place of use

Water bearing zone to be appropriated is from 50 to 250 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84018

CITY OF MERIDIAN, 33 E BROADWAY AVE STE 206, MERIDIAN, ID 83642-2619 has filed Application No. 84018 for

changes to the following water rights within ADA County(s):

Right No(s). 63-33371, 63-34888; 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 City of Meridian recently acquired Fuller Park located in western

Ada County. The City filed transfer no. 84018 to add a point of

diversion and change ownership of water rights covering the irrigation

of the park. The water rights are supplemental to irrigation provided

by Nampa & Meridian Irrigation District, and the new point of

diversion will be a new well drilled within the park. Water bearing zone to

be appropriated is 50 to 250 feet.

PROPOSED AMENDMENT OF WATER PERMIT

2-10516

124 DEGREES LLC, 2900 NICHOLS ST, SAN DIEGO, CA

92106-3425 filed an application to amend permit no. 2-

10516 on 03-23-2020 to amend a water permit no. 2-10516 with

a 2016 priority from the Snake River totaling 16.2 cfs/4324.9 AFA

for wildlife and recreational use. The permit provides

wildlife/recreation and wildlife/recreation storage water for property

located approx. 1.5 miles southeast of Hammett, ID on Schoffs Is-

land. The applicant proposes to amend the permit to add a point of

diversion across from the island, decrease the place of use on the

island and move those acres to land north of the island, decrease

VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

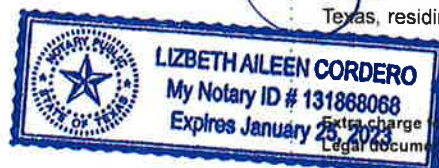
Beginning issue of: 05/07/2020

Ending issue of: 05/14/2020

V Rodela
(Legals Clerk)

On this 14th day of May in the year of 2020 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Lizbeth Aileen Cordero
Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits. Legal document please do not destroy!

the period of use to seasonal, and decrease the volume of water. 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/WRAJSearch/WRADJSearch.aspx>. 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 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020

0004638037-01