

WITHDRAWN

RECEIVED

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 10 2020

INCOMPLETE

WATER RESOURCES

WESTERN REGION

APR 28 2020

WATER RESOURCES

WESTERN REGION

1. Name of applicant(s) Ryan Kuhns Phone 661-900-6608
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address 725 W. Floating Feather Road City Eagle

State ID ZIP 83616 Email ryankuhns@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 ground water which is a tributary of N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4N	1E	8	3		NW	NE	ADA	Ground	

5. Water will be used for the following purposes: Domestic RK

Amount 16.75 0.04 RK for Residential Use/Irrigation purposes from Jan 1 to Dec 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) 0.04 RK 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. Well is for Handpump Use, Max Capacity 5 gallon per min.

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 6" inches; proposed depth of well is 75 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 KT Date 04/10/2020 Time 2:06pm Preliminary check by _____

Fee \$ 100 Received by KT Receipt No. W2048189 Date 04/10/2020

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 ¹ _____
- 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	
4N	1E	8	D																

Total number of acres to be irrigated: * 1/2 RK

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? Existing Well with electric pump for residential use.


11. a. Who owns the property at the point of diversion? Ryan and Shannon Kuhns
- b. Who owns the land to be irrigated or place of use? Ryan and Shannon Kuhns
- 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. We desire to have a low use well with a Manual Hand Pump to provide residential use as well as irrigation use for our gardens and trees.

13. Time required for completion of works and application of water to proposed beneficial use is 2 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
Ryan Kuhns

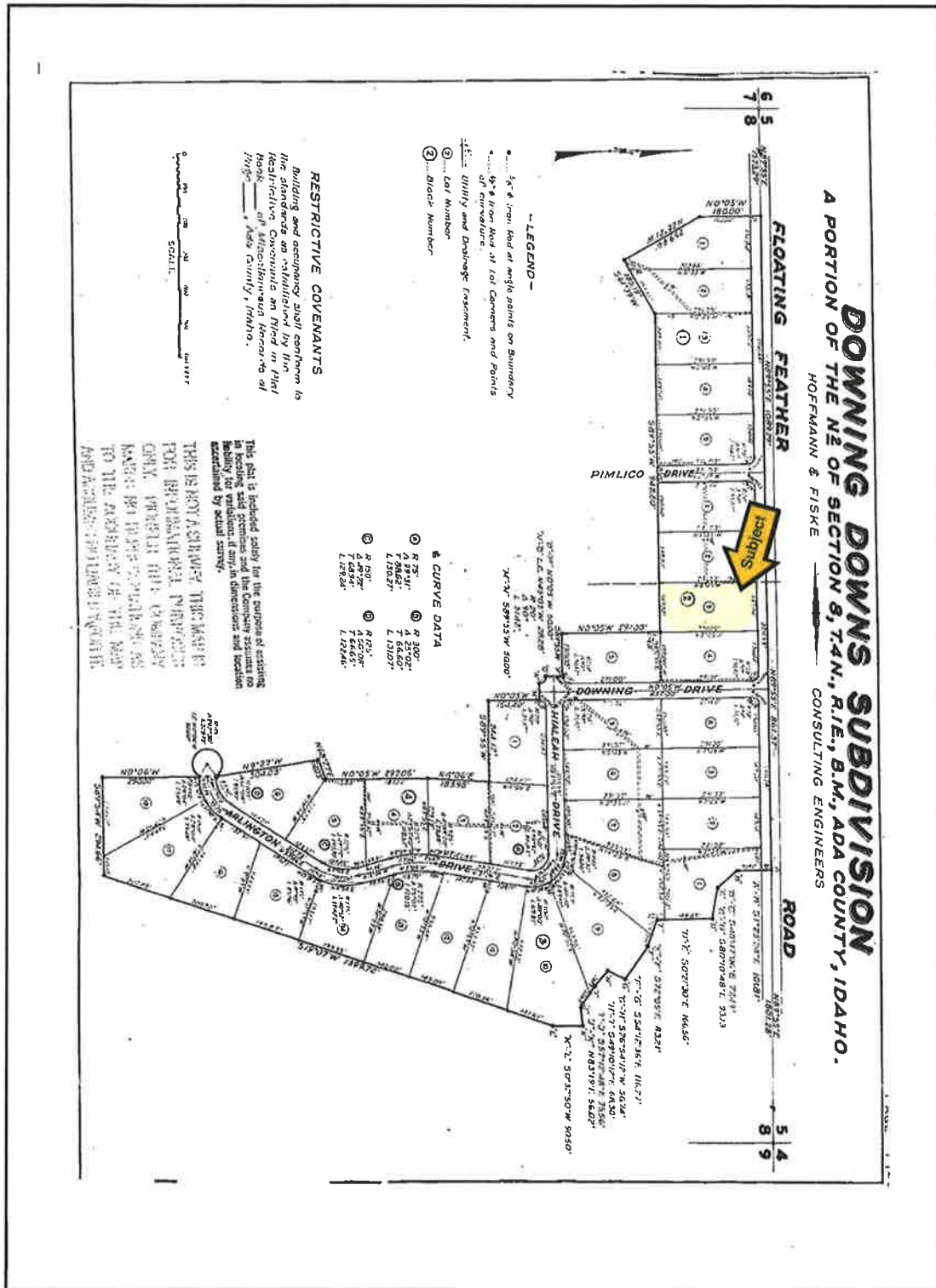
Print Name (and title, if applicable)

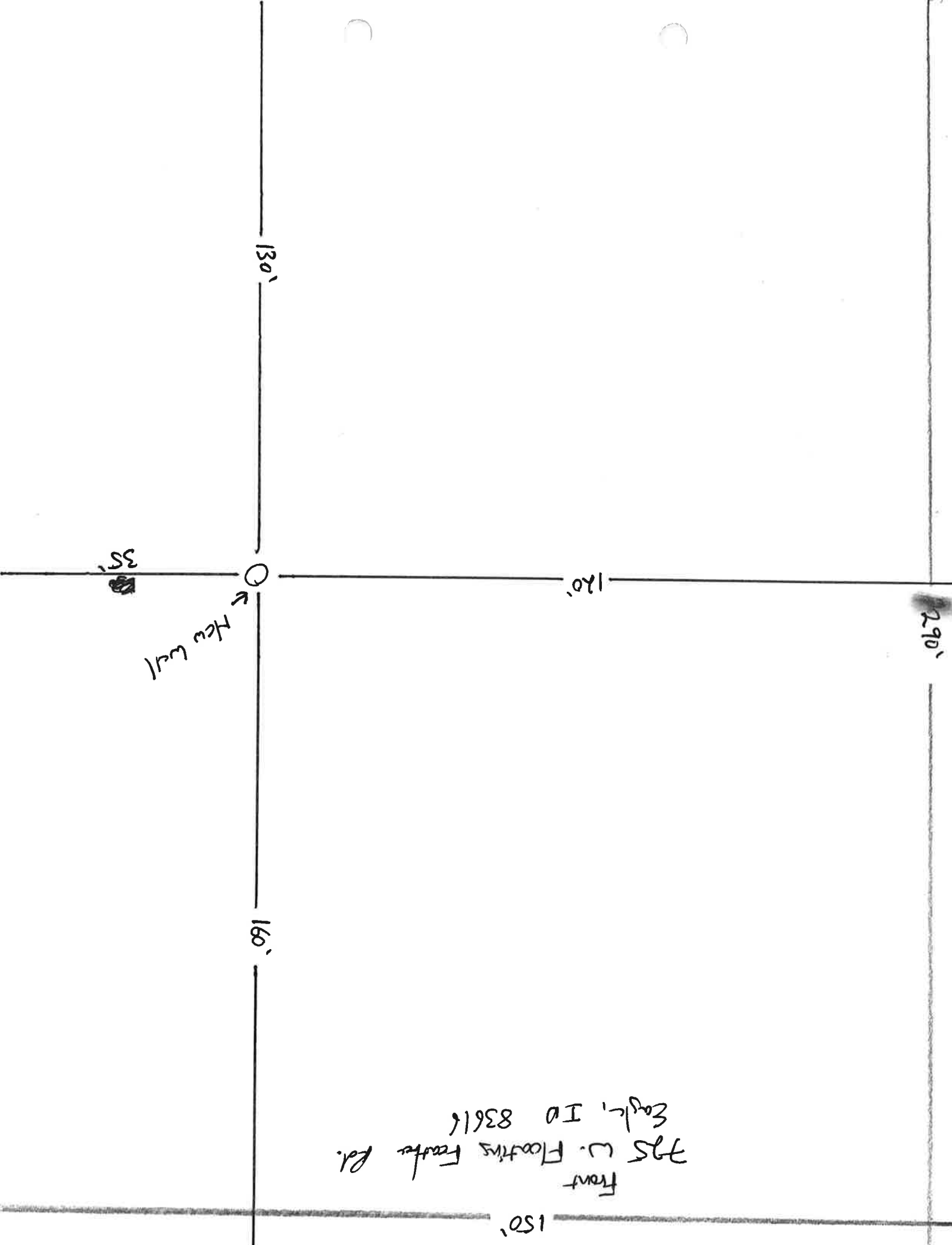
Signature of Applicant

Print Name (and title, if applicable)

Plat Map

Borrower/Client	RYAN & SHANNON KUHNS				
Property Address	725 W Floating Feather Rd				
City	Eagle	County	ADA	State	ID Zip Code 83616-3817
Lender	EAGLE HOME MORTGAGE				





35'

New Well

130'

160'

120'

290'

150'

Front
725 W. Floating Feather Rd.
Eagle, ID 83616



Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, May 14, 2020 1:55 PM
To: 'WATERDISTRICT63@QWESTOFFICE.NET'
Subject: Application for Permit of 63-34894, 63-34896, 63-34891, 63-34897 & 63-34900
Attachments: Watermaster 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 within 21 days of the date of this letter.

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 Wester 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

May 14, 2020

RYAN KUHNS
725 W FLOATING FEATHER RD
EAGLE, ID 83616-3817

RE: Application for Permit No. 63-34894

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 5/21/2020 and 5/28/2020. 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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, May 14, 2020 1:41 PM
To: 'BOI Legals'
Subject: Ada Legal Notice
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 05/21/2020 and 05/28/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Wester 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

May 14, 2020

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

RE: Application for Permit No. 63-34891, 63-34894, 63-34896, 63-34897, 63-34900

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 6/8/2020. 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:

63-34894

RYAN KUHNS
725 W FLOATING FEATHER RD
EAGLE, ID 83616-3817
Point of Diversion NWNE S8 T04N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 04-28-2020
Place Of Use: DOMESTIC
T04N R01E S8 NENE
Total Acres: 0.5

63-34896

JAMES DONOVAN
5514 W LAKE RIVER LN
BOISE, ID 83703-6241
Point of Diversion SESE S30 T04N R02E ADA County Source SILVER LAKE Tributary BOISE RIVER
Use: AESTHETIC 01/01 to 12/31 0.37 CFS
Total Diversion: 0.37 CFS
Date Filed: 04-24-2020
Place Of Use: AESTHETIC
T04N R02E S30 SESE
T04N R02E S31 NENE

63-34891

BOISE PROJECT BOARD OF CONTROL
2465 W OVERLAND RD
BOISE, ID 83705-3155
(2) Point of Diversion NWSE S13 T03N R04E ELMORE County Source BOISE RIVER Tributary SNAKE RIVER
Use: POWER 01/01 to 12/31 220 CFS
Total Diversion: 220 CFS
Date Filed: 05-01-2020
Place Of Use: POWER
T03N R04E S13 NWSE

63-34897

CAT CREEK ENERGY LLC
398 S 9TH ST STE 240
BOISE, ID 83702
Points of Diversion: SENW, SWNE, and SWNW, all in S26 T01N R09E ELMORE County Source: SOUTH FORK BOISE RIVER
Tributary: BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 2,000 CFS
Use: IRRIGATION STORAGE, MUNICIPAL STORAGE, and MITIGATION BY DELIVERY STORAGE 01/01 to 12/31 31,000 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 31,000 AF
Use: MUNICIPAL FROM STORAGE and MITIGATION BY DELIVERY FROM STORAGE 01/01 to 12/31 310,000 AF
Use: IRRIGATION 04/01 to 10/31 120.2 CFS
Total Diversion: 2,000 CFS 31,000 AF
Date Filed: 4/21/2020
Place Of Use: Application proposes 31,000 acre feet of supplemental storage in the proposed Cat Creek Reservoir in Elmore County to be used for irrigation of land within Black Canyon Irrigation District, for Municipal uses within the service area of City of Nampa, and for Mitigation by Delivery to lands within Ada, Canyon, and Owyhee Counties that are presently served by water from the Boise River Drainage.
Applicant also proposes irrigation of approximately 6,010 acres of land associated with Wood Creek Ranch, located in Elmore County in the immediate vicinity of the proposed Cat Creek Reservoir. This proposal will provide supplemental water to approximately 2,800 acres and the balance of the proposed place of use will be new acres not previously irrigated.

63-34900

CAT CREEK ENERGY LLC
398 S 9TH ST STE 240
BOISE, ID 83702
Points of Diversion: SENW, SWNE, and SWNW, all in S26 T01N R09E ELMORE County Source: SOUTH FORK BOISE RIVER
Tributary: BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 2,000 CFS
Use: IRRIGATION STORAGE, MUNICIPAL STORAGE, GROUND WATER RECHARGE STORAGE, WATER QUALITY IMPROVEMENT STORAGE, INDUSTRIAL STORAGE, RECREATION STORAGE, FISH HABITAT STORAGE, COMMERCIAL STORAGE, DOMESTIC STORAGE, STREAMFLOW MAINTENANCE STORAGE, WILDLIFE STORAGE, and MITIGATION BY DELIVERY STORAGE 01/01 to 12/31 19,000 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 19,000 AF
Use: MUNICIPAL FROM STORAGE, GROUND WATER RECHARGE FROM STORAGE, WATER QUALITY IMPROVEMENT

FROM STORAGE, INDUSTRIAL FROM STORAGE, COMMERCIAL FROM STORAGE, DOMESTIC FROM STORAGE, STREAMFLOW MAINTENANCE FROM STORAGE, and MITIGATION BY DELIVERY FROM STORAGE 01/01 to 12/31 19,000 AF
Total Diversion: 2,000 CFS 19,000 AF
Date Filed: 4/22/2020

Place of Use: Application proposes to divert and store 19,000 acre feet of water in the proposed Cat Creek Reservoir in Elmore County. The applicant proposes to make the stored water available for sale, rent, or distribution for the uses listed above. The proposed place of use is generally within the Boise River drainage and a portion of the Mountain Home Plateau. The proposed place of use includes that portion of IDWR Administrative Basin 61 in Ada County and a large portion of IDWR Administrative Basin 63 and includes lands in Ada, Boise, Canyon, Gem, and Payette Counties in Idaho as well as a portion of Malheur County east of the Snake River in Oregon. The place of use for storage water does not include lands in Elmore or Camas Counties. The full description of the place of use is available from the Department of Water Resources at www.idwr.idaho.gov, or contact Western Region office at (208) 334-2190.

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 6/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/21/2020 and 5/28/2020



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

4/21/20

Ryan Kuhns
725 W. Floating Feather Road
Eagle, Idaho, 83616

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on April 10, 2020. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- 4. Point of Diversion(s) was not provided correctly.**
Missing the QQ in the POD table (should be NW NE)
- 5. Nature of Proposed Use was not provided correctly.**
Per our phone conversation Tuesday April 21 change to **0.04 cfs for Domestic**. This is the suggested rate for a domestic water right with irrigation of up to ½ acre.
- 6. Quantity was not provided.**
Please populate this field, as stated above **0.04 cfs** is the suggested rate for domestic use and irrigation for up to ½ acre.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Kate Hulse
Western Region Water Rights Staff

Enclosure: Original Application