

RECEIVED
INCOMPLETE
NOV 13 2019

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

Ident. No. 63-34820

RECEIVED
COMPLETE
JAN 21 2020

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) JIM OR MARTHA SCHWARTZ Phone 208-739-3819
Name connector (check one): ☐ and ☒ or ☐ and/or
Mailing address 3500 Elmore Rd City Parma
State ID _____ ZIP 83660 Email POORFISH@FMTC.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 _____

WATER RESOURCES
WESTERN REGION

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
06N	05W	1	4		NW	NW	Payette	Ground Water	
			3		NE	NW	Payette	Ground Water	

5. Water will be used for the following purposes:
- Amount 0.26 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 1.1 for commercial/fish propagation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 90.5 af for commercial/fish storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 1.36 for DIVERSION TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 1.36 cubic feet per second (cfs) and/or (b) 90.5 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. one well in either the NWNW L4 or NENW L4 pump to ponds and irrigation system
- b. Height of storage dam excavated feet; active reservoir capacity 67.2 acre-feet; total reservoir capacity 67.2 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 8-10 inches; proposed depth of well is 350-450 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 11/13/2019 Time 10:34am Preliminary check by SN
Fee \$ 290.00 Received by KT Receipt No. W047875 Date 11/13/2019

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. Commercial use is for fish rearing and commercial guest fishing. Four ponds with a total surface area of 7.3 acres and an overall average depth of 9.2 feet.
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	
06N	05W	1						13											13
								L4											
								CST											
07N	05W	36											CST						

Total number of acres to be irrigated: 13

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? Black Canyon Irrigation district shares on property (not the 13 acres proposed for irrigation), domestic well/right.
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- 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. Drill one well to provide water for ponds and flow through and irrigation of 13 acres above the canal. Gravity flow through the ponds, but pumped system up to the irrigated lands. Flow through and pond diversion rate based on 0.15 cfs per acre of surface area.
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
TIM SCHWARTZ
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



Total Storage Calculations

FILE NUMBER	Schwartz
REVIEWER	NRM
DATE	1/1/2000

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	7.3	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	9.2	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	67.16	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a " <u>From Storage</u> " component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	8.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	15.4	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	90.5	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	1.00	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	4.10	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.12	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.06	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	36	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is <i>approximately 6 months (180 days) or more</i> , the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	-837	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is <i>approximately 6 months (180 days) or more</i> , the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	Schwartz
REVIEWER	NRM
DATE	1/1/2000

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
ET= Evapotranspiration
P _d = Precipitation deficit
P _d =ET-P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at <X:/Spatial/Climate/ETIdahostations.shp>.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: Twin Falls 2 NNE (NWS -- 109294)

Month	mm/day ¹	Days per month	mm/Month
Jan	0.64	31	19.84
Feb	0.08	28	2.24
March	0.91	31	28.21
April	2.06	30	61.80
May	2.55	31	79.05
June	3.38	30	101.40
July	4.10	31	127.10
August	3.61	31	111.91
September	2.46	30	73.80
October	1.20	31	37.20
November	-0.15	30	0.00
December	-0.66	31	0.00

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 642.55

$[(\text{mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$

(642.55 ÷ 304.8) X 7.30 = 15.4 AFA

Seepage Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.

FILE NUMBER	Schwartz
REVIEWER	NRM
DATE	1/1/2000

User Input
Calculated value
Formula Explanations

INPUTS

	7.3	AC.
--	-----	-----

Pond Surface Area (SQ. FT.)	317988	SQ. FT.
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I used the following method to obtain my Soil Classification information:	NRCS Web Soil Survey	
My Soil Classification is	CL	
Suggested Seepage Rate (FT./DAY)	0.0030	FT./DAY

Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss
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Convert to GPD	7136	GPD
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Total Seepage Loss (AFA)	8.0	AFA
--------------------------	-----	-----

Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."

Suggested Seepage Rates for Different Soil Types:
GW, GP, GM, GC, SW, SP and SM (silty sand, sand silt mixtures and gravel mixtures) = 0.2 ft per day
OL and ML (inorganic silts - very fine sands, silty, or clayey fine sands) = 0.02 ft per day
SC (clayey sands, sand clay mixtures) = 0.007 ft per day
CL (Low to medium plasticity clays) = 0.003 ft per day
MH, OH, PT and CH (high plasticity clays) = 0.0003 ft per day
LINED PONDS (liners can be chemical, fabric, or bentonite) = 0 ft per day
Ponds Intercepting Groundwater (excavated ponds filled by ground water) = 0 ft per day

PLEASE NOTE: The initial basis for the Suggested Seepage Rates in the table above is found on Page 16 of Seepage from Fish Ponds, Bulletin 599, August 1989 Alabama Agricultural experiment Station, Auburn University, Auburn University Alabama. If you don't know the soil type, please refer to the map provided at the NRCS Web Soil Survey (Tab #1) , an ArcMap Soil Classification Map (Tab #1.1), or published NRCS Soil Survey (Tab #1.2) . Use "0" if the pond fill relies on the water table.



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

BUREAU OF RECLAMATION
REGIONAL DIRECTOR
150 N CURTIS RD STE 100
BOISE ID 83706

Re: Application for Permit No. 63-34820

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the Payette County *Independent Enterprise* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you wish to formally protest the approval of the application, you must submit a protest with the \$25.00 protest fee to this office by **5:00 p.m., February 24, 2020**. You must also send a copy of your protest to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

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

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

KATHLEEN A OR ALFRED A MAINE
3403 ELMORE RD
PARMA ID 83660

Re: Application for Permit No. 63-34820

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the Payette County *Independent Enterprise* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

TMCO INC
PO BOX 1366
NAMPA ID 83653

Re: Application for Permit No. 63-34820

Dear Interested Party:

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Sincerely,

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Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

MERLE AND MELVINA S PALMER
3660 ELMORE RD
PARMA ID 83660

Re: Application for Permit No. 63-34820

Dear Interested Party:

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue circular stamp.

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

WILLIAM H COX
2610 SW 9TH AVE
PARMA ID 83660

Re: Application for Permit No. 63-34820

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the Payette County *Independent Enterprise* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue circular stamp. The signature is fluid and cursive.

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

MALVIN B AND CORA M WATSON
PO BOX 44
FRUITLAND ID 83619

Re: Application for Permit No. 63-34820

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the Payette County *Independent Enterprise* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 29, 2020

BLACK CANYON IRRIGATION DISTRICT
PO BOX 226
NOTUS ID 83656

Re: Application for Permit No. 63-34820

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the Payette County *Independent Enterprise* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue horizontal line.

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, January 30, 2020 2:46 PM
To: 'bill.bosworth@idfg.idaho.gov'
Subject: Application for Permit No(s). 57-12011, 63-34820, 79-14272
Attachments: PRMT 63-34820.pdf; PRMT 57-12011.pdf; PRMT 79-14272.pdf; IDFG Recommendation Form.docx

January 30, 2020

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: BILL BOSWORTH
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application for Permit No(s). 57-12011, 63-34820, 79-14272

Dear Mr. Bosworth:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of each application is enclosed with this email for your reference. Please review each application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 24, 2020**.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

if you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, January 30, 2020 2:40 PM
To: 'TODD.CRUTCHER@DEQ.IDAHO.GOV'; 'Sujata.Connell@deq.idaho.gov'
Subject: Application for Permit No(s). 63-34820 & 79-14272
Attachments: PRMT 63-34820.pdf; PRMT 79-14272.pdf; Agency Recommendation Form.docx

January 30, 2020

TODD CRUTCHER
SUJATA CONNELL
DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: Application for Permit No(s). 63-34820 & 79-14272

Dear Mr. Crutcher and Mrs. Connell:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of each application is enclosed with this email for your reference. Please review each application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 24, 2020**.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

if you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
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

January 29, 2020

JIM SCHWARTZ
MARTHA SCHWARTZ
3500 ELMORE RD
PARMA, ID 83660-6201

Application For Permit No. 63-34820

Dear Applicants:

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 INDEPENDENT ENTERPRISE on 2/5/2020 and 2/12/2020. 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

Thornecroft, Kensie

From: Thornecroft, Kensie
Sent: Wednesday, January 29, 2020 3:35 PM
To: 'legals@ind-ent.com'
Subject: Payette Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Completed

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 02/05/2020 & 02/12/2020.

Please confirm these are okay to publish as shown.

Kensie Thornecroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190

January 28, 2020

LEGAL NOTICE DEPARTMENT

INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application For Permit No.(s): 63-34820

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 2/24/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

63-34820

JIM SCHWARTZ

MARTHA SCHWARTZ

3500 ELMORE RD

PARMA, ID 83660-6201

Point of Diversion L4(NWNW) S1 T06N R05W PAYETTE County Source GROUND WATER

Point of Diversion L3(NENW) S1 T06N R05W PAYETTE County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 1.1 CFS

Use: COMMERCIAL STORAGE 01/01 to 12/31 90.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 1.36 CFS

Use: FISH PROPAGATION 01/01 to 12/31 1.1 CFS

Use: FISH PROPAGATION STORAGE 01/01 to 12/31 90.5 AF

Use: IRRIGATION 03/01 to 11/15 0.26 CFS

Total Diversion: 1.36 CFS, 90.5 AF

Date Filed: 11/13/2019

Place Of Use: IRRIGATION

T06N R05W S1 L4(NWNW)

Place Of Use: FISH PROPAGATION, FISH PROPAGATION STORAGE, COMMERCIAL, COMMERCIAL STORAGE, DIVERSION TO STORAGE

T06N R05W S1 L4(NWNW)

T06N R05W S36 L3(SWSW)

Water bearing zone to be appropriated is from 350 to 450 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 02/24/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/5/2020 and 2/12/2020



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 13, 2019

JIM OR MARTHA SCHWARTZ
3500 ELMORE RD
PARMA, ID 83660

COPY

Re: Water Right Application 63-34820 - Returned

Dear Applicant:

This office received your application on November 13, 2019. The Idaho Department of Water Resources (IDWR) requires a *Diversion to Storage* nature of use, rate, and date of use in instances where the water is diverted from its natural place (the ground) to another place such as storage (the ponds). The application cannot be further processed until the following item is addressed:

• **#5 Proposed Use: Please add the following to your application:**

- Amount in CFS: The rate should match the commercial use rate at 1.1 cfs.
- For: Diversion to Storage. This will reflect the amount of water going from the well to the ponds.
- Dates: from 1/1 to 12/31. This will make it a year-round use.

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 if you have any questions about the necessary information.

Sincerely,

Shilynn Novak
Water Resource Agent

Enclosure: Original Application