

RECEIVED

OCT 15 2019

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

Ident. No. 57-12010WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) DeRuyter Dairy LLC Phone 208-896-5402
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address PO Box 580 City Marsing
 State ID ZIP 83639 Email deruyterdairyid@gmail.com
2. Name of representative, if any SPF Water Engineering Phone 208-383-4156
 Mailing address 300 E Mallard Dr, Ste 350 City Boise
 State ID ZIP 83706 Email lgraves@spfwater.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 #
3N	5W	24			SE	SE	Owyhee	Ground Water	D0083559

5. Water will be used for the following purposes:
- Amount 0.20 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.06 for Irrigation purposes from 3/1 to 11/15 (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) 0.20 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, pump, pressurized system
- 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 275 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 3/25/2019; drilling firm Knie Pump & Drilling;
 well was drilled for (well owner) Applicant; Drilling Permit No. 889054

For Department Use

Received by KT Date 10/15/19 Time 11:54am Preliminary check by CP
 Fee \$ 100 Received by KT Receipt No. W047813 Date 10/15/19

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 18 mobile home units
 - 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	
3N	5W	24																D	
																		2	

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? None
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. Applicant proposes potable domestic uses associated with 18 mobile home units for employee housing. Up to 2 acres of irrigation is also proposed to cover non-potable domestic uses and/or common area associated with the mobile home units. Water bearing zone to be appropriated is from 250 to 275 feet.
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.

Annelise Van Vliet
 Signature of Applicant
Annelise Van Vliet, Secretary
 Print Name (and title, if applicable)

 Signature of Applicant

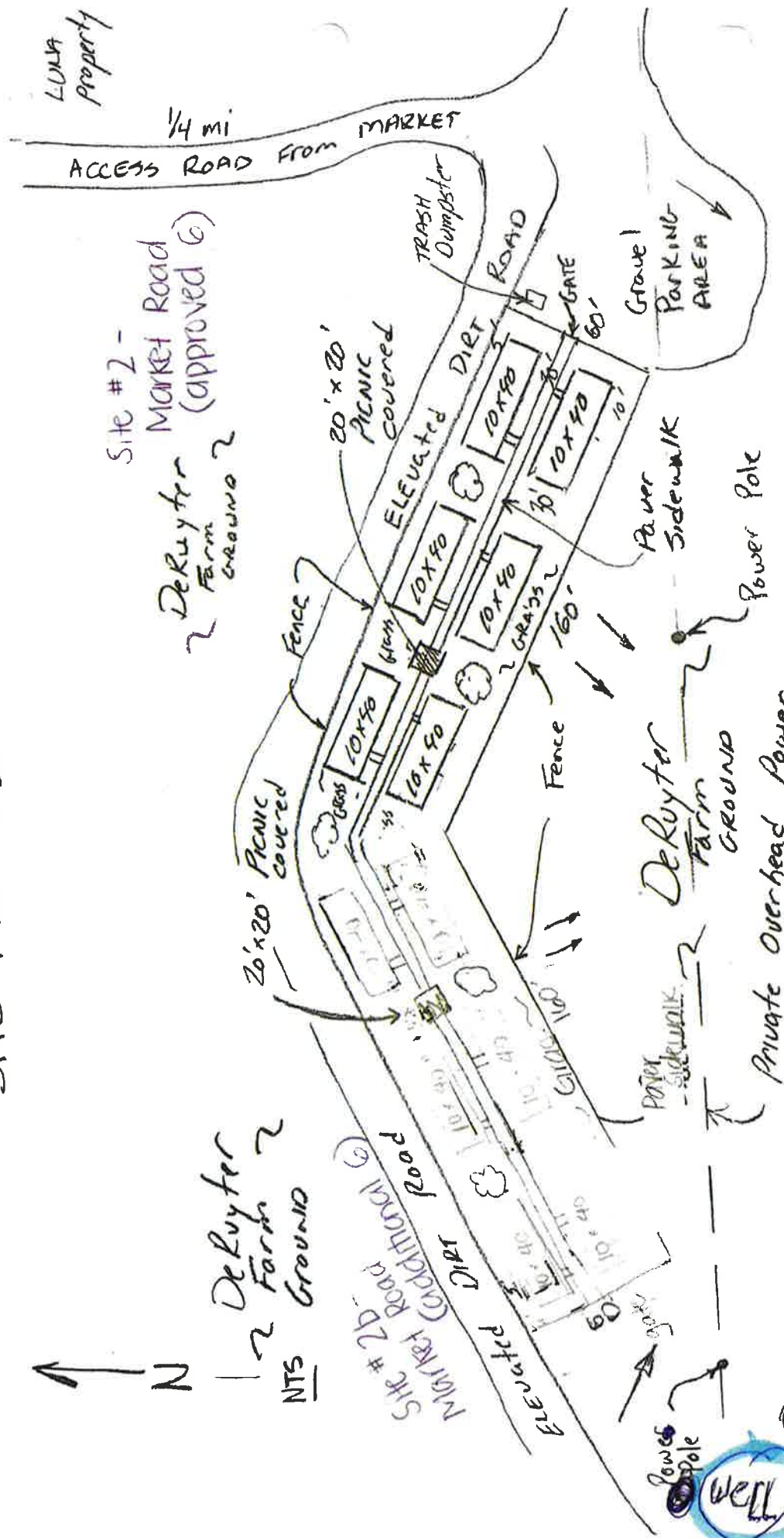
 Print Name (and title, if applicable)

Path: S:\PROJECTS\A thru D\Projects\DeRuyter Dairy_1512\PROJECT\GIS\Map\Projects\PMI map.mxd



57-12010

SITE Plan #2 - MARKET ROAD



SEPTIC TO BE DESIGNED
CONSTRUCTED TO MEET
SOUTH WEST DISTRICT HEALTH
REQUIREMENTS,


 - 20' x 20' covered patio
  slope
  slope

3W 5th Sec 29
SE SE



57

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED

AUG 26 2019

WATER RESOURCES
WESTERN REGION1. WELL TAG NO. D 20082559Drilling Permit No. 889054

Water right or injection well # _____

2. OWNER: DeWalter DairyName SameAddress 4699 Burstock RoadCity Marsing State Id Zip 83639

3. WELL LOCATION:

Twp. 03 North ☒ or South ☐ Rge. 05 East ☐ or West ☒Sec. 24 10 acres 1/4 SE 1/4 SE 1/4 160 acresGov't Lot _____ County OwyheeLat. 43 34 66.9 (Deg. and Decimal minutes)Long. 116 32 41.5 (Deg. and Decimal minutes)Address of Well Site Same as above

(Give at least name of road + Distance to Road or Landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well☐ Abandonment ☒ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
<u>Pentaplast</u>	<u>0</u>	<u>52</u>	<u>41</u>	<u>10' over bore</u>
				<u>Stayed open</u>

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
<u>6</u>	<u>+2</u>	<u>38</u>	<u>250</u>	<u>Steel</u>	☐	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 260

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☐ N Method XManufactured screen ☐ Y ☐ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☐ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____Describe control device Well cap

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 173 Static water level (ft) 85Water temp. (°F) 45 Bottom hole temp. (°F) 65Describe access port Well cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
<u>195</u>	<u>80+</u>	<u>2 hr</u>

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐

Water quality test or comments: Good. A Little Sulfur Scent

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
<u>10</u>	<u>0</u>	<u>45</u>	<u>Sandy Clay</u>		☒
<u>10</u>	<u>45</u>	<u>52</u>	<u>Gravel</u>		☒
<u>6</u>	<u>52</u>	<u>100</u>	<u>Blue Clay</u>		☒
<u>6</u>	<u>100</u>	<u>145</u>	<u>Sandy Clay</u>		☒
<u>6</u>	<u>145</u>	<u>173</u>	<u>Blue Clay</u>		☒
<u>6</u>	<u>173</u>	<u>185</u>	<u>Sand Black</u>		☒
<u>6</u>	<u>185</u>	<u>197</u>	<u>Blue Clay</u>		☒
<u>6</u>	<u>197</u>	<u>205</u>	<u>Black Sand</u>		☒
<u>6</u>	<u>205</u>	<u>260</u>	<u>Blue Clay</u>		☒
<u>6</u>	<u>260</u>	<u>275</u>	<u>Black Sand</u>		☒

Completed Depth (Measurable): 270Date Started: 3-15 Date Completed: 3-25-19

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Eric Reap + Drilling Co. No. 417*Principal Driller Mike K... Date 6-20-2019*Driller Mike K... Date 6-20-2019

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

57-12010



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

October 30, 2019

GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE ID 83628

Re: Application for Permit No. 57-12010

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 *Owyhee Avalanche* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **November 25, 2019**. A copy of the protest must also be sent to the applicant.

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

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, October 30, 2019 11:59 AM
To: 'TODD.CRUTCHER@DEQ.IDAHO.GOV'
Subject: Application for Permit
Attachments: 57-12010.pdf; Agency Recommendation Form.docx

October 30, 2019

TODD CRUTCHER
DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: Application for Permit 57-12010

Dear Mr. Crutcher:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **November 25, 2019**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Anna Kaiser



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

October 30, 2019

DERUYTER DAIRY LLC
PO BOX 580
MARSING, ID 83639-0580

Application for Permit No. 57-12010

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 OWYHEE AVALANCHE on 11/6/2019 and 11/13/2019. 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,

Anna Kaiser
Administrative Assistant

CC:

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

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, October 30, 2019 11:46 AM
To: 'office@owyheeavalanche.com'
Subject: OWYHEE Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/6/2019 & 11/13/2019.

Please confirm these are okay to publish as shown.

Thank You,

Anna Kaiser | Administrative Assistant I

IDWR-Western Region

2735 W Airport Way, Boise ID 83705

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

October 30, 2019

LEGAL NOTICE DEPARTMENT

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application For Permit No: 57-12010

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 11/25/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosure(s)

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

57-12010

DERUYTER DAIRY LLC

PO BOX 580

MARSING, ID 83639-0580

Point of Diversion SESE S24 T03N R05W OWYHEE County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.2 CFS

Use: IRRIGATION 03/01 to 11/15 0.06 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/15/2019

Place Of Use: IRRIGATION, DOMESTIC

T03N R05W S24 SESE

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 11/25/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/6/2019 and 11/13/2019



SPF WATER
ENGINEERING

October 11, 2019

RECEIVED

OCT 15 2019

WATER RESOURCES
WESTERN REGION

Patrick Kelly, Water Rights Supervisor
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit

Dear Patrick,

Enclosed on behalf of the DeRuyter Dairy, LLC, is an *Application for Permit* requesting diversion from a new well for domestic and irrigation uses in Owyhee County.

Check No. 37549 for \$100 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Annelise DeRuyter

Enclosures

SPF file number: 1512.0010