

RECEIVED

AUG 26 2019
COMPLETE
WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 57-12008

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Doug and Janice Burgess Phone 208-337-4094
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 2725 Mule Spring Road City Homedale
 State Idaho ZIP 83628 Email janice5257@yahoo.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 Waste Water which is a tributary of Snake River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
03N	05W	31			SE	NW	Owyhee	Waste Water	

5. Water will be used for the following purposes:
- Amount .03 for Stockwater purposes from 1/1 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) .03 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. Submersible pump from waste water to holding pond (Surface Area 8 sq ft, depth approx. 1 ft)
- 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 _____ inches; proposed depth of well is _____ 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 7/23/19 Time 9:56am Preliminary check by _____
 Fee \$ 100 Received by KT Receipt No. W047620 Date 7/23/19

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. 150 head of range cattle
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households _____
- 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	
03N	05W	31			S				S	S	S	S							
									2			7							
03N	06W	36				S									S				
						2									3				

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? _____

- Who owns the property at the point of diversion? Burgess
- Who owns the land to be irrigated or place of use? Burgess
- 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. I would like to cross fence pasture for more efficient use, and need water in each field.

13. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).

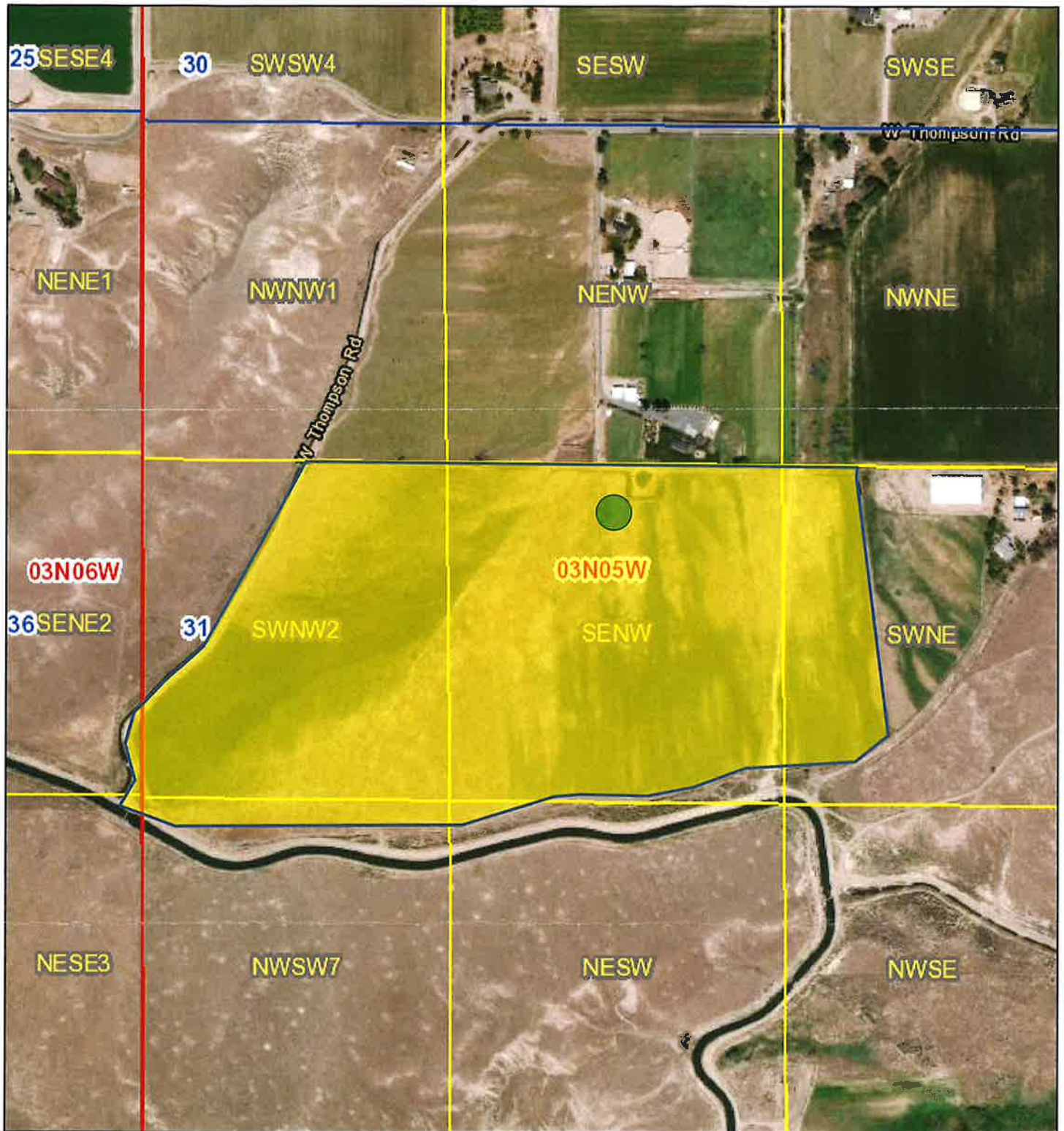
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Doug Burgess
Signature of Applicant
Doug Burgess
Print Name (and title, if applicable)

Janice Burgess
Signature of Applicant
Janice Burgess
Print Name (and title, if applicable)

Application for Water Right



8/9/2019, 3:52:51 PM

Override 1

Override 1

Counties

Quarter Quarter

Section

Township/Range

Idaho Outline

Idaho Mask

AB
8-14-19
DB

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water

Idaho Department of Water Resources

USDA ESRI, DigitalGlobe, GeoEye, CNES/Airbus DS, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water Resources

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AUG 01 2019

FORM 202 Rev. 09/16

RECEIVED

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

Ident. No. _____

JUL 23 2019

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

1. Name of applicant(s) Doug Janice Burgess Phone 208-337-4094
 Mailing address 2725 mule sp Rd City Homedale
 State ID ZIP 83628 Email Janice 5257 @ Yahoo.com
 Name connector (check one): ☒ and ☐ or ☐ and/or
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 Waste water Ditch which is a tributary of South Canal
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
03N	05W	31		SE NW				Gem Irrigation - South Canal	

5. Water will be used for the following purposes:
 Amount .03 for Stock water purposes from 1-1 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) 0.03 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. Holding Pond
- b. Height of storage dam 4 feet; active reservoir capacity 500 acre feet 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 _____ inches; proposed depth of well is _____ 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 VT Date 7/23/19 Time 9:36am Preliminary check by _____
 Fee \$ 100 Received by VT Receipt No. W047620 Date 7/23/19

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. 150 head
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households _____
- 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	
03N	05W	31																	

Total number of acres to be irrigated: 0

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? NOT Domestic purposes

Application is for additional use

- Who owns the property at the point of diversion? Burgess
- Who owns the land to be irrigated or place of use? Burgess
- 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. I would like to cross fence pasture, for more efficient use, and need water in each field.

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.

Doug Burgess
Signature of Applicant

Doug Burgess
Print Name (and title, if applicable)

Janice Burgess
Signature of Applicant

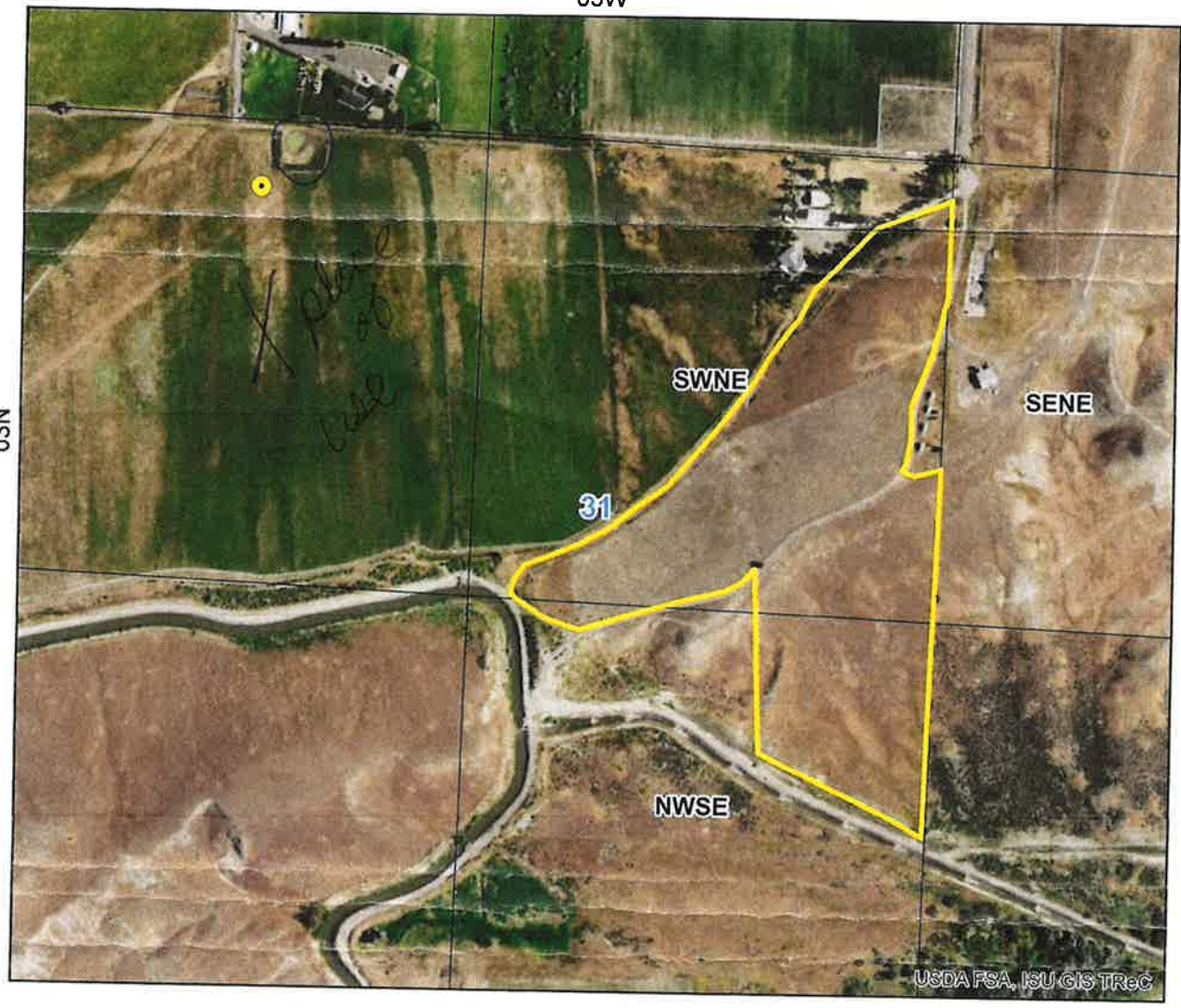
Janice Burgess
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Water Right License
57-7234

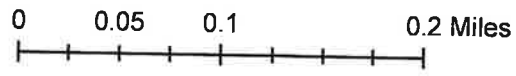
6/11/19

05W

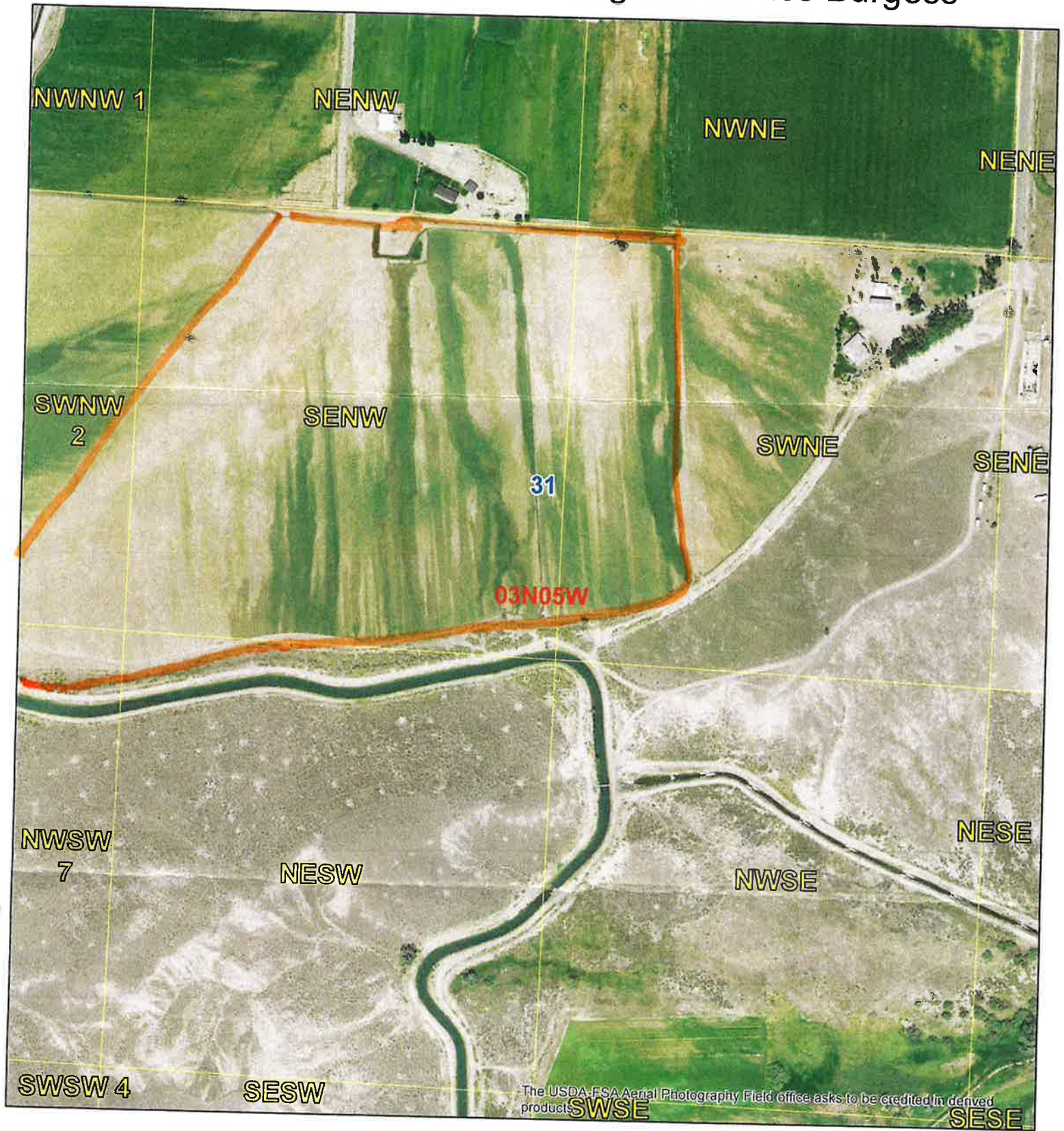
03N



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



Applicaition for Permit for Doug and Janice Burgess



0 0.05 0.1 0.2 Miles





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

September 26, 2019

GEM IRRIGATION DIST
PO BOX 67
HOMEDALE ID 83628

Re: Application for Permit No. 57-12008

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 **October 21, 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



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

September 26, 2019

TRUDY WEBB LIVING TRUST
5331 OLD SULIVAN LN
HOMEDALE ID 83628

Re: Application for Permit No. 57-12008

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 **October 21, 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



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

September 25, 2019

DOUGLAS A BURGESS
JANICE K BURGESS
2725 MULE SP RD
HOMEDALE, ID 83628

Application for Permit No. 57-12008

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 OWYHEE AVALANCHE on 10/2/2019 and 10/9/2019. 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

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, September 26, 2019 10:46 AM
To: 'Kara Morris'
Subject: OWYHEE Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 10/2/2019 & 10/9/2019.

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

September 26, 2019

LEGAL NOTICE DEPARTMENT

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application For Permit No: 57-12008

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 10/21/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

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

57-12008

DOUGLAS A BURGESS

JANICE K BURGESS

2725 MULE SP RD

HOMEDALE, ID 83628

Point of Diversion SENW S31 T03N R05W OWYHEE County Source WASTE WATER Tributary SNAKE RIVER

Use: STOCKWATER 01/01 to 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/23/2019

Place Of Use: STOCKWATER

T03N R05W S31 SWNE L2(SWNW) SENW NESW L7(NWSW)

T03N R06W S36 L2(SENE) L3(NESE)

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 10/21/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/2/2019 and 10/9/2019



RECEIVED

SEP 17 2019

WATER RESOURCES
WESTERN REGION

Gem Irrigation District

Ridgeview Irrigation District

South Board of Control, Owyhee Project

P. O. Box 67, Homedale, ID 83628

Phone (208)337-3760 Fax (208)337-5107

To: Tyler Smith, Water Resource Agent

CC: Doug and Janice Burgess

From: John Eells, Manager

Date: 9/17/2019

Re: Use of Waste Water

In the Gem Irrigation District water is delivered to the water users delivery point. Once the water has passed that point onto the water users' property it becomes his water and waste water for his use until the water leaves his property at which time it returns to the Gem Irrigation District for use. Waste water that is still on the water users property can be used as they wish until it leaves their property.

John Eells



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

August 28, 2019

GARY SPACKMAN
Director

DOUG AND JANICE BURGESS
2725 MULE SPRING RD
HOMEDALE, ID 83628

Re: Application for Permit 57-12008

Dear Applicant:

You recently filed a water right application with the Idaho Department of Water Resources (IDWR) proposing to divert waste water for stockwater. IDWR must determine if the water you wish to appropriate is waste water available for appropriation or whether it is "live" water under control of an irrigation delivery organization to satisfy downstream users. The irrigation organization(s) in your area appears to be Gem Irrigation District.

The waste water status in your area can be determined by providing written consent from the correct irrigation delivery organization confirming if the water does nor does not remain under its control for other users.

Please provide the requested information within sixty (60) days. You may request up to six months additional time if necessary. You may withdraw the application by returning the enclosed withdrawal form if you prefer. The application will be voided without a timely written response. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to these matters.

Sincerely,

Tyler Smith
Water Resource Agent

Enclosure: Withdrawal Form



Brad Little
Governor

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

GARY SPACKMAN
Director

August 12, 2019

COPY

DOUG AND JANICE BURGESS
2725 MULE SPRING ROAD
HOMEDALE, ID 83628

Re: Water Right Application

Dear Applicant:

This office received your application for permit on August 7, 2019. The application could not be accepted into the records of the Idaho Department of Water Resources (IDWR) because certain items remained to be corrected.

A new application has been filled out with guidance from the applicant to correct the previous issues mentioned per our phone conversation on August 9, 2019. The newly filled out application for permit with accompanying map is enclosed with this letter. If the application is correct and serves the applicants desires in filing for an application for permit, please have both applicants sign the application, as well as initial and date the included map. Then, please return to IDWR Western Regional office either in person or by mail at:

2735 W AIRPORT WAY
BOISE, ID 83705-5082

Please make the necessary signatures to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. 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 Tyler Smith if you have any questions about the necessary information or fee.

Sincerely,

Tyler Smith
Water Resource Agent

Enclosure: New Application



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

7/25/2019

COPY

DOUG AND JANICE BURGESS
2725 MULE SPRINGS ROAD
HOMEDALE, ID 83628

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on July 23, 2019. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **3 – Source**
 - The source is listed as waste water. The included map shows a point of diversion for water right 57-7234, which is sourced from ground water. Clarification is needed for this application to whether the source of the stock water pond is a waste ditch, spring, well, etc.
- **4 – Location of Point of Diversion**
 - The ¼ ¼ description of your point of diversion was not included in the table under item 4. According to your included map, this is likely SENW.
 - The source column in the table under item 4 must match your source listed in item 3.
- **6 - Total Quantity**
 - Total quantity to be appropriated needs to be listed in order for the application to be received. From the information in item 5, this quantity should be 0.03 cfs.
- **7 - Description of the Diverting Works**
 - The “Holding Pond” listed should include dimensions such as maximum depth and surface area.
- **9 - Place of Use**
 - The table in item 9 needs to be completed with the correct ¼ ¼ data. The map indicates it is going to be located in ¼ ¼ SENW, but should include every ¼ ¼ the extent of “Holding Pond” will be located in.
- **10 - Other Water Rights**
 - Water right number 57-7234 already authorizes 0.03 cfs for 150 head of range cattle. It needs to be clarified whether this application for permit is for an additional stock water storage use for that 150 head, or if it is for an additional 150 head, totaling 300 head. Furthermore, right no. 57-7234 is owned by a different party than the applicant. If the applicant wishes to take over water right 57-7234, this application for permit should be withdrawn and an ownership change should be filed.

- **13 – Time**

- Time required for completion of works and application of water to proposed beneficial use must be between 1 and 5 years.

- **The Map**

- The map displays an X for the proposed place of use in SENW. It also includes a place of use boundary in the SWNE and NWSE. A place of use boundary must be outlined and match your table in item 9 in order to be accepted by the Department. Please clarify the map with one place of use indicated. For your convenience, I have included a blank map for you to outline the system.

- **The Signature and/or Title**

- The name of applicants is listed as Doug Janice Burgess. A signature for Doug Burgess is present but is lacking a printed name below it. If Janice Burgess is to be an applicant, her signature and printed name is needed. Janice can also be removed from the name of applicant in item 1 if so desired.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. 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.

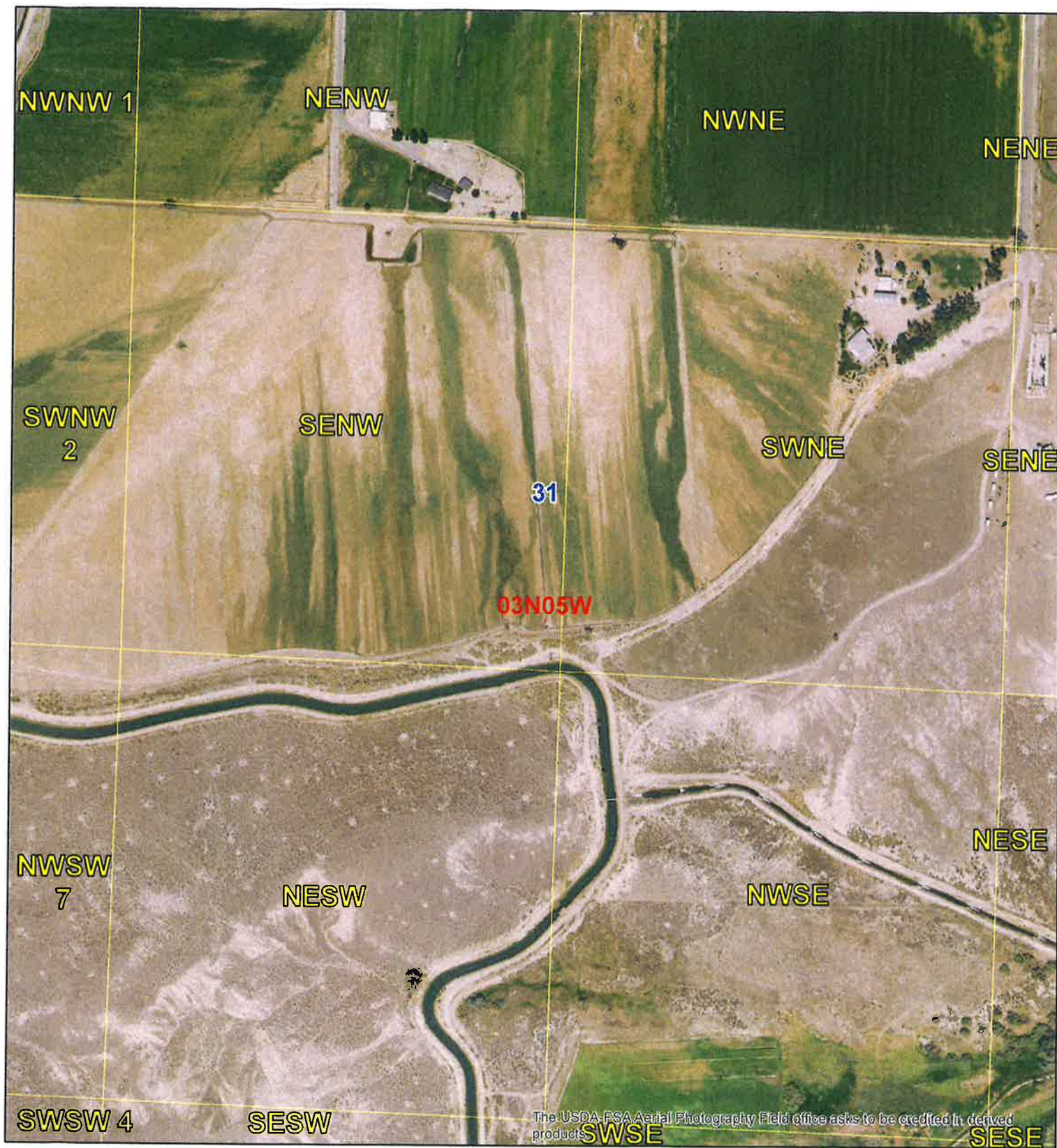
Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application, Blank Map

Applicaition for Permit for Doug and Janice Burgess

COPY



0 0.05 0.1 0.2 Miles

