

RECEIVED AUG 01 2019

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No. 65-23845

JUL 30 2019

WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Blackhawk on the River, LLC Phone 208-350-1252
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 10117 City Boise
 State ID ZIP 83707 Email bdickens@icsinusa.com
2. Name of representative, if any Terry Scanlan, SPF Water Engineering, LLC Phone 208-383-4140
 Mailing address 300 East Mallard Drive, Suite 350 City Boise
 State ID ZIP 83706 Email tscanlan@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 groundwater which is a tributary of NA
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
18N	2E	25	1		SE	SE	Valley	groundwater	Well 1 (West)
18N	2E	25	1		SE	SE	Valley	groundwater	Well 2 (East)

5. Water will be used for the following purposes:
- Amount 1.26 cfs for Irrigation purposes from 4/15 to 10/31 (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) 1.26 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. _____
Two wells with submersible pumps, buried pipelines to places of use
- 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 12 & 16 inches; proposed depth of well is 455 & 456 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? 2005; drilling firm Riverside, Inc.
 well was drilled for (well owner) Sage SGI, LLC; Drilling Permit No. D0039525, D004173

For Department Use

Received by AW Date 7/30/19 Time 4:30 Preliminary check by SN
 Fee \$ 290 Received by AW Receipt No. C107303 Date 7/30/19

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 _____
 - 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	
18N	2E	25									2			9	5	15	19	2	52
		36	1	1			2	1											5
18N	3E	30									4	2							6

Total number of acres to be irrigated: 63

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? _____
65-22945
11. a. Who owns the property at the point of diversion? The McCall Associates, LLC
 b. Who owns the land to be irrigated or place of use? The McCall Associates, LLC and lot owners within BOTR
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Blackhawk on the River, LLC owns The McCall Associates and operates the BOTR water system
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This application is for landscape irrigation proposed but not developed under permit 65-22945. The water system to supply domestic and irrigation water to residential lots and common area within Blackhawk on the River (BOTR) has been developed and is operating, but many of the residential lots have not been constructed. Domestic use at the lots, and irrigation provided prior to 8/1/2015, is authorized under 65-22945.
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

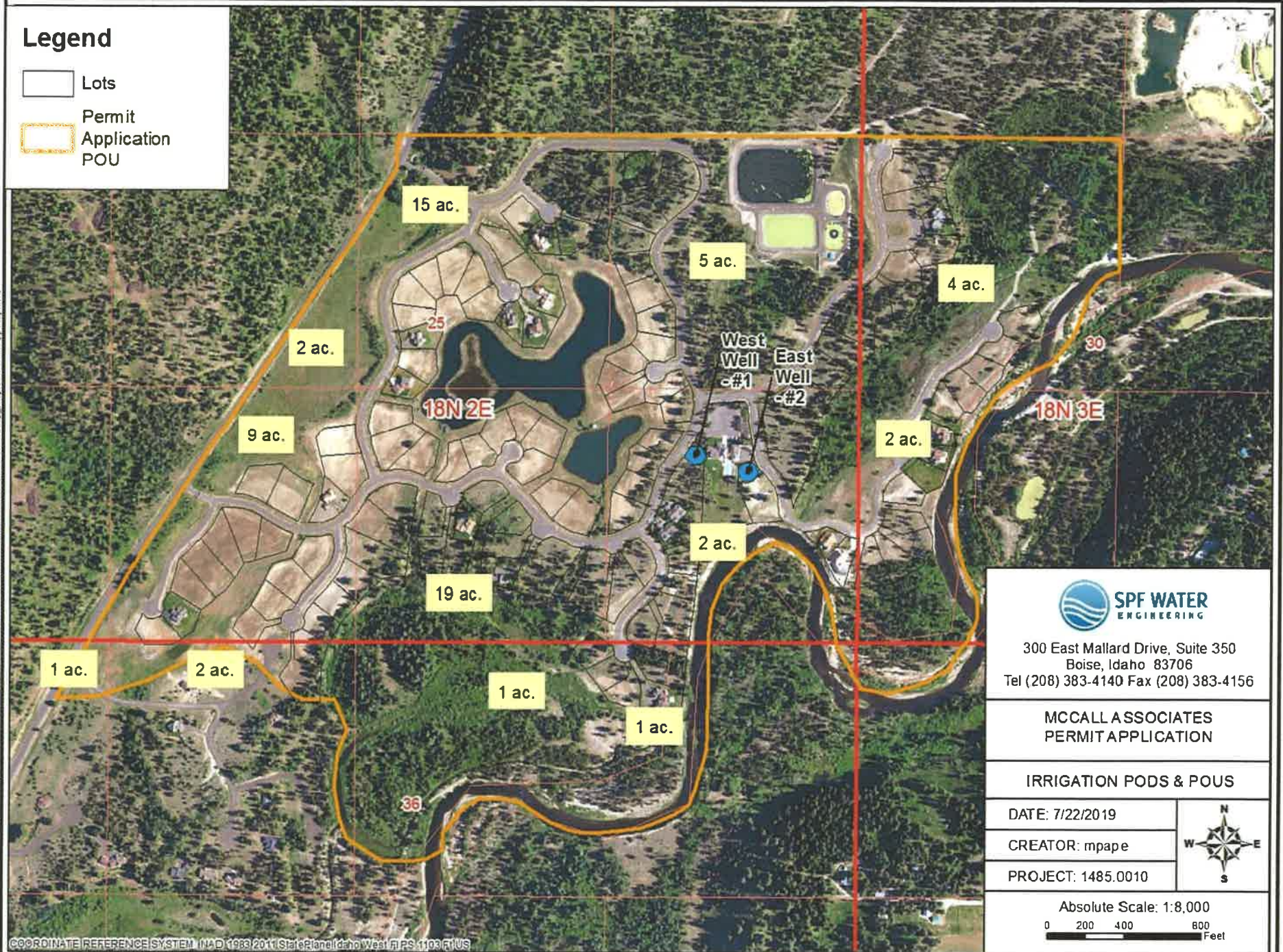
BRIAN W. DICKENS, INDEPENDENT MGR
 Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Legend

-  Lots
-  Permit Application POU



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

**MCCALL ASSOCIATES
PERMIT APPLICATION**

IRRIGATION PODS & POUS

DATE: 7/22/2019

CREATOR: mpape

PROJECT: 1485.0010

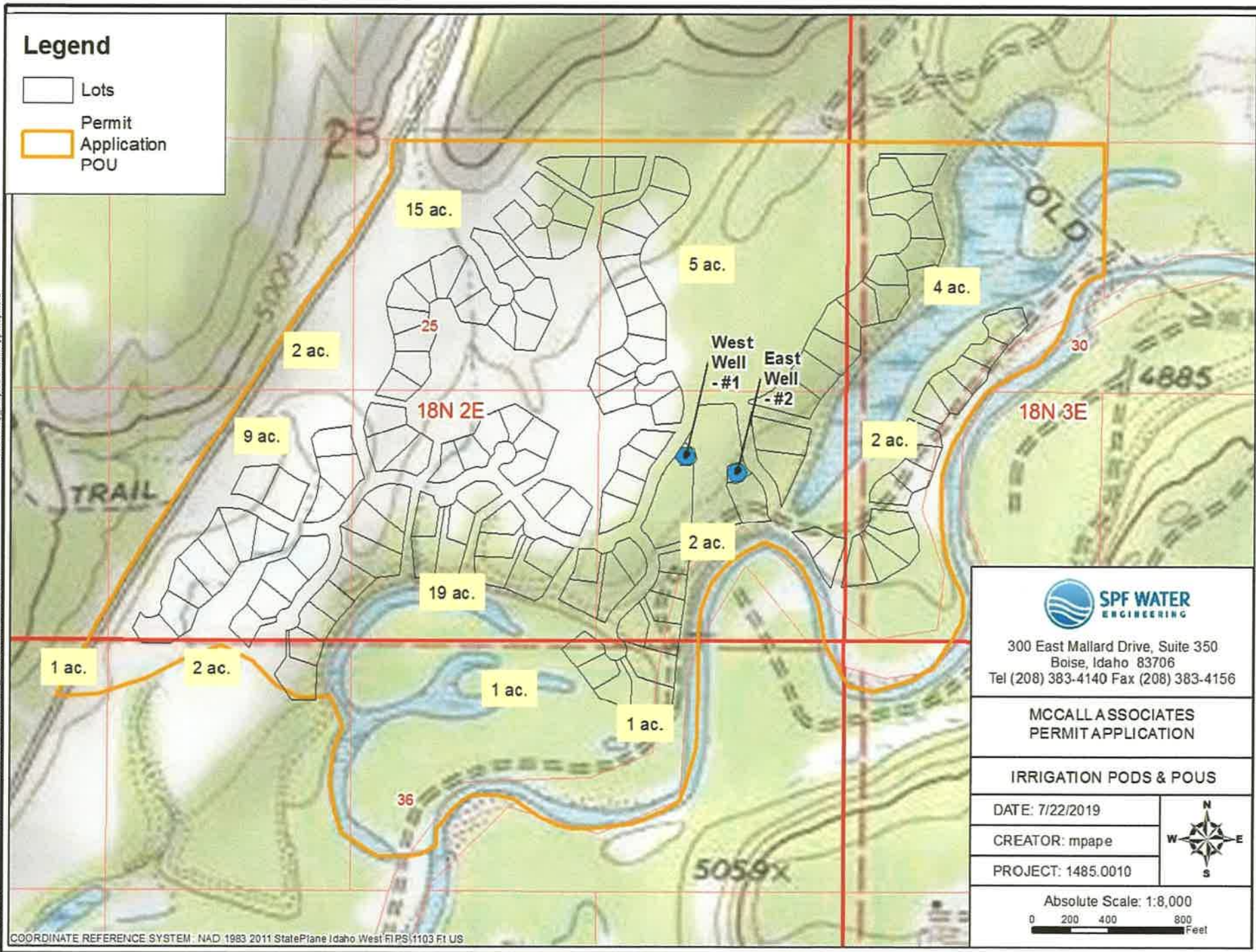


Absolute Scale: 1:8,000
0 200 400 600 Feet

COORDINATE REFERENCE SYSTEM: NAD 1983 2011 StatePlaneIdaho West FIPS 1103 FIPS

Legend

-  Lots
-  Permit Application POU



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

MCCALL ASSOCIATES
PERMIT APPLICATION

IRRIGATION PODS & POUS

DATE: 7/22/2019

CREATOR: mpape

PROJECT: 1485.0010



Absolute Scale: 1:8,000

0 200 400 800 Feet

COORDINATE REFERENCE SYSTEM: NAD 1983 2011 StatePlane Idaho West FIPS 1103 Ft US



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

August 8, 2019

BLACKHAWK ON THE RIVER LLC
PO BOX 10117
BOISE, ID 83707-4117

Application for Permit No. 65-23845

Dear Applicant:

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 STAR NEWS on 8/15/2019 and 8/22/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication. (Please note, due to national holiday, the protest deadline for this publication period will be pushed to Tuesday, September 3, 2019.)

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 TERRY SCANLAN
300 E MALLARD DR STE 350
BOISE, ID 83706

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, August 7, 2019 12:26 PM
To: 'The Star-News'
Subject: VALLEY Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 8/15/2019 & 8/22/2019.

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

August 7, 2019

LEGAL NOTICE DEPARTMENT

STAR NEWS
1000 1ST ST
MC CALL, ID 83638

RE: Application For Permit No: 65-23845

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 9/3/2019. 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:

65-23845

BLACKHAWK ON THE RIVER LLC

PO BOX 10117

BOISE, ID 83707-4117

(2) Points of Diversion L1(SESE) S25 T18N R02E VALLEY County Source GROUND WATER

Use: IRRIGATION 04/15 to 10/13 1.26 CFS

Total Diversion: 1.26 CFS

Date Filed: 7/30/2019

Place Of Use: IRRIGATION

T18N R02E S25 NESW SESW NESE NWSE SWSE SESE

T18N R02E S36 NENE NWNE NENW NWNW

T18N R03E S30 NWSW SWSW

Total Acres: 63

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 9/3/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/15/2019 and 8/22/2019



RECEIVED

JUL 30 2019

DEPARTMENT OF
WATER RESOURCES

July 30, 2019

Angela Grimm, P.G.
Water Rights Section Supervisor
Idaho Department of Water Resources
322 East Front Street, Suite 648
Boise, ID 83702-7371

Subject: Water Rights for Blackhawk on the River LLC

Dear Angie,

Enclosed for Department action are a number of water right forms and applications associated with lands controlled by Blackhawk on the River, LLC in and around the Blackhawk on the River development near McCall. Specifically, enclosed you will find the following documents, applications, and forms:

Permit Assignments:

1. Assignment of permit 65-23042 from BP to BOTR signed by Brian Dickens
2. Assignment of permit 65-23043 from BP to BOTR signed by Brian Dickens
3. Assignment of permit 65-23120 from BP to BOTR signed by Brian Dickens
4. Assignment of permit 65-22945 from Sage to BOTR signed by Sima Muroff.

Permit Extension Requests:

1. Request for extension of permit 65-23042 signed by Brian Dickens
2. Request for extension of permit 65-23043 signed by Brian Dickens
3. Request for extension of permit 65-23120 signed by Brian Dickens

Water Right Ownership:

1. Water right change of ownership form, from BP to TMA, for rights 65-7653E, 65-7576C, 65-23422, and 65-8121 signed by Brian Dickens

Permit Reinstatement and Beneficial Use:

1. Request by BOTR to reinstate lapsed permit 65-22945 signed by Brian Dickens
2. Proof of Beneficial Use for lapsed permit 65-22945 signed by Brian Dickens
3. Beneficial use field examination for lapsed permit 65-22945 prepared by Terry Scanlan

Application for Permit:

1. This application by BOTR seeks irrigation use on undeveloped lots and common areas within the area covered by the BOTR water system.

Included with the documents described above are two checks totaling \$890, which are comprised of the following associated fees:

- \$100 for four permit assignments (\$25 each),
- \$150 for three permit extension requests (\$50 each),
- \$100 for four undivided water right ownership changes (\$25 each),
- \$250 for one reinstatement application fee, and
- \$290 for one application permit seeking 1.26 cfs.

I apologize for two checks; I miscommunicated the fee to Brian Dickens as \$865, so rather than have him void his first check, I simply made up the \$25 difference with an SPF check.

Please also note the following. Blackhawk Partners, LLC (BP) has been the owner of permits 65-23042, 65-23043, and 63-23120, which have not yet been developed and for which extensions of time are being requested. BP was administratively dissolved in 2016, and as controlling member of BP, The McCall Associates, LLC (TMA) assumed control of BP's assets. Blackhawk on the River, LLC (BOTR) is 100% owner of the TMA's membership interests.

TMA and thus BOTR is the owner of record for a number of land parcels on the west side of the NF Payette River south of McCall. These parcels were transferred to TMA from BP by warranty deed in 2011. Brian Dickens is Manager of BOTR.

TMA, through BOTR, now seeks to confirm and document change in ownership of appurtenant water rights 65-7653E, 65-7576C, 65-23422, and 65-8121 from BP to TMA.

Sage SGI (Sage) has been the owner of lapsed permit 65-22945. Sage went inactive in 2010. Sima Muroff was the manager of Sage on the most recent annual report (2008). He was also the manager of BOTR in 2011. Prior to lapsing in 2015, the permit was partially developed to supply domestic, irrigation, and fire protection to the Blackhawk on the River development. The water system developed under the permit is still in use for these purposes. BOTR is seeking to have the permit reinstated and licensed for the developed use, and is seeking to obtain a new permit for some of the uses that were not developed.

Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Principal Engineer/Hydrogeologist

Cc: Brian Dickens – Blackhawk on the River
Krista Freitag – E3 Advisors