

RECEIVED

MAR 08 2019

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No. 67-15325RECEIVED
Complete
MAR 22 2019WATER RESOURCES
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
DEPARTMENT OF WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Kenneth + Tanya Billington Phone 541-408-2260Name connector (check one): ☒ and ☒ or ☐ and/orMailing address 2310 Waite Rd. 16 City MidvaleState ID ZIP 83645 Email sledcowboy@live.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 Irrigation Well which is a tributary of _____4. Location of point(s) of diversion: Ground Water

Twp	Rge	Sec	Govt Lot	1/4 SW 1/4	1/4	County	Source	Local name or tag #
13N	03W	6	7	SW	SW	Washington	GWIrrigation Well	W066500
13N	03W	6	7	SW	SW	Washington	GWIrrigation Well	W066150

5. Water will be used for the following purposes:

Amount 17.5 for irrigation purposes from 4-1 to 10-15 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.04 for Domestic 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)6. Total quantity to be appropriated is (a) 1.54 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. Wells with line to house, and irrigation system (sprinklers)

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 ☒ Noe. If well is already drilled, when? 7-2-98; drilling firm SOS well drilling + Pump Co.; well was drilled for (well owner) Linda Lake; Drilling Permit No. 167444

*well logs attached

Received by CS Date 03/08/19 Time 11:40 Preliminary check by _____
Fee \$ 290.00 Receipted by CS Receipt No. W047192 Date 03/08/19

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 1 household
- 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	
13N	03W	6									35	40	D						75

Total number of acres to be irrigated: 75

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

- Who owns the property at the point of diversion? No Diversion Points Billingtons
- Who owns the land to be irrigated or place of use? Kenneth + Tanya Billington
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. we wish to irrigate for farming + grazing. The ability to sustain our live-stock through summer + winter.

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.

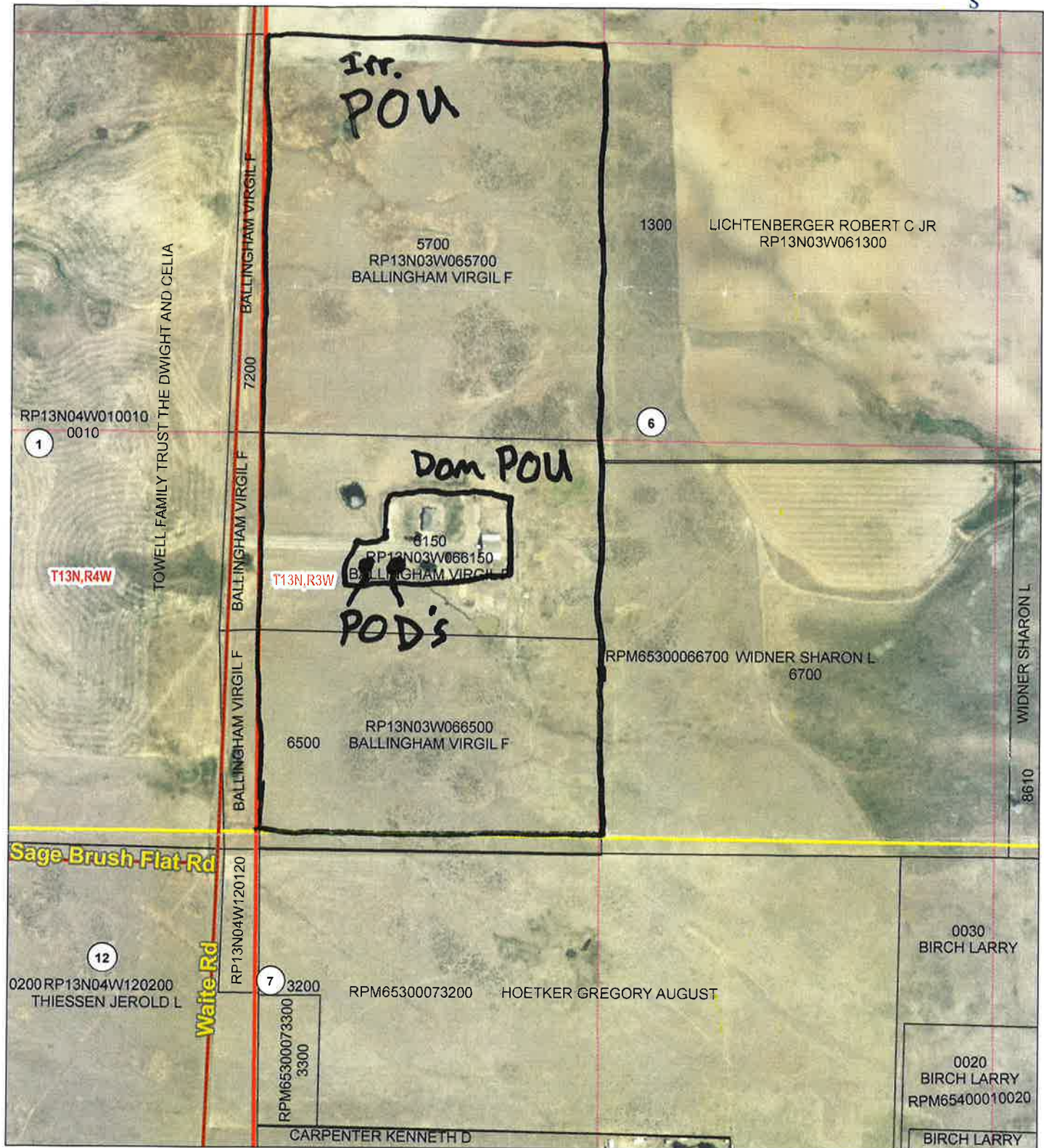
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Kenneth R Billington
Signature of Applicant
Kenneth R Billington
Print Name (and title, if applicable)

Tanya S Billington
Signature of Applicant
Tanya S. Billington
Print Name (and title, if applicable)



THIS MAP CREATED BY THE OFFICE OF THE
WASHINGTON COUNTY PLANNING & ZONING



BASED ON GOVERNMENT SURVEYS & OFFICIAL RECORDS
ON FILE AT THE OFFICE OF THE COUNTY RECORDER OF
WASHINGTON COUNTY, IDAHO.
FOR ASSESSMENT PURPOSES ONLY
DOES NOT GUARANTEE BOUNDARIES

Legend			
	TOWNSHIP LINES		STATE HWY
	SECTION LINES		PAVED
	1/4 SECTION LINES		PAVED
	RIVERS - ALL		GRAVEL
			GRAVEL/DIRT
			CITY
			NATIONAL FOREST
			PRIVATE

67-5325

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DEPARTMENT OF WATER RESOURCES

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 Mailing address 2310 Waite Rd. 16 City Midvale
 State ID ZIP 83645 Email sledcowboy@live.com

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superceded

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Kenneth R Billington
Signature of Applicant

Kenneth R Billington
Print Name (and title, if applicable)

Tanya S Billington
Signature of Applicant

Tanya S. Billington
Print Name (and title, if applicable)

superceded



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

March 28, 2019

BALLINGHAM TRUST
905 WOODRUFF MTN RD
ROSEBURG OR 97471

Re: Application for Permit No. 67-15325

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 *Idaho Statesman* 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 **April 22, 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,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

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

March 28, 2019

KENNETH BILLINGTON
TANYA BILLINGTON
2310 WAITE RD
MIDVALE, ID 83645-5078

Application for Permit No. 67-15325

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 UPPER COUNTRY NEWS REPORTER, WEISER SIGNAL on 4/4/2019 and 4/11/2019. 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,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

Anna Kaiser
Administrative Assistant

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, March 28, 2019 10:08 AM
To: 'legals@ucnr.news'
Subject: Washington Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 4/3/2019 & 4/10/2019.

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

March 27, 2019

LEGAL NOTICE DEPARTMENT
UPPER COUNTRY NEWS REPORTER
PO BOX 9
CAMBRIDGE, ID 83601-0009

RE: Application For Permit No: 67-15325

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 **4/22/2019**. 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:

67-15325

KENNETH BILLINGTON

TANYA BILLINGTON

2310 WAITE RD

MIDVALE, ID 83645-5078

(2) Point of Diversion L7(SWSW) S6 T13N R03W WASHINGTON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/15 to 10/31 1.5 CFS

Total Diversion: 1.54 CFS

Date Filed: 3/8/2019

Place Of Use: IRRIGATION

T13N R03W S6 L6(NWSW) L7(SWSW)

Place Of Use: DOMESTIC

T13N R03W S6 L7(SWSW)

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 4/22/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/4/2019 and 4/11/2019

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MAR 22 2019

WATER RESOURCES
WESTERN REGION

Cody Parker-

Thank you for the input & help.

We corrected the item you recommended on #4 to show the correct info.

Also,

Our address doesn't have a space # 16.

I see why you thought we did based on the application we completed, my husband's initials looked like the # 16 es.

Thanks again for the help.

Kenny & Tanya



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

March 18, 2018

KENNETH AND TANYA BILLINGTON
2310 WAITE RD. # 16
MIDVALE ID 83645

RE: Application for permit no. 67-15325

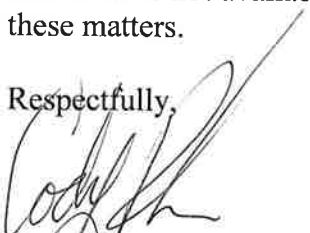
Dear Applicants,

I am writing you today in regard to the application for a water right permit you submitted on March 8, 2018. The next step in the water appropriation process is to advertise your application in the local newspaper for two consecutive weeks to give the public an opportunity to protest your project. However, before I can advertise your application I must have you address the following errors/inconsistencies in your application:

- **Item 4** Your description of the points of diversion shows one well in the NWSW and another in the SWSW of Sec. 6, T13N, R03W. However, the map you submitted shows that both of the wells are located in the SWSW. Furthermore, the well driller reports you submitted with the application shows that both of the wells are located in the NWSW. If your map shows the actual location of the wells, then either the well driller reports may be wrong (which seems to be the case) or you have attached the wrong well driller reports. For an application to be considered complete, the legal description of the points of diversion must match the map you submitted. Therefore, I suggest that you change the legal description in Item 4 to show both wells in the SWSW (Govt Lot 7).

You may make the requested changes by crossing out the old information and writing in the new along with your initials and the date that the change was made. Once I receive your amended application, I will resume processing and will forward your application to advertising. I look forward to your reply within thirty (30) days of the date of this letter. If you do not make a timely reply, I will assume that you have no further interest in pursuing a water right permit, and I will take action to void your application. Refunds are not available for voided applications. Thank you for your time and for your attention to these matters.

Respectfully,


Cody Parker
Water Resource Agent
IDWR Western Region
208-334-2190