

RECEIVED

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MAR 15 2019

FORM 202 - Rev. 09/16

FEB 22 2019

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 63-34682

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JEFF DANCER Phone 208-919-1446
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address c/o JEFF DANCER, 411 E KARLIER RD City NAMPA
 State IDAHO ZIP 83687 Email jdancer@dascoidaho.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 DIXIE SLOUGH which is a tributary of BOISE 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 #
<u>4N</u>	<u>5W</u>	<u>1</u>			<u>NE</u>	<u>NE</u>	<u>CANYON</u>	<u>DIXIE SLOUGH</u>	

5. Water will be used for the following purposes:

9D 2-22-19 Amount .18 cfs for IRRIGATION purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 3.0 cfs for WILDLIFE & RECREATION purposes from 9/1 to 2/28 (both dates inclusive)
 (cfs or acre-feet per year)

9D 2-22-19 Amount 330.3 AF for WILDLIFE & RECREATION STORAGE purposes from 9/1 to 2/28 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 3.0 cfs for DIVERSION OF STORAGE purposes from 9/1 to 2/28 (both dates inclusive)
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 3.0 cubic feet per second (cfs) and/or (b) 330.3 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. HEADGATES, DITCHES, GATED PIPE, PROPERTY HAS 18" DIKE SURROUNDING FIELDS
- 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 AK Date 2/22/2019 Time 12:22pm Preliminary check by P. Kelly
 Fee \$ 370.00 Received by AK Receipt No. WD 47153 Date 2/22/2019

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. Miscellaneous wildlife, Including wildlife habitat, Recreation use for waterfowl hunting, wildlife viewing, Spring food source for migrating waterfowl
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	
5N	5W	36												9			900		9
		36												W			W 2-22-18		
		36												R			R		

Total number of acres to be irrigated: 9

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? _____

11. a. Who owns the property at the point of diversion? Applicant 3/14/19 DIXIE LAND LLC
 b. Who owns the land to be irrigated or place of use? Applicant 3/14/19 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. REQUEST TO PULL 3.0 CFS OF WATER AT THE EXISTING DIVERSION LOCATION ALONG BLUFF RD. WATER WILL BE DIVERTED DOWN THE EXISTING IRRIGATION DITCH FOR APPROXIMATELY 3500' WHERE IT WILL BE DIVERTED INTO A 12" GATED PIPE. WATER WILL BE USED FOR IRRIGATION PURPOSES AND THEN WILDLIFE STORAGE. ALL EXCESS WATER WILL DIRECTLY DRAIN BACK INTO THE DIXIE SLOUGH.

13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

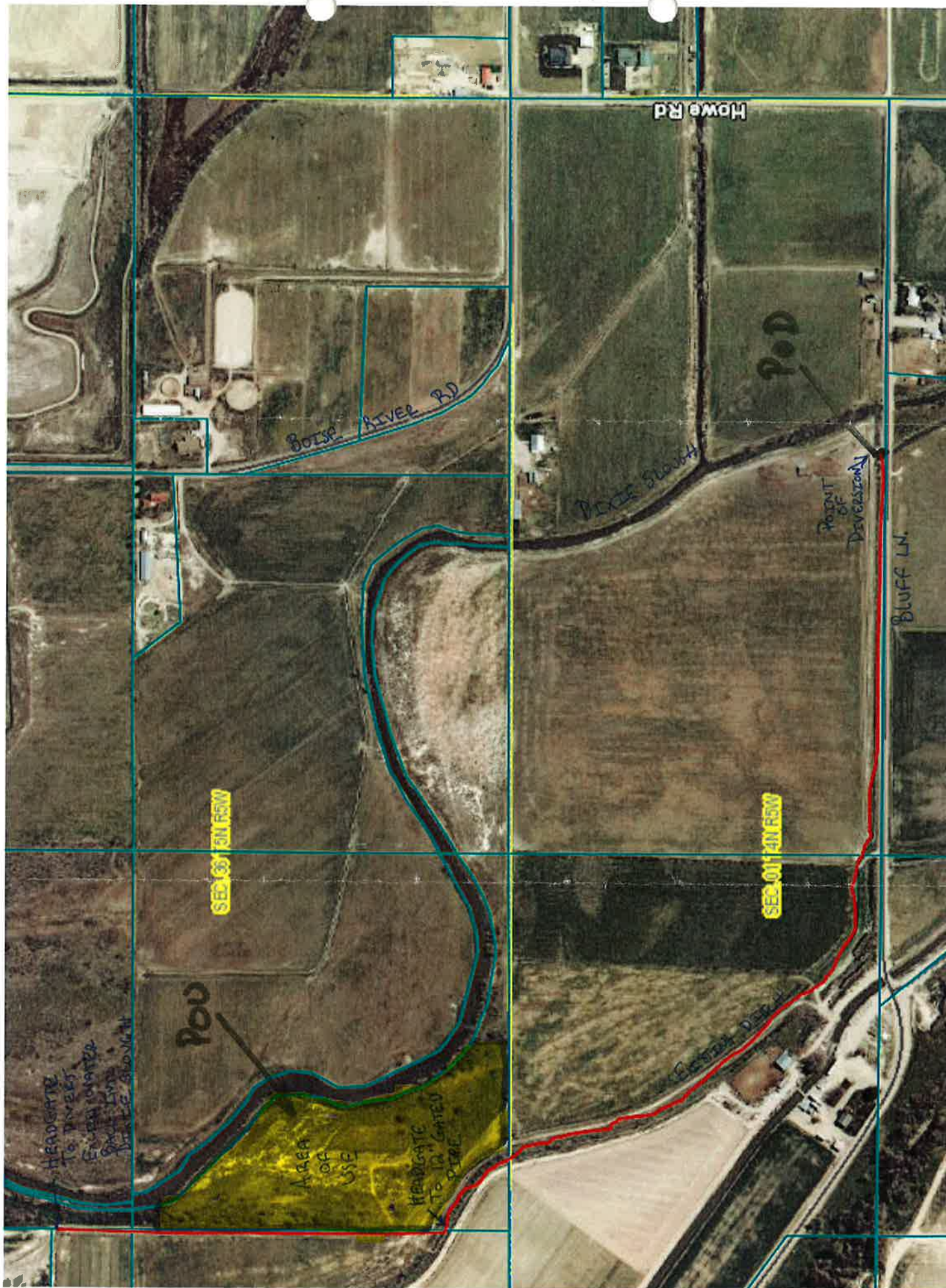
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Jeff Dancer
 Signature of Applicant

JEFF DANCER
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



Howe Rd

Boise River Rd

Dixie Slough

Point of Diversion

Bluff Ln.

SEC. 00 31N R5W

SEC. 01 34N R5W

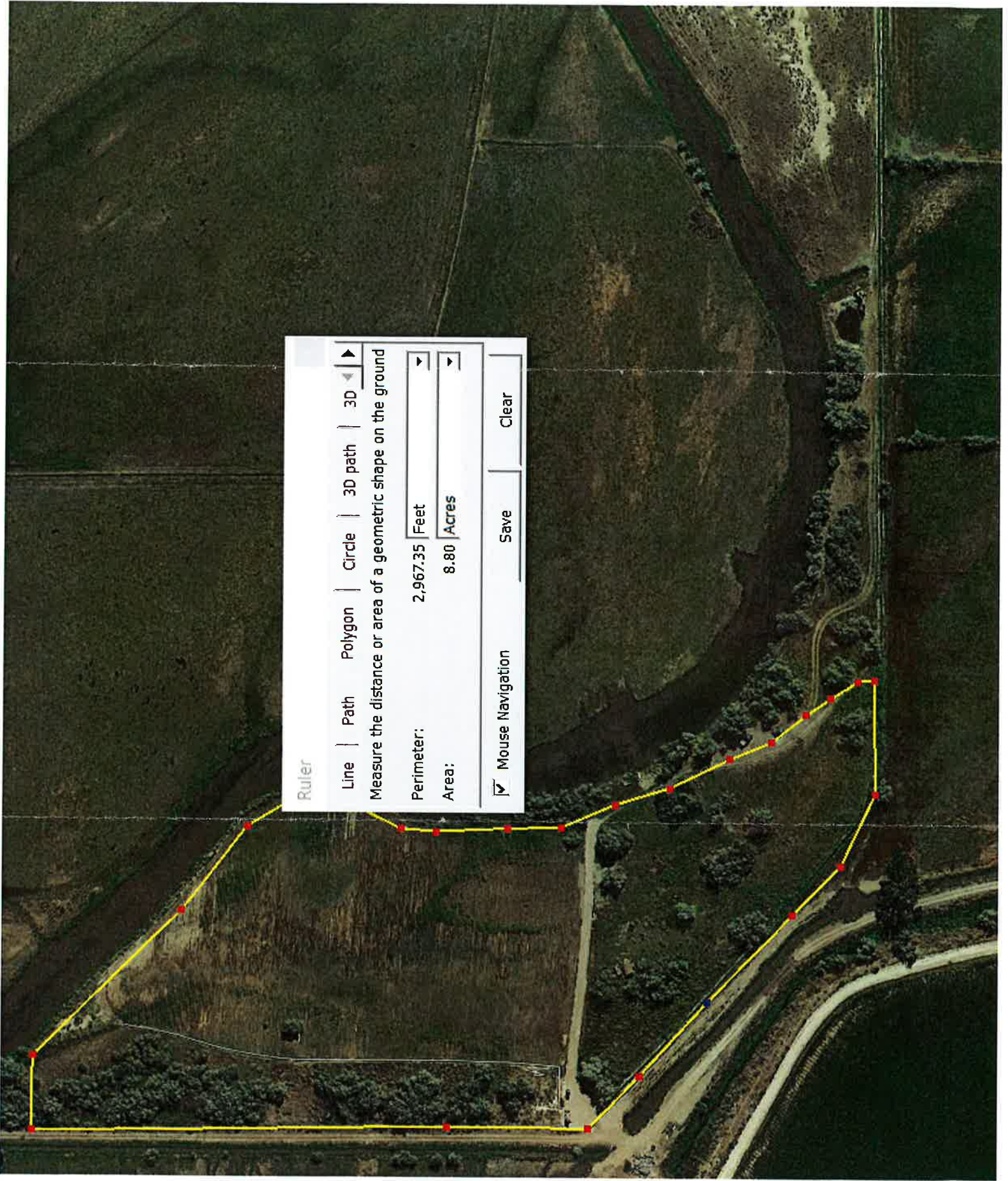
HEADGATE TO DIVERSITY EXHIBITION

POD

Area of Use

HEADGATE X TO 12 GATED PILE

CENTRAL DISTRICT



Ruler

Line

Path

Polygon

Circle

3D path

3D

Measure the distance or area of a geometric shape on the ground

Perimeter:

2,967.35

Feet

Area:

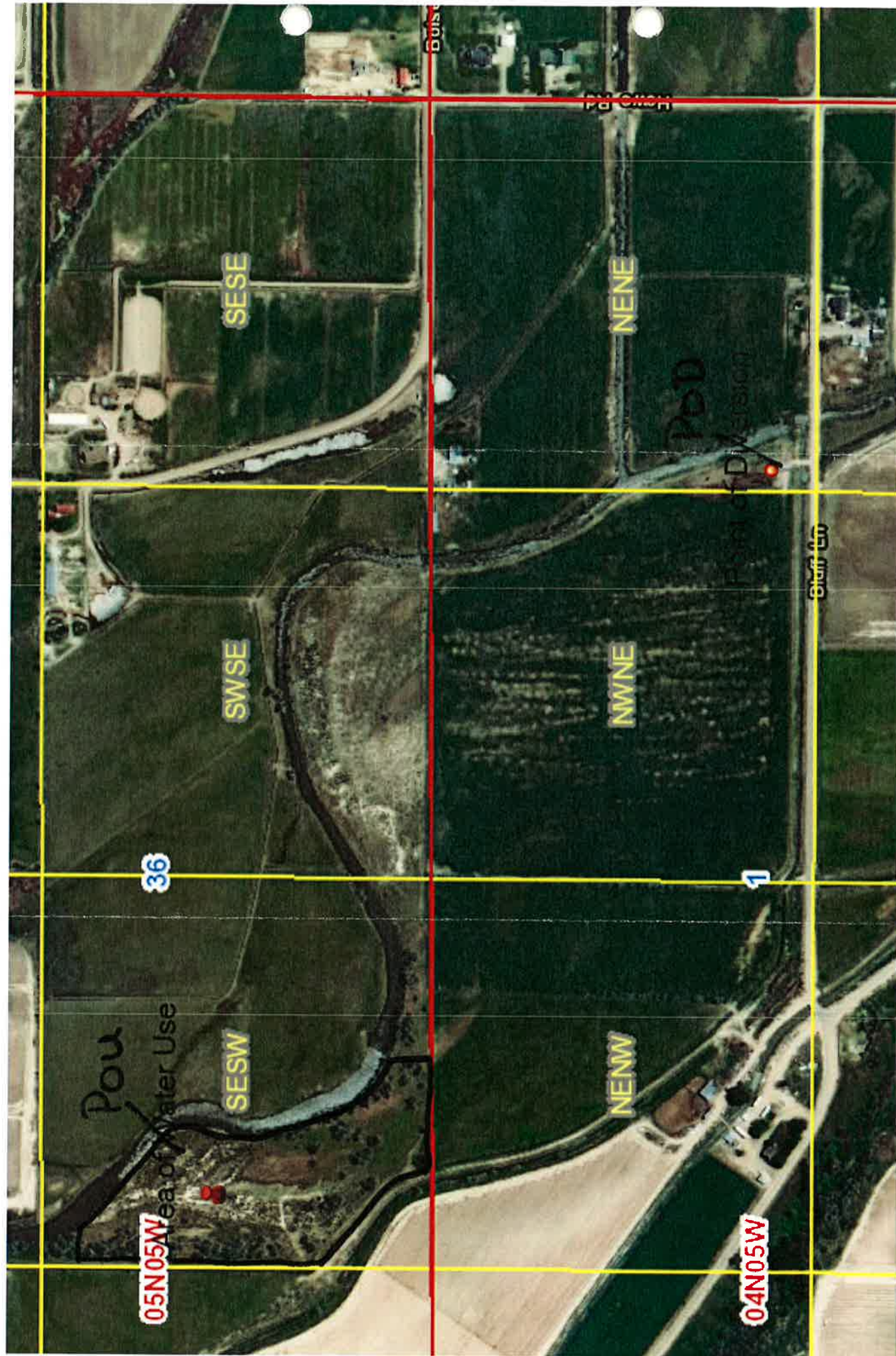
8.80

Acres

☒ Mouse Navigation

Save

Clear





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 29, 2019

EUREKA DITCH CO
21766 HOWE RD
CALDWELL ID 83607

Re: Application for Permit No. 63-34682

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 Press Tribune* 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

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 29, 2019

DIXIE LAND LLC
22993 HOWE RD
CALDWELL ID 83607

Re: Application for Permit No. 63-34682

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Sincerely,

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

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, March 28, 2019 3:12 PM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Permit 63-34686
Attachments: Watermaster Recommendation Form.docx; Permit Application 63-34682.pdf

March 28, 2019

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Permit No. 63-34682

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **April 22, 2019**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



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

DIXIE LAND LLC
22993 HOWE RD
CALDWELL, ID 83607-9019

JEFF DANCER
411 E KARCHER RD
NAMPA, ID 83687-3001

Application for Permit No. 63-34682

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 PRESS TRIBUNE 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,

Anna Kaiser
Administrative Assistant

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, March 27, 2019 3:19 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 4/4/2019 & 4/11/2019.

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
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application For Permit Nos: 2-10573, 63-34673, 63-34682, 63-34686, 63-34689

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 applications have been filed to appropriate the public waters of the State of Idaho:

2-10573

MICHAEL FAUTT
MARY BETH FAUTT
25121 MARINA CT
WILDER, ID 83676

Point of Diversion SENE S14 T03N R05W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION 03/01 to 11/15 0.16 CFS
Total Diversion: 0.16 CFS
Date Filed: 11/19/2018
Place Of Use: IRRIGATION
T03N R05W S14 L2(NENE) L2(SENE)
Total Acres: 9.16

63-34673

HANCOCK FAMILY LIVING TRUST
C/O DONALD HANCOCK
20629 CALHOUN AVE
CALDWELL, ID 83605-8125

Point of Diversion NESW S17 T05N R03W CANYON County Source GROUND WATER
Point of Diversion NWSE S17 T05N R03W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.12 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.18 CFS
Date Filed: 2/6/2019
Place Of Use: IRRIGATION, STOCKWATER
T05N R03W S17 NESW NWSE SWSE
Place Of Use: DOMESTIC
T05N R03W S17 NESW NWSE
Total Acres: 4
Water bearing zone to be appropriated is from 50 to 350 feet.

63-34682

DIXIE LAND LLC
22993 HOWE RD
CALDWELL, ID 83607-9019
JEFF DANCER
411 E KARCHER RD
NAMPA, ID 83687-3001

Point of Diversion L1(NENE) S1 T04N R05W CANYON County Source DIXIE SLOUGH Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 09/01 to 02/28 3 CFS
Use: IRRIGATION 03/01 to 11/15 0.18 CFS
Use: RECREATION 09/01 to 02/28 3 CFS
Use: RECREATION STORAGE 09/01 to 02/28 330.3 AF
Use: WILDLIFE 09/01 to 02/28 3 CFS
Use: WILDLIFE STORAGE 09/01 to 02/28 330.3 AF
Total Diversion: 3 CFS 330.3 AF
Date Filed: 2/22/2019
Place Of Use: IRRIGATION, WILDLIFE, WILDLIFE STORAGE, RECREATION, RECREATION STORAGE
T05N R05W S36 SESW
Total Acres: 9

63-34686

KELLY SIMPER
4597 W DEER FLAT RD
KUNA, ID 83634-1547

Point of Diversion NENW S20 T02N R01W CANYON County Source WASTE WATER Tributary WEST FORK GOLDEN GULCH DRAIN
Use: IRRIGATION 04/01 to 10/01 0.1 CFS
Use: IRRIGATION FROM STORAGE 04/01 to 10/01 20 AF
Use: IRRIGATION STORAGE 04/01 to 10/01 20 AF
Total Diversion: 0.1 CFS
Date Filed: 3/1/2019
Place Of Use: IRRIGATION, IRRIGATION STORAGE, IRRIGATION FROM STORAGE
T02N R01W S20 NENW

63-34689

MDC LLC
C/O DOUGLAS CARNAHAN

7270 N TREE HAVEN PL
MERIDIAN, ID 83646-4979
Point of Diversion NWSE S24 T04N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.58 CFS
Total Diversion: 0.58 CFS
Date Filed: 3/6/2019
Place Of Use: IRRIGATION
T04N R02W S24 NWSE
Total Acres: 29
Water bearing zone to be appropriated is from 40 to 300 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 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

JEFF DANCER

411 E KARCHER RD
NAMPA, IDAHO 83687
208-919-1446

3/13/2019

RECEIVED
MAR 15 2019
WATER RESOURCES
WESTERN REGION

Patrick Kelly

Water Right Supervisor
State of Idaho Department of Water Resources
2735 W Airport Way
Boise, Idaho 83705

Dear **Patrick Kelly**:

I am responding to your Request for Additional Information regarding my application for Water Rights. First, I would like to apologize for my lack of knowledge on this subject it has definitely been a learning experience for myself. I hope the information I can provide will be helpful.

- **5. Diversion rate for Wildlife and Recreation Use:**

Response: It is approximately 3600' from the "Point of Diversion" to the Headgate of the 12" pipe entering my fields. Using a tarp dam I am able to control a majority of the water sent down the ditch but there is still some water that continues down the irrigation ditch another 1200' to the north where there is an actual diversion to put the excess water back into the Dixie Slough. I requested for 3.0 cfs hoping to capitalize on what I feel would be an adequate amount of water to divert out onto my fields to not only flood the areas I would like but also have a constant flow of water running out into the fields to help keep some open water, for the wildlife, during the extreme cold weather.

- **11a. Who owns the point of diversion?**

Response: This was a mis-read on my part. I was interpreting that question to the point where the water diverts into my 12" head gate. The Dixie Land, LLC. does own the property at the actual "Point of Diversion"

- **12. Describe your use in narrative form:**

Response: The area I would like to store water for "Wildlife and Recreation" is approximately 8.9 acres or 387,684 sq ft. with the maximum depth's being around 28" in depth and the average depth of the storage area being around 14"-16" in depth. My plan is to use a dike system and divide the 8.9 acres into 3 separate storage ponds to help control the depths in the fields. An overflow system will be set up to tie the 3 individual spaces together to where once one storage area is full the next area will begin to fill using the first fields overflow. At the North end of the 3rd storage area, Lowest elevation point of the 8.9 acres, an overflow will be placed and the excess water will drain directly back into the Dixie Slough. By my calculations this will take approximately 3,625,330 gallons of water storage in 484,605 cu ft.

Again, I would like to apologize for my lack of knowledge on this subject and I hope that the information I provided will be helpful. I would welcome the opportunity to further discuss any other questions or concerns you may have. If you have any questions and would like discuss further, please contact me by phone at **208-919-1446** or by email at **jdancer@dascoidaho.com**. Thank you for your consideration in this matter.

Sincerely,


JEFF DANCER



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: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 7, 2019

COPY

JEFF DANCER
411 E KARCHER RD
NAMPA ID 83687

Re: Water Right Application Additional Information Request

Dear Applicant:

This office received your application on February 22, 2019. Idaho Department of Water Resources cannot complete processing your application until the following items are addressed:

- 5. – Diversion rate for Wildlife and Recreation use.
 - Provide additional information that justifies the 3.00 cfs diversion rate for Wildlife and Recreation use.
- 11a. – Who owns the point of diversion?
 - The application states that 'Applicant' owns the Point of Diversion where water from Dixie Slough enters the existing ditch. Current county taxlot data suggests that Dixie Land LLC owns the property where you have marked your diversion. Please provide any information available to support land ownership of the diversion. If the property is not owned by the applicant, provide information regarding an agreement that allow access to the ditch.
- 12. – Describe your use in narrative form.
 - Include storage dimensions in your application to include max depth, average depth, surface area and capacity.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications.

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.

Sincerely,

Patrick Kelly
Water Right Supervisor