

RACHEL SOMMER

RECEIVED

FORM 202 Rev. 09/16

SEP 12 2018

WATER RESOURCES WESTERN REGION

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

Ident. No. 63-34612

1. Name of applicant(s) Parma School District 137 Phone 208.722.5115 ex 1806 Mailing address 805 E McConnell City Parma State Idaho ZIP 83660 Email breuck@parmaschools.org

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 Parma Drain which is a tributary of Boise River

4. Location of point(s) of diversion:

Table with 10 columns: Twp, Rge, Sec, Govt Lot, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Row 1: 5N, 5W, 9, SE, NE, CANYON, PARMA DRAIN.

5. Water will be used for the following purposes:

Amount 0.32 CFS for Irrigation purposes from 3/1 to 11/15 (both dates inclusive) Amount for purposes from to (both dates inclusive) Amount for purposes from to (both dates inclusive) Amount for purposes from to (both dates inclusive)

6. Total quantity to be appropriated is (a) 0.32 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. A concrete headgate will be utilized to allow pumping from the point of diversion and added to a sprinkler system. A lift pump will be installed at POD. 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 WESTERN Date 9-12-18 Time Preliminary check by RS

Fee \$ 250 Received by WESTERN Receipt No. W04685 Date 8-23-18

\*FEE RECEIVED WITH RETURNED INCOMPLETE APPLICATION ON 8-23-18.

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
  - d. Domestic; show number of households \_\_\_\_\_
  - e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - b. 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	9	6	10															16

Total number of acres to be irrigated: 16

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? School has shares with Farmers Co-op Ditch Co that irrigate the campus. The additional water requested will be used on athletic fields before and after the Ditch Co water is turned on and off, and will be used also to supplement Co-op water occasionally during shortages.
11. a. Who owns the property at the point of diversion? HL Hall 711 N Parma road, Parma I D 83660  
 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: Agreement attached.
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Narrative attached.
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.

Parma School District 137, by Bruce Reuch \_\_\_\_\_  
 Signature of Applicant Signature of Applicant

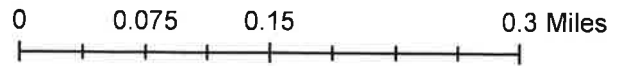
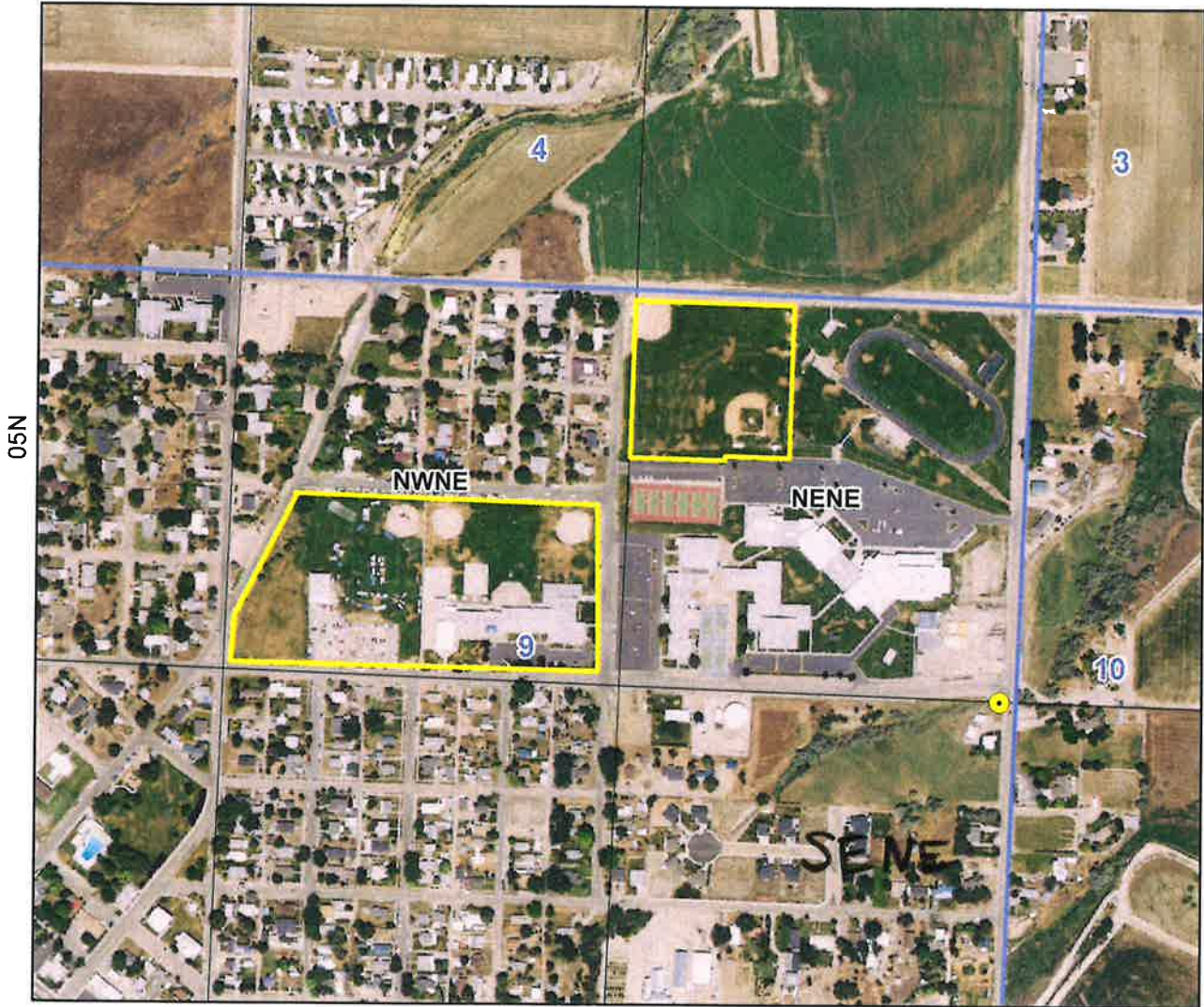
Bruce Reuch, Supervisor \_\_\_\_\_  
 Print Name (and title, if applicable) Parma Schools. Print Name (and title, if applicable)

Proposal in Narrative Form:

Propose to pump from the Parma Drain at the south inter-section of Parma Rd & E McConnell in Parma ID. A pump will be installed at this location and will utilize a headgate that is already in place & is no longer being used. A buried drain pipe will be used to deliver water to the south intersection of Parma Rd & Walker Rd & be used at the pumping station at that location or by passed & diverted through the drain system that allows for the water to be used at a pump located on N Valley Rd to west of the campus in Parma.

# Application for Permit to Appropriate Water

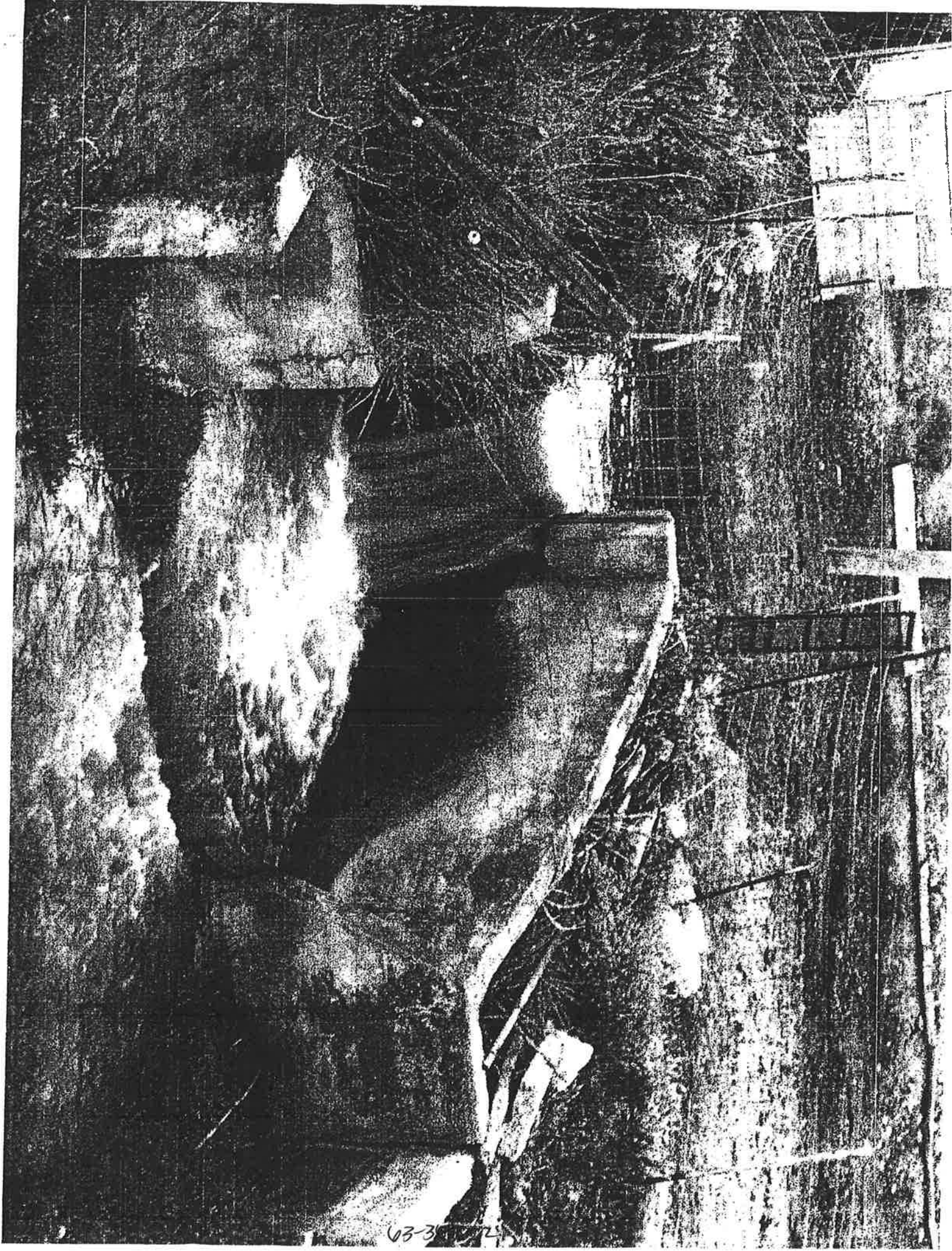
05W



- Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections



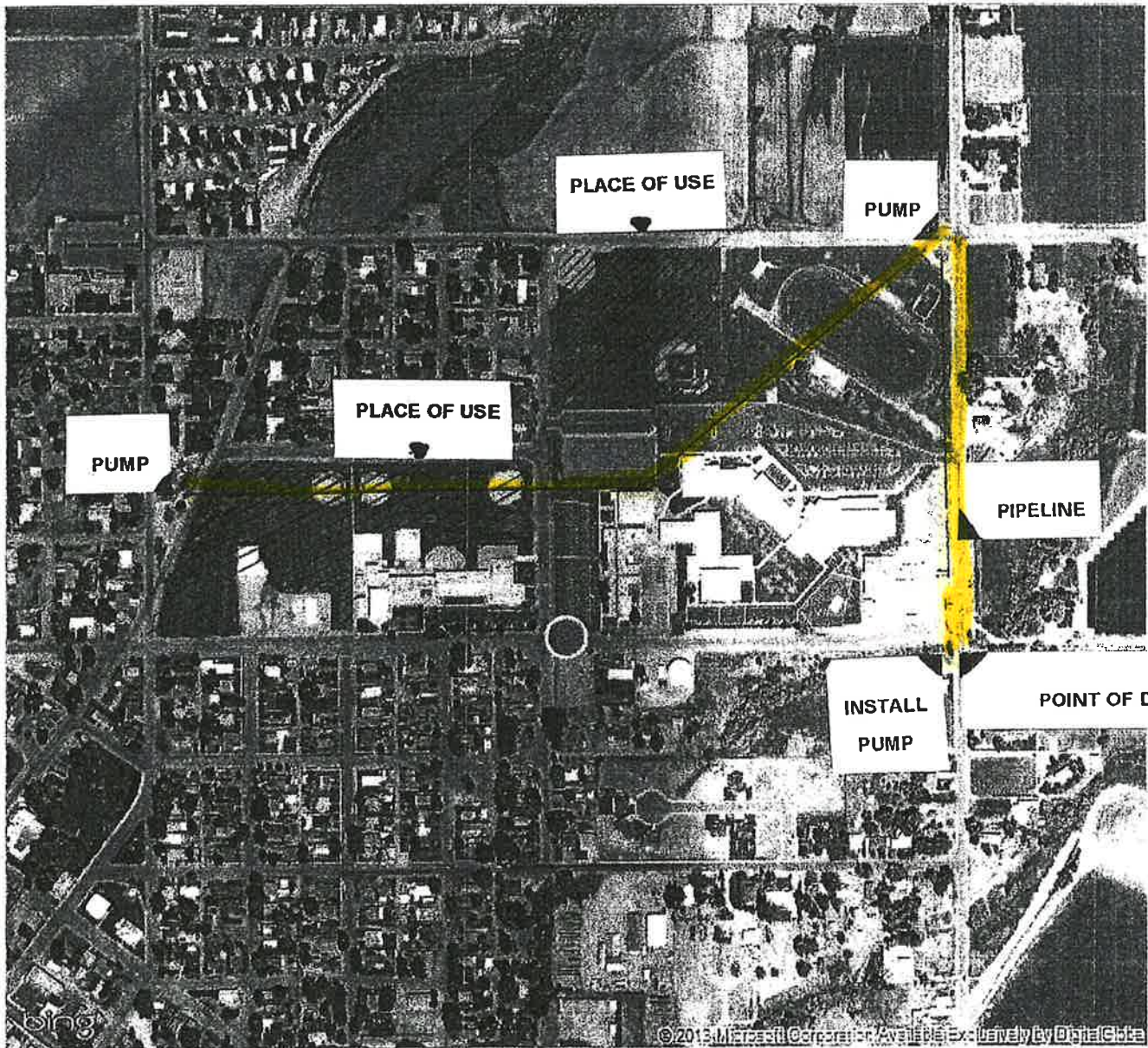
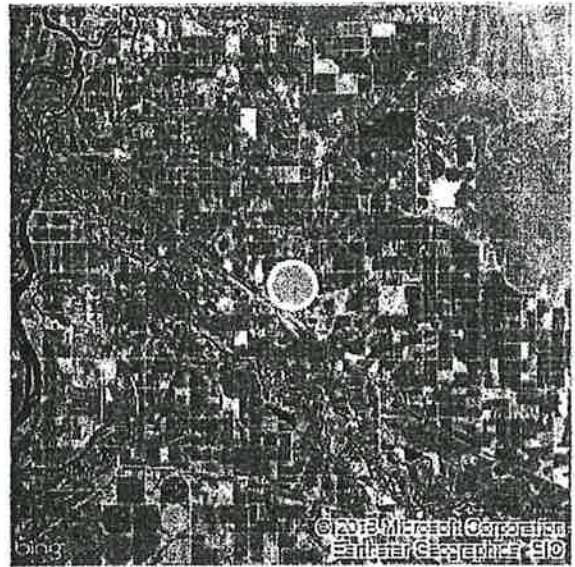
63-34612



63-3

My Notes

On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more



July 23, 2013

H L & Lanora Hall  
711 N Parma Road  
Parma, Idaho 83660

To whom it may concern,

Parma School District 137 has our permission to install an electric irrigation water pump along with any necessary equipment, materials or any other items needed to pump irrigation water from the Parma Drain on the north east corner of our property, 711 N Parma Road, Parma Idaho.

Use of the concrete headgate/dam, which is currently in the Parma Drain at this location, is also granted.

Access to the irrigation pump, concrete headgate/dam, electric equipment, or other items necessary to pump irrigation water from the Parma Drain is granted for maintenance, repairs, service or replacement of irrigation equipment.

It is also understood that any expenses or costs related to the irrigation equipment, materials, fees, etc, is the responsibility of Parma School District 137.

Sincerely



Steve Hall  
PR, H L & Lanora Hall Estate

63-34612

Farmers' Co-Operative Ditch Company  
P. O. Box 729  
Parma, Idaho 83660-0729  
(208) 722-5044

July 19, 2013

Bruce Reuck  
Parma School District No. 137  
805 E. McConnel  
Parma, ID 83660

Re: Proposed Application for Permit to divert water from the Parma Drain.

Dear Mr. Reuck:

The Farmers' Co-Operative Ditch Company (Ditch Company) would like to thank you for providing advanced notice of the School District's intent to file the above-referenced application. The Ditch Company and its Board appreciate the fact that the School District communicated its intent prior to filing the application so that the Ditch Company can comment and express any concerns it may have with the application. The School District's willingness to consult with the Ditch Company will hopefully lead to a positive and amicable resolution for both the Ditch Company and the School District.

That said, after reviewing the proposed application, the Ditch Company has two main concerns. First, the application states that the School District is already a shareholder of the Ditch Company and proposes to supplement the water received from the Ditch Company by installing a new diversion in the Parma Drain. As you are aware, the water in the Parma Drain is primarily irrigation return flows and waste water from the Ditch Company's irrigation system, canals, ditches and use by other Ditch Company shareholders. The Ditch Company wants to make sure that the application recognizes that the proposed diversion is for waste water and that the Ditch Company has no obligation to deliver water or continue to discharge waste water to the Parma Drain for the benefit of the School District. In other words, the School District would be diverting water from the Parma Drain, if the water is available, and the School District has no right to demand that the Ditch Company supply more water to the Parma Drain. The Idaho Department of Water Resources has dealt with this same issue for other drain/waste water applications or claims and has recommended that a remark be placed on the water right which provides that the right is for waste water and subject to the right of the original appropriator (i.e. the Ditch Company) right to cease wasting the water, or in good faith, to change the place and manner of wasting it, or to recapture it, so long as it applies it to beneficial use. This protects the Ditch Company in the event flows in the Parma Drain diminish as a result of less irrigation return flows or waste water from the Ditch Company's irrigation system in the future. Accordingly, the Ditch Company would request a remark on the permit and eventual water right providing that the right of the School District is a waste water right subject to the right of the Ditch Company to cease wasting the water, or in good faith, to change the place and manner of wasting it, or to recapture it, so long as it applies it to beneficial use.

Second, while the application recognizes that the new diversion will be to supplement the

603-34612

water already provided by the Ditch Company, the Ditch Company would request a remark that provides that the new water right from the Parma Drain is in fact supplemental and that it may no longer be used if the primary rights of the Ditch Company ever go away. In other words, the School District cannot discontinue use of the Ditch Company's water and/or fail to pay for the shares of the Ditch Company and solely use the water from the Parma Drain to irrigate the property. The Ditch Company's water must remain primary and must be used before water from the drain is diverted. The Idaho Department of Water Resources has standard language when dealing with similar situation involving supplemental water rights which provides the following:

- a. The lands authorized to be irrigated under this right have a primary surface water right from the Farmers' Co-Operative Ditch Company. The right holder shall make full beneficial use of said primary surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of under this right to those times when the primary surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
- b. If the primary surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- c. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Accordingly, the Ditch Company would request remarks similar to the above remarks in the permit and eventual water right.

Again, thank you for the opportunity to comment on the proposed application and please contact us should you have any questions.

Sincerely,



Sheila Seeman  
Secretary-Treasurer



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](http://www.idwr.idaho.gov)

C.L. "BITCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 27, 2018

PARMA SCHOOL DISTRICT #137  
805 E MC CONNELL  
PARMA, ID 83660

Application for Permit No. 63-34612

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 10/4/2018 and 10/11/2018. 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,

Rachel Neely  
Administrative Assistant

**Neely, Rachel**

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**From:** Neely, Rachel  
**Sent:** Thursday, September 27, 2018 10:11 AM  
**To:** 'IDAHO PRESS TRIBUNE'  
**Subject:** Canyon Legal Ads  
**Attachments:** Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 10/4/2018 & 10/11/2018.

Please confirm these are okay to publish as shown.

Thank you,

September 27, 2018

LEGAL NOTICE DEPARTMENT  
PRESS TRIBUNE  
PO BOX 9399  
NAMPA, ID 83652

RE: Application for Permit No. 63-34608  
Application for Permit No. 63-34612

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 10/22/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely  
Administrative Assistant

Enclosure(s)

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

**63-34608**

JON CARTER  
TARA ROSE-CARTER  
14284 LEWIS LN  
NAMPA, ID 83686  
Point of Diversion SWSE S10 T02N R03W CANYON County Source GROUND WATER  
Use: IRRIGATION 03/01 to 11/15 0.11 CFS  
Total Diversion: 0.11 CFS  
Date Filed: 9/6/2018  
Place of Use: IRRIGATION  
T02N R03W S10 SWSE SESE  
Total Acres: 5.5  
Water bearing zone to be appropriated is from 490 to 710 feet.

**63-34612**

PARMA SCHOOL DISTRICT #137  
805 E MC CONNELL  
PARMA, ID 83660  
Point of Diversion SENE S9 T05N R05W CANYON County Source PARMA DRAIN Tributary BOISE RIVER  
Use: IRRIGATION 03/01 to 11/15 0.32 CFS  
Total Diversion: 0.32 CFS  
Date Filed: 9/12/2018  
Place of Use: IRRIGATION  
T05N R05W S9 NENE NWNE  
Total Acres: 16

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](http://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 10/22/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/4/2018 and 10/11/2018



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 27, 2018

FARMERS COOPERATIVE DITCH CO  
SAWTOOTH LAW OFFICES PLLC  
1101 W RIVER ST STE 110  
PO BOX 7985  
BOISE ID 83701

H L & LORNA HALL  
711 N PARMA RD  
PARMA ID 83660

**Re: Application for Permit No. 63-345612**

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](http://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 22, 2018**. 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 dark ink, appearing to read 'Rachel Neely', is written over a horizontal line.

Rachel Neely  
Administrative Assistant  
Western Regional Office

Enclosures

**Neely, Rachel**

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**From:** Neely, Rachel  
**Sent:** Thursday, September 27, 2018 11:20 AM  
**To:** 'Rex Barrie'  
**Subject:** Application for Permit No. 63-34612  
**Attachments:** Watermaster Recommendation Form\_F.PDF; Application for Permit 63-34612.pdf

September 27, 2018

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

**RE: Application for Permit No. 63-34612**

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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 a recommendation form, and submit your reply, if any, to this office by **October 22, 2018**.

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

Sincerely,

---

*Rachel Neely*

Administrative Assistant I  
IDWR-Western Region  
2735 Airport Way Boise, ID 83705  
[Rachel.Neely@idwr.idaho.gov](mailto:Rachel.Neely@idwr.idaho.gov)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 24, 2018

PARMA SCHOOL DISTRICT  
805 E MCCONNELL  
PARMA, ID 83660

**Re: Water Right Application Incomplete - Returned**

Dear Applicant:

This office received your application on August 23, 2018. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- 11c – Description of arrangement allowing applicant to divert water on property not owned by applicant:
  - Applicant notes that the proposed point of diversion (POD) is located on property owned by HL Hall. Item 11c notes that description of arrangement is attached, but this was not attached. Please describe the arrangement or attach the noted agreement.
- 14 – Map of proposed project:
  - 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
- Signature line:
  - Please sign, print name, and provide title of authorized signer.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit it 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](http://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

RECEIVED

FORM 2018 Rev. 8/16/2018

WATER RESOURCES WESTERN REGION

COPY STATE OF IDAHO

Ident. No. \_\_\_\_\_

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

1. Name of applicant(s) Parma School District 137 Phone 208.722.5115 ex 1806 Mailing address 805 E McConnell City Parma State Idaho ZIP 83660 Email breuck@parmaschools.org

2. Name of representative, if any Phone Mailing address 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.

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For Department Use

Received by AK Date 8/23/2018 Time 10:22 am Preliminary check by Fee \$ 250 Received by AK Receipt No. N046685 Date

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. - \_\_\_\_\_
  - b. Stockwatering; list number and kind of livestock. - \_\_\_\_\_
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**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

\_\_\_\_\_  
Print Name (and title, if applicable)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name (and title, if applicable)