

RECEIVED

AUG 20 2018

RECEIVED

MAY 01 2018

FORM 202 Rev. 09/16

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 65-23768**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Vintage Properties LLP Phone 208-345-9325
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 1486 City Boise
 State Idaho ZIP 83701 Email rtompson@powderriver.com
2. Name of representative, if any Randy Thompson Phone 208-345-9325
 Mailing address P.O. Box 1486 City Boise
 State Idaho ZIP 83701 Email rtompson@powderriver.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 Payette River 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 #
7N	2E	26			SW	SW	Boise	Payette River	
7N	2E	26			SW	SW	Boise	Payette River	
7N	2E	27			SE	SE	Boise	Payette River	

5. Water will be used for the following purposes:

Amount 0.20 for Fire protection 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) 0.20 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. Existing pump station to underground pipe to fire suppression system
- 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. _____.

Received by CS Date 5/1/18 Time 2:05 Preliminary check by CS
 Fee \$ 100.00 Receipted by CS Receipt No. W046291 Date 5/1/18

AMENDED

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. Annual fire suppression test and charging of fire suppression system at industrial/commercial facility

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	
7N	2E	27													F			F	

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? _____

11. a. Who owns the property at the point of diversion? Applicant

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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant proposes to divert water from an existing pump station in the Payette River to conduct annual testing of its fire suppression system, and to charge its fire suppression system.

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.

RS Thompson 4/30/18
Signature of Applicant

Randall Thompson, Vintage Properties LLLP
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources

**Water Right
65-2622**

INDUSTRIAL STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

02E



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

0 0.05 0.1 0.2 Miles



Map produced on December 22, 2017

65 - 23768

RECEIVED

MAY 01 2018

FORM 202 Rev. 09/16

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 65-23768

APPLICATION FOR PERMIT

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 State Idaho ZIP 83701 Email rtompson@powderriver.com
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- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
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- 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
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- 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. _____

Received by CS Date 5/1/18 Time 2:05 Preliminary check by JS
 Fee \$ 100.00 Received by CS Receipt No. W046291 Date 5/1/18

Superseded by Amended Application RCVD 8/20/18 JS

8. Description of proposed uses (if irrigation only, go to item 9):
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 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
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7N	2E	27													F			F	

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R. Thompson 4/30/18
 Signature of Applicant
 Randall Thompson, Vintage Properties LLLP
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources

Water Right
65-2706

INDUSTRIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

02E



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

0 0.05 0.1 0.2 Miles



Map produced on December 22, 2017

65-23708

State of Idaho
Department of Water Resources

**Water Right
65-2622**

INDUSTRIAL STORAGE

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02E



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

0 0.05 0.1 0.2 Miles



Map produced on December 22, 2017

65-23768



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

C.L. "BLUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 30, 2018

VINTAGE PROPERTIES LLLP
C/O RANDY THOMPSON
PO BOX 1486
BOISE, ID 83701

Application for Permit No. 65-23768

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 IDAHO WORLD on 9/5/2018 and 9/12/2018. 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

CC:

DYLAN LAWRENCE
VARIN WARDWELL
242 N 8TH ST STE 220
PO BOX 1676
BOISE, ID 83701

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 30, 2018 9:41 AM
To: 'Eileen Capson'
Subject: Boise Legal Ad
Attachments: Boise Cover Letter.docx; Boise Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 9/5/2018 & 9/12/2018.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

August 30, 2018

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Application for Permit No. 65-23768

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 9/24/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

65-23768

VINTAGE PROPERTIES LLLP

C/O RANDY THOMPSON

PO BOX 1486

BOISE, ID 83701

Point of Diversion SWSW S26 T07N R02E BOISE County Source PAYETTE RIVER Tributary SNAKE RIVER

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/1/2018

Place of Use: FIRE PROTECTION

T07N R02E S27 NESE SESE

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 9/24/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/5/2018 and 9/12/2018

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 30, 2018 5:02 PM
To: 'Ron Shurtleff'
Subject: Application for Permit 65-23768
Attachments: Watermaster Recommendation Form_F.PDF; Application for Permit 65-23768.pdf

August 30, 2018

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Permit 65-23768

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 **September 24, 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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 30, 2018 5:01 PM
To: 'Bosworth,Bill'
Subject: Applications for Permit 65-23768, 2-10558, 2-10565 & 63-34403
Attachments: IDFG Recommendation Form.docx; Application for Permit 65-23768.pdf; Application for Permit 2-10558.pdf; Application for Permit 2-10565.pdf; Application for Permit 63-34403.pdf

August 30, 2018

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: BILL BOSWORTH
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Applications for Permit 65-23768, 2-10558, 2-10565 & 63-34403

Dear Mr. Bosworth:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **September 24, 2018**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. 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

Shearer, Justin

From: Randy Thompson <rthompson@powderriver.com>
Sent: Tuesday, August 21, 2018 1:33 PM
To: 'Dylan Lawrence'
Cc: Shearer, Justin; Randy Thompson
Subject: RE: Vintage Properties LLLP - amended application for permit 65-23768

Follow Up Flag: Follow up
Flag Status: Flagged

I approve the amendments. Thanks, Randy Thompson, Vintage Properties LLLP

From: Dylan Lawrence <dylanlawrence@varinwardwell.com>
Sent: Monday, August 20, 2018 3:52 PM
To: Randy Thompson <rthompson@powderriver.com>
Cc: Shearer, Justin <Justin.Shearer@idwr.idaho.gov>
Subject: Vintage Properties LLLP - amended application for permit 65-23768

Randy,

I have attached here the amended water permit application for the fire suppression system. As you may recall, after we submitted the original application, Justin at IDWR (copied here) had some comments, and we amended and re-submitted the application accordingly. The amended application is attached here.

On behalf of Vintage Properties, can you please 'reply to all' to this email approving the amended application, so that Justin has the documentation he needs to move forward with processing it? Since you signed the application but I amended it, he just needs something for his file to close that loop.

Just let me know of any questions.

Thanks much,
Dylan

Dylan Lawrence

242 N. 8th Street, Ste. 220
PO Box 1676 | Boise, ID 83701
(208) 907-1529
VarinWardwell.com



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Shearer, Justin

From: Dylan Lawrence <dylanlawrence@varinwardwell.com>
Sent: Thursday, August 16, 2018 6:37 PM
To: Shearer, Justin
Subject: Re: Application for Permit to Appropriate Water 65-23768

Follow Up Flag: Follow up
Flag Status: Completed

I don't have a signed Power of Attorney. Would it be sufficient for the Applicant to send you an email confirming the application is acceptable as amended? Or do I really need to prepare a Power of Attorney for signature?

Dylan Lawrence

242 N. 8th Street, Ste. 220
PO Box 1676 | Boise, ID 83701
(208) 907-1529
VarinWardwell.com



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On Tue, Aug 7, 2018 at 11:45 AM, Shearer, Justin <Justin.Shearer@idwr.idaho.gov> wrote:

Thanks Dylan! Do you by chance have a power of attorney or other similar documentation that you can provide so that I can accept your initials on the amendment?

Justin Shearer

Idaho Department of Water Resources

Water Resource Agent

(208) 334-2190

justin.shearer@idwr.idaho.gov

From: Dylan Lawrence [mailto:dylanlawrence@varinwardwell.com]
Sent: Thursday, August 02, 2018 3:03 PM
To: Shearer, Justin <Justin.Shearer@idwr.idaho.gov>
Subject: Re: Application for Permit to Appropriate Water 65-23768

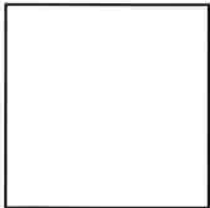
Here you go. I crossed out the two additional PODs in the application, Xed them out in the map, and initialed all four changes.

Dylan

Dylan Lawrence

242 N. 8th Street, Ste. 220
PO Box 1676 | Boise, ID 83701

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On Tue, Jul 24, 2018 at 8:07 AM, Shearer, Justin <Justin.Shearer@idwr.idaho.gov> wrote:

Dylan,

Sorry for the delayed response. Thank you for clarifying that there is just the one POD in T7N R2E S26 SWSW. Please amend the attached application and map to reflect this.

Thanks and regards,

Justin Shearer

Idaho Department of Water Resources

Water Resource Agent

(208) 334-2190

justin.shearer@idwr.idaho.gov

From: Dylan Lawrence [mailto:dylanlawrence@varinwardwell.com]

Sent: Monday, July 16, 2018 10:51 AM

To: Shearer, Justin <Justin.Shearer@idwr.idaho.gov>

Cc: rthompson@powderriver.com

Subject: Re: Application for Permit to Appropriate Water 65-23768

Justin, just to follow up on the below, the 0.20 cfs diversion rate is accurate. The annual use of water for the annual testing of the fire suppression system is extremely small, but when it does occur, the 0.20 cfs corresponds to the withdrawal rate of the pump.

I believe this takes care of all of your questions.

Thanks,

Dylan

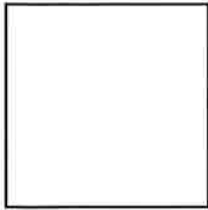
Dylan Lawrence

[242 N. 8th Street, Ste. 220](#)

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VarinWardwell.com



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On Wed, Jul 11, 2018 at 4:15 PM, Dylan Lawrence <dylanlawrence@varinwardwell.com> wrote:

Justin,

Thank you for the opportunity to clarify these items, rather than simply sending the application back.

I have spoken with Vintage Properties's principal Randy Thompson (copied here), and he has confirmed that there is only one point of diversion, in T7N R2E S26 SWSW. So, in Item 4 of the application, the second point of diversion within that same quarter-quarter section, and the point of diversion in the SESE of Section 27, can both be removed.

Regarding Items 5 and 6, the annual use of water for fire protection is small, so we filled in 0.20 cfs since that is the upper limit of the lowest fee tier, thinking the precise amount would be identified at the beneficial use exam and licensing stage. With that said, we are looking into the capacity of the pump and will get back to you on that.

In the meantime, just let us know if you need anything else.

Thank you,

Dylan

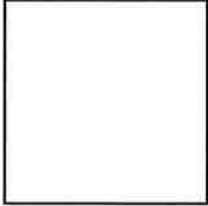
Dylan Lawrence

242 N. 8th Street, Ste. 220

PO Box 1676 | Boise, ID 83701

(208) 907-1529

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On Mon, Jul 9, 2018 at 11:13 AM, Shearer, Justin <Justin.Shearer@idwr.idaho.gov> wrote:

Good morning,

I was recently assigned your application for permit to appropriate water from the Payette River for fire protection purposes for review and there are several things I am seeking clarification on before I can proceed.

First, the application lists 3 Points of Diversion (POD) but later on only describes one pump station, or one POD for the system. If only one pump station then only that site should be legally described as the point of diversion; please clarify.

Second, because the department does not have a fixed standard rate for fire protection, explanation/justification for how/why you are requesting 0.20 cfs for fire protection should be documented in the file. Please provide a brief explanation for the requested rate.

Please contact me at your earliest convenience to address these matters.

Thanks and regards,

Justin Shearer

Idaho Department of Water Resources

Water Resource Agent

(208) 334-2190

justin.shearer@idwr.idaho.gov

No. L 2974	Due no later than Jan 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. VINTAGE PROPERTIES LLLP PO BOX 1486 BOISE ID 83705		RANDALL THOMPSON 3366 W OVERLAND RD BOISE ID 83705			
			3. <u>New</u> Registered Agent Signature:*			
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
GENERAL PARTNER	RANDALL THOMPSON PRESIDENT EXECUTIVE MANAGEMENT, INC.	3366 OVERLAND RD	BOISE	ID	USA	83705
5. Organized Under the Laws of: ID L 2974		6. Annual Report must be signed.* Signature: rsthompson Date: 11/28/2017 Name (type or print): rsthompson Title: President of the General Partn				
Processed 11/28/2017		* Electronically provided signatures are accepted as original signatures.				

65-23768



DYLAN B. LAWRENCE
DYLANLAWRENCE@VARINWARDWELL.COM

242 N. 8TH STREET, SUITE 220
P.O. BOX 1676
BOISE, IDAHO 83701
P: 208.907.1529
F: 1.866.717.1758
VARINWARDWELL.COM

May 1, 2018

VIA HAND DELIVERY

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED
MAY 01 2018
WATER RESOURCES
WESTERN REGION

Re: Application for Permit (Vintage Properties LLLP)

Dear Sir or Madam:

I have enclosed with this letter an application for a new water permit. Enclosed with this letter are the following:

- An original, signed *Application for Permit*;
- Two maps generated from IDWR's database identifying the point of diversion and place of use (the new water permit would be utilized at the same facility associated with water rights 65-2706 and 65-2622); and
- An application fee check for \$100.

Please process this application packet at your earliest convenience. If you have any questions or need anything else from the Applicant, please contact me directly.

Thank you for your attention to this matter.

Idaho Department of Water Resources
May 1, 2018
Page 2

Sincerely,

VARIN WARDWELL LLC

A handwritten signature in blue ink, appearing to read 'Dylan B. Lawrence', with a stylized, cursive script.

Dylan B. Lawrence

Enclosures (4)

cc: Randy Thompson (*via e-mail*)