

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

Ident. No. 23-11467
RECEIVED
JUL 25 2018
Department of Water Resources
Eastern Region

1. Name of applicant(s) Rainey Creek Enterprises LLC Phone 973 997 4551
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address PO Box 5 City Irwin
 State ID ZIP 83428 Email _____
2. Name of representative, if any Rocky Mountain Environmental Associates, Inc Phone 208-524-2353
 Mailing address 482 Constitution Way Ste 303 City Idaho Falls
 State ID ZIP 83402 Email kristin.rmea@gmail.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 Ground water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
2N	43E	36			SE	SW	BONNEVILLE	GROUND WATER	
2N	43E	36			SE	SW	BONNEVILLE	GROUND WATER	

5. Water will be used for the following purposes:
- Amount 0.35 cfs for Commercial purposes from 1/01 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) 0.35 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 to water supply 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 8 inches; proposed depth of well is 200 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 sc Date 7/25/18 Time _____ Preliminary check by _____
 Fee \$ 250- Received by sc Receipt No. EP84222 Date 7/25/18

23-11467

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. Commercial use for 24 townhomes, 30 bay homes, a 9-unit strip mall, and a grocery store/ market.
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	
2N	43E	36												C			C		

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? None.
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 develop this non-consumptive water right for in-house use only. All effluent will be conveyed to an on-site septic system. No irrigation will occur under this water right. Irrigation rights are being purchased and transferred in a companion transfer application.
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.

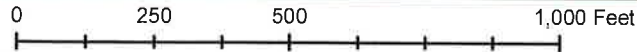
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

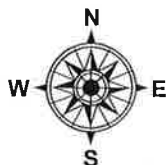
Print Name (and title, if applicable)



2017 Aerial Photography

Legend

- Proposed POD QQ
- Proposed POU
- Twp & Rng
- Section



23-11467

Application for Permit
Rainey Creek Enterprises LLC

RMEA #18-0033

by: KM

Date: 5/3/2018



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

No. W 180024	Due no later than Mar 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.		STEPHEN E MARTIN 425 S HOLMES AVE IDAHO FALLS ID 83401			
	RAINEY CREEK ENTERPRISES LLC SHANE DEAN FLEMING PO BOX 5 IRWIN ID 83428		3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held MEMBER	Name SHANE DEAN FLEMING	Street or PO Address 50 CUTTHROAT RUN	City IRWIN	State ID	Country USA	Postal Code 83428
5. Organized Under the Laws of: ID W 180024		6. Annual Report must be signed.* Signature: SHANE FLEMING Name (type or print): SHANE FLEMING Date: 01/25/2018 Title: OWNER				
Processed 01/25/2018		* Electronically provided signatures are accepted as original signatures.				



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 9, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RAINEY CREEK ENTERPRISES LLC
PO BOX 5
IRWIN, ID 83428

Application For Permit No. 23-11467

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 POST REGISTER on August 16 and 23, 2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on September 4, 2018 at 5:00 pm**).

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 that reads "Sharla Cox". The signature is written in a cursive, flowing style.

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

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Governor

August 9, 2018

GARY SPACKMAN
Director

Idaho Department of Environmental Quality
900 North Skyline, Suite B
Idaho Falls, ID 83402

Application to Permit No. 23-11467

DEQ:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is written over a circular blue ink stamp.

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, August 09, 2018 8:49 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for your paper
Attachments: Post Register E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

August 9, 2018

Legal Notice Department

Post Register
PO Box 1800
Idaho Falls ID 83403

RE: Legal Adds for your paper

Dear Staci Dockery:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 September 4, 2018. Your cooperation is appreciated.

Sincerely
Sharla Cox
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

23-11467
RAINEY CREEK ENTERPRISES LLC
PO BOX 5
IRWIN, ID 83428
Point of Diversion
SESW S36 T02N R43E
SESW S36 T02N R43E
BONNEVILLE County
Source GROUND WATER Tributary
Use: COMMERCIAL
01/01 to 12/31 0.35 CFS
Total Diversion: 0.35 CFS
Date Filed: 7/25/2018
Place Of Use: COMMERCIAL
T02N R43E S36 SESW SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 9/4/2018. The protestant must also send a copy of the protest to the applicant.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82604**

MICHAEL E GLASER, 7345 W 33RD S, IDAHO FALLS, ID 83402; has filed Application No. 82604 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-2568; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and change place of use. The point of diversion will be in NWNW Sec 36 T2N R36E for 0.01 cfs from ground water. The place of use will be in NWNW Sec 36 T2N R36E for 1 acre. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before September 4, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 16 and 23, 2018

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RAINEY CREEK ENTERPRISES LLC

PO BOX 5

IRWIN, ID 83428

Point of Diversion

SESW S36 T02N R43E

SESW S36 T02N R43E

BONNEVILLE County

Source GROUND WATER Tributary

Use: COMMERCIAL

01/01 to 12/31 0.35 CFS

Total Diversion: 0.35 CFS

Date Filed: 7/25/2018

Place Of Use: COMMERCIAL

T02N R43E S36 SESW SWSE

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