

RECEIVED

AMENDED

NOV 09 2017
FORM 202 Rev. 09/16WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No.

65-23704

RECEIVED

JUN 14 2017

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Greg Simone Gerold Dennett Phone 208 908-6015
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 284 Village Circle City Garden Valley
 State Idaho ZIP 83622 Email gregsimione@gmail.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 unnamed stream which is a tributary of Middle Fork of Payette 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 #
10N	4E	22		NE	NE		Boise	Unnamed Spring	
								stream	

5. Water will be used for the following purposes:
- Amount 2.3 for irrigation purposes from Apr 1 to Nov 15 (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) 2.3 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. Diversion box and pipe to points of use 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 TBD inches; proposed depth of well is TBD 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 (Signature) Date 6/14/17 Time 12:10pm Preliminary check by (Signature) 11/5/17
 Fee \$ 330.00 Received by (Signature) Receipt No. W045370 Date 6/14/17

For Department Use

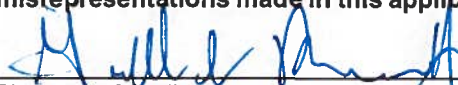
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. _____
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	
10N	4E	22	35	40		40													115

Total number of acres to be irrigated: 115

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? applicants
- b. Who owns the land to be irrigated or place of use? applicants
- 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. We purchased 120 acres from Potlatch and are building a single family home . We plan to irrigate and to assist with distribution, use a small pond to put water in and then pump out to final point of use.
Currently, we have a developed RV pad for camping while house is being finalized and then constructed.
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
Gerald A. Dennett
 Print Name (and title, if applicable)


 Signature of Applicant
Greg Simone
 Print Name (and title, if applicable)

Gerold Bennett
Cref Simone

Water right application 65-23704 - Irrigation

AMENDED



Legend



Place of use
Boundary



POD - point of Diversion

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

Ident. No. 65-23704
RECEIVED
JUN 14 2017

WATER RESOURCES
EASTERN REGION

1. Name of applicant(s) Greg Simione Gerold Dennett Phone 208 908-8115
Name connector (check one): ☒ and ☐ or ☐ and/or
Mailing address 284 Village Circle City Garden Valley
State Idaho ZIP 83622 Email gregsimione@gmail.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 unnamed stream which is a tributary of Middle Fork of Payette River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10N	4E	22		SE	NE	NW	Boise	Unnamed Spring	

5. Water will be used for the following purposes:
- Amount 2.3 for irrigation purposes from Apr 1 to Nov 15 (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) 2.3 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. Diversion box and pipe to points of use 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 TBD inches; proposed depth of well is TBD 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 BRS Date 6/14/17 Time 12:10pm Preliminary check by 11/5/17
Fee \$ 330.00 Received by (BRS) Receipt No. W045374 Date 6/14/17

Superseded by Amended Application Received 11/9/17

State of Idaho
Department of Water Resources

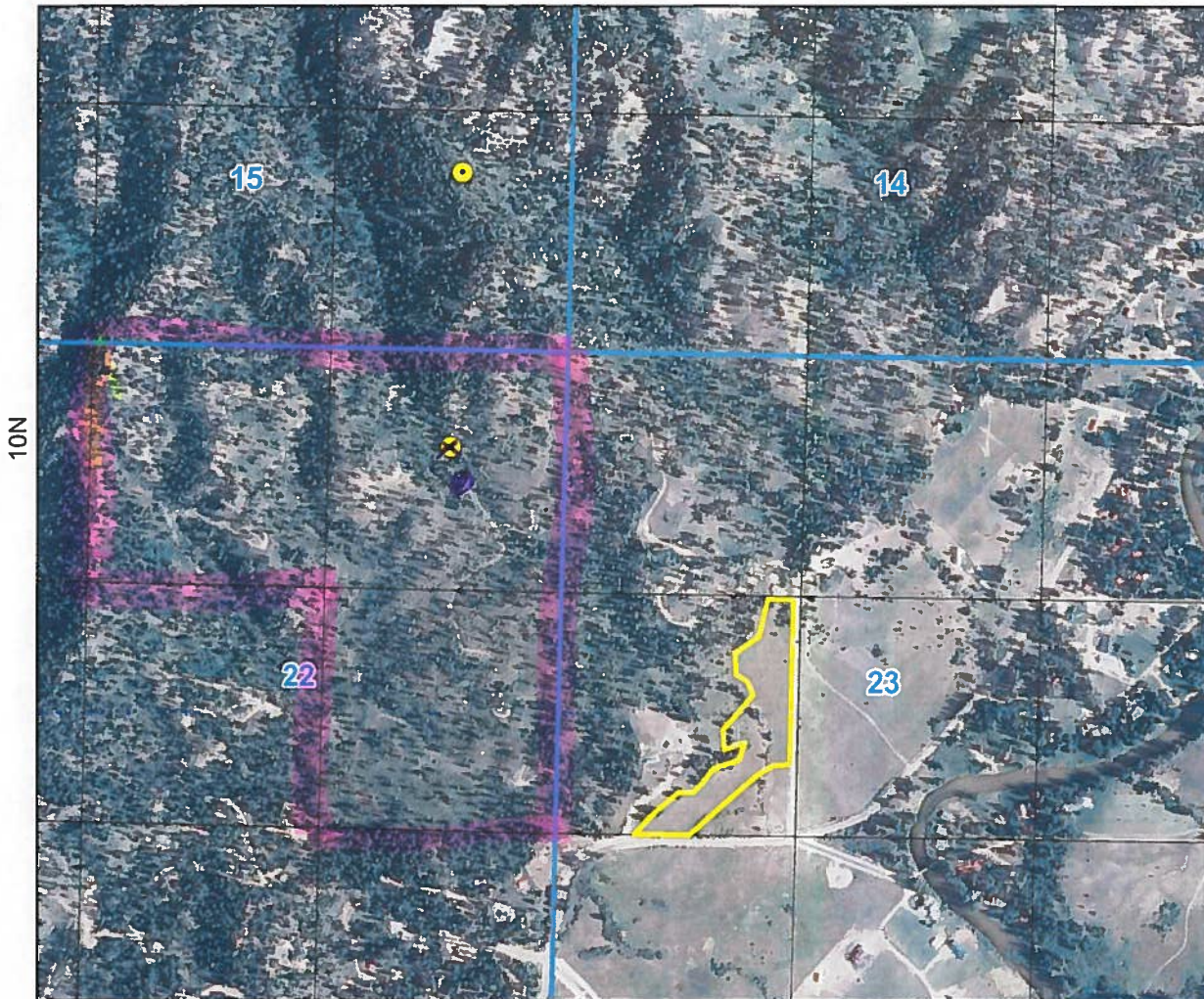
Water Right

~~05-23704~~ application - Denrell-Simone

IRRIGATION

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.

04E



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

0 0.125 0.25 0.5 Miles

source of stream

yellow dot with X - is stream



Map produced on September 24, 2013

Superseded by 05-23704 11/9/17

Idaho Dept of Water Resources

Western Region

July 5, 2017

RECEIVED

JUL 05 2017

WATER RESOURCES
WESTERN REGION

To whom it may concern,

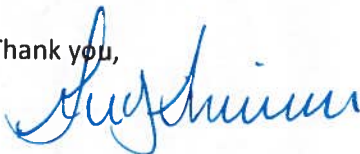
We filed for a junior water right on June 14th, 2017 to divert water from an unnamed stream in Boise County, Section 22 10N4E. See attached copy of application.

Since that filing, the family with the senior water right has threatened us physically and verbally stating we have no rights and are not allowed to file nor ever touch their stream. We were very surprised with their reaction and we are prepared for future discussions and pre hearings, etc. In the meantime, I feel it's important to let you know what has occurred with our work.

We are building a home and other construction has happened on that property. We have put in a road, telephone lines, power, etc, and while dirt movement was happening, we installed piping to serve as intake from the stream and a pipe to bring water back to the stream per our application description. However, these pipes are not in use and no water has flowed in nor out of the excavation pond we intend to use as the irrigation location. Because the snow melt and spring runoff from seasonal springs into the excavation pit filled it, we have a pump that is circulating the water to keep it from getting stagnant. We believe this is what our neighbor observed and is unwilling to recognize it is not water coming from his water right.

In closing, we respect the process and understand as a junior position, we may not receive any water at all but may also receive a small amount. The spring runs all year and after his diversion point there is still ample water running downstream. Our plan (application) shows we intend to keep water flowing downstream by making sure it exits the excavation pit. We have been unable to communicate with our neighbor as he has escalated this to a very serious confrontation. We wanted the department to know that we are simply waiting for next steps and have taken no action that disrupts or interferes or takes water from the stream.

Thank you,



Greg Simione

208 908-8111



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. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 30, 2017

GEROLD DENNETT
GREG SIMIONE
284 VILLAGE CIRCLE
GARDEN VALLEY, ID 83622

Application for Permit No. 65-23704

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 12/6/2017 and 12/13/2017. 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

From: Neely, Rachel
Sent: Thursday, November 30, 2017 9:34 AM
To: 'Idaho World Editor'
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 12/6/2017 & 12/13/2017.

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

November 30, 2017

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

RE: Application for Permit No. 65-23704

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 12/26/2017. 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:

65-23704

GEROLD DENNETT

GREG SIMIONE

284 VILLAGE CIRCLE

GARDEN VALLEY, ID 83622

Point of Diversion NENE S22 T10N R04E BOISE County Source UNNAMED STREAM

Use: IRRIGATION 03/15 to 10/31 2.3 CFS

Total Diversion: 2.3 CFS

Date Filed: 6/14/2017

Place of Use: IRRIGATION

T10N R04E S22 NENE NWNE SENE

Total Acres: 115

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 12/26/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/6/2017 and 12/13/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, November 30, 2017 11:27 AM
To: 'Ron Shurtleff'
Subject: Applications for Permit Nos. 65-23704 & 65-23731 & Application for Transfer No. 81935
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit No. 65-23704.pdf; Application for Permit No. 65-23731.pdf; Application for Transfer 81935.pdf

November 30, 2017

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

RE: Applications for Permit Nos. 65-23704 & 65-23731 & Application for Transfer No. 81935

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 applications 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 December 26, 2017.

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,

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, November 30, 2017 11:26 AM
To: 'Bassista, Tom'
Subject: Applications for Permit Nos. 65-23704 & 65-23731
Attachments: IDFG Recommendation Form.docx; Application for Permit No. 65-23704.pdf; Application for Permit No. 65-23731.pdf

November 30, 2017

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

RE: Applications for Permit Nos. 65-23704 & 65-23731

Dear Mr. Bassista:

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 December 26, 2017.

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



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. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 30, 2017

CAROL CASEY
MERL CASEY
20 CASEY LN
GARDEN VALLEY ID 83622

Re: Application for Permit No: 65-23704

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 World* 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 **December 26, 2017**. 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,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures