

RECEIVED

OCT 17 2017

FORM 202 Rev. 09/16

Ident. No. 13-8003STATE OF IDAHO
Department of Water Resources
Eastern Region**AMENDED****APPLICATION FOR PERMIT**
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) James S. Read Phone 208-852-3944
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 3192 East Riverdale Road City Preston
 State Idaho ZIP 83263 Email _____
2. Name of representative, if any Randall C. Budge Phone 208-232-6101
 Mailing address P.O. Box 1391 City Pocatello
 State Idaho ZIP 83204-1391 Email rcb@racinelaw.net
- 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 spring 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 #
14S	40E	29		NE	SW	NE	Franklin	Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic 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) 0.04 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. Perforated pipe at spring source with buried holding tanks into a 2" plastic pipe to the house.
- 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 SC Date 9/7/17 Time _____ Preliminary check by _____
 Fee \$ 100 Received by 9/7/17 Receipt No. E043359 Date 9/7/17

13-8003

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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SEP 07 2017Department of Water Resources
Eastern Region

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- 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 spring which is a tributary of sinks
4. Location of point(s) of diversion:

TwP	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14S	40E	29		NE	SW	SE	Franklin	Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic 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)
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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. _____.

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 Fee \$ 100 Received by 9/7/17 Receipt No. ED43359 Date 9/7/17

13-8003

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 One residential home.
- 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	
14S	40	29			D														

Total number of acres to be irrigated: 0.5

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? Outside irrigation use provided by Applicant's shares in Riverdale Canal Company.

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: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

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.

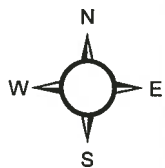
Signature of Applicant

James S. Read

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



Legend

- POU (Read)
- POD (Spring)
- TR Lines
- Section Lines
- Quarter Quarters



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

13-8003



48266



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

October 26, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

JAMES S READ
3192 EAST RIVERDALE RD
PRESTON, ID 83263

Application For Permit No. 13-8003

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 PRESTON CITIZEN on November 1 and 8, 2017 11/1/2017 and 11/8/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on November 20, 2017 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, appearing to read 'Sharla Cox', is written over a large, stylized blue circular mark.

Sharla Cox
Administrative Assistant

CC: RANDALL C BUDGE
RACINE OLSON LAW
PO BOX 1391
POCATELLO, ID 83204-1391

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 26, 2017 7:05 AM
To: 'dmunson@hjnews.com'
Subject: Legal Notice for your paper
Attachments: Preston Citizen 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*

October 26, 2017

MAY CONTAIN MORE THAN ONE PAGE!

Legal Notice Department

Preston Citizen

PO Box 472

Preston ID 83263

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

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 November 20, 2017. 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

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

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

13-8003

JAMES S READ

3192 EAST RIVERDALE RD

PRESTON, ID 83263

Point of Diversion

NESWNE S29 T14S R40E

FRANKLIN County

Source SPRING Tributary SINKS

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 9/7/2017

Place Of Use: DOMESTIC

T14S R40E S29 SWNE

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 together with a protest fee of \$25.00 for each application on or before November 20, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 1 and 8, 2017

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

13-8003

JAMES S READ
3192 EAST RIVERDALE RD
PRESTON, ID 83263

Point of Diversion

NESWNE S29 T14S R40E

FRANKLIN County

Source SPRING Tributary SINKS

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GARY SPACKMAN, Director

Published on November 1 and 8, 2017

Stosich, Scott

From: Tessa Sparrow <tps@racinelaw.net>
Sent: Tuesday, October 17, 2017 1:33 PM
To: Stosich, Scott
Subject: RE: Application for Permit for Steve Gneiting and Michael Cordova
Attachments: 20171017 Read - Application for Permit (Revised).pdf

Dear Scott,

Attached is the revised first page of the Application for Jim Read. Randy looked at the map again and changed the POD in paragraph 4.

Please contact us if you have any further questions or further changes are needed.

Thank you,

Tessa Sparrow
Legal Assistant



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

www.racinelaw.net

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From: Stosich, Scott [mailto:Scott.Stosich@idwr.idaho.gov]
Sent: Tuesday, October 17, 2017 11:59 AM
To: Tessa Sparrow <tps@racinelaw.net>
Subject: RE: Application for Permit for Steve Gneiting and Michael Cordova

Tessa,

The Gneiting and Cordova applications have already been submitted for advertisement and needed no further corrections.

The application that needed that point of diversion correction was for James S. Read, which I thought I provided to Randy. I will send it again, and once I get it back I will make final preparations for advertising.

Let me know if there is any further confusion of questions.

Thanks,

Scott Stosich
Water Resource Agent

Stosich, Scott

From: Randy Budge <rcb@racinelaw.net>
Sent: Wednesday, October 11, 2017 2:19 PM
To: Stosich, Scott
Subject: Re: Application for Permit for James Read, Steve Gneiting, Michael Cordova, et al.

No tributary. Just. Spring that does not leave the property

Blessings,
Randy

Typos by iPhone

Randall C. Budge
Racine Olson
201 E. Center
Pocatello, ID 83201
W208-232-6101
C208-709-1020
rcb@racinelaw.net

On Oct 11, 2017, at 11:29 AM, Stosich, Scott <Scott.Stosich@idwr.idaho.gov> wrote:

Randy,

Thanks for the quick response. I am about done preparing the three permit application, but noticed on last thing for the James Read application for domestic from "spring" as the source. There is no tributary listed, does that mean the spring sinks on the property or is it associated with a nearby water source?

-Scott Stosich

From: Randy Budge [<mailto:rcb@racinelaw.net>]
Sent: Thursday, October 05, 2017 5:11 PM
To: Stosich, Scott <Scott.Stosich@idwr.idaho.gov>
Cc: Randy Budge <rcb@racinelaw.net>
Subject: RE: Application for Permit for James Read, Steve Gneiting, Michael Cordova, et al.

Scott,

Correct. The applications own the place of use, but he well which is the point of diversion is on the James Rhead property per the joint use agreement. If we have that wront must have made a mistake and please consider this your authorization to make the correction.

Thanks!

Randy

Randall C. Budge

Attorney



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

www.racinelaw.net

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From: Stosich, Scott [<mailto:Scott.Stosich@idwr.idaho.gov>]

Sent: Thursday, October 05, 2017 12:41 PM

To: Randy Budge <rcb@racinelaw.net>

Subject: RE: Application for Permit for James Read, Steve Gneiting, Michael Cordova, et al.

Randy,

Thanks for the clarification.

Also, the application states that the applicants own the property where the point of diversion is located, which is contradicted in the 'Joint Use Agreement for Culinary Well' which states "it is located on land currently owned by James S. Read". I cannot tell from Franklin County taxlot data who actually owns the property. Can you please clarify this.

Thanks,

-Scott Stosich

From: Randy Budge [<mailto:rcb@racinelaw.net>]

Sent: Wednesday, October 04, 2017 11:20 PM

To: Stosich, Scott <Scott.Stosich@idwr.idaho.gov>

Cc: Randy Budge <rcb@racinelaw.net>

Subject: RE: Application for Permit for James Read, Steve Gneiting, Michael Cordova, et al.

Scott,

These are intended to be standard domestic rights that include outside irrigation. The irrigation shares would be supplemental. There is some irrigation outside that occurs outside the irrigation company's period of use.

Randy

Randall C. Budge

Attorney



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

www.racinelaw.net

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From: Stosich, Scott [<mailto:Scott.Stosich@idwr.idaho.gov>]

Sent: Wednesday, October 4, 2017 9:47 AM

To: Randy Budge <rcb@racinelaw.net>

Subject: Application for Permit for James Read, Steve Gneiting, Michael Cordova, et al.

Randy,

I am currently reviewing and preparing the three permits submitted for advertising. I have a question about the irrigated acres represented on the second page of the application. On all three application, the described place of use shows 0.5 acres to be irrigated, but the applications then state that "outside irrigation use provided by Applicant's shares in Riverdale Canal Company."

I need some clarification on whether this domestic permit will or won't cover the 0.5 irrigated acres as represented under the place of use.

Thanks,

Scott Stosich

Water Resource Agent

Department of Water Resources-Eastern Region

(208) 525-7161

Scott.Stosich@idwr.idaho.gov

September 5, 2017

James Cefalo, Program Manager
Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RECEIVED
SEP 07 2017
Department of Water Resources
Eastern Region

Re: Domestic Water Right Applications – Jim Read, et al.

Dear James:

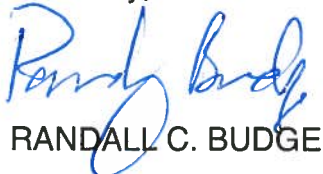
Enclosed please find an original and extra copy of an Application for Permit for a small domestic water right submitted on behalf of James S. Read.

Also enclosed is a check for filing fee, together with stamped and addressed return envelopes. Please file and process the original and conform stamp and return the extra copy to me in the enclosed stamped and addressed return envelope.

This application pertains to a spring on Jim Read's property which he will connect to upon approval. The pending Application for Permit 13-7992 is on hold due to the unresolved protest of Pete Peterson and a lack of cooperation from Riverdale Canal Company in drying up the one acre of land provided by Jim Read for mitigation. That application may be withdrawn upon approval of the new domestic applications.

If you have any questions, please give me a call. Thanks for your assistance. Kindly advise when the applications will go to publication.

Sincerely,


RANDALL C. BUDGE

RCB:ts
Enclosures
c: James S. Read