

RECEIVED

JUL 03 2017

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) BID, LLC Phone 208-489-7488
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address c/o Douglas Bates, 777 W. Main St., Ste 900 City Boise
 State ID Zip 83702 Email: doug@clearwateranalytics.com

I am the owner of Water Appropriation Permit No. 63-33910 and request that the permit be amended as follows:

- ☐ Change point of diversion ☒ Add point of diversion ☐ Change period of use
☐ Change nature of use ☐ Change place of use ☐ Other _____

1. Point of diversion: ☐ No changes to point(s) of diversion. Skip item #1 and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5N	5W	36	3		NE	NW	Canyon	Boise River	

2. Period and nature of use: ☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)

3. Place of use or land to be irrigated: ☒ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

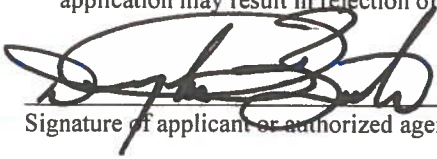
4. **Property ownership:** ☐ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.
- a. Who owns the property at the point of diversion? original POD: applicant; additional POD: river channel/accretion land
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
Prescriptive easement to the additional POD has been established through historical irrigation and stockwater uses
authorized under decreed rights 63-174, 63-175 and 63-5181 recently acquired by the applicant.

5. **Describe the proposed change in narrative form:**
Applicant wishes to add a "non-pump" diversion point to the system.

6. **Map:** ☒ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.
- Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

7. **Signature:**

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

 DOUGLAS K. BATES, THE PINTAIL Ranch LLC 170323

Signature of applicant or authorized agent Print name (and title, if applicable) Date

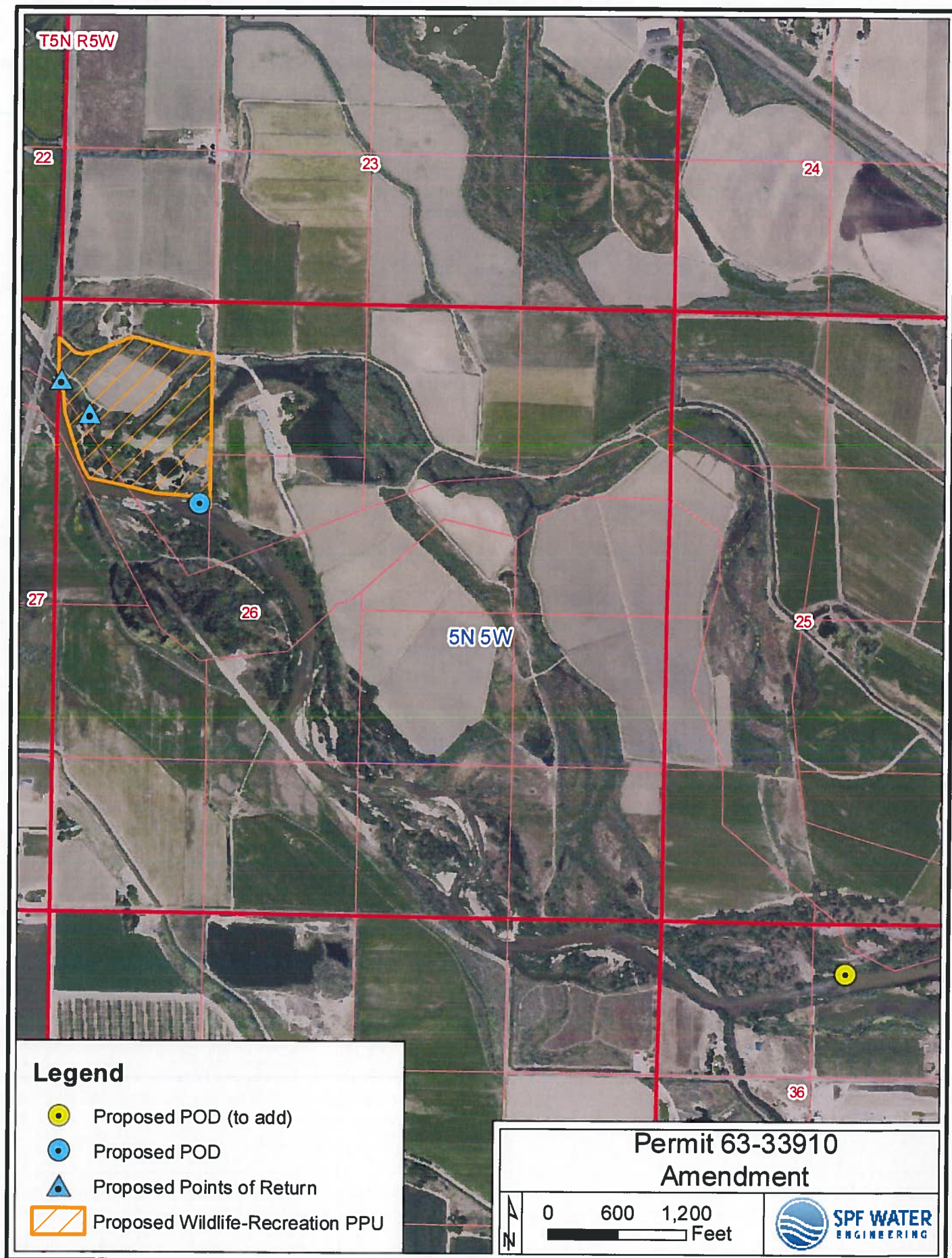
Signature of applicant or authorized agent Print name (and title, if applicable) Date

FOR DEPARTMENT USE ONLY

Received by BAL Date 7/3/17

Received by BES Date 7/3/17 Receipt No. W045441

Reviewed by CP Date 7/21/17





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

August 31, 2017

BID LLC
C/O DOUGLAS K BATES
777 W MAIN ST STE 900
BOISE, ID 83702

Application to Amend Permit No. 63-33910

Dear Applicant(s):

The Department of Water Resources has received your application to amend the permit referenced above. Please refer to the permit 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 9/7/2017 and 9/14/2017. 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 to amend the permit is approved, the Department will send you a copy of the amended permit.

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

Sincerely,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 1:54 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 9/7/2017 & 9/14/2017.

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

August 31, 2017

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

RE: Application to Permit No. 63-34384
 Application to Permit No. 2-10536
 Application to Permit No. 63-34372
 Application to Permit No. 63-34420
 Application to Amend Permit No. 63-33910

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 9/25/2017. 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:

2-10536

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27
BOISE, ID 83707

Point of Diversion L2(NWSW) S14 T04N R06W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 14.66 CFS

Total Diversion: 14.66 CFS

Date Filed: 7/21/2017

Place of Use: IRRIGATION

T04N R05W S5 SWSE

T04N R05W S7 NE(ALL) NESE NWSE SESE

T04N R05W S8 NW(ALL)

T04N R05W S18 NESE NWSE SESE

T04N R06W S12 SWNE SENE SWNW SENW NWSW NESE NWSE

Total Acres: 733

63-34384

ANN OBENDORF
GREG OBENDORF
26496 DEB LN
PARMA, ID 83660

(3)Points of Diversion SESE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

(2)Points of Diversion SWSE S23 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L6(NWNW) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion L2(SWSE) S25 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE 11/01 to 03/01 23.5 CFS

Use: WILDLIFE STORAGE 11/01 to 03/01 790.9 AF

Total Diversion: 23.5 CFS, 790.9 AF

Date Filed: 5/16/2017

Places of Use: WILDLIFE, WILDLIFE STORAGE

T05N R05W S23 NESE NWSE SWSE SESE

63-34372

JACOB FILLMORE
MARNIE FILLMORE
18954 LOWER PLEASANT RIDGE RD
CALDWELL, ID 83607

Point of Diversion SWSW S24 T04N R04W CANYON County Source WASTE WATER

Use: IRRIGATION 03/01 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/12/2017

Place of Use: IRRIGATION

T04N R04W S24 SWSW

Total Acres: 10

63-34420

DAVID L GASTMAN
SHARON T GASTMAN
PO BOX 505
STAR, ID 83669

Point of Diversion L4(NWNW) S1 T04N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 04/15 to 10/30 0.04 CFS

Total Diversion: 0.08 CFS

Date Filed: 7/21/2017

Places of Use: DOMESTIC, IRRIGATION

T04N R02W S1 L4(NWNW)

Total Acres: 2

Water bearing zone to be appropriated is from 0 to 200 feet.

PROPOSED AMENDMENT OF WATER PERMIT

BID LLC of 777 W. Main St. Ste 900 Boise ID 83702 filed Application No. 81783 on July 3, 2017 to amend a water permit no. 63-33910 with a 2014 priority from the Boise River totaling 4.5 cfs for wildlife, recreation, wildlife storage, and recreation storage purposes. The permit provides wildlife, recreation, wildlife storage, and recreation storage water for property located approximately 3.7 miles southeast of Parma, Idaho. The applicant proposes to amend the permit to add a point of diversion from the Boise River located approximately 1.5 miles southeast of the place of use in Gov Lot 3 (NENW) of Section 36, Township 05 North, Range 05 West, Boise Meridian.

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) or proposed amendment(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-211. 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 9/25/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/7/2017 and 9/14/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 31, 2017 3:04 PM
To: 'Rex Barrie'
Subject: Applications for Permit Nos. 63-34384 & 63-34372 & Application for Amendment of Permit No. 63-33910
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit 63-34372.pdf; Application for Permit 63-34384.pdf; Application for Amendment of Permit 63-33910.pdf

August 31, 2017

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

RE: Applications for Permit Nos. 63-34384 & 63-34372 & Application for Amendment of Permit No. 63-33910

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 application 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 September 25, 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

MEMORANDUM

TO: Water Right Permit No. 63-33190 File
FROM: Cody Parker
RE: Application for Amendment of Permit
DATE: August 9, 2017

The permit holder submitted an Application for Amendment of a Permit on July 3, 2017 along with the associated \$100 fee. The application proposes to add a point of diversion from the Boise River to permit no. 63-33190. The proposed POD is located in Gov Lot 3 (NENW) of Section 36, T05N, R05W, in Canyon County, B.M..

The point of diversion is along the Boise River approximately 1.3 miles southeast of the place of use. The applicant acknowledges that they do not own the property at the point of diversion. They claim that the land is river channel accretion land, and that they have a prescriptive easement to the POD through historical use. The taxlot spatial data appears to show that this land along the river is owned by Danny and Constance Erskine. The application for amendment will be advertised and a comment letter will be sent to these to make them aware of the application.

The point of diversion is used as part of water rights 63-174, 63-175, and 63-5181. It is also proposed for use in a recent application for permit (no. 63-34414). The other user of the POD is the Tina Iest Family Estate. The applicant mentioned in a separate filing that they lease land from the Iest Estate. However, I will also send a comment letter to Iest at advertising.



SPF WATER
ENGINEERING

June 30, 2017

RECEIVED

JUL 03 2017

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: BID LLC Application Package

Dear Angie,

Enclosed on behalf of BID, LLC are the following:

Notice of Change in Water Right Ownership. All of water rights 63-178C, 63-33498, 63-174, 63-175, 63-5181, 63-21150, and portions of water rights 63-201, 63-5179, and 63-33855. Filing fee for the ownership change notice is \$25 for each un-split right and \$100 for each split right for a total of \$450.

Assignment of Permits. Permits 63-11617 and 63-32066. Filing fee for the assignment is \$25 for each permit for a total of \$50.

Application for Permit (north of Boise River). Proposes diverting 24.3 cfs from the Boise River for wildlife and recreation uses (intermittent field flooding) during duck season. Filing fee for the application is \$1,110.

Application for Permit (south of Boise River). Proposes diverting 24.2 cfs from the Boise River for wildlife and recreation uses (intermittent field flooding) during duck season. Filing fee for the application is \$1,110.

Application for Amendment of Permit 63-33910. Proposes adding a "non-pump" diversion point from the Boise River to the system. Filing fee for the amendment is \$100.

Change in Address Notice for Permit 63-33910. This document does not require a filing fee.

Check No. 1026 for \$2,845 is enclosed for the filing fee. The check was written based on the assignment of three rights originally considered, then later revised to two rights as submitted. Please refund the applicant the extra \$25 paid.

June 30, 2017

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Doug Bates

Enclosures

SPF file number: 733.0020