

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-23645

Priority: April 22, 2016

Maximum Diversion Rate: 1.02 CFS

This is to certify, that **RONNIE WEEKES**
PO BOX 53
LETHA ID 83636

has applied for a permit to appropriate water from:

Source: WASTE WATER**Tributary:** PAYETTE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	1.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SW¼NW¼ Sec. 34, Twp 07N, Rge 03W, B.M., GEM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	03W	34					2.0	39.0	10.0										51.0

Total Acres: 51

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2022**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
6. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-23645

7. The waste water diverted under this right is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.
8. This right does not grant any right-of-way or easement across the land of another.
9. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
10. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed this 23 day of JUNE, 20 17.


Angela M. Grimm
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

65-23645

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03W



Point of Diversion



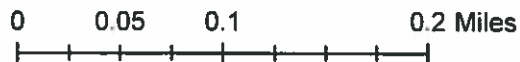
Place Of Use Boundary



Townships



PLS Sections





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

June 23, 2017

RONNIE WEEKES
PO BOX 53
LETHA ID 83636

RE: Permit No.65-23645

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Miller", written over the word "Sincerely,".

Nick Miller
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-23645

**RONNIE WEEKES
PO BOX 53
LETHA ID 83636**

**RON SHURTLEFF
WATERMASTER OF DISTRICT 65
102 N MAIN
PAYETTE ID 83661**



**Rachel Neely
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held.
- ii. The final agency action was taken.
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sommer, Rachel

From: Angela Weekes <RAWEEKES3@hotmail.com>
Sent: Wednesday, June 14, 2017 10:35 AM
To: Sommer, Rachel
Subject: Re: 65-23645 Application for Permit
Attachments: water agreement.pdf

RECEIVED

JUN 14 2017

WATER RESOURCES
WESTERN REGION

From: Sommer, Rachel <Rachel.Sommer@idwr.idaho.gov>
Sent: Tuesday, May 30, 2017 7:20 AM
To: raweekes3@hotmail.com
Subject: 65-23645 Application for Permit

Good Morning Ronnie,

We spoke a few weeks ago about the submittal of an agreement between you and the drainage district that would allow you access to the ditch. I have not received the agreement yet. Please let me know if you have received anything on your end.

Thank you!

Rachel Sommer

AGREEMENT

RECEIVED
JUN 14 2017
WATER RESOURCES
WESTERN REGION

This agreement is made and entered into this 27th day of April, 2017 by and between RONNIE L. WEEKES hereinafter referred to as the First Party, and CANYON COUNTY DRAINAGE DISTRICT #1 of, 4880 Cassia Road, New Plymouth, Idaho 83655, hereinafter referred to as the Second Party.

WITNESSETH:

In consideration of the promises contained herein, the parties agree as follows.

1. The First Party desires to install a pump in the Canyon County Drainage District's ditch #1 to provide irrigation water to the property which is described herein. Water will be delivered on the property of the First Party by a center pivot irrigation system.

2. Second Party agrees to allow First Party to place the pump in Canyon County Drainage Ditch #1.

3. The property which will be served by this agreement is owned by the First Party and is described as follows:

A tract of land in the NW ¼ of Section 34, Township 7 North, Range 3 West, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 34, T. 7 N., R. 3 W., B.M.; thence East on the North line of said Section, which is also the center of the County Road, 1123 feet; thence continuing along the center of said County Road as follows:
South 35°00' East, 775 feet; thence
South 38°30' East, 356 feet; thence
South 65°00' East, 975 feet to the East line of the NW ¼ of said Section 34; thence leaving said road;
South on the East line of said NW ¼, 1155 feet to the North line of the right of way of Canyon County Drainage Ditch; thence along said right of way line
North 80°00' West, 443 feet; thence

North 68°00' West, 1773 feet; thence
North 78°00' West, 606 feet to the West line of said Section 34; thence leaving said right
of way line;
North on the West line of said Section, 1614 feet to said REAL POINT OF BEGINNING.

EXCEPT that portion of the NW¼ of Section 34, Township 7 North, Range 3 West, B.M.,
Gem County, Idaho, described as follows:

COMMENCING at the Northeast corner of the NW¼ of Section 34, T. 7 N., R. 3 W.,
B.M., Gem County, Idaho, marked by a 5/8" iron pin; thence
South 00°38'35" East, 1322.34 feet along the East line of said NW¼ to a point on the
centerline of Brill Road and the REAL POINT OF BEGINNING; thence continuing
South 00°38'35" East, 709.94 feet to a set ½" iron pin with plastic cap PLS 6552; thence
South 89°21'25" West, 38.90 feet to a fence corner and a set ½" iron pin with plastic cap
PLS 6552; thence
North 38°43'23" West, 702.70 feet along an existing fence line to a set ½" iron pin with
plastic cap PLS 6552; thence
North 26°29'15" East, 332.79 feet to a point on the centerline of Brill Road; thence
South 63°30'45" East, 206.24 feet along said centerline to the beginning of a tangent
470.00 foot radius curve to the left; thence
Southeasterly along the arc of said curve through a central angle of 17°39'31" a distance
of 144.85 feet (the long chord bears South 72°20'32" East, 144.28 feet) to the REAL
POINT OF BEGINNING.

ALSO EXCEPT that portion of the NW¼ of Section 34, Township 7 North, Range 3
West, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Northeast corner of the NW¼ of Section 34, T. 7 N., R. 3 W.,
B.M., Gem County, Idaho: thence
South 00°38'35" East, 1322.34 feet along the East line of said NW¼ to a point on the
centerline of Brill Road, said point being on the arc of a non-tangent 470.00 foot radius
curve to the right; thence
Northwesterly along the arc of said curve and said centerline through a central angle of
17°39'31" a distance of 144.85 feet; thence tangent to said curve
North 63°30'45" West, 205.24 feet along said centerline to the REAL POINT OF
BEGINNING; thence
South 26°29'15" West, 332.79 feet to a point on an existing fence line; thence
North 39°29'37" West, 653.10 feet along said fence line to a fence corner; thence
North 52°29'59" East, 74.50 feet along said fence line and the prolongation thereof to the
centerline of said Brill Road; thence
South 63°30'45" East, 563.88 feet along said centerline to the REAL POINT OF
BEGINNING.

4. Any physical structures, including but not limited to the pump, shall
be confined within the ditch which is known as CANYON COUNTY DRAINAGE
AGREEMENT.doc

DISTRICT, DITCH #1.

5. Any underground pipes or electrical lines or wiring installed below ground, shall be four (4) feet below the grade of the land which it underlies.

6. Any overhead wires shall be at least forty feet above the grade of any underlying property.

7. The First Party shall defend and hold the Second Party harmless from any lawsuits, any damages, any claims or any judgments resulting from the installation, use, repair, maintenance, replacement or upgrading of any improvements placed in the ditch of the Second Party or any improvement or structure installed or used in connection with the pump.

8. This agreement is entered into and shall be construed in accordance with the laws of the State of Idaho.

9. In the event any portion of this agreement is found to be unenforceable for any reason, then the remaining valid portions shall be the agreement of the parties, so long as the remainder of the agreement reflects the intentions of the parties at the time this agreement is entered into.

10. This agreement shall be binding upon the heirs, administrators, assigns and successors of the parties hereto.

11. This agreement has been prepared by the attorney for the Second Party.

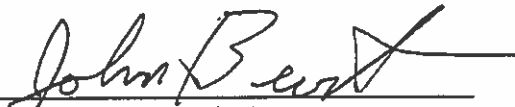
12. In witness hereto the parties have set their hands and seal the day and year first above written.

FIRST PARTY

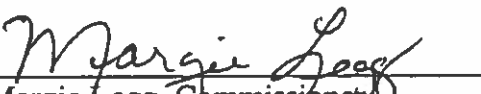

~~RONALD WEEKES~~ RONNIE L. WEEKES

SECOND PARTY

CANYON COUNTY DRAINAGE DISTRICT #1

by: 
John Burt, Commissioner

by: 
Gerald L. Elson, Commissioner

by: 
Margie Legg, Commissioner

State of Idaho)
) ss.
County of Payette)

On this 27 day of April, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RONNIE L. WEEKES WEEKS, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that he executed the same as the First Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Keena R. Sheldon
Notary Public for Idaho
Residing at Payette, Idaho
Commission Expires: 08-17-2021

State of Idaho)
) ss.
County of Payette)

On this _____ day of March, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared John Burt, Commissioner of CANYON COUNTY DRAINAGE DITCH #1, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that he executed the same as an officer of the Second Party.

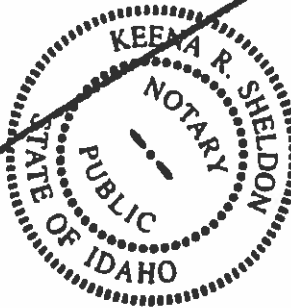
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Payette, Idaho
Commission Expires: _____

State of Idaho)
) ss.
County of Payette)

On this 27 day of ^{April} ~~March~~, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RONALD WEEKS, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that he executed the same as the First Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Keena R. Sheldon
Notary Public for Idaho
Residing at Payette, Idaho
Commission Expires: 08-17-21

State of Idaho)
) ss.
County of Payette)

On this 3 day of ^{April} ~~March~~, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared John Burt, Commissioner of CANYON COUNTY DRAINAGE DITCH #1, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that he executed the same as an officer of the Second Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

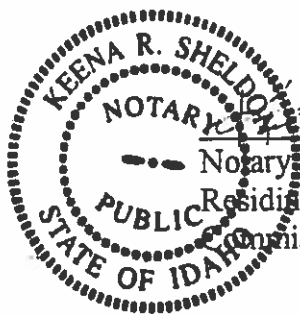


Susan L. Kropp
Notary Public for Idaho
Residing at Payette, Idaho Ontario, OR
Commission Expires: 01-13-2021

State of Idaho)
) ss.
County of Payette)

On this 31 day of March, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Gerald L. Elson, Commissioner of CANYON COUNTY DRAINAGE DITCH #1, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that he executed the same as an officer of the Second Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Keena R Sheldon
Notary Public for Idaho
Residing at Payette, Idaho
Commission Expires: 08-17-21

State of Idaho)
) ss.
County of Payette)

On this 3 day of ^{April}~~March~~, 2017 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Margie Legg, Commissioner of CANYON COUNTY DRAINAGE DITCH #1, known to me to be the person whose name is subscribed to the foregoing Agreement and acknowledged to me that she executed the same as an officer of the Second Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Susan L Kropp
Notary Public for Idaho
Residing at ~~Payette, Idaho~~ Ontario, Oregon
Commission Expires: 01-13-2021

Sommer, Rachel

From: Ron Shurtleff <wd65@srvinet.com>
Sent: Thursday, March 23, 2017 3:44 PM
To: Sommer, Rachel
Subject: Ronnie Weeks Water right

Rachel,

I just spoke with Gerald Elson the Drainage Ditch Commissioner. He said they are having an agreement written which will allow Mr. Weeks to install his pump in the drain with certain stipulations. Mr. Weeks will get a copy which he can forward to you as soon as both parties sign off.

It sounds like things are underway and permission will be granted.

Let me know if you do not get the document in the near future.

Thanks,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, March 23, 2017 8:52 AM
To: 'Ron Shurtleff'
Subject: RE: Ronnie Weekes

Good Morning Ron,

Have you received anything from the Drainage District?

Rachel

From: Sommer, Rachel
Sent: Wednesday, March 01, 2017 11:57 AM
To: 'Ron Shurtleff' <wd65@srvinet.com>
Subject: RE: Ronnie Weekes

Ron,

The Department will need something in writing from Canyon County Drainage District No. 1.

1. Written consent from an irrigation delivery organization(s) to verify water is available for a new right
2. Written consent from the owner of a constructed conveyance if other than the applicant (not required for natural channel/stream).
 - A. Written statement that applicant owns constructed conveyance at POD, or
 - B. Written consent from owner of constructed conveyance at POD.

Please let me know if you have questions and thank you for your help with this application Ron.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

From: Ron Shurtleff [<mailto:wd65@srvinet.com>]
Sent: Tuesday, February 28, 2017 9:45 AM
To: Sommer, Rachel <Rachel.Sommer@idwr.idaho.gov>
Subject: RE: Ronnie Weekes

Rachel,

In regard to the Ronnie Weeks application; the Drainage District has set up a time to meet with Mr. Weeks on site later this week. If IDWR needs anything in writing from the Drainage District in order to move forward, it would be good to let me know and I will try to see if it can be obtained.

Thanks,

Ron Shurtleff
Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Wednesday, February 15, 2017 10:59 AM
To: Ron Shurtleff
Subject: RE: Ronnie Weekes

Thank you Ron. Please let me know once you receive a response from the drainage district.

Again thank you.

Rachel Sommer

Sommer, Rachel

From: Ron Shurtleff <wd65@srvinet.com>
Sent: Monday, February 13, 2017 10:58 AM
To: Sommer, Rachel
Subject: RE: Ronnie Weekes
Attachments: LRCStatement-Weeks2-9-16.pdf

Hi again Rachel,

I just received the mail and discovered I had gotten the statement back from our Lake Reservoir Chairman, so attached please find that statement.

I believe all that is needed now is a response by the Drainage District. Please let me know if there is anything else holding up the application.

Thanks,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Sommer, Rachel [mailto:Rachel.Sommer@idwr.idaho.gov]
Sent: Thursday, February 09, 2017 9:08 AM
To: Ron Shurtleff
Subject: Ronnie Weekes

Good Morning Ron Shurtleff,

On January 17, 2017 we spoke regarding Ronnie Weekes permit application no. 65-23645. Angela Grimm from IDWR requested information from you by email on August 23, 2016. The Department has not received a response from you, please send your response to me by **February 15, 2017**.

Thank you for your attention to this matter.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

Lake Reservoir Company

*Big Payette Lake, Upper Payette Lake, Granite Lake, Box Lake and Blackwell Lake
102 N. Main*

Jim Standley: President

Payette, Idaho

Phone: 208-642-4465

John VanBeek: Vice President

Fax: 208-642-142

Ron Shurtleff: Executive Secretary

E-mail: waterdist65@srvinet.com

RECEIVED

FEB 13 2016

WATER RESOURCES
WESTERN REGION

February 9, 2017

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

Attn. Rachel Sommer

Re: Application for Permit 65-23645 a filing for waste water

Dear Ms. Sommer,

In regard to the Water Right Application for Permit by Mr. Ronnie Weeks, application No. 65-23645, the Lake Reservoir Company does not claim control of water in the Canyon County Drainage District No. 1's, drainage ditch, at the proposed point of diversion, identified as 116° 41' 31.662"W - 43° 54' 16.181"N.

Respectfully Submitted,



Jim Standley
President, Lake Reservoir Company

Sommer, Rachel

From: Ron Shurtleff <wd65@srvinet.com>
Sent: Monday, February 13, 2017 10:44 AM
To: Sommer, Rachel
Subject: RE: Ronnie Weekes
Attachments: NobleStatement-Weeks2-10-17.pdf

Hi Rachel,

In regard to the Ronnie Weekes application 65-23645, I received a Statement from the Noble Ditch on Saturday at their Annual Meeting. Attached please find their statement.

Thank you,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Sommer, Rachel [mailto:Rachel.Sommer@idwr.idaho.gov]
Sent: Thursday, February 09, 2017 9:08 AM
To: Ron Shurtleff
Subject: Ronnie Weekes

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Thank you for your attention to this matter.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

Noble Ditch Company

102 N. Main
Payette, ID 83661

RECEIVED

FEB 13 2016

WATER RESOURCES
WESTERN REGION

February 10, 2017

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

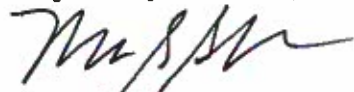
Attn. Rachel Sommer

Re: Application for Permit 65-23645, a filing for waste water

Dear Ms. Sommers

Regarding the Water Right application filed by Mr. Ronnie Weeks, No. 65-23645, the Noble Ditch Company does not claim control of the water in the drainage ditch at the proposed point of diversion, designated as 116°41'31.662"W- 43°54'16.181"N.

Respectfully submitted,



Marc Shigeta
Chairman, Noble Ditch Company

Sommer, Rachel

From: Ron Shurtleff <wd65@srvinet.com>
Sent: Friday, February 10, 2017 3:13 PM
To: Sommer, Rachel
Subject: RE: Ronnie Weekes
Attachments: ReedStatement-Weeks12017.pdf

Hi Rachel,

I have meet with the Reed Ditch Chairman and received a letter stating no claim to the water in the drain by the Reed Ditch.

I also have met with the Noble Ditch Company Board of directors. I asked for a statement from them but have not received it at this time.

I have investigated and learned the proposed point of diversion is on a drain under the jurisdiction of Canyon County Drainage District No. 1. I spoke with the chairman of the District Board of Commissioners and he expressed the District will not lay claim to the water but may possibly require some kind of encroachment easement. They will try to meet in the coming week, to give us an answer as to what is needed to satisfy them.

I also spoke with the Chairman of the Lake Reservoir Company. He has agreed to provide me with a statement indicating the Company does not claim control of any water in that drain.

I will try to get everything to you by February 15th. So far however this one statement is all I have.

Sincerely,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Thursday, February 09, 2017 9:08 AM
To: Ron Shurtleff
Subject: Ronnie Weekes

Good Morning Ron Shurtleff,

On January 17, 2017 we spoke regarding Ronnie Weekes permit application no. 65-23645. Angela Grimm from IDWR requested information from you by email on August 23, 2016. The Department has not received a response from you, please send your response to me by **February 15, 2017**.

Thank you for your attention to this matter.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

Reed Ditch Company
3740 County Line Road
Emmett, ID 83617

RECEIVED

FEB 10 2016

WATER RESOURCES
WESTERN REGION

January 20, 2017

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

Attn. Rachel Sommer

Re: Application for Permit [65-23645](#) a filing for waste water

Dear Ms. Sommer,

In regard to the Water Right Application for Permit by Mr. Ronnie Weeks ([65-23645](#)) the Reed Ditch Company does not claim water in the unnamed drain at the proposed point of diversion, (116° 41' 31.662"W - 43° 54' 16.181"N) as live water under control of the Reed Ditch Company.

Respectfully Submitted,



Megan Wells
President
Reed Ditch Company

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, February 09, 2017 9:08 AM
To: 'Ron Shurtleff'
Subject: Ronnie Weekes

Good Morning Ron Shurtleff,

On January 17, 2017 we spoke regarding Ronnie Weekes permit application no. 65-23645. Angela Grimm from IDWR requested information from you by email on August 23, 2016. The Department has not received a response from you, please send your response to me by **February 15, 2017**.

Thank you for your attention to this matter.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

29512 1502394

1 IDAHO DEPT OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO

County of Canyon

Sharon Jessen
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

RECEIVED

AUG 29 2016

WATER RESOURCES
WESTERN REGION

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Emmett Messenger-Index, a weekly newspaper published in the City of Emmett, in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
08/17/2016 08/24/2016

Sharon Jessen
STATE OF IDAHO
County of Canyon

On this 24th day of August in the year of 2016 before me a Notary Public, personally appeared Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Brenda L. Stroud
Notary Public for Idaho
Residing at Canyon County
My Commission expires 05/04/2021



LEGAL NOTICE

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

65-23645
RONNIE WEEKES
PO BOX 53
LETHA, ID 83636
Point of Diversion SWNW
S34 T07N R03W GEM
County Source WASTE
WATER Tributary
PAYETTE RIVER
Use: IRRIGATION 03/01 to
11/15 1.02 CFS
Total Diversion: 1.02 CFS
Date Filed: 4/22/2016
Place of Use: IRRIGATION
T07N R03W S34 NENW
NWNW SWNW
Total Acres: 51

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/WaterManagement/WaterRights. 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 9/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

August 17, 24, 2016
1502394

Grimm, Angie

From: Grimm, Angie
Sent: Tuesday, August 23, 2016 10:29 AM
To: 'waterdist65@srvinet.com'
Subject: Ronnie Weekes Application for Permit 65-23645

Ron,

Good morning! As a follow up to our conversation earlier, I pulled the file we have for Ronnie Weekes. He's filed for a new water right permit to divert 1.02 cfs from a wastewater ditch tributary to the Payette River. The permit application no. is 65-23645. On August 10th, I sent Mr. Weekes the standard wastewater letter in which we request the applicant submit information from the irrigation organization (service area within which the wastewater ditch lies) stating the wastewater is not under the control of the organization for other users (i.e. the wastewater is "live water" that is available for appropriation). Also, right of way and/or access information is needed if the wastewater ditch is owned by the irrigation organization. It appears the wastewater ditch maybe in the boundary of Reed Ditch Co, Noble Ditch Co., and/or Lake Reservoir Co.? A copy of the letter I sent is available online. Also, this application is being advertised currently with a comment request email sent to you on August 12th. I'm not sure if you'd be able to help Mr. Weekes with the information request, perhaps by identifying for him which delivery organization he should seek written comments from? Based on our maps, I'm uncertain which is the appropriate company, but assuming Reed Ditch Co.? The application mentions right 65-53a from Reed Ditch, but is an application for a new water right rather than a transfer application. If this permit is approved, he'd have two water rights, one from Reed Ditch and a new wastewater source right. I'm not sure if this is clear to Mr. Weekes based on your comments this morning. Please let me know if you need any additional information or if you feel there isn't enough water in the wastewater ditch to support a new appropriation. It was nice talking with you this morning!

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax