

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

Ident. No.

63-31330
RECEIVED
JAN 03 2017
WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Gardner Mace Ranch LC Phone 208-246-8909
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 101 S. Capitol Blvd, Suite 1700 City Boise
 State ID _____ ZIP 83702 Email _____
2. Name of representative, if any SPF Water Engineering Phone 208-383-4140
 Mailing address 300 E. Mallard Dr., Ste. 350 City Boise
 State ID _____ ZIP 83706 Email sking@spfwater.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 Pond/Ground Water which is a tributary of Boise 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 #
4N	1E	17			NW	NW	Ada	Ground Water	Pond No. 6

5. Water will be used for the following purposes:
- Amount 1.6 for Aesthetic/Recreation purposes from 10/1 to 4/15 (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) 1.6 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. Pump station, pipe and/or ditch delivery 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 _____ 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 B.S. Date 1/3/2017 Time _____ Preliminary check by CP
 Fee \$ 290.00 Received by (B&C) Receipt No. W044867 Date 1/3/2017

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. Aesthetic and recreation flow through water for ponds in Mace River Ranch Subdivision
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	
4N	1E	17	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R									
			L1	L2	L2	L1			L4	L3									
		18				A/R													
						L1													

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? Storage water for the ponds is authorized under permit 63-33864. Mitigation water for pond evaporation is provided by water right 63-182.
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 a recirculation system for twelve ponds via a pump station on Pond No. 6. Water bearing zone to be appropriated is from 0 to 37 feet. Intended season of use is when Boise River water is unavailable under existing rights.
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.

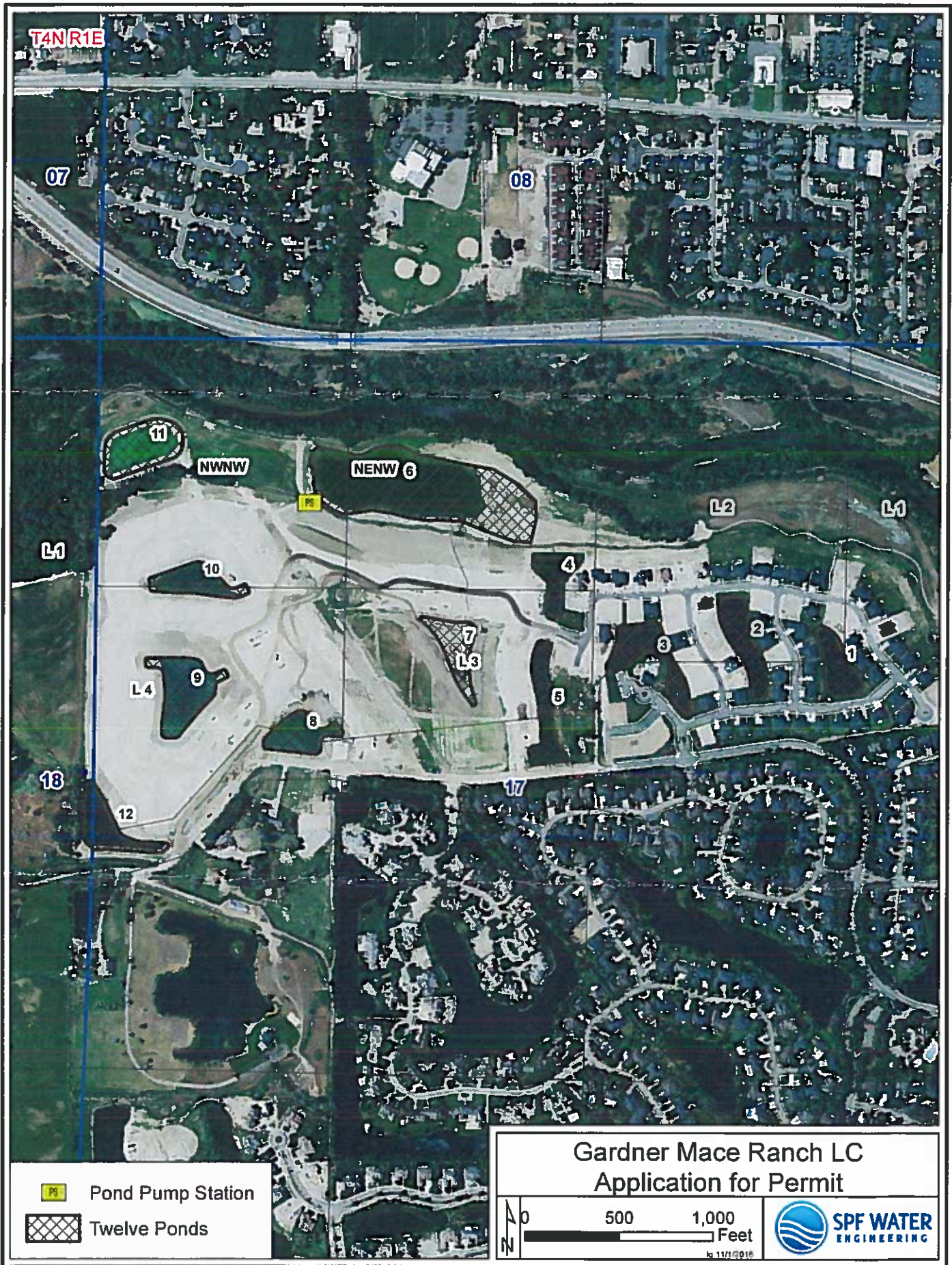
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant

 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



No. W 120440	Due no later than Dec 31, 2016		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. GARDNER MACE RANCH, L.C. BRAD MARGETTS 201 S MAIN STREET SUITE 2000 SALT LAKE CITY UT 84111		J THOMAS AHLQUIST 101 S CAPITOL BLVD STE 1200 BOISE ID 83702			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	BRAD MARGETTS	201 S MAIN STREET SUITE 2000	SALT LAKE CITY	UT	USA	84111
5. Organized Under the Laws of:	6. Annual Report must be signed.*					
UT W 120440	Signature: BRAD MARGETTS		Date: 10/27/2016			
	Name (type or print): BRAD MARGETTS		Title: MEMBER			
Processed 10/27/2016	* Electronically provided signatures are accepted as original signatures.					



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

May 11, 2017

GARDNER MACE RANCH LC
101 S CAPITOL BLVD STE 1700
BOISE, ID 83702

Applications for Permit Nos. 63-34329 & 63-34330

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

A legal notice of each application has been prepared and is scheduled for publication in the IDAHO STATESMAN on 5/18/2017 and 5/25/2017. Protests to either application may be submitted for a period ending ten (10) days after the second publication.

If either 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 either 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 applications.

Sincerely,

Rachel Neely
Administrative Assistant

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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:34 PM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 5/18/2017 & 5/25/2017.

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

May 11, 2017

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application for Permit No. 63-34268
 Application for Permit No. 63-34329
 Application for Permit No. 63-34330
 Application for Permit No. 63-34357
 Application for Permit No. 63-34358
 Application for Permit No. 63-34334
 Application for Permit No. 63-34335
 Application for Permit No. 65-23617

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 6/5/2017. 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:

63-34268

CHARLES P ROBERTS

JOY C ROBERTS

2000 W HOMER RD

EAGLE, ID 83616

Points of Diversion SWSE SESE S30 T05N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 9/14/2016

Place of Use: IRRIGATION

T05N R01E S30 SWSE SESE

Total Acres: 4.5

Water bearing zone to be appropriated is from 260 to 280 feet.

63-34329

GARDNER MACE RANCH LC

101 S CAPITOL BLVD STE 1700

BOISE, ID 83702

Point of Diversion L2(SWNE) S17 T04N R01E ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC 10/01 to 04/15 1.6 CFS

Use: RECREATION 10/01 to 04/15 1.6 CFS

Total Diversion: 1.6 CFS

Date Filed: 1/3/2017

Places of Use: AESTHETIC, RECREATION

T04N R01E S17 L1(NENE) L2(NWNE) L2(SWNE) L1(SENE) NENW NWNW L4(SWNW) L3(SENW)

T04N R01E S18 L1(SENE)

No additional consumptive use of groundwater tributary to the Boise River system (<200 ft below ground surface, upstream of the Star Bridge) proposed.

Water bearing zone to be appropriated is from 20 to 200 feet.

63-34330

GARDNER MACE RANCH LC

101 S CAPITOL BLVD STE 1700

BOISE, ID 83702

Point of Diversion NWNW S17 T04N R01E ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC 10/01 to 04/15 1.6 CFS

Use: RECREATION 10/01 to 04/15 1.6 CFS

Total Diversion: 1.6 CFS

Date Filed: 1/3/2017

Places of Use: AESTHETIC, RECREATION

T04N R01E S17 L1(NENE) L2(NWNE) L2(SWNE) L1(SENE) NENW NWNW L4(SWNW) L3(SENW)

T04N R01E S18 L1(SENE)

No additional consumptive use of groundwater tributary to the Boise River system (<200 ft below ground surface, upstream of the Star Bridge) proposed.

Water bearing zone to be appropriated is from 0 to 37 feet.

63-34357

HALL INVESTMENTS LP

C/O BUTCH HALL

10050 SCENIC VIEW LN

STAR, ID 83669

Point of Diversion L3(NWSW) S31 T04N R01W ADA County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 0.2 CFS

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

Total Diversion: 0.2 CFS

Date Filed: 3/20/2017

Places of Use: IRRIGATION, COMMERCIAL

T04N R01W S31 NESW L3(NWSW)

Total Acres: 11

Water bearing zone to be appropriated is from 4 to 105 feet.

63-34358

ROY SPAUDLING

ANGELA SPAUDLING

2801 S BLUEGRASS DR

NAMPA, ID 83686

Point of Diversion SWNE S34 T03N R01W ADA County Source GROUND WATER

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

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.09 CFS

Date Filed: 4/3/2017

Places of Use: STOCKWATER, DOMESTIC, IRRIGATION

T03N R01W S34 SWNE

Total Acres: 1

Water bearing zone to be appropriated is from 75 to 222 feet.

63-34334

THORPE FAMILY TRUST

C/O RYAN THORPE

28854 BOULDER RD

PARMA, ID 83660

Point of Diversion SWSE S16 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 09/01 to 02/28 13.05 CFS

Use: RECREATION 09/01 to 02/28 13.05 CFS

Use: RECREATION STORAGE 09/01 to 02/28 1624.7 AF

Use: WILDLIFE 09/01 to 02/28 13.05 CFS

Use: WILDLIFE STORAGE 09/01 to 02/28 1624.7 AF

Total Diversion: 13.05 CFS, 1624.7 AF

Date Filed: 1/26/2017

Place of Use: WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE

T05N R05W S17 NENW NWNW L4(SWNW) L3(SENW)

63-34335

THORPE FAMILY TRUST

C/O RYAN THORPE

28854 BOULDER RD

PARMA, ID 83660

Point of Diversion NESE S1 T04N R05W CANYON County Source DIXIE SLOUGH Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 09/01 to 02/28 9.75 CFS

Use: IRRIGATION 03/01 to 11/15 1.3 CFS

Use: RECREATION 09/01 to 02/28 9.75 CFS

Use: RECREATION STORAGE 09/01 to 02/28 1816.8 AF

Use: WILDLIFE 09/01 to 02/28 9.75 CFS

Use: WILDLIFE STORAGE 09/01 to 02/28 1816.8 AF

Total Diversion: 9.75 CFS, 1816.8 AF

Date Filed: 1/26/2017

Places of Use: IRRIGATION, WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE

T04N R05W S1 SWNE SENE NESE

Total Acres: 65

65-23617

BIG WILLOW RANCH LLC

1 DIXIE LN

PAYETTE, ID 83661

NORTHWEST FARM CREDIT SERVICES FLCA

308 SE 10TH ST

ONTARIO, OR 97914

Point of Diversion SENW S1 T08N R02W PAYETTE County Source BIG WILLOW CREEK Tributary PAYETTE RIVER

Use: DIVERSION TO STORAGE 11/01 to 04/01 6 CFS

Use: IRRIGATION 03/01 to 06/15 6 CFS

Use: IRRIGATION FROM STORAGE 03/01 to 11/15 1900 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 1900 AF

Total Diversion: 6 CFS, 1900 AF

Date Filed: 6/17/2015

Place of Use: IRRIGATION STORAGE

T09N R02W S27 NESW NWSW SESW NWSE SWSE

Places of Use: IRRIGATION FROM STORAGE, IRRIGATION

T08N R02W S3 SENE L4(NWNW) NESW SWSW SESW SE(ALL)

T08N R02W S4 SWNE SENE SW(ALL) SE(ALL)

T08N R02W S5 SWSW SESW SWSE SESE

T08N R02W S7 NENE SWNE SENE NESW L3(NWSW) L4(SWSW) SESW NESE NWSE

T08N R02W S8 NE(ALL) NW(ALL) NESW NWSW NWSE

T08N R02W S9 NE(ALL) NW(ALL)

T08N R02W S10 NWNE SWNE NW(ALL)

T08N R03W S11 NESW SWSW SESW SE(ALL)

T08N R03W S12 SW(ALL) SE(ALL)

T08N R03W S13 NENW NWNW

T08N R03W S14 NENE NWNE NENW

T09N R02W S34 SWNW NWSW SWSW

Total Acres: 1520

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 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/18/2017 and 5/25/2017



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

May 11, 2017

MACE RIVER RANCH OA INC
6149 N MEEKER PL STE 150
BOISE ID 83713

Re: Applications for Permit Nos. 63-34329 & 63-34330

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Idaho Statesman* for advertising. I have enclosed copies of the applications 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 either application, a written protest along with the \$25.00 protest fee must be received in this office by **June 5, 2017**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:56 PM
To: 'Rex Barrie'
Subject: Applications for Permit Nos. 63-34329, 63-34330, 63-34333, 63-34334 & 63-34335
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit 63-34329.pdf; Application for Permit 63-34330.pdf; Application for Permit 63-34333.pdf; Application for Permit 63-34334.pdf; Application for Permit 63-34335.pdf

May 11, 2017

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

RE: Applications for Permit Nos. 63-34329, 63-34330, 63-34333, 63-34334 & 63-34335

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 June 5, 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

Date: May 01, 2017
To: Water Right File 63-34330
From: cparker
Re: Total System Analysis

Permit 63-33864 authorizes the construction of 12 ponds to be used for aesthetic and recreation purposes. These ponds have a total capacity of 341 acre-feet. The ponds are filled by intercepting shallow groundwater, considered tributary to the Boise River. Because this water is consider tributary to the Boise River, flows of the Boise River system are affected by evaporative losses in these ponds. The reduction in irrigated acres (water right no. 63-182), through transfer no. 78885, offsets the evaporative losses introduced by construction of the ponds, mitigating the effect on Boise River flows. Application for permit no. 63-34329 proposes to divert shallow groundwater from a water bearing zone of 0-37 feet, for flow-through water for the ponds. The annual evaporation has already been accounted for, so this new application is considered non-consumptive, and should have no effect on the Boise River system. Application for permit no. 63-34330 proposes to construct a pump station at one of the twelve ponds to re-circulate water through the system.

MEMORANDUM

Date: February 15, 2017
To: Water Right File 63-34330
From: cparker
Re: Phone conversation with Rep

According to Mr. Scott King, the representative for the applicant, the diversion rate of 1.6 cfs was determined based on the water needed to maintain ecosystem health. This value was suggested by a separate consultant working with the applicant. Mr. King says that, based on the existing water rights and development of the ponds, the system should have no problem accomodating the requested diversion rate during the period of use, even in compliance with the surface area limit listed on right no. 63-33864. Finally, Mr. King also suggested that applications 63-34329 and 63-34330 were submitted so the applicant could determine which option is best during the development period. It is unlikely, though still possible, that the applicant will opt to develop both.

MEMORANDUM

Date: February 15, 2017
To: Water Right File 63-34330
From: cparker
Re: Signature of Applicant

Unlike application 63-34329, the title of the signatory is listed on this application. The signature is again provided by Christian Gardner, and the title lists him as the "manager."

MEMORANDUM

Date: February 15, 2017
To: Water Right File 63-34330
From: cparker
Re: Non-Consumptive Use

This application proposes to recirculate flow through water within an existing system of 12 ponds. The ponds are filled with groundwater tributary to the Boise River in accordance with permit no. 63-33864. To mitigate the effect on the Boise River, resulting from evaporative losses in the ponds, the owner has reduced the number of irrigated acres on right no. 63-182 through transfer no. 78885. The evaporative losses are based on the total surface area of the ponds, and the precipitation deficit data from ETIdaho. Recirculating flow through water in the ponds will not increase the total evaporative losses of the system provided that there is no increase to the surface area of the ponds. Therefore, though the application proposes a use of groundwater from <200 feet below the ground surface upstream of the Star Bridge, this use is considered non-consumptive. The application is ok to process.



SPF WATER
ENGINEERING

RECEIVED

JAN 03 2017

WATER RESOURCES
WESTERN REGION

December 29, 2016

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

Subject: Applications for Permit (2)

Dear Angie,

Enclosed on behalf of Gardner Mace Ranch, LC, are two *Applications for Permit*; one seeking to drill a well to provide flow through ground water to a 12-pond system authorized under water right 63-33864 and the other seeking authorization to recirculate the pond water via a proposed pump station.

Check No. 011085 for \$580 is enclosed for the filing fees (\$290 per application). Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Weston Arnell

Enclosures

SPF file number: 998.0010