

RECEIVED

DEPARTMENT OF WATER RESOURCES

JAN 26 2017

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) KENNETH T. ELIZABETH M. BROOKS Phone 415-235-6262
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 3001 SCHOONER DRIVE City EL DORADO HILLS
 State CA ZIP 95762 Email tom-brooks@trimble.com
2. Name of representative, if any NONE Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Middle Fork PAYETTE which is a tributary of PAYETTE RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>10N</u>	<u>4E</u>	<u>26</u>		<u>NW</u>	<u>NW</u>		<u>BOISE</u>	<u>PAYETTE</u>	<u>581 middlefork Rd.</u>

5. Water will be used for the following purposes:
 Amount .03 for Irrigation purposes from APR 1 to OCT 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) .03 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. 2 HP ELECTRICAL pump, 2" PVC to VALVES, 1" VALVE to 1" POP-UP SPRINKLERS.
- b. Height of storage dam N/A 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 N/A 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. _____.

Received by RN Date 1/26/17 Time 1:30pm Preliminary check by JA
 Fee \$ 100.00 Receipted by RN Receipt No. W04908 Date 1/26/17
65-23684

8. Description of proposed uses (if irrigation only, go to item 9): Irrigation

- 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. Irrigation

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	4E	26						1.5											1.5
								J											

Total number of acres to be irrigated: 1.5

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? NONE

- Who owns the property at the point of diversion? APPLICANTS
- Who owns the land to be irrigated or place of use? APPLICANTS
- 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. Irrigation for LAWN & GARDEN AREAS.

13. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).

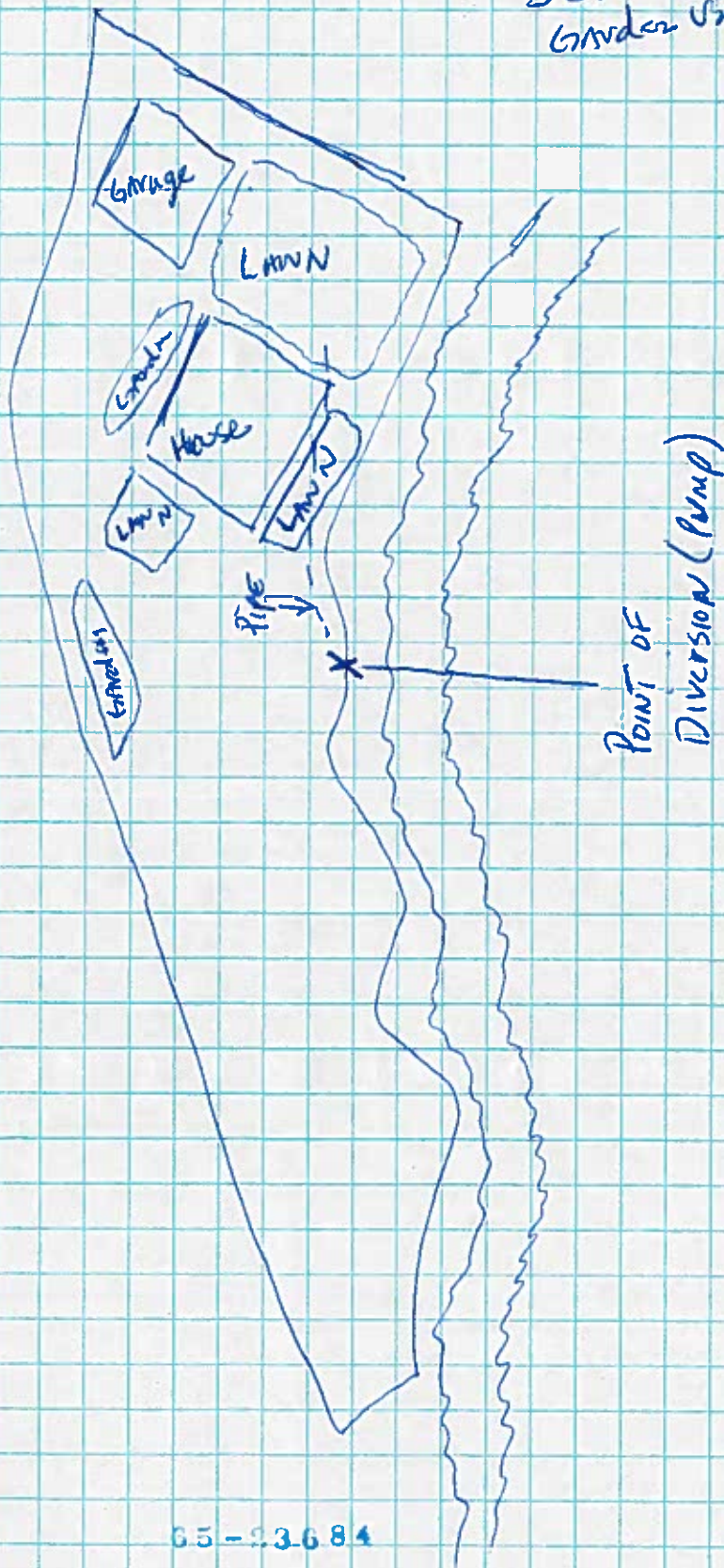
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Kenneth T. Brooks
Signature of Applicant
KENNETH T. Brooks
Print Name (and title, if applicable)

Elizabeth M. Brooks
Signature of Applicant
Elizabeth M. Brooks
Print Name (and title, if applicable)

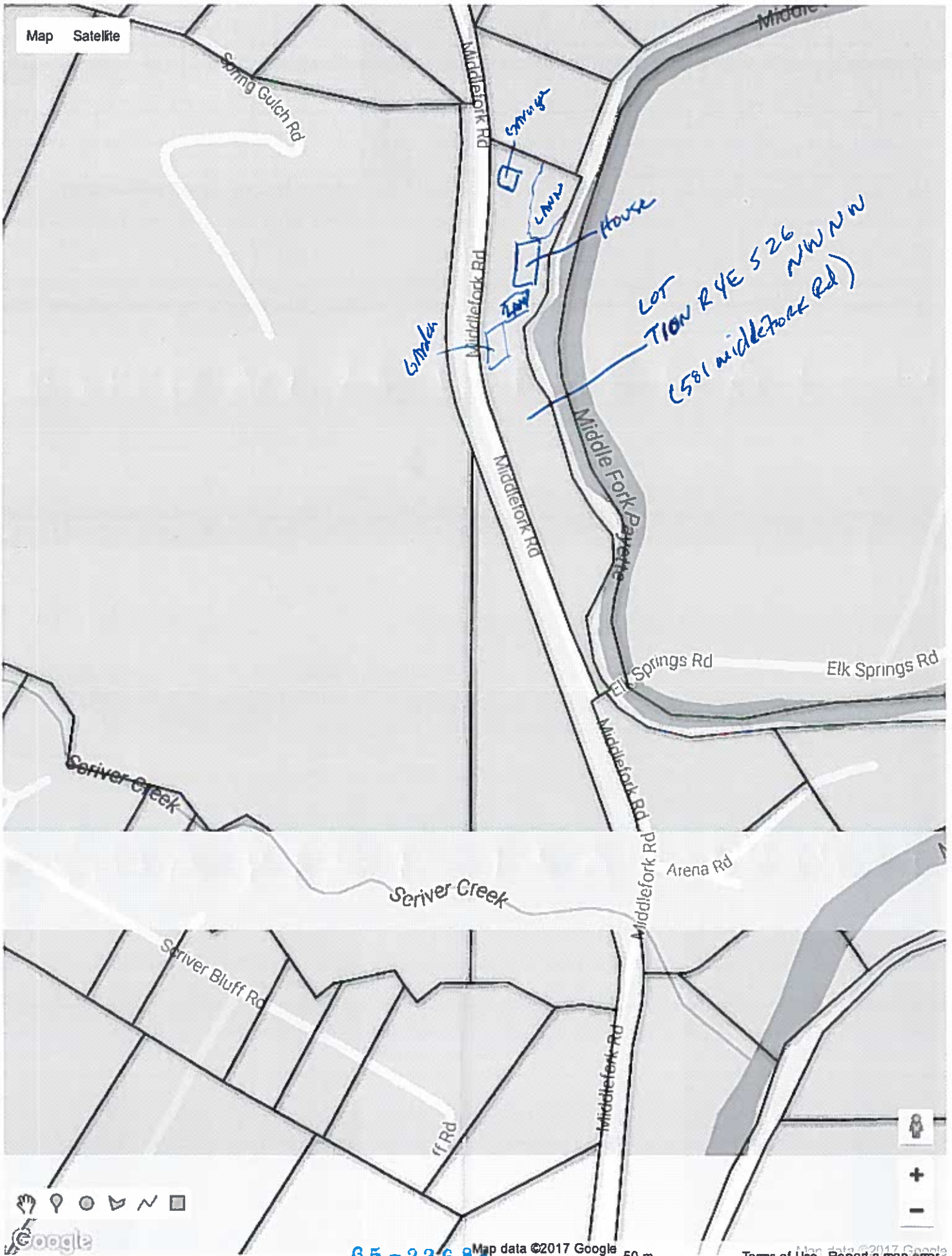
T10N R1E26 NW NW
581 Middlefork Rd.
Garden Valley, ID
83622



65-23684



05-23684



65-23684

Map data ©2017 Google 50 m

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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

KENNETH T BROOKS
ELIZABETH M BROOKS
3001 SCHOONER DR
EL DORADO HILLS, CA 95762

Application for Permit No. 65-23684

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 5/17/2017 and 5/24/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Neely', is written over a horizontal line.

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:35 PM
To: 'Idaho World Editor'
Subject: Boise Legal Ad
Attachments: Boise Cover Letter.docx; Boise Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 5/17/2017 & 5/24/2017.

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 WORLD
PO BOX 50248
BOISE, ID 83705

RE: Application for Permit No. 65-23684

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/5/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

65-23684

KENNETH T BROOKS

ELIZABETH M BROOKS

3001 SCHOONER DR

EL DORADO HILLS, CA 95762

Point of Diversion NWNW S26 T10N R04E BOISE County Source MIDDLE FORK PAYETTE RIVER Tributary PAYETTE RIVER

Use: IRRIGATION 03/15 to 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 1/26/2017

Place of Use: IRRIGATION

T10N R04E S26 NWNW

Total Acres: 1.5

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 5/17/2017 and 5/24/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:59 PM
To: 'Ron Shurtleff'
Subject: Applications for Permit Nos. 65-23684, 65-23689, 65-23617, 65-23668, 65-23690 & Application for Transfer No. 81190
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit 65-23684.pdf; Application for Permit 65-23689.pdf; Application for Permit 65-23617.pdf; Application for Permit 65-23668.pdf; Application for Permit 65-23690.pdf; Application for Transfer 81190.pdf

May 11, 2017

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

RE: Applications for Permit Nos. 65-23684, 65-23689, 65-23617, 65-23668, 65-23690 & Application for Transfer No. 81190

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by 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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 2:03 PM
To: 'Bassista, Tom'
Subject: Applications for Permit Nos. 65-23684, 63-34333, 63-34334, 63-34335, 65-23689, 65-23690, 79-14264, 57-11899, 65-23617, 65-23668, & 67-15170
Attachments: IDFG Recommendation Form.docx; Application for Permit 65-23684.pdf; Application for Permit 63-34333.pdf; Application for Permit 63-34334.pdf; Application for Permit 63-34335.pdf; Application for Permit 65-23689.pdf; Application for Permit 65-23690.pdf; Application for Permit 79-14264.pdf; Application for Permit 57-11899.pdf; Application for Permit 65-23617.pdf; Application for Permit 65-23668.pdf; Application for Permit 67-15170.pdf

May 11, 2017

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

RE: Applications for Permit Nos. 65-23684, 63-34333, 63-34334, 63-34335, 65-23689, 65-23690 79-14264, 57-11899, 65-23617, 65-23668, & 67-15170

Dear Mr. Bassista:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of June 5, 2017.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 2:05 PM
To: Clark, Cynthia (Bridge)
Subject: Applications for Permit Nos. 65-23684, 79-14264 & 65-23617
Attachments: Agency Recommendation Form.docx; Application for Permit 65-23684.pdf; Application for Permit 79-14264.pdf; Application for Permit 65-23617.pdf

May 11, 2017

IDAHO DEPARTMENT OF WATER RESOURCES
WATER PROJECTS SECTION MANAGER
ATTN: CYNTHIA (BRIDGE) CLARK
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Applications for Permit Nos. 65-23684, 79-14264 & 65-23617

Dear Ms. Clark:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of June 5, 2017.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

Shearer, Justin

From: Tom Brooks <tom_brooks@trimble.com>
Sent: Tuesday, April 11, 2017 4:32 PM
To: Shearer, Justin
Subject: RE: Water Right Application

Hi Justin,

Thank you for your email. 0.03 cfs will be fine for my needs. This will just be for normal lawn and flower type landscape. On the POU table – I made an assumption that the aesthetic use was that lawn and flowers are the aesthetic but I guess they are covered by irrigation and landscape. There will not be a pond or water feature in the landscape.

Please let me know any questions. Hopefully no amendment will be necessary.

Thanks!

Tom Brooks, Manager, North American Sales
Trimble | Owner Division
1720 Prairie City Road, Suite 120
Folsom, California 95630
P: 916-294-2360 | M: 415-235-6262 | tom_brooks@trimble.com

From: Shearer, Justin [mailto:Justin.Shearer@idwr.idaho.gov]
Sent: Tuesday, April 11, 2017 3:19 PM
To: tom_brooks@trimble.com
Subject: Water Right Application

Good evening Mr. Brooks,

I was recently assigned your application for permit to appropriate water and I just have a couple of questions for you that need answered to allow me to proceed with processing your application. First, I noticed that for your 1.5 acres you have only requested 0.03cfs which is less than the maximum rate possible of 0.05 cfs. Thus, I wanted to check with you to see if you wanted to amend your application to increase your requested amount to 0.05 cfs or leave it at 0.03 cfs? Two things to consider in regards to this matter: If you did amend your application it would advance your priority date, and secondly if you know your system isn't capable of delivering rate >13.5gpm (0.03cfs) then it would not make sense to apply for more, but I did want to give you this option.

Secondly, on your application the POU table has a "J" in it, but no aesthetic use proposed on application form. Thus, I wanted to confirm with you whether or not you are or, aren't proposing a separate aesthetic use. If you ARE, then we would need to amend the application to add rate and/or volume for aesthetic use, which said amendment would also likely advance the priority date.

If you could please get me with answers to these questions at your earliest convenience it would be greatly appreciated as well as expedite the processing of your water right permit application.

Thanks and regards,

Justin Shearer
Idaho Department of Water Resources
Water Resource Agent
(208) 334-2190