

RECEIVED

MAR 10 2017

FORM 202 Rev. 09/16

Ident. No.

63-34349

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

1. Name of applicant(s) Michael Scott Williams / Michelle L. Alden Phone 208 590 1757
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 4425 S. Tahleridge Way City Boise
State ID ZIP 83716 Email mwilliams@dbsupply.com

2. Name of representative, if any N/A 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 un-named Stream which is a tributary of Blacks Creek

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>2N</u>	<u>3E</u>	<u>35</u>		<u>SE</u>	<u>NW</u>		<u>ADA</u>	<u>un-named Stream</u>	<u>upstream Property Line</u>
<u>2N</u>	<u>3E</u>	<u>35</u>		<u>SE</u>	<u>NW</u>		<u>ADA</u>	<u>un-named Stream</u>	<u>downstream Property Line</u>

5. Water will be used for the following purposes:

Amount .02 for Stock-Water purposes from Jan 1 to Dec 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) .02 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. in-stream
b. Height of storage dam 0 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 0 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 BS Date 3/10/17 Time _____ Preliminary check by CP
Fee \$ 100 Received by BZS Receipt No. W045009 Date 3/10/17

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. 4-4 horses
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households _____
- Other; describe fully. _____

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	
2N	3E	35								S									

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? Separate application for domestic well.

- Who owns the property at the point of diversion? Self
- Who owns the land to be irrigated or place of use? Self
- 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. on-stream as water is available for livestock watering

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.

Michael Scott Williams
 Signature of Applicant
Michael Scott Williams
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



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

April 28, 2017

MICHAEL SCOTT WILLIAMS
MICHELLE L WILLIAMS-ALDEN
4425 S TABLERIDGE WAY
BOISE, ID 83716

Applications for Permit Nos. 63-34349 & 63-34350

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 5/4/2017 and 5/11/2017. 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

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 28, 2017 8:55 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 5/4/17 & 5/11/17.

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

April 28, 2017

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

RE: Application for Permit No. 63-34336
 Application for Permit No. 63-34340
 Application for Permit No. 63-34349
 Application for Permit No. 63-34350
 Application for Permit No. 63-34351

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 5/22/2017. 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:

63-34336
DON L DEWEY
1400 FALCON DR
ONTARIO, OR 97914
Point of Diversion NWSW S3 T01N R03E ADA County Source BRYANS RUN Tributary BLACKS CREEK
Use: RECREATION STORAGE 01/01 to 12/31 25.6 AF
Use: STOCKWATER STORAGE 01/01 to 12/31 1.4 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 25.6 AF
Total Diversion: 25.6 AF
Date Filed: 1/30/2017
Places of Use: STOCKWATER STORAGE, WILDLIFE STORAGE, RECREATION STORAGE
T01N R03E S3 SWNW SENW NESW NWSW

63-34340
KEVIN SMITH
KATHERINE SMITH
18110 S CLOVERDALE RD
KUNA, ID 83634
Point of Diversion NWSW S10 T01N R01E ADA County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.16 CFS
Total Diversion: 0.16 CFS
Date Filed: 2/6/2017
Place of Use: IRRIGATION
T01N R01E S10 NWSW
Total Acres: 8
Water bearing zone to be appropriated is from 200 to 300 feet.

63-34349
MICHAEL SCOTT WILLIAMS
MICHELLE L WILLIAMS-ALDEN
4425 S TABLERIDGE WAY
BOISE, ID 83716
(2) Points of Diversion SENW S35 T02N R03E ADA County Source UNNAMED STREAM Tributary BLACKS CREEK
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 3/10/2017
Place of Use: STOCKWATER
T02N R03E S35 SENW

63-34350
MICHAEL SCOTT WILLIAMS
MICHELLE L WILLIAMS-ALDEN
4425 S TABLERIDGE WAY
BOISE, ID 83716
Point of Diversion SENW S35 T02N R03E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 3/10/2017
Place of Use: DOMESTIC
T02N R03E S35 SENW
Water bearing zone to be appropriated is from 200 to 800 feet.

63-34351
TIMOTHY JAMES WINDOM
ANNA STALLONES
KENNY STALLONES
1209 DUNDEE ST
BOISE, ID 83706
(2) Points of Diversion SWNW S35 T02N R03E ADA County Source UNNAMED STREAM Tributary BLACKS CREEK
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 18 AF
Use: IRRIGATION STORAGE 01/01 to 12/31 19.7 AF
Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.4 AF
Use: STOCKWATER STORAGE 01/01 to 12/31 19.7 AF
Total Diversion: 19.7 AF
Date Filed: 3/16/2017
Places of Use: IRRIGATION STORAGE, STOCKWATER STORAGE, STOCKWATER FROM STORAGE, IRRIGATION FROM STORAGE
T02N R03E S35 SWNW
Total Acres: 4

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 5/22/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/4/2017 and 5/11/2017

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 28, 2017 9:01 AM
To: 'Rex Barrie'
Subject: Applications for Permit Nos. 63-34336, 63-34349 & 63-34351
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit 63-34336.pdf; Application for Permit 63-34349.pdf; Application for Permit 63-34351.pdf

April 28, 2017

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

RE: Applications for Permit Nos. 63-34336, 63-34349 & 63-34351

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 **May 22, 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: April 17, 2017
To: Water Right File 63-34349
From: cparker
Re: Applicant Name

The applicants submitted two applications at once (Nos. 63-34349 & 63-34350). On the first, there is listed Michelle L Alden as co-applicant. On the second, the same is listed as Michelle Louise Alden-Williams. I contacted the applicants to have them clarify this point. They stated that the name should read "Michelle L Williams-Alden." The name of this applicant has been corrected on both applications.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 4, 2017

MICHAEL WILLIAMS & MICHELLE ALDEN
4425 S TABLERIDGE WAY
BOISE ID 83716

RE: Applications for Permit Nos. 63-34349 & 63-34350

Dear Applicants,

I am writing you today in regard to the water right applications you submitted proposing to divert groundwater (63-34350) and water from an unnamed stream (63-34349) for domestic and stockwater use. The Idaho Dept. of Water Resources (IDWR) received these applications on March 10, 2017. You requested expedited processing of these files on March 27, 2017. On April 3, 2017, I began an initial review of your project proposals to make sure that they are ready to be advertised in the local newspaper. While reviewing these files, I ran into a few issues that I will require you to address before moving forward.

First, I need to make sure that I understand the intent of your applications. If I am correct, the first application (63-34349) proposes to allow livestock to drink directly from an unnamed stream, and the second (63-34350) proposes to divert groundwater for domestic use in the home. In your narrative for 63-34350, you mention that you are "looking for water rights for surface water run-off in natural flow of water on property." Am I to interpret this as reference to in-stream stockwater use from the unnamed stream? If not, please explain any other uses for which you will use water on the property.

Second, I should let you know that in-stream stockwater use, and domestic use of groundwater, are both exempt from the permitting process according to Sections 42-113 & 42-227 *Idaho Code*. You are allowed to develop both of these uses without obtaining a water right permit or license. If these are the only uses you are proposing, you may choose to withdraw both of your applications and request a refund of your application fees. Withdrawing your water right applications will not affect your ability to obtain a drilling permit for a domestic well. To withdraw these applications, please fill out a Withdrawal of Application for Permit form (enclosed) for each of your two applications and mail to the address listed in the letterhead above accompanied by a note requesting a refund of your fees. Alternatively, you may choose to continue to pursue a water right permit for these uses despite their being exempt from permitting requirements.

Finally, if you choose to continue to pursue water right permits, you will need to address the following issues for application no. 63-34350:

- For **Item 4**, the source you have listed for the point of diversion does not match the source listed in **Item 3**.
- For **Item 6**, the total diversion rate listed does not match the 0.04 cfs listed in **Item 5**.

I have enclosed a copy of the application. To make amendments, please make the changes on the form and initial and date next to any changes made. Return the amended application to the address listed in the letterhead above.

IDWR forms and other information can be found at www.idwr.idaho.gov. Please contact me if you need any assistance or need further information. **I look forward to your timely written response, which must be received within thirty (30) days of the date of this letter. Your applications will be voided without a timely written response. Refunds are not issued for voided applications.** Thank you for your time and for your attention to these matters.

Sincerely

Cody Parker
Water Resource Agent
208.334.2190
cody.parker@idwr.idaho.gov

Enclosures: Withdrawal of Application for Permit (2), application no. 63-34350

Michael S. Williams & Michelle L. Williams-Alden
4425 S. Tableridge Way
Boise ID 83716
208-590-1757-Michael
208-860-7828-Michelle
mwilliams@dbssupply.com

RECEIVED
MAR 27 2017
WATER RESOURCES
WESTERN REGION

March 25, 2017
Idaho Department of Water Resources

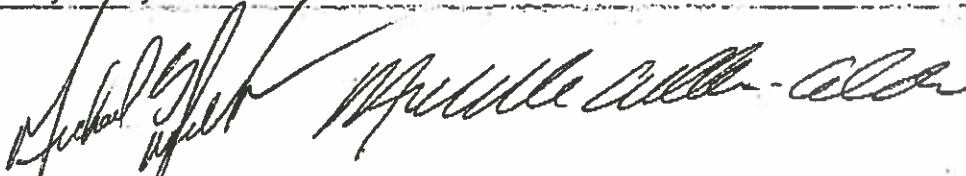
Dear Dept. of Water Resources,

This is a letter of request to expedited processing of the domestic and stock water rights for ¼ SE, ¼ NW, Sec35, Township 02N, Range 03E, now listed by Ada County assessor as 9397 E. Blacks Creek Rd. Boise, ID 83716. The original application for the water rights was filed 3/10/2017, Receipt ID: W045009, all fees for permit were paid by Michael S. Williams owner of aforementioned property. At this time we were not informed the process for the permit could take up to nine months. This significantly delays our building process and creates financial hardship as our loan to build, develop the property, and pay the subcontractors is contingent on our final inspection which will need to include plumbing and water access.

We are asking you to expedite this process as we are on a tight timeline to occupy our new manufactured home which is currently being built and will be ready for delivery and set up mid summer of 2017. As a part of our delivery and set up, the manufacturer intends for power and water to be available for hook up and final inspection. It is our intention to begin well drilling in May in order to ensure that the foundation is planned correctly to access our water supply. We have been obtaining our other permits such as septic, building, P&Z, and we are moving forward in the development of the property. It is our understanding from initial conversations with your department that there are no foreseen delays that should impede getting proper permits and establishing water rights.

Water is our most essential piece of this development. We are requesting your immediate attention to grant the needed permits. Please let us know if there is anything we can do on our end to expedite this process.

Thank you for your time and consideration in this matter.



Michael S Williams and Michelle L Williams-Alden