

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-34282

Priority: September 28, 2016

Maximum Diversion Rate: 0.17 CFS
Maximum Diversion Volume: 0.4 AF

This is to certify, that DEER FLAT METHODIST CHURCH INC
17703 BEET RD
CALDWELL ID 83607

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.17 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		0.4 AF
FIRE PROTECTION FROM STORAGE	01/01 to 12/31		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NE1/4NE1/4) Sec. 3, Twp 03N, Rge 04W, B.M. CANYON County

PLACE OF USE: FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	3				X													

PLACE OF USE: FIRE PROTECTION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	3				X													
						L1													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2018**.
2. Subject to all prior water rights.
3. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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

Signed this 28 day of MARCH, 2017.



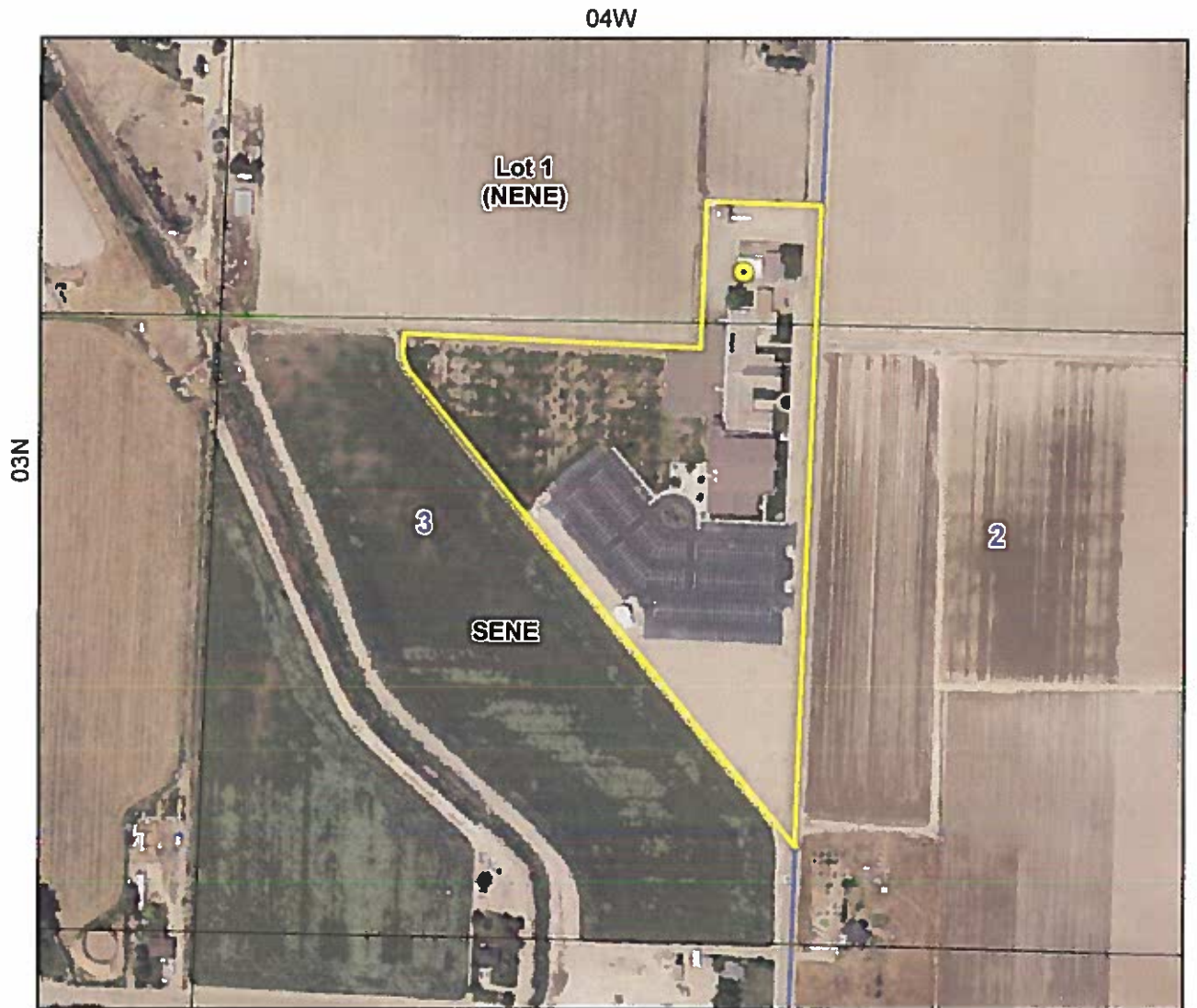
Angela M. Grimm
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34282

This map depicts the FIRE PROTECTION FROM STORAGE 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.



0 0.05 0.1 0.2 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34282

This map depicts the FIRE PROTECTION STORAGE 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.



0 0.035 0.07 0.14 Miles

-  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 • Web Site: www.idwr.idaho.gov

March 28, 2017

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

DEER FLAT METHODIST CHURCH INC
17703 BEET RD
CALDWELL ID 83607

RE: Permit No.63-34282

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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,

 Rachel Neely for:

Nick Miller
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 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. 63-34282

**DEER FLAT METHODIST CHURCH INC
17703 BEET RD
CALDWELL ID 83607**



**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.

29512 1574505

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:

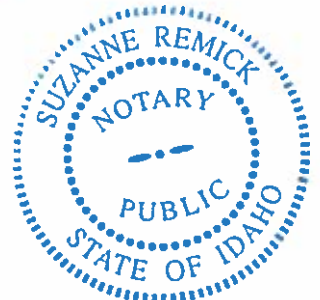
1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, 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 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
02/02/2017 02/09/2017

Sharon Jessen
STATE OF IDAHO)
County of Canyon)

On this 9th day of February in the year of 2017 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.

Suzanne Remick
Notary Public for Idaho
Residing at Canyon County
My Commission expires 07/25/2018



RECEIVED

FEB 16 2017

WATER RESOURCES
WESTERN REGION

RECEIVED
FEB 11 2017

Total Acres: 678
Water bearing zone to be appropriated is from 85 to 400 feet.

✓OK RN 2/22/17
63-34102
G O INVESTMENTS
IDAHO LLC
28358 SAND RD
PARMA, ID 83860
Point of Diversion SENE S3
T04N R05W CANYON
County Source GROUND
WATER
Use: IRRIGATION 03/01 to
11/15 3 CFS
Total Diversion: 3 CFS
Date Filed: 3/31/2015
Place of Use: IRRIGATION
T05N R05W S34 NESW
SESW NWSE SWSE
Total Acres: 150
Water bearing zone to be appropriated is from 85 to 400 feet.

✓OK RN 2/22/17
63-34282
DEER FLAT METHODIST
CHURCH INC
17703 BEET RD
CALDWELL, ID 83607
Point of Diversion L1
(NENE) S3 T03N R04W
CANYON County Source
GROUND WATER
Use: DIVERSION TO
STORAGE 01/01 to 12/31
0.17 CFS
Use: FIRE PROTECTION
FROM STORAGE 01/01 to
12/31 0.4 AF
Use: FIRE PROTECTION
STORAGE 01/01 to 12/31
0.4 AF
Total Diversion: 0.17 CFS
0.4 AF
Date Filed: 9/28/2016
Place of Use: FIRE PRO
TECTION STORAGE
T03N R04W S3 SENE
Place of Use: FIRE PRO
TECTION FROM STOR
AGE
T03N R04W S3 L1(NENE)
SENE
Water bearing zone to be appropriated is from 47 to 75 feet.

✓OK RN 2/22/17
63-34320
RICHARD T RAWLINGS
549 W BAYHILL DR
NAMPA, ID 83886
(2)Points of Diversion
SESW S8 T02N R03W
CANYON County Source
GROUND WATER
Point of Diversion NWNW
S17 T02N R03W CANYON
County Source GROUND
WATER
(2)Points of Diversion
SWNW S17 T02N R03W
CANYON County Source
GROUND WATER
Use: IRRIGATION 03/01 to
11/15 1 CFS
Total Diversion: 1 CFS
Date Filed: 11/10/2016
Place of Use: IRRIGATION
T02N R03W S7 SESE
T02N R03W S8 SWSW
SESW

T02N R03W S17 NENW
NWNW SWNW
Total Acres: 214
Water bearing zone to be appropriated is from 100 to 600 feet.
Applicant proposes irriga
tion of 50 acres within place
of use described.

Permits will be subject to all
prior water rights. For addi
tional 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 crite
ria of Idaho Code § 42-203A.
Any protest against the ap
proval of the application(s)
must be filed with the Direc
tor, Dept. of Water Re
sources, Western Region,
2735 Airport Way, Boise ID
83705 together with a protest
fee of \$25.00 for each appli
cation on or before
2/20/2017. The protestant
must also send a copy of the
protest to the applicant.

GARY SPACKMAN,
Director

February 2, 9, 2017

1574505

LEGAL NOTICE

The following applications
have been filed to appropriate
the public waters of the State
of Idaho:

✓OK RN 2/22/17
63-34101
G O INVESTMENTS
IDAHO LLC 28358
SAND RD
PARMA, ID 83860
Point of Diversion
SWNE S4 T04N R05W
CANYON County Source
GROUND WATER
Point of Diversion SENE S3
T04N R05W CANYON
County Source GROUND
WATER
Point of Diversion SWSW
S33 T05N R05W CANYON
County Source GROUND
WATER
Use: IRRIGATION 03/01 to
11/15 13.56 CFS
Total Diversion: 13.56 CFS
Date Filed: 3/31/2015
Place of Use: IRRIGATION
T04N R05W S3 L3(NENW)
L4(NWNW)
T04N R05W S4 L1(NENE)
L2(NWNE) SWNE SENE
L3(NENW) SENW SE(ALL)
T05N R05W S33 SE(ALL)
T05N R05W S34 SWNE
NWSW SWSW