

SEP 20 2016

FORM 202 Rev. 07/16

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 57-11884**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Robert A. and/or Kelly A. Thomas Phone 208-250-5674
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 17947 Shortcut Rd, Murphy, ID 83650 Email tbranch208@gmail.com
2. Name of representative, if any SPF Water Engineering Phone 208-383-4140
 Mailing address 300 E Mallard Dr, Ste 350, Boise, ID 83706 Email lgraves@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 providing authority to sign for the applicant.
3. Source of water supply Ground Water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4S	1E	29			NE	SW	Owyhee	Ground Water	
4S	1E	29			NW	SW	Owyhee	Ground Water	
4S	1E	29			SW	SW	Owyhee	Ground Water	
4S	1E	29			SE	SW	Owyhee	Ground Water	

5. Water will be used for the following purposes:
- Amount 2.45 cfs for Irrigation purposes from 3/1 to 11/15 (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) 2.45 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. One new cold water well, pressurized irrigation 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 11. 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 16 inches; proposed depth of well is 350 - 400 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 [Signature] Date 9/20/16 Time 9:45 Preliminary check by [Signature]
 Fee \$ 230.00 Receipted by [Signature] Receipt No. W044650 Date 9/20/16

57-11884

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. _____

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	27									3	20	15	2					40
		28							4	2	33	30	6	2	16	30	16	18	157
		29												3	29	10	25	26	93

Total number of acres to be irrigated: 290

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? Catherine Creek rights 57-40, 57-50; spring rights 57-7639, 57-10558; geothermal ground water right 57-2235

11. a. Who owns the property at the point of diversion? Applicants

b. Who owns the land to be irrigated or place of use? Applicants

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. Applicants propose drilling 1 new cold water well to provide up to 1100 gpm supplemental ground water for irrigation of 258.6 acres and primary ground water for irrigation of 31.4 acres. Based on the attached analysis, the proposed use is not anticipated to cause a significant reduction in Snake River flows at Murphy Gauge.

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.

Robert A. Thomas
Signature of Applicant
ROBERT A. THOMAS
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Thomas

Water right 57-2235 provides 3.56 cfs for irrigation of 237 acres. This right supplements primary surface water sources. Well production has declined to approximately 2.2 cfs. Peak mean monthly precipitation-deficit irrigation demand for grass hay is about 6.4 mm (or 0.02-ft) per day based on the Grand View NWS climate station. During dry years when surface water supplies are diminished to near zero in July, ground water is the only source available. The current production of 2.2 cfs with a 50% percent irrigation efficiency (to account for losses from conveyance, cooling pond, and sprinkler application) is sufficient to irrigate about 105 acres during peak demand.

A new permit is sought to irrigate the following:

- a. Supplemental supply for the equivalent of 151 acres already covered by ground water right 57-2235 and surface water rights 57-40, 57-50, 57-7639 and 57-10558.
- b. Primary supply for 31.4 acres not covered by existing rights.

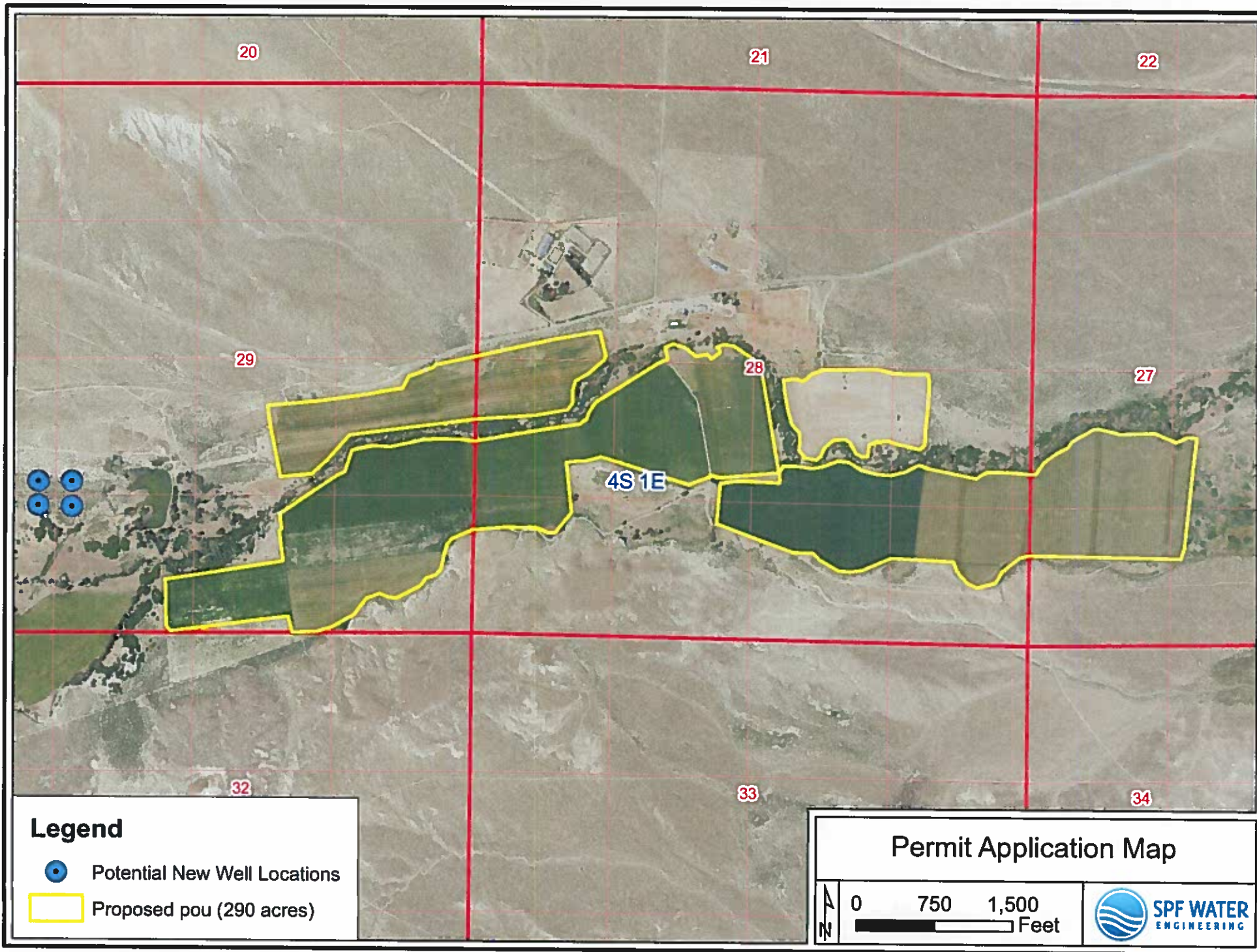
The quantity sought of 2.45 cfs is sufficient to meet the peak irrigation demand of 0.02-ft per day for 182 acres with a 75% irrigation application efficiency.

$[2.45 \text{ cfs}] \times [1.98 \text{ af/day/cfs}] \div [0.02 \text{ ft/day}] \times [75\% \text{ efficiency}] = 182 \text{ acres.}$

IDAPA 37.03.08.045.02 provides criteria for evaluating whether a proposed use of Trust Water will cause a significant reduction. Part a, the individual test, provides that an irrigation project of 200 acres or less is presumed to not reduce the flow at Murphy Gage by more than 2 acre-feet per day. This application seeks the equivalent of 182 acres, which is less than the 200 acres allowed by this rule.

57-11884

Attchments p22-Map





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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 26, 2017

ROBERT A THOMAS
KELLY A THOMAS
17947 SHORT CUT RD
MURPHY, ID 83650-5089

Application for Permit No. 57-11884

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 OWYHEE AVALANCHE on 2/1/2017 and 2/8/2017. 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,

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, January 26, 2017 9:03 AM
To: 'Jennifer Stutheit'
Subject: Owyhee Legal Ads
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 2/1/17 & 2/8/17.

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

January 26, 2017

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Applications for Transfer Nos. 80856 & 79779
Application for Permit No. 57-11884

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 2/20/2017. 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:

57-11884

ROBERT A THOMAS

KELLY A THOMAS

17947 SHORT CUT RD

MURPHY, ID 83650-5089

Points of Diversion SW(ALL) S29 T04S R01E OWYHEE County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.45 CFS

Total Diversion: 2.45 CFS

Date Filed: 9/20/2016

Place of Use: IRRIGATION

T04S R01E S27 SW(ALL)

T04S R01E S28 SWNW SENW SW(ALL) SE(ALL)

T04S R01E S29 SESW SE(ALL)

Total Acres: 290

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80856

MARSHALL W BECKER, 31383 MUD FLAT RD, GRAND VIEW, ID 83624; has filed Application No. 80856 for changes to the following water rights within OWYHEE County(s): Right No(s). 57-11633, 57-11635, 57-11637, 57-11639, 57-11641, 57-11643, 57-11645, 57-11647, 57-11649, 57-11651, 57-11653, 57-11655, 57-1202, 57-1205, 57-1207, 57-2285A, 57-2285B, 57-7036, 57-7037; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to create a 745.9 acre permissible place within a 1,278 acre boundary. Changes to the rights will accurately describe all active points of diversion. Water will be used at the current place of use 6 miles south of Grandview.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79779

JR SIMPLOT COMPANY, PO BOX 27, BOISE, ID 83707; has filed Application No. 79779 for changes to the following water rights within OWYHEE County(s): Right No(s). 2-10187, 2-10202, 2-2153, 2-2154, 2-2308, 2-2423, 2-7060B, 2-7206, 57-11632, 57-11634, 57-11636, 57-11638, 57-11640, 57-11642, 57-11644, 57-11646, 57-11648, 57-11650, 57-11652, 57-11654, 57-185, 57-187A, 57-187B, 57-2152, 57-2225B; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to create a 2,504.7 acre permissible place of use within a 2,876 acre boundary. Water will be used at the current place of use approximately 4.0 miles south-west of C.J. Strike Dam.

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) or proposed transfer (s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. 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 2/20/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/1/2017 and 2/8/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 26, 2017

ROHL HIPWELL
18125 OREANA LOOP RD
OREANA ID 83650

RE: Application for Permit No. 57-11884

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this letter for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by February 20, 2017.

IDWR will assume you do not object to this application 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

Hummer, Phill

From: Lori Graves <LGraves@spfwater.com>
Sent: Friday, January 13, 2017 1:45 PM
To: Hummer, Phill
Subject: RE: Thomas SPF #1299.0010

Categories: More Info Emails

Phill,

The place of use should list T4S as shown on the application map, rather than T4N. Please let me know if you need anything else. Thanks Phill.

From: Hummer, Phill [mailto:Phill.Hummer@idwr.idaho.gov]
Sent: Friday, January 13, 2017 11:55 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: Thomas SPF #1299.0010

Lori,

Attached is the letter I sent to Robert and Kelly Thomas regarding their application for permit no. 57-11884. Should be a straight forward amendment as it looks like the township for the place of use had a minor typo in it (north instead of south) but I can't assume anything so I had to double check.

Phill Hummer

*Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov*



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

01/06/17

Robert Thomas
Kelly Thomas
17947 Shortcut Rd
Murphy ID 83650

Re: Application for Permit No. 57-11884 Additional Information Required

Dear Applicant:

Your recent application for permit proposing the use of water for irrigation is being processed. The application has been assigned a priority date but cannot be processed further until the following items are clarified:

- **9 - Place of Use**

The place of use described by the table in this section does not match the boundary of the place of use on the map submitted with the application. Based on the map the place of use may be located in 04S Township. Please amend the proposed place of use to verify the boundary shown on the map. Or submit an amended map to verify the place of use listed in this section.

- **13 - The Map**

The place of use shown on the map does not verify the place of use described in section 9. Please amend either the map or the place of use described in section 9.

Please submit the requested information within thirty (30) days for application processing to continue. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will become void if a written reply is has not been received within the next thirty (30) days. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in blue ink, appearing to read 'PH', followed by a wavy line.

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Enclosure: Copy of Permit Application No. 57-11884



SPF WATER
ENGINEERING

September 20, 2016

RECEIVED
SEP 20 2016
WATER RESOURCES
WESTERN REGION

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

Subject: Amended Transfer Application No. 80714; Application for Permit

Dear Angie,

Enclosed on behalf of Robert and Kelly Thomas, is *Amended Transfer Application No. 80714* and an *Application for Permit*.

Check No. 1160 for \$330 is enclosed for the permit application filing fee. The filing fee for the amended transfer application has been previously paid. Thank you very much for your consideration and assistance in this matter. Please let me know if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Robert Thomas

Enclosures

SPF file number: 1299.0010