

RECEIVED

NOV 15 2016

WATER RESOURCES
WESTERN REGION11-15-16
AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED

SEP 06 2016
Ident. No. 57-11882
WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Wilson Creek Cattle Feeders Phone 208-495-2315
Name connector (check one) ☐ and ☐ or ☐ and/or
 Mailing address 12353 Feedlot Drive, Merida Idaho 83641 Email _____
2. Name of representative, if any John Hepton Phone 208-250-0710
 Mailing address 909 N Robinson Blvd, Nampa ID 83617 Email john.hepton@agribest.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 GROUNDWATER 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 #
SEE ATTACHED									

5. Water will be used for the following purposes:
 Amount 4.5 cfs for stock water purposes from VI to 12/31 (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) 4.5 cfs 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. Drilling a new well will put in a pump
- 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 8 inches; proposed depth of well is 2-400 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? NO; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by WESTERN Date 11-15-16 Time 1:53 AM Preliminary check by RS
 Fee \$ 450 Received by WESTERN Receipt No. W044577 Date 9-6-16

*FEE RECEIVED w/ original application

Pg 1 57-11882

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. 30,000 range cattle
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households —
- #10 e. Other; describe fully. 57-7227 57-2214 57-2215 57-2303
my proposal is for additional cattle

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
1S	3W	9	S		S	S				S	S					S			—
1S	3W	10					S	S	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? _____

SEE 86. 15

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. Wanting to drill an additional well for

stock water for an additional 30,000 head of

range cattle

* we propose to drill 2 wells out of the 9 listed P.O.D's

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

John Hepton owner 9/6/16

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Ident. No. 57-11882

Attachment to: ☒ Application for Permit to appropriate Water ☐ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

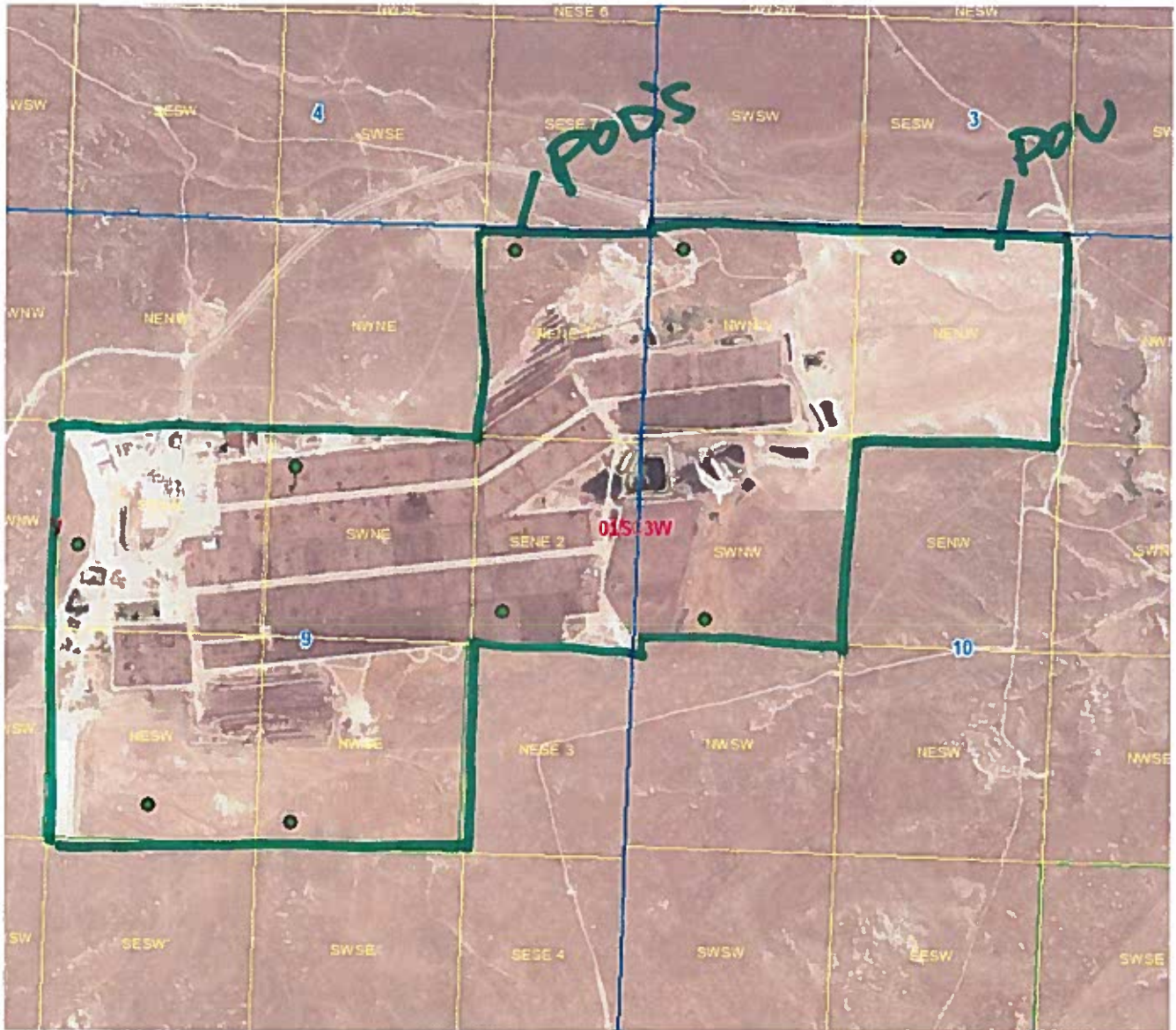
[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

STOCK WATER



No. W 77849	Due no later than Sep 30, 2016 Annual Report Form		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. WILSON CREEK CATTLE FEEDERS, LLC JOHN R HEPTON 909 N ROBINSON BLVD NAMPA ID 83687		HEPTON LIVESTOCK LLC 909 N ROBINSON BLVD NAMPA ID 83703-8370			
			3. New 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	GARY JOHNSTON	4440 SW 5TH AVE	NEW PLYMOUTH	ID	USA	83655-5271
MANAGER	JOHN R HEPTON	913 N ROBINSON BLVD	NAMPA	ID	USA	83687
5. Organized Under the Laws of: ID W 77849		6. Annual Report must be signed.* Signature: James Chalin Name (type or print): James Chalin Date: 07/25/2016 Title: Controller				
Processed 07/25/2016		* Electronically provided signatures are accepted as original signatures.				

57-11882

19.6

RECEIVED

FORM 202 Rev. 07/16

SEP 06 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 57-11882

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 Mailing address 12353 Feedlot Drive, Merida Idaho 83641 Email _____
 Name connector (check one): ☐ and ☐ or ☐ and/or
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SEE ATTACHED									

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 Amount 6.0 cfs for Stock Water purposes from VI to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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 c. Proposed well diameter is 8 inches; proposed depth of well is 2-400 feet.
 d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 e. If well is already drilled, when? NO; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

Received by RN Date 9/6/16 Time 3:20 Preliminary check by RP
 Fee \$ 450.00 Receipted by RN Receipt No. W044597 Date 7-6-16

*SUPERSEDED BY AMENDED APP RECEIVED 11-15-16.

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

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	3W	9	S		S	S				S	S					S			-
15	3W	10					S	S	S										

Total number of acres to be irrigated: _____

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SEE 8E. 15

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range cattle

* we propose to drill 2 wells out of the 9 listed POD's

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Signature of Applicant

John Hepton owner 9/6/16

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Ident. No. _____

Attachment to: ☒ Application for Permit to appropriate Water
☐ Application for Amendment of Permit

☐ Application for Transfer**☐ Adjudication Claim☐ Beneficial Use Field Report☐ Statutory Claim[illegible]

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b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

CUBIC FEET PER SECOND TO GALLONS PER DAY			enter value
--	--	--	-------------

cfs		gpd	0.00
		gpm	0.00
		af/d	0.00
		af/yr	0.00

gpm		cfs	0.00
gallons		af	0.00
af		gallons	0

Conversions

1 gallon = 0.133681 cf
 1cf = 7.48052 gallons
 1 gallon = 3.069*10⁻⁶ af
 1 ft² = 2.2957E-5 ac

length		ft			
width		ft			
height		ft			
VOLUME		0 ft ³	gallons		0
			af		0.00

length		ft			
width		ft			
AREA		0 ft ²	acres		0.0

STOCKWATER @ 12 gal/d

cattle	30,000	360,000 gpd	
		15,000 gph	
		250.0 gpm	
		131,400,000 gpy	
		403.27 af	
		6.60 suggested diversion rate (cfs)	

STOCKWATER @ 35 gal/d

cattle		0 gpd	
		0 gph	
		0.0 gpm	
		0.00 gpy	
		0.00 af	
		0.00 suggested diversion rate (cfs)	



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

November 30, 2016

WILSON CREEK CATTLE FEEDER
12353 FEEDLOT DR
MELBA, ID 83641

Application for Permit No. 57-11882

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 12/7/2016 and 12/14/2016. 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:
JOHN HEPTON
909 N ROBINSON BLVD
NAMPA, ID 83617

Neely, Rachel

From: Neely, Rachel
Sent: Wednesday, November 30, 2016 10:06 AM
To: 'Jennifer Stutheit'
Subject: Owyhee Legal Ad
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 12/7/2016 & 12/14/2016.

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

November 30, 2016

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

RE: Application for Permit No. 57-11882

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 12/27/2016. 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:

57-11882

WILSON CREEK CATTLE FEEDER

12353 FEEDLOT DR

MELBA, ID 83641

Points of Diversion L1(NENE) L2(SENE) SWNE SENW NESW NWSE S9 T01S R03W OWYHEE County Source GROUND WATER

Points of Diversion NENW NWNW SWNW S10 T01S R03W OWYHEE County Source GROUND WATER

Use: STOCKWATER 01/01 to 12/31 4.5 CFS

Total Diversion: 4.5 CFS

Date Filed: 9/6/2016

Place of Use: STOCKWATER

T01S R03W S9 NENE SWNE SENE SENW NESW NWSE

T01S R03W S10 NENW NWNW SWNW

Applicant proposes to construct two wells in two of the nine locations.

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/WaterManagement/WaterRights. 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 12/27/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/7/2016 and 12/14/2016

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, November 15, 2016 2:02 PM
To: 'John Hepton'
Subject: RE: Scanned File Attached

John,

I have received your amended application and will do my best to get this application to advertising quickly.

Have a great day!

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

From: John Hepton [<mailto:John.Hepton@performixnutrition.com>]
Sent: Tuesday, November 15, 2016 1:53 PM
To: Sommer, Rachel
Subject: FW: Scanned File Attached

Rachel,

Thanks for everything!!!

From: admin2@heptonlivestockllc.com [<mailto:admin2@heptonlivestockllc.com>]
Sent: Tuesday, November 15, 2016 1:37 PM
To: John Hepton <John.Hepton@performixnutrition.com>
Subject: Scanned File Attached

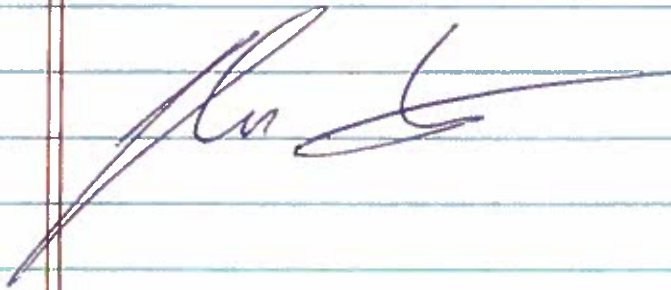
RECEIVED

NOV 15 2016

WATER RESOURCES
WESTERN REGION

TO: State Department of Water Resources
From: John Hepton
Re: Wilson Creek Cattle Feeders Application

Thank you for taking our application
for permit. If at all possible we could
sure use this application expedited in
order to have water for cattle in January.
Thanks again for considering this.

A handwritten signature in dark ink, appearing to be "John Hepton", written over several lines of the lined paper.