

RECEIVED

FORM 202 Rev. 07/16

SEP 27 2016
WATER RESOURCES
WESTERN REGION

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

Ident. No. 63-34284

1. Name of applicant(s) The Turf Company Phone 888 3160
Mailing address 6100 S. Eagle Ad. Email _____
Name connector (check one) ☐ and ☐ or ☐ and/or
2. Name of representative, if any Derwin McKay Phone same
Mailing address 6100 S. Eagle Ad. Email dmckay@turfcompany.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 #
02N	01E	4			NW	SW	Ada	Ground water	D0020127

5. Water will be used for the following purposes:
Amount 0.6 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) 0.6 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. Existing well to existing 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 10 inches; proposed depth of well is 485 feet.
d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
e. If well is already drilled, when? 4/01/01; drilling firm Adamsen pump; well was drilled for (well owner) The Turf Company; Drilling Permit No. D0020127

Received by CS Date 9/27/16 Time 12:35 Preliminary check by AS
Fee \$ 2500 Receipted by CS Receipt No. W044661 Date 9/27/16

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	
D2N	D1E	4											30						30

Total number of acres to be irrigated: .30

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? New York Irrigation shares

11. a. Who owns the property at the point of diversion? ~~Bill Long~~ Parkland Development Greg Johnson
b. Who owns the land to be irrigated or place of use? Bill Long
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Ongoing lease

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Supplemental use of irrigation water.

13. Time required for completion of works and application of water to proposed beneficial use is 14 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.

L. Darwin McKay
Signature of Applicant

L. Darwin McKay
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

No. W 2636	Due no later than Jul 31, 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. TURF COMPANY, LLC (THE) L DARWIN MCKAY 6100 S EAGLE RD MERIDIAN ID 83642		L DARWIN MCKAY 6100 S EAGLE RD MERIDIAN ID 83642																	
			3. <u>New</u> Registered Agent Signature:*																	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>L DARWIN MCKAY</td> <td>6100 S EAGLE RD</td> <td>MARIDIAN</td> <td>ID</td> <td>USA</td> <td>83642</td> </tr> </tbody> </table>							Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	L DARWIN MCKAY	6100 S EAGLE RD	MARIDIAN	ID	USA	83642
Office Held	Name	Street or PO Address	City	State	Country	Postal Code														
MEMBER	L DARWIN MCKAY	6100 S EAGLE RD	MARIDIAN	ID	USA	83642														
5. Organized Under the Laws of: ID W 2636	6. Annual Report must be signed.* <table border="1"> <tr> <td>Signature: L Darwin McKay</td> <td>Date: 05/27/2016</td> </tr> <tr> <td>Name (type or print): L Darwin McKay</td> <td>Title: officer</td> </tr> </table>						Signature: L Darwin McKay	Date: 05/27/2016	Name (type or print): L Darwin McKay	Title: officer										
Signature: L Darwin McKay	Date: 05/27/2016																			
Name (type or print): L Darwin McKay	Title: officer																			
Processed 05/27/2016		* Electronically provided signatures are accepted as original signatures.																		

63-34284

CANCELLATION OR AMENDMENT OF FILED EFFECTIVE CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

2001/12/22 10:09:02

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice of the action(s) indicated below:

1. The assumed business name is: The Turf Company
2. The assumed business name was filed with the Secretary of State's Office on 05/12/1999 as file number D25988.
3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in the above assumed business name and cancel the certificate in its entirety.
4. ☐ The assumed business name is amended to: _____
5. ☒ The true names and business addresses of the entity or individuals doing business under the assumed business name are amended as follow:

Add:	Delete:	Name:	Address:
☐	☒	<u>L. Darwin McKay</u>	<u>6100 S. Eagle Road, Meridian, ID 83642</u>
☐	☒	<u>Patricia E. McKay</u>	<u>6100 S. Eagle Road, Meridian, ID 83642</u>
☒	☐	<u>The Turf Corporation</u>	<u>6100 S. Eagle Road, Meridian, ID 83642</u>

(C 115650)

6. ☒ The type of business is amended to read:

☒ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☒ Wholesale Trade	☒ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining
7. ☐ The name and address to which future correspondence should be addressed is changed to read: _____

8. Name and address for this acknowledgment copy is:

L. Darwin McKay, President

6100 S. Eagle Road

Meridian, ID 83642

Signature: L. Darwin McKay

Printed Name: L. Darwin McKay

Capacity: Owner/President

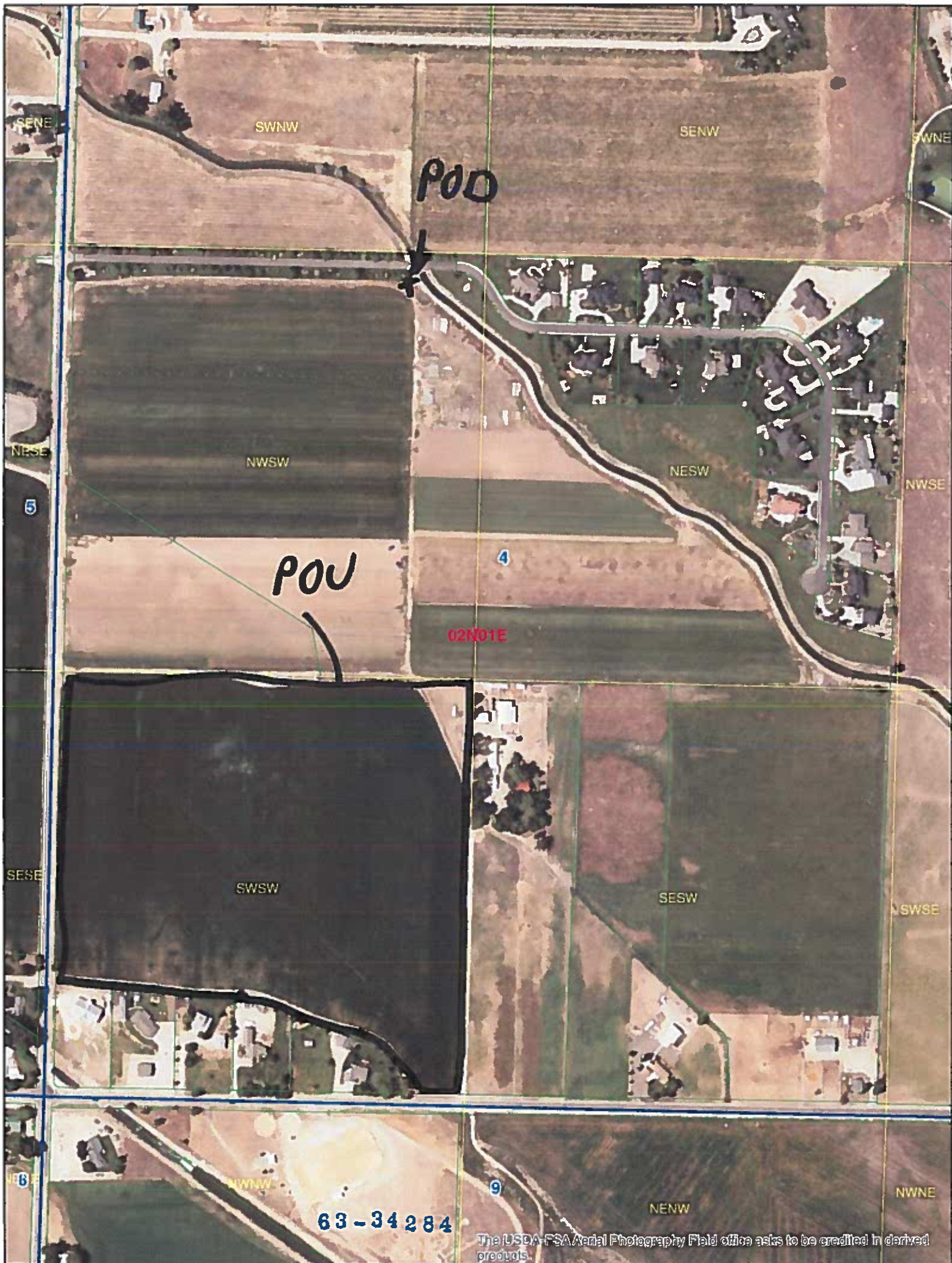
(see instruction # 9 on back of form)

Secretary of State use only

g:\corp\forms\state\amendment.pmd
Revised 04/2003

IDAHO SECRETARY OF STATE
03/22/2006 05:00
CK: 1327 CT: 127616 BH: 944826
1 @ 10.00 = 10.00 ASSUM AMEN # 2

D 25988



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

768309

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____	1/4 _____	1/4 _____	
Lat: _____		Long: _____	

1. WELL TAG NO. D 0020127
 DRILLING PERMIT NO. _____
 Other IDWR No. _____

2. OWNER: Darwin McKay
 Name _____
 Address 6100 S. Eagle Rd
 City Mendon State Id Zip 83642

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>2</u>		North ☒ or South ☐	
E		Rge. <u>14</u>		East ☒ or West ☐	
S		Sec. <u>4</u>		NW 1/4 SW 1/4 SE 1/4	
W		Gov't Lot _____		County <u>Ada</u>	
X		Lat: _____		Long: _____	
		Address of Well Site <u>Hazeltown Canal</u>		City _____	
Bank _____					

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	~~Gacks or~~ Pounds	
Cement	0	20	846 lbs	Pour

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____
 Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10"	+2	487	250	Steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
 Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
440	485			16"	Steel	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

140 ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe access port or control devices: metal plate

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
500 +	—	487	3 hours

Water Temp. 61° Bottom hole temp. _____
 Water Quality test or comments: Iron .5 PH 7.5
Grains 10 Depth first Water Encounter 180'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
16"	0	2	Top Soil		
"	2	5	hard pan		
"	5	20	gravel		
10"	20	41	gravel		
"	41	129	gravel & sand		
"	129	180	coarse sand & clay		
"	180	184	coarse sand, clay, gravel	X	
"	184	186	clay		
"	186	204	sand, clay, pea gravel		
"	204	216	sand		
"	216	217	clay		
"	217	226	sand, clay	X	
"	226	240	clay, sand		
"	240	270	sand, gravel	X	
"	270	294	gravel & sand	X	
"	294	310	gravel, large coarse sand	X	
"	310	333	coarse sand, pea gravel	X	
"	333	338	clay		
"	338	348	sand	X	
"	348	364	sand	X	
"	364	410	coarse sand, big gravel	X	
"	410	414	sand & gravel	X	
"	414	420	gravel & cobbles	X	
"	420	440	gravel & cobbles	X	
"	440	487	gravel	X	

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RECEIVED

MAY 11 2001

MAY 03 2001

Idaho Department of Water Resources

WATER RESOURCES
WESTERN REGION

Completed Depth 487 (Measurable)
 Date: Started 4.1.01 Completed 4.25.01

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Adamson Pump & Drill Firm No. 0457

Firm Official Dave Adamson Date 4.27.01

and Andy Bell Date 4.27.01
 Driller or Operator (Sign once if Firm Official & Operator)



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 23, 2016

THE TURF CO
DARWIN MCKAY
6100 S EAGLE RD
MERIDIAN, ID 83642

Application for Permit No. 63-34284

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 STATESMAN on 12/1/2016 and 12/8/2016. 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

Neely, Rachel

From: Neely, Rachel
Sent: Wednesday, November 23, 2016 9:25 AM
To: 'BOI Legals'
Subject: Ada Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 12/1/2016 & 12/8/2016.

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 23, 2016

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

RE: Application for Permit No. 63-34284

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 12/19/2016. 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:

63-34284

THE TURF CO

DARWIN MCKAY

6100 S EAGLE RD

MERIDIAN, ID 83642

Point of Diversion NWSW S4 T02N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.6 CFS

Total Diversion: 0.6 CFS

Date Filed: 9/27/2016

Place of Use: IRRIGATION

T02N R01E S4 SWSW

Total Acres: 30

Water bearing zone to be appropriated is from 180 feet to 487 feet.

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 12/19/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/1/2016 and 12/8/2016



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

November 23, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

BILL LONG
3842 EVANTAGE POINT LN
MERIDIAN ID 83642

RALPH WHITT
JUDY WHITT
3320 E COLUMBIA RD
MERIDIAN ID 83642

PARKLAND DEVELOPMENT LLC
GREG JOHNSON
PO BOX 344
MERIDIAN ID 83680-0344

MARK HAGGERTY
SHAWNA HAGGERTY
3360 E COLUMBIA RD
MERIDIAN ID 83642

KEN FREDERICK
MARY FREDERICK
3340 E COLUMBIA RD
MERIDIAN ID 83642

KEVIN DIXON
MICHELLE DIXON
3490 E COLUMBIA RD
MERIDIAN ID 83642

TERRELL SMITH
3000 E COLUMBIA RD
MERIDIAN ID 83642

Re: Application for Permit No: 63-34284

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by December 19, 2016. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

M E M O R A N D U M

Date: November 22, 2016
To: Water Right File 63-34284
From: jshearer
Re: Comment/Analysis

Applicant concurred with estimated WB Zone of 180-487 ft. by phone 11/2/2016

Shearer, Justin

From: Shearer, Justin
Sent: Tuesday, November 01, 2016 4:28 PM
To: 'dmckay@turfcompany.com'
Subject: Well Driller's Report and Interpretation of Water Bearing Zone
Attachments: DOC003.pdf

Good Afternoon Mr. McKay,

Thank you for your call this afternoon. I have attached a copy of the well driller's report for the well that you are applying for an additional water right from. Upon looking further into the well report, I am able to make an interpretation of where I think the water bearing zone is, however I do just need your agreement/confirmation to proceed. (Please see attached)

Based on the well driller's report my conservative estimate of the water bearing zone appears to be from 180'-487'. Because the well casing diameter from that depth down is the same as the well bore diameter (10") one could assume that water could flow down the side of the casing from 180' to the perforated section of the casing at 440', theoretically. SO unless you have any other detailed information in regards to this matter we can go ahead with a conservative estimate of the water bearing zone being 180'-487'.

If you have any discrepancies with this estimate feel free to let me know and I would be happy to discuss this matter with you before proceeding with the processing of your application.

Thanks and regards,

Justin Shearer
Idaho Department of Water Resources
Water Resource Agent
(208) 334-2190
justin.shearer@idwr.idaho.gov

Shearer, Justin

From: Shearer, Justin
Sent: Thursday, October 27, 2016 9:34 AM
To: 'dmckay@turfcompany.com'
Subject: Application for Permit to Appropriate Water

Good Morning Mr. McKay,

I am currently in the middle of processing your application for permit to appropriate ground water for irrigation purposes out of an existing well for The Turf Company. In order to complete the processing of this application and grant a permit we are needing some general information regarding the water bearing zone. Based on the well driller's report for this particular well in question it appears that water bearing zone is somewhere between 180'-487' depth below ground. If you could please confirm, or provide any additional information in regards to this matter at your earliest convenience we would be happy to proceed with the permitting of this application to appropriate public waters.

If you have any questions or concerns in regards to this matter please feel free to contact me and I'd be happy to help.

Thanks and regards,

Justin Shearer
Idaho Department of Water Resources
Water Resource Agent
(208) 334-2190
justin.shearer@idwr.idaho.gov

Nick Miller
Regional Manager
Idaho Water Resources Division

April 8, 2016

RECEIVED

APR 11 2016

WATER RESOURCES
WESTERN REGION

COPY

Dear Mr. Miller,

This letter expresses concerns over aquifer levels from several landowners who reside in the vicinity of the intersection of Columbia and Eagle roads, Ada County, ID. Prior to sending this letter, we visited with Patrick Kelly at your office to research this matter.

A business called the Turf Company has raised turf on a 55-acre parcel near Columbia and Eagle roads for many years. The Turf Company has a well on that parcel. Last fall, the Turf Company leased an adjoining parcel (approximately 31 acres in size), planted grass, and began irrigating. [These two parcels lie east of Eagle Road, south of the Vantage Pointe subdivision and its access road, and north of five private residential parcels north of Columbia Road.]

Judging from watering occurring on the two parcels, it appears the Turf Company might be irrigating both parcels off the single well (which has been used to water only the 55-acre parcel in the past). Water sprinkled on the 31-acre parcel this year has not been coming from the Rawson lateral, part of the New York canal system: where is it coming from?

Mr. Kelly checked your database and informed us that the Turf Company has a permit to use ground water on the 55-acre parcel, but he could find no permit allowing the company to use ground water on the 31-acre parcel. Nor could he find an application for such a permit on file.

Our concern in this matter relates to the dropping of ground water levels in the aquifer. This is a concern because we obtain our domestic water from wells tapping this aquifer.

We are making no accusations in this matter. We recognize that the Turf Company may have other legal means of obtaining or shifting water to raise turf on the 31-acre parcel, of which we are not aware. If that is the case, then we have no complaint in this matter. Our purpose is to raise this issue with the Water Resources division and ask the relevant regulating entity to determine if the Turf Company is irrigating the two parcels within their permitted water use parameters.

Thank you for your attention and response to this matter.

Ken and Marilyn Frederick, 3340 E. Columbia Road
Ralph and Judy Whitt, 3320 E. Columbia Road
~~Darren and Hilary Carraway, 3606 E. Columbia Road~~
Mark and Shawna Haggerty, 3360 E. Columbia Road
Kevin and Michelle Dixon, 3490 E. Columbia Road
Terrell Smith, 3000 E. Columbia Road

Ken Frederick

Ralph Whitt

Shawna Haggerty

Kevin Dixon

Terrell Smith