

RECEIVED**NOV 17 2015**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

**WATER RESOURCES
WESTERN REGION**

1. Name of applicant(s) DIAMOND S FARMS LLC/ MIKE SKOGSBERG Phone 208-989-3990
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 23460 STAFFORD RD City CALDWELL
 State ID Zip 83607 Email skogsbergmike@gmail.com
2. Source of water supply ground water which is a tributary of N/A
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
05N	04W	25			SE	NE	CANYON	GROUND WATER	

4. Water will be used for the following purposes:
 Amount 3 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)
5. Total quantity to be appropriated is (a) 3 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 75 HP PUMP WITH OPEN DISCHARGE TO DITCH
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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 OR reservoirs with a total 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 14 inches; proposed depth of well is 240 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households N/A
- e. Other; describe fully. N/A

8. 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	
05N	04W	25			2	36							40	40	40			35	193
05N	03W	30							43		25	40							108
									GL2				GL3						

Total number of acres to be irrigated: 200 acres within 301 acre PPU

9. 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?

All land has Black Canyon irrigation water shares

10. a. Who owns the property at the point of diversion? Diamond S Farms LLC
- b. Who owns the land to be irrigated or place of use? Diamond S Farms LLC and Louise Gunderson
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
Leased

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Applicant proposes supplemental ground water rights. This is for three-quarters of an inch to the acre ($200 \times .015 = 3$ cfs) which is greater than the minimum requirement. The neighbor's well (63-33774) has water bearing zone 40-240 feet. This should be a similar water bearing zone for this proposed well.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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

Signature of Applicant

Mike Skogsberg (President)

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

*Received by CJ Date 9-17-15 Time 3:20 Preliminary check by DM
Fee \$ 330.00 Received by CJ Receipt No. W043500 Date 9-17-15

*originally fee received with original application

RECEIVED

SEP 17 2015

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

1. Name of applicant(s) Diamond s Farms LLC / Mike Skogsberg Phone 208-989-3990
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 23460 Stafford Road City Caldwell
 State ID Zip 83607 Email skogsbergmike@gmail.com
2. Source of water supply ground water which is a tributary of N/A
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
05N	04W	25		SE	NE		Canyon	Ground Water	

4. Water will be used for the following purposes:
- Amount 4.5 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)
5. Total quantity to be appropriated is (a) 4.3 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 50 hp pump open discharge to ditch
- 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 OR reservoirs with a total 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
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- b. Stockwatering; list number and kind of livestock. _____
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- d. Domestic; show number of households _____
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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	04W	25			2	36							40	40	40			35	195
05N	03W	30							40		25	40							108
									GL2				GL3						

Total number of acres to be irrigated: 296 301

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- b. Who owns the land to be irrigated or place of use? Diamond S Farms LLC. and Louise Gunderson
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Leased

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Applicant proposes supplemental ground water rights. This is for
department standard of a minimum half-inch to the acre.
301 x .01 = 3 cfs.
neighbor's well (63-33774) has water bearing zone 40-240ft. This should
be similar.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Mike Skogsberg
Signature of Applicant

Signature of Applicant

Mike Skogsberg President
Print Name (and title, if applicable)

Print Name (and title, if applicable)

Received by [Signature] Date 9/17/15 Time 3:20 Preliminary check by DM
Fee \$ 320.00 Received by [Signature] Receipt No. WD43500 Date 9/17/15

For Department Use:

Neely, Rachel

From: Neely, Rachel
Sent: Wednesday, November 25, 2015 12:27 PM
To: 'legals@idahopress.com'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 12/3/15 & 12/10/15.

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 25, 2015

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 63-34138
 Application for Permit No. 63-34139
 Application for Permit No. 63-34142
 Application for Permit No. 63-34147
 Application for Permit No. 63-34161
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-2712
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-2955
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-3099
 Application for Extension to Avoid Forfeiture of a Water Right No. 2-7109
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-34150
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-34151

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 12/21/2015. 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:

63-34138

JUSTIN CHRISTENSEN
SUNNY CHRISTENSEN
8571 BENNETT RD
NAMPA, ID 83686
Point of Diversion NENW S34 T02N R02W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: HEATING 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/2/2015
Places of Use: DOMESTIC, HEATING
T02N R02W S34 NENW
Water bearing zone to be appropriated is from 154 to 242 feet.

63-34139

DIXIE LAND LLC
22993 HOWE RD
CALDWELL, ID 83607
Point of Diversion L1(NENE) S1 T04N R05W CANYON County Source NORTH DRAIN Tributary DIXIE SLOUGH
Use: IRRIGATION 03/01 to 11/15 1.06 CFS
Total Diversion: 1.06 CFS
Date Filed: 9/8/2015
Place of Use: IRRIGATION
T04N R05W S1 L1(NENE) L2(NWNE)
Total Acres: 53

63-34142

SCHOBER & SON LLC
430 AURORA DR
NAMPA, ID 83686
Point of Diversion SWSE S19 T03N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.94 CFS
Total Diversion: 0.94 CFS
Date Filed: 9/14/2015
Place of Use: IRRIGATION
T03N R02W S19 NWSE SWSE
Total Acres: 47
Water bearing zone to be appropriated is from 100 to 350 feet.

63-34147

MIKE SKOGSBERG
DIAMOND S FARMS LLC
23460 STAFFORD RD
CALDWELL, ID 83607
Point of Diversion SENE S25 T05N R04W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 3 CFS
Total Diversion: 3 CFS
Date Filed: 9/17/2015
Place of Use: IRRIGATION
T05N R03W S30 L2(SWNW) NESW L3(NWSW)
T05N R04W S25 SWNE SENE SWSW SESW NESE SESE
Total Acres: 301
Water bearing zone to be appropriated is from 40 to 240 feet. Applicant proposes irrigating 200 acres.

63-34161

AMELIA RASMUSSEN
TIMOTHY RASMUSSEN
1281 LA REATA WAY
MIDDLETON, ID 83644
Point of Diversion SWSE S2 T05N R03W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.2 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.26 CFS
Date Filed: 11/4/2015
Places of Use: DOMESTIC, IRRIGATION, STOCKWATER
T05N R03W S2 SWSE
Total Acres: 10

Water bearing zone to be appropriated is from 200 to 450 feet.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-2712 with a 1950 priority from ground water totaling 1.80 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-2955 with a 1953 priority from ground water totaling 5.00 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-3099 with a 1956 priority from ground water totaling 3.70 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 2-7109 with a 1973 priority from the Snake River totaling 11.87 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Stephen H and Connie J Farden of 1708 Primrose Drive, Nampa, ID 83686 filed an application on 10-28-15 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-34150 with a 1963 priority from ground water totaling .08 cfs. The right holder is a new property owner who desires to put the 2009 decreed right to use, but needs time to repair the system. The right serves property located on the corner of Primrose Drive and South Powerline Road in Nampa.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

John P and Shauna R Mullins of 3423 Portland Ave, Nampa, ID 83686 filed an application on 10-29-15 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-34151 with a 1963 priority from ground water totaling .07 cfs. The right holder is a new property owner who desires to put the 2009 decreed right to use, but needs time to repair the system. The right serves property located on the corner of Primrose Drive and South Powerline Road in Nampa.

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 extension(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 12-21-2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/3/2015 and 12/10/2015



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 25, 2015

MIKE SKOGSBERG
DIAMOND S FARMS LLC
23460 STAFFORD RD
CALDWELL, ID 83607

Application for Permit No. 63-34147

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 PRESS TRIBUNE on 12/3/2015 and 12/10/2015. 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,

A handwritten signature in black ink, appearing to read 'Rachel Neely', with a long, sweeping horizontal line extending to the right.

Rachel Neely
Administrative Assistant

Merriman, Danielle

From: Merriman, Danielle
Sent: Thursday, November 12, 2015 9:28 AM
To: 'skogsbergmike@gmail.com'
Subject: Amended app 63-34147
Attachments: 63-34147 amended app.pdf

Good Morning Mr. Skogsberg,

Attached is the amended application for permit form that we discussed this morning on the phone. All the information should be the same as the original, other than the description of the total number of acres to be irrigated. It now reads "200 acres within a 301 acre PPU". Go ahead and look over the rest of the application and make any changes you deem necessary. Then send it to the Western office and we will get it through to advertising.

Please let me know if you have any questions!

Thanks!

Danie Merriman

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Fax: (208) 334-2348

Email: danie.merriman@idwr.idaho.gov

2735 Airport Way
Boise, ID 83705-5082

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) DIAMOND S FARMS LLC/ MIKE SKOGSBERG Phone 208-989-3990
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 23460 STAFFORD RD City CALDWELL
 State ID Zip 83607 Email skogsbergmike@gmail.com

2. Source of water supply ground water which is a tributary of N/A

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
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4. Water will be used for the following purposes:

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 (cfs or acre-feet per year)

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 (cfs or acre-feet per year)

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a. Describe type and size of devices used to divert water from the source. 50 HP PUMP WITH OPEN DISCHARGE TO DITCH

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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 OR reservoirs with a total 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

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d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? N/A; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____.

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

a. Hydropower; show total feet of head and proposed capacity in kW. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households N/A

e. Other; describe fully. N/A

8. 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.
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Total number of acres to be irrigated: 200 acres within 301 acre PPU

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Leased

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Applicant proposes supplemental ground water rights. This is for three-quarters of an inch to the acre ($200 \times .015 = 3$ cfs) which is greater than the minimum requirement. The neighbor's well (63-33774) has water bearing zone 40-240 feet. This should be a similar water bearing zone for this proposed well.

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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

Mike Skogsberg (President)

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ Receipt No. _____ Date _____

MEMORANDUM

TO: 63-34147 Diamond S Farms LLC file

FROM: Danie Merriman (Western)

DATE: November 9, 2015

RE : Phone conversation with Mike Skogsberg on 11-09-15 at 3:00 pm

The following information was acquired per a phone conversation with the applicant in regards to a letter sent to them on November 2, 2015.

1. *Your recent application for permit regarding ground water for irrigation is being processed. To assist the Idaho Department of Water Resources (IDWR) in completing the initial processing steps, please submit additional information required by IDAPA 37.03.08.040.05 for "large diversion projects." This requirement includes the following items discussed in Water Appropriation Rule 40, Rule Subsections 040.05c through 040.05g (copy attached):*

- c. effect on existing water rights*
- d. sufficiency of water supply*

Mr. Skogsberg was not entirely sure what he would need to provide to satisfy rule 40. We discussed the need to provide a map that includes all of the wells within a half mile radius of his proposed well. He would also have to provide information on the flow rates he would require from the aquifer as well as the capabilities of the aquifer and how much water could be pumped from the area. He didn't know how he would be able to find that and I suggested speaking with neighbors who had undergone similar processes or contacting a consultant to help. He said that he was only planning on irrigating 50 acres at a time with the permit and could give a close estimate to how much water that may be. This comment prompted the idea of potentially applying for a PPU where only 50 acres would be irrigated at a time. (After discussion with Angie Grimm, it was determined that he could apply for up to 200 acres out of the 301 acre PPU and avoid the Rule 40 information. Mr. Skogsberg agreed to this and amended application was sent to him.)

2. *In addition to the large diversion information, the Department requires clarification on a number of sections of your application form. Section ten asks who owns the property at the point of diversion and the place of use. Canyon County tax lot data from 3/5/2015 shows that the point of diversion and approximately 115 acres of irrigated land are located on land owned by Kay Rogalla and Lynn Wilson. Please describe the arrangement with these land owners that enables you to make this filing.*

Mr. Skogsberg confirmed that they purchased the 115 acres from Kay Rogalla and Lynn Wilson in 2014. He was unaware that Canyon County had yet to update their tax lot information.

3. *Also, it appears there is already an existing water right on a section of the land you propose to irrigate (T05N R03W Sec 30, 15 acres in the NWSW 3 corner and 11 acres in the NESW corner.) Is this section of land currently irrigated with any groundwater? A map is enclosed to show precisely where overlapping water right 63-8716 occurs.*

Mr. Skogsberg leases this land from the Gunderson's. No others farm the land besides him. He would be using a different well for this supplemental water permit than is described on water right 63-8716.



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

November 2, 2015

COPY

DIAMOND S FARMS LLC
C/O MIKE SKOGSBERG
23460 STAFFORD RD
CALDWELL, ID 83607

Re: Application for Permit No. 63-34147

Dear Applicant:

Your recent application for permit regarding ground water for irrigation is being processed. To assist the Idaho Department of Water Resources (IDWR) in completing the initial processing steps, please submit additional information required by IDAPA 37.03.08.040.05 for "large diversion projects." This requirement includes the following items discussed in Water Appropriation Rule 40, Rule Subsections 040.05c through 040.05g (copy attached):

- c. effect on existing water rights
- d. sufficiency of water supply
- e. good faith, delay or speculative purposes
- f. financial resources
- g. local public interest.

For your proposed supplemental use, only items c and d need to be addressed.

In addition to the large diversion information, the Department requires clarification on a number of sections of your application form. Section ten asks who owns the property at the point of diversion and the place of use. Canyon County tax lot data from 3/5/2015 shows that the point of diversion and approximately 115 acres of irrigated land are located on land owned by Kay Rogalla and Lynn Wilson. Please describe the arrangement with these land owners that enables you to make this filing. Also, it appears there is already an existing water right on a section of the land you propose to irrigate (T05N R03W Sec 30, 15 acres in the NWSW 3 corner and 11 acres in the NESW corner.) Is this section of land currently irrigated with any groundwater? A map is enclosed to show precisely where overlapping water right 63-8716 occurs.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information if necessary. Your written response is needed within the next thirty (30) days. The application will be voided without a timely written reply. Refunds are not available for voided applications. A list of consultants is enclosed in case you wish to work with someone to obtain the requested information.

IDWR rules, 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,

Danie Merriman
Water Resource Agent
IDWR, Western Region

Water Appropriation Rules 40.05.c through 40.05.g

c. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

Diamond S Farms, LLC
Mike Skogsberg
23460 Stafford Rd.
Caldwell, ID 83607

RECEIVED

OCT 15 2015

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Request to expedite irrigation water right application

To Whom It May Concern,

I am requesting expediting my water right application in order to have the well finished and ready to operate by March 2016 for the 2016 crop year. I need irrigation water in mid to late March to pre- irrigate fields and irrigate fields for proper seed germination. The proposed well will be in the Black Canyon Irrigation District which doesn't deliver water until mid-April.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Skogsberg", with a long, sweeping horizontal line extending to the right.

Mike Skogsberg
Diamond S Farms, LLC