

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-33799

Priority: October 14, 2014

Maximum Diversion Rate: 0.20 CFS

This is to certify, that STEPHEN RAYMOND And/Or
COLEEN COOLEY
3800 ROCK GARDEN LN
BOISE ID 83714

have 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>
DOMESTIC	01/01 to 12/31	0.02 CFS
IRRIGATION	03/01 to 11/15	0.18 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SE1/4NE1/4	Sec. 5, Twp 04N, Rge 02E, B.M., ADA County
GROUND WATER	SW1/4NE1/4	Sec. 5, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 02E 5				X													

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 02E 5			1.0	7.8													8.8

Total Acres: 8.8

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2020**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

State of Idaho
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4. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. Water bearing zone to be appropriated is 200 to 500 feet.
7. To prevent injury to prior water rights appropriating water from the Boise River and/or the underlying shallow aquifer tributary to Boise River, the wells used as points of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
10. 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. Witness the signature of the Director, affixed at Boise, this 12th day of February, 2015.



STEVE LESTER
Interim Western Region Manager



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

February 13, 2015

STEPHEN RAYMOND
COLEEN COOLEY
3800 ROCK GARDEN LN
BOISE ID 83714

RE: Permit No.63-33799

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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,


for:

Steve Lester
Interim Western Region Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2015 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.

63-33799

**COLEEN COOLEY
3800 ROCK GARDEN LN
BOISE ID 83714**

**STEPHEN RAYMOND
3800 ROCK GARDEN LN
BOISE ID 83714**



**Rachel Sommer
Administrative Assistant I**

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.

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263978	0001373290	LEGAL NOTICE The following applications	RAYMOND / COOLEY	\$204.28	2	63

Attention: RACHEL SOMMER

IDAHO DEPT WATER RESOURCE/ WEST
2735 AIRPORT WAY
BOISE, ID 837055082

RECEIVED

NOV 20 2014

**WATER RESOURCES
WESTERN REGION**

LEGAL NOTICE

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

✓ **63-33799**

**STEPHEN RAYMOND
COLEEN COOLEY**

3800 ROCK GARDEN LN
BOISE, ID 83714

Point of Diversion SENE SWNE S5 T04N R02E ADA County Source

GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Use: IRRIGATION 03/01 to 11/15 0.18 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/25/2013

Place of Use: DOMESTIC

T04N R02E S5 SENE

Place of Use: IRRIGATION

T04N R02E S5 SWNE SENE

Total Acres: 8.8

Water bearing zone to be appropriated is from 200 to 500 feet.

✓ **63-33985**

PINEWOOD LAKES RESERVE HOA

PO BOX 388
STAR, ID 83669

(2) Points of Diversion SWNE S18 T04N R01W ADA County Source

GROUND WATER Tributary BOISE RIVER

(3) Points of Diversion SENW S18 T04N R01W ADA County Source

GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 178 AF

Total Diversion: 178 AF

Date Filed: 8/22/2014

Place of Use: AESTHETIC STORAGE

T04N R01W S18 SWNE SENW

PROPOSED CHANGE OF WATER RIGHT

✓ **Terrie E. and Walter L. Trail** of 5308 E. Trail Rd., King Hill, ID, 83633, filed Application No. 79305 to transfer one water right with a 1965 priority date from the Snake River tributary to the Columbia River totaling 12.0 cfs. The purpose of the transfer is to change the place of use and include it in a permissible place of use totaling 4548 acres. Water will be used at the current place of use approximately 5 miles southeast of Glenns Ferry and south of Pasadena Valley.

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 rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this 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 11/24/2014.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Nov. 6, 13, 2014

0001373290-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 11/06/2014

Ending issue of: 11/13/2014

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

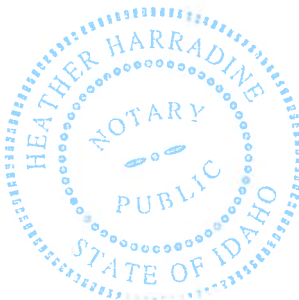
.SS

COUNTY OF ADA)

On this 13th day of November in the year of 2014 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 2/1/2020





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

July 15, 2014

STEPHEN RAYMOND AND/OR
COLEEN COOLEY
3800 ROCK GARDEN LN
BOISE ID 83714

Re: Application for Permit 63-33799 - Request for Additional Time to Submit Amended Application and/or Additional Information Granted

Dear Applicant:

On July 9, 2014 the Idaho Department of Water Resources (Department) received your request for an additional ninety (90) days to submit an amended application and/or additional information for the above referenced application.

Your request is granted. The information requested by the Department via letter dated June 16, 2014 is therefore due by **October 15, 2014**.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.

RECEIVED

JUL 09 2014

WATER RESOURCES
WESTERN REGION

Stephen Raymond
3800 Rockgarden Ln
Boise, ID 83714
860-218-3701

State of Idaho Department of Water Resources
Attn: Angela Grimm
2737 Airport Way
Boise, ID 83705

Re: Application for Permit No. 64-33799 filing extension request

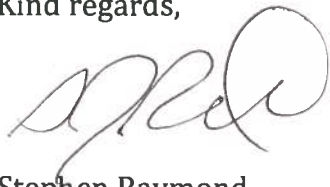
Greetings Angela et al,

I would like to request a 90 day time extension to file an amended application for permit 63-33799.

I anticipated being able to complete the amended application paperwork by the current deadline, but have been traveling extensively for work this quarter and have not had adequate time at home required to complete this process.

I will see to the timely completion of the amended application once I return from my current assignment in a couple of weeks.

Kind regards,

A handwritten signature in black ink, appearing to read 'SR', with a large, stylized loop at the end.

Stephen Raymond



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

June 16, 2014

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STEPHEN RAYMOND AND/OR COLEEN COOLEY
3800 ROCK GARDEN LANE
BOISE ID 83714

Re: Application for Permit No. 63-33799 Amended Application Request

Dear Applicant:

Your application for permit regarding domestic and irrigation use is being processed. On May 1, 2014, I sent Stephen an email (Stephen.J.Raymond@espn.com) addressing his questions and requesting an amended application to address the place of use (POU) proposed for irrigation. I've enclosed a copy of that email for your reference. To assist the Idaho Department of Water Resources (IDWR) in completing the initial processing steps, please submit an amended application and/or additional information to address the POU issue as discussed in my email of May 1, 2014.

Please submit an amended application to allow for continued application processing. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. **Your written response is needed within the next thirty (30) days. The application will be voided without a timely written reply. Refunds are not issued for voided applications.**

Please contact me at (208) 334-2190 if you need more information. Thank you for your attention to these matters. I look forward to your response.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.

Enclosure(s): May 1, 2014 Email to Stephen J. Raymond

Grimm, Angie

From: Grimm, Angie
Sent: Thursday, May 01, 2014 1:37 PM
To: 'Raymond, Stephen J.'
Subject: RE: 63-33799 Amended Permit Application

Stephen,

Good afternoon! Thank you for your submittals. I met with Coco on Monday when she came in to submit the amended application along with the original signature versions of previously submitted documents (Assignment of Application for Permit form and petition for reconsideration of the void order). We discussed most of the items you asked about in your email, but just to go through it with you I offer the following:

Response to 1: The new well drilled in a manner to only withdraw water from below 200 ft will protect senior Boise River water rights (ground water 200 ft and shallower in your area is considered tributary to the Boise River within the fully appropriated reach of the river above Star bridge).

Response to 2: License 63-10871 has a priority date of July 31, 1989. This right is a senior right on the property, for which diversion of ground water above 200 ft historically occurred. This right, developed after the commencement of the Snake River Basin Adjudication (SRBA) in 1987, is not subject to that adjudication, therefore no adjudication filing was required or occurred. Despite the current diversion capacity of the existing well, the license authorizes diversion of up to 0.10 cfs for irrigation of 3.4 acres in the SENE of Sec 5 T4N R2E and 0.02 cfs internal domestic use for one home within the same QQ. Historically the existing well was used to irrigate the same pasture area you've outlined in red on your map as the proposed place of use for your new permit. If you repair the existing well to allow for irrigation use, the new permit from the new well will be limited to 4 acres when combined with the old license ASSUMING the existing well is used as it has been in the past (to irrigate the pasture outlined on your map). In other words, if you use the existing well and the new well to irrigate the same land, the new right will be limited to use in combination with the old right. However, if you irrigate new/separate land with the new well it will not have a combined use limitation. In other words, if you only use the new well to irrigate 4 acres and use the existing well to irrigate a DIFFERENT 3.4 acres you will end up with two water rights authorizing a total of 7.4 acres. An option that I discussed with Coco is to amend the application for new permit to include the entire 8.8 acre property. This will give you the flexibility to develop an irrigation system on any of the acres and the overlap between what is or is not irrigated with the existing well can be addressed during the examination and licensing of the new permit/right in the future. I realize this might be a lot to digest, so please feel free to call me at your earliest convenience to discuss these options.

I bring up the place of use and overlap with the existing water right, because the place of use described on the amended application is incorrect. It indicates you plan to irrigate 3 acres in the SWNE Sec 5, but your property only includes approximately ½ an acre in the SWNE of Sec 5. An amendment is necessary to correct this item, but Coco and I weren't 100% sure how you'd want the application amended in light of the options I discussed above. Please contact me at your earliest convenience to discuss how you'd like to amend the application. I'd be happy to meet with you or Coco if you'd like or I can draft an amended application for your signature based on our discussion if that's easiest. Meanwhile, your application will remain active (the requirements for reinstatement of the permit application are fulfilled). Once the place of use is amended, I can continue with processing of the application. Please feel free to call me or email me when you have a chance. I look forward to hearing from you.

Sincerely,
Angie

Angela M. Grimm, P.G.
Water Resources Agent, Sr.
IDWR - Western Region

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

From: Raymond, Stephen J. [mailto:Stephen.J.Raymond@espn.com]
Sent: Friday, April 25, 2014 4:54 PM
To: Grimm, Angie
Subject: Re: 63-33799 Amended Permit Application

Greetings Angela,

I see that the deadline for filing and amended application for permit is fast approaching. Sorry to not have completed this paperwork in a more timely fashion, but my current workload has delayed me.

Although I know that original copies are required and I can deliver those tomorrow before the deadline next thursday, I am attaching an electronic copy of the application and supporting documents so that you can review them for accuracy and completeness as I am leaving town for a week again this Sunday.

I believe that all the conditions of your additional information request of the initial application have been met but as I am new to this process, I had a couple of questions regarding the water bearing zone requirements as outlined in that document:

1. As the original well now appears to be capable of suppling just over the domestic use allowance (12.6 GPM maximum before drawdown) and cannot support any irrigation activities, and the new well will be drilled in a way to only withdraw groundwater from below 200 feet, does that satisfy the need to protect senior water rights owners?
2. Does the existing attached water rights license 63-10871 dated Jan 26, 1990 for .10 cfs. of use for irrigation on this property provide any senior rights in terms of use of water for irrigation on this property, or are other users more senior, or has the water rights adjudication process stripped those rights from this property?

I have attached a well inspection report (of sorts) from Hiddleston Drilling and Pump Company dated 11/25/13 that verifies the current production capacity of the existing well and also makes recommendations for improving the output. Although the measured output test was performed properly, the realtor and the previous property owner failed to disclose the second drilling report on the property (tag D0029368 versus the original 11/2/1984 well log) which led him to an incorrect conclusion on the existing well depth and how further drilling might increase the capacity of the existing well. The second drilling log makes it clear that no further water was found on continued drilling and the previous property owner informed me that they stopped when they encountered hard rock.

I really appreciate your continuing assistance in this matter,

Stephen Raymond
860-218-3701

From: <Grimm>, Angie Grimm <Angie.Grimm@idwr.idaho.gov>
Date: Wednesday, February 12, 2014 7:22 PM
To: espn espn <stephen.j.raymond@espn.com>
Subject: 63-33799 Permit Application Assignment Form

Mr. Raymond,

Attached are the documents you requested during our phone conversation moments ago. Please let me know if you have any questions regarding how to proceed from here once you've had a chance to look things over.

Sincerely,

Angela M. Grimm, P.G.
Water Resources Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

Grimm, Angie

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I bring up the place of use and overlap with the existing water right, because the place of use described on the amended application is incorrect. It indicates you plan to irrigate 3 acres in the SWNE Sec 5, but your property only includes approximately ½ an acre in the SWNE of Sec 5. An amendment is necessary to correct this item, but Coco and I weren't 100% sure how you'd want the application amended in light of the options I discussed above. Please contact me at your earliest convenience to discuss how you'd like to amend the application. I'd be happy to meet with you or Coco if you'd like or I can draft an amended application for your signature based on our discussion if that's easiest. Meanwhile, your application will remain active (the requirements for reinstatement of the permit application are fulfilled). Once the place of use is amended, I can continue with processing of the application. Please feel free to call me or email me when you have a chance. I look forward to hearing from you.

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Angie

Angela M. Grimm, P.G.
Water Resources Agent, Sr.
IDWR - Western Region

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
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I have attached a well inspection report (of sorts) from Hiddleston Drilling and Pump Company dated 11/25/13 that verifies the current production capacity of the existing well and also makes recommendations for improving the output. Although the measured output test was performed properly, the realtor and the previous property owner failed to disclose the second drilling report on the property (tag D0029368 versus the original 11/2/1984 well log) which led him to an incorrect conclusion on the existing well depth and how further drilling might increase the capacity of the existing well. The second drilling log makes it clear that no further water was found on continued drilling and the previous property owner informed me that they stopped when they encountered hard rock.

I really appreciate your continuing assistance in this matter,

Stephen Raymond
860-218-3701

From: <Grimm>, Angie Grimm <Angie.Grimm@idwr.idaho.gov>
Date: Wednesday, February 12, 2014 7:22 PM
To: espn espn <stephen.j.raymond@espn.com>
Subject: 63-33799 Permit Application Assignment Form

Mr. Raymond,

Attached are the documents you requested during our phone conversation months ago. Please let me know if you have any questions regarding how to proceed from here once you've had a chance to look things over.

Sincerely,

Angela M. Grimm, P.G.
Water Resources Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

RECEIVED

APR 28 2014

WATER RESOURCES
WESTERN REGION
HAND-DELIVERED · ORIGINAL

Stephen Raymond
3800 Rock Garden Lane
Boise, ID 83714
860-218-3701

2/17/14

State of Idaho
Department of Water Resources
Attn: Angela M. Grimm
2735 Airport Way
Boise, ID 83705-5082

Dear Angela,

Thank you for taking the time to speak with me over the phone on Friday about the necessary steps for correcting the application for permit 63-33799.

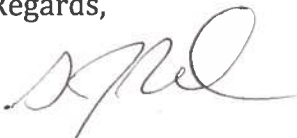
As I explained on the phone, I had been expecting that the previous property owner (Steven Rudd) had completed this matter in a timely fashion until I received your preliminary order voiding the application on February 13, 2014.

I would like to petition the department for reconsideration on this matter and will submit a corrected application and the necessary accompanying documents in a timely fashion now that I am aware of this situation.

I have attached an electronic copy of a completed assignment for application for permit from Steven Rudd to myself to this document, as he currently resides out of state, and will provide the original copy and an original copy of the application once I have returned from a business trip out of state on March 1.

Thank you in advance for your consideration in this matter.

Regards,



Stephen Raymond

Grimm, Angie

From: Raymond, Stephen J. [Stephen.J.Raymond@espn.com]
Sent: Friday, April 25, 2014 4:54 PM
To: Grimm, Angie
Subject: Re: 63-33799 Amended Permit Application
Attachments: Application_for_Permit3.pdf; Well App Rock Garden Overview Pix.pdf; Hiddleston Well Inspection.pdf; water rights license 63-10871.pdf

Greetings Angela,

I see that the deadline for filing and amended application for permit is fast approaching. Sorry to not have completed this paperwork in a more timely fashion, but my current workload has delayed me.

Although I know that original copies are required and I can deliver those tomorrow before the deadline next thursday, I am attaching an electronic copy of the application and supporting documents so that you can review them for accuracy and completeness as I am leaving town for a week again this Sunday.

I believe that all the conditions of your additional information request of the initial application have been met but as I am new to this process, I had a couple of questions regarding the water bearing zone requirements as outlined in that document:

1. As the original well now appears to be capable of suppling just over the domestic use allowance (12.6 GPM maximum before drawdown) and cannot support any irrigation activities, and the new well will be drilled in a way to only withdraw groundwater from below 200 feet, does that satisfy the need to protect senior water rights owners?
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To: espn espn <stephen.j.raymond@espn.com>
Subject: 63-33799 Permit Application Assignment Form

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Sincerely,

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Water Resources Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
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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) Stephen Raymond, Coleen Cooley Phone 860-218-3701
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 3800 Rock Garden Lane City Boise
 State ID Zip 83714 Email stephen.j.raymond@espn.com
2. Source of water supply Well(s) which is a tributary of Boise River
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
04N	02E	5		NE	SW		Ada	Groundwater	
04N	02E	5		NE	SE		Ada	Groundwater	

4. Water will be used for the following purposes:
- Amount .02 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .10 for Irrigation purposes from Mar 1 to Nov 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)
5. Total quantity to be appropriated is (a) _____ 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. Well(s) deeper than 200 feet (expect 400-500 ft.)
Sleeve perforations and screens to be placed only at levels below 200 feet.
- 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
- c. Proposed well diameter is 6 inches; proposed depth of well is 400-500 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. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households One
- e. Other; describe fully. _____

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	
04N	02E	5				D													D
04N	02E	5			3	1													4

Total number of acres to be irrigated: four

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?

Sole source of water available to this property is well(s). This proposed well is for both domestic and irrigation uses.

10. a. Who owns the property at the point of diversion? Stephen Raymond
- b. Who owns the land to be irrigated or place of use? Stephen Raymond
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

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

Said property currently has a well and water rights that authorize domestic use at a rate of .02 cfs. and irrigation of 3.4 acres at a rate of .10 cfs. Existing well is only capable of a sustainable output of 12.6 gpm (.028 cfs) before drawdown as measured by Hiddleston Drilling and Pump Company (see attachment). A permit is requested to drill an additional well for irrigating a total of four acres at a rate of .10 cfs. plus one domestic use at a rate of .02 cfs for a second residence. Water will only be drawn from below the 200 ft. level with this new construction.

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

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____

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



Mountain Home Office
1240 N. W. Beaman St.
Mountain Home, ID 83647
208-587-9055
fax 208-587-9816



DRILLING & PUMP CO.
www.hiddlestondrilling.com

Boise Office
Boise, ID
208-362-2900
fax 208-362-9723

11/25/2013

Tina Vorbeck
Group One Realty

Re: Well Inspection at 3800 Rock Garden Lane, Idaho

To Whom It May Concern:

Hiddleston Drilling & Pump Company has performed a well inspection at the above location.
The results of this inspection are as follows:

Well Depth:	(158')
Well Size:	(6")
Static Water Level:	(47')
Pump Size:	(5hp 55 GPM Goulds controlled via ABB VFD; limited @57hz)
System Condition:	(Equipment is in good working order at this time, with the exception of well draw down during the production test.)
Pump is producing:	(12.6) GPM's @120 PSI, with a pumping level of 77'

Recommendations: Based on the production test and current Well Driller's Report, lowering the pump from the current estimated 84' setting to 126' setting may bring the results back to the original well rating of 25 GPM, estimated cost of \$425

If you have any questions, please contact me at 208-587-9055.

Thank You,

Hiddleston Drilling & Pump Company

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10871

Priority: July 31, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.12 CFS
15.9 AF

This is to certify, that W STEVEN RUDD
ELIZABETH A RUDD

3800 ROCK GARDEN LANE
BOISE ID 83703

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 31, 1989; and has submitted Proof of Beneficial Use on January 26, 1990. An examination indicates that the works have a diversion capacity of .170 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	15.3 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.12 CFS	15.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 5, Township 04N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02E	5	SENE	3.4		3.4

Total number of acres irrigated: 3.4

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

PAGE 2

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-10871

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10TH
day of JULY, 1992.

Acting for R. Keith Higginson, Director