



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

March 2, 2012

DAVE HARROLD
27922 PET LN
PARMA ID 83660

Re: Application for Permit No. 63-32608, Parma Ponds LLC

Dear Mr. Harrold:

You sent an email to the Idaho Department of Water Resources (IDWR) on February 3, 2012, regarding the above referenced application. I received a printed copy of your email with your original signature on February 6, 2012. That day was the protest deadline noted in the *Idaho Press-Tribune* legal notice published January 19 and 26, 2012.

Your email stated you "would like to formally oppose" the application and that you "respectfully request the Department deny Parma Ponds' request for a permit."

Section 42-203A, *Idaho Code*, defines the formal protest process against a water right application. A formal protest must include submitting a written protest and the \$25 protest fee on or before the protest deadline. This information was included in the newspaper legal notice.

Your email without payment of the required fee is not a protest. However, your concerns will be considered as IDWR continues processing this application. Please contact me if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

cc: Parma Ponds LLC
Scott King, SPF Water Engineering LLC (applicant consultant)

D Harrold

From: "D Harrold" <djharrold@frontier.com>
To: "dept of water resources" <www.idwr.idaho.gov>
Cc: "idaho dept of water resources" <www.idwr.idaho.gov>
Sent: Friday, February 03, 2012 3:08 PM
Subject: No. 63-32562 & 63-32608

We are writing in response to a letter received from the Department on January 11, 2012 regarding a permit request for Parma Ponds LLC. We would like to formally oppose Parma Ponds receiving this permit as their current method of operation directly infringes on an established and documented water right that we hold. We have brought to the attention of Parma Ponds/Jim Classen that they are directly preventing the receipt of the water detailed in our legal water right by altering and preventing the diversion that was established. Unfortunately Parma Ponds/Jim Classen continues to ignore our legal rights. The water rights in question have provided our working farm with a beneficial use of water for irrigating pasture on our property which is part of our livelihood.

We respectfully request the Department deny Parma Ponds' request for permit. We feel it would be inappropriate for a business to receive a permit that would functionally reinforce that business' infringement on another's legal right.

Thank you for your consideration,
Dave Harrold
27922 Pet Lane
Parma, Idaho 83660



RECEIVED

FEB 06 2012

WATER RESOURCES
WESTERN REGION

emailed concerns

29512 601889

1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

)SS.

County of Canyon)

Amanda Weaver
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

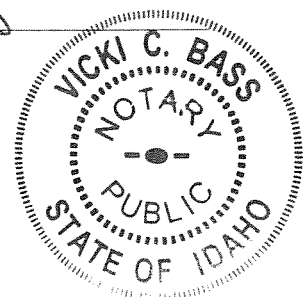
That said notice was published the following:
01/19/2012 01/26/2012

Amanda Weaver
STATE OF IDAHO)

County of Canyon)

On this 26th day of January in the year of 2012 before me a Notary Public, personally appeared. Amanda Weaver, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Vicki C Bass
Notary Public for Idaho
Residing at Caldwell
My Commission expires 04/19/2014



RECEIVED
JAN 27 2012
WATER RESOURCES
WESTERN REGION

63-32608

PARMA PONDS LLC
6417 PLANTATION LN
BOISE, ID 83703Point of Diversion L7(SESW) S17 T05N R05W CANYON County Source UNNAMED
DRAIN Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 2.8 CFS

Use: WILDLIFE 01/01 to 12/31 2.8 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 35 AF

Total Diversion: 2.8 CFS

Date Filed: 11/21/2006

Place Of Use: WILDLIFE & WILDLIFE STORAGE

T05N R05W S17 L6(NESW) L5(NWSW) L7(SESW)

Use existing irrigation ditch. Presumed tributary to Boise River via Ross East End Drain. Return flows to Ross East End Drain near wildlife ponds.

63-33593

JOHN LINDLEY
29453 GOTSCH RD
PARMA, ID 83660Point of Diversion SENE S1 T05N R05W CANYON County Source GROUND WATER
Tributary

Use: IRRIGATION 03/01 to 11/15 1.13 CFS

Total Diversion: 1.13 CFS

Date Filed: 10/26/2011

Place Of Use: IRRIGATION

T05N R05W S1 SWNE SENE NESE

Total Acres: 57

✓ OK
1-27-12

Permits will be subject to all prior water rights. For additional information concerning the proper location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application 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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

January 19, 23, 2011

601889



should be 1/26 but ad ran as
scheduled.

OK ✓

Borgeman, Sherry

From: Amanda Weaver [aweaver@idahopress.com]
Sent: Friday, January 27, 2012 11:59 AM
To: Borgeman, Sherry
Subject: Re: Affidavit ?

It ran for the requested dates it was just an error on the bottom of the ad. I'm so sorry, I'll keep better watch over that on the next one.

Amanda Weaver
Legal Clerk
Idaho Press-Tribune
& Emmett Messenger Index
(208) 465-8128
aweaver@idahopress.com

On 1/27/2012 11:56 AM, Borgeman, Sherry wrote:
Amanda,

We received the attached affidavit and the dates on the affidavit say it was published 1/19 & 1/26, which were the correct dates, but the ad copy says it ran 1/19 & 1/23, which would not be correct. Can you figure out what happened please?

Thanks,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

63-32562
63-32608
63-33593
02-10460
02-10461
02-10462
02-10463

RECEIVED

JAN 13 2012

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application No.: 63-32608
Applicant's Name: PARMA PONDS LLC
6417 PLANTATION LN
BOISE, ID 83703

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
b) ___xxxx_ I do not oppose approval of this application if it is conditioned as follows:

Standard Watermaster requirements.

- c) _____ I oppose approval of this application for the following reasons:

- d) ___XXX___ Additional comments:

What is the period of use?

Dated this ____13__ day of ____January_____, 2012

Water District No. 63

Rex R. Barrie_____

Watermaster's Signature

Printed Name