



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

August 14, 2014

Cole Valley Christian Schools
Candice M. McHugh – McHugh Bromley PLLC
Nampa & Meridian Irrigation District
Bryce S. Farris – Sawtooth Law Offices PLLC

RE: Contested Application for Permit No. 63-33951
Available Pre-hearing Conference Date Calendars

Dear Party:

Attached are calendars for the months of October through December 2014. Please mark the dates that you would be available for a pre-hearing conference regarding the above contested application.

Please return the calendars to this office by **Thursday, August 28, 2014**. Once the calendars are received, a pre-hearing date will be scheduled with notices sent to parties.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Westra', followed by a horizontal line.

FOR

John Westra
Western Regional Manager

Enclosures: Oct. – Dec. 2014 Calendar

NAME: _____

RE: Pre-Hearing Conference for Cole Valley Christian Schools 63-33951

OCTOBER 2014

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7	8	9	10	11
12	12	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER 2014

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

DECEMBER 2014

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Please Note: Only mark the dates that you are available for a conference.



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Re: Contested Application for Permit No. 63-33951—COLE VALLEY CHRISTIAN SCHOOLS

Dear Applicants and Protestants:

Enclosed is a copy of the protest filed against the issuance of the above-referenced application. As part of the application process, the following are options available for resolution of contested (protested) applications:

-Direct contact with parties to determine what is being disputed in the application. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).

-Formal Proceedings consist of a pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues can not be resolved, a formal hearing will be scheduled.

-Mediation through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Parties should communicate with one another to consider the best option for resolution of the contested application.

Should you have questions or concerns please contact me at the Western Regional Office, phone (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Westra', is written over a horizontal line.

JOHN WESTRA
Western Regional Manager

Enclosure: Protest copies

CERTIFICATE OF SERVICE

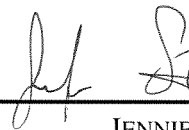
I HEREBY CERTIFY that on this 14th day of August, 2014, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Documents Served: Contested Application for Permit No. 63-33951—Cole Valley Christian Schools

COLE VALLEY CHRISTIAN SCHOOLS
200 E CARLTON AVE
MERIDIAN ID 83642-2300

MCHUGH BROMLEY ATTORNEYS AT LAW
ATTN: CANDICE M MCHUGH
380 S 4TH ST STE 103
BOISE ID 83702-7687

SAWTOOTH LAW OFFICES PLLC
ATTN: BRYCE S FARRIS
PO BOX 7985
BOISE ID 83707-1985



JENNIFER STRANGE
Office Specialist II



SPF WATER
ENGINEERING

RECEIVED

JUL 18 2014

WATER RESOURCES
WESTERN REGION

July 18, 2014

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Cole Valley Christian Schools Application

Dear Steve,

Attached is a signed private agreement between Cole Valley Christian Schools and the City of Meridian for Application No. 63-33951. In lieu of a protest from the City, please include the appropriate condition on the permit approval recognizing the attached agreement. Thank you for your attention to this matter and please let me know if any further information is needed.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Kyle Radek

Enclosures

SPF file number: 790.0340

Agreement In Lieu of Protest

The City of Meridian (City) seeks to protect groundwater quality within the City's impact area through implementation of rigorous well construction standards. Cole Valley Christian Schools (Schools) has filed Application for Permit No. 63-33951 to drill a new well for irrigation of a new multi-use grass field. The City has agreed not to protest Application for Permit 63-33951 provided that the new well does not exceed a depth of 100 feet. If the well is drilled deeper than 100 feet, Schools agrees to construct the well to City standards. Specifically, the Schools agrees to the following conditions.

1. Any well constructed greater than 100 feet deep pursuant to Application for Permit No. 63-33951 must be constructed using either mud-rotary or reverse-rotary drilling methods.
2. Any well constructed greater than 100 feet deep pursuant to Application for Permit No. 63-33951 must be constructed with a full depth seal extending from ground surface to within 30 feet of the well production zone.
3. Any well constructed greater than 100 feet deep pursuant to Application for Permit No. 63-33951 must be constructed using plastic well casing.
4. In the event that a new well drilled for Application for Permit No. 63-33951 does not comply with conditions 1, 2, and 3, above, the Schools shall abandon the well within 30 days of notice from the City.
5. A copy of this Agreement in Lieu of Protest shall be filed in the file maintained by the Idaho Department of Water Resources for this application.

Dated this 17 day of July, 2014

Dated this 17 day of July, 2014

By Brad Lam
Cole Valley Christian Schools

By Kyle Radek
City of Meridian Asst City Engr.

ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

July 8, 2014

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

RE: Application for Permit No. 63-33951

Dear Vicky:

This letter is in response to your letter dated June 17, 2014, requesting additional information on the above referenced Application for Permit.

Cole Valley Christian Schools intend to use the surface water through the Hunter Lateral to the extent it is available. The intent of the application is to supplement the surface water with the groundwater and upon completion of the well and irrigation system Cole Valley will be able to demonstrate that it has the ability to divert and use the surface water. Cole Valley also intends to continue to pay the Nampa Meridian Irrigation District Assessments.

If you have any other questions or concerns regarding this application, please do not hesitate to contact me. I appreciate your work on this matter. Cole Valley is pleased to know that the application will be advertised this month and is anxious to get the permit issued as soon as possible.

Very truly yours,

/s/

Candice M. McHugh

cc: Matt Beglinger

Music, Vicky

From: C McHugh [cmchugh@mchughbromley.com]
Sent: Tuesday, July 08, 2014 4:12 PM
To: Music, Vicky; mbeglinger .
Subject: Re: application for permit 63-33951
Attachments: 20140708 Letter to IDWR.pdf

Vicky,

Good afternoon! I hope your summer is going well. I'm sure I'm staying cooler here in Ferdinand than you might be in Boise!

Please see the attached letter regarding Cole Valley's pending application for permit.

Best regards,

Candice

On Tue, Jun 17, 2014 at 11:56 AM, Candice McHugh <cmchugh@mchughbromley.com> wrote:

Thanks Vicky for the letter. I will be in touch shortly.

Candice

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Monday, June 16, 2014 2:37 PM
To: mbeglinger@cvcsonline.org
Cc: Candice McHugh
Subject: FW: application for permit 63-33951

With attachment.

From: Music, Vicky
Sent: Monday, June 16, 2014 2:36 PM
To: 'mbeglinger@cvcsonline.org'
Cc: 'Candice McHugh'
Subject: application for permit 63-33951

Good afternoon, Mr. Beglinger and Ms. McHugh:

Attached is a courtesy copy of a letter that will be mailed to the applicant, c/o Mr. Beglinger, tomorrow. Ms. McHugh, you are receiving the courtesy copy because it appears you may have assisted the applicant in filling out the application.

I believe the letter is self explanatory, however, you can reach me at the phone number below or via email if have additional questions as to the process. Thanks.

Regards,

Vicky Music

Sr. Water Resource Agent

Western region/IDWR

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263978	0001113138	LEGAL NOTICE The following applications l	NORTH HILLS PARTNERSHIP	\$110.48	1	67

Attention: RACHEL SOMMERIDAHO DEPT WATER RESOURCE/ WEST
2735 AIRPORT WAY
BOISE, ID 837055082**LEGAL NOTICE**

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

✓ **63-33942****NORTH HILLS PARTNERSHIP**

10446 W SHADYBROOK DR
BOISE, ID 83704
(2) Points of Diversion SENW S14
T04N R01E ADA County Source
GROUND WATER
Use: DOMESTIC 01/01 to 12/31
0.25 CFS
Total Diversion: 0.25 CFS
Date Filed: 5/2/2014
Place of Use: DOMESTIC
T04N R01E S14 SENW
Water bearing zone to be appropriated is from 50 to 150 feet.

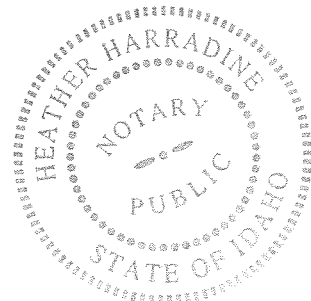
✓ **63-33951****COLE VALLEY CHRISTIAN SCHOOLS**

200 E CARLTON AVE
MERIDIAN, ID 83642
Point of Diversion SENW S7 T03N
R01E ADA County Source
GROUND WATER
Use: IRRIGATION 03/01 to 11/15
0.13 CFS
Total Diversion: 0.13 CFS
Date Filed: 5/5/2014
Place of Use: IRRIGATION
T03N R01E S7 SENW
Total Acres: 4.5
Water bearing zone to be appropriated is from 50 to 125 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/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 7/21/2014. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Pub. July 3, 10, 2014

0001113138-01

OK
7/17/14
RECEIVED**JUL 15 2014**WATER RESOURCES
WESTERN REGION

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 InsertionsBeginning issue of: 07/03/2014Ending issue of: 07/10/2014

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 10th day of July 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 subscribe 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: 2/11/2020