

RECEIVED

Ident. No.

15-7377

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) Eric Hartvigsen Phone (520) 730-0869
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO Box 53 City Malad
State ID Zip 83252 Email nesgivtrah@earthlink.net
2. Source of water supply Ground water which is a tributary of NA
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14S	36E	29			NW	NE	ONEIDA	GROUND WATER	new well

4. Water will be used for the following purposes:
Amount 0.84 cfs for Irrigation purposes from 4/01 to 10/31 (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) 0.84 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. A new well with pump will be drilled to deliver irrigation water to system.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height 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 12-16 inches; proposed depth of well is 200 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 _____
e. Other; describe fully. _____

AMENDED

15-7377

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	
14S	36E	29		10			31			1									42

Total number of acres to be irrigated: 42

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?

No other water rights used to irrigate this land.

10. a. Who owns the property at the point of diversion? J.O.W. Ranch, LLC
- b. Who owns the land to be irrigated or place of use? J.O.W. Ranch, LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Eric Hartvigsen is a manager/member of J.O.W. Ranch, LLC

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

Applicant proposes to irrigate the described property using a new well. Per IDWR requirements, a Water Supply Study has been included to show there is adequate ground water in the Malad Basin to support the development of this water right. A Well Interference Report is also included to show direct impacts from the proposed well on nearby existing wells.

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.

Eric Hartvigsen
Signature of Applicant

Signature of Applicant

Eric Hartvigsen
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 290 Received by DM Receipt No. 3033913 Date 3/27/14



2011 NAIP Photography

- Proposed POD
- Proposed POU
- Township and Range
- Section
- QQ

Application for Permit Eric Hartvigsen



0 390 780 1,560 Feet

15-7377



RECEIVED

MAR 31 2014

Ident. No. 15-7377

RECEIVED

MAR 27 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGIONDepartment of Water Resources
Eastern 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) Eric Hartvigsen Phone 520-730-0869
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address PO Box 53 City Malad
 State Idaho Zip 83252 Email nesgivtrah@earthlink.net
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14S	36E	29		NE	NW		Oneida	Ground Water	Eric Hartvigsen

4. Water will be used for the following purposes:
 Amount 1.5 cfs for irrigation purposes from April 1 to October 1 (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) 1.5 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 and pump

 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 12-16 inches; proposed depth of well is 160 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 _____
 e. Other; describe fully. _____

SUPERCEDED

15-7377

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14 S	36 E	29					X												

Total number of acres to be irrigated: 45+

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?

10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? _____
- 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.

Without other available resources, ground water is needed as the only source of water to irrigate this property.

12. Time required for completion of works and application of water to proposed beneficial use is 3 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.

Eric Hartvigsen
Signature of Applicant

Signature of Applicant

Eric Hartvigsen Owner
Print Name (and title, if applicable)

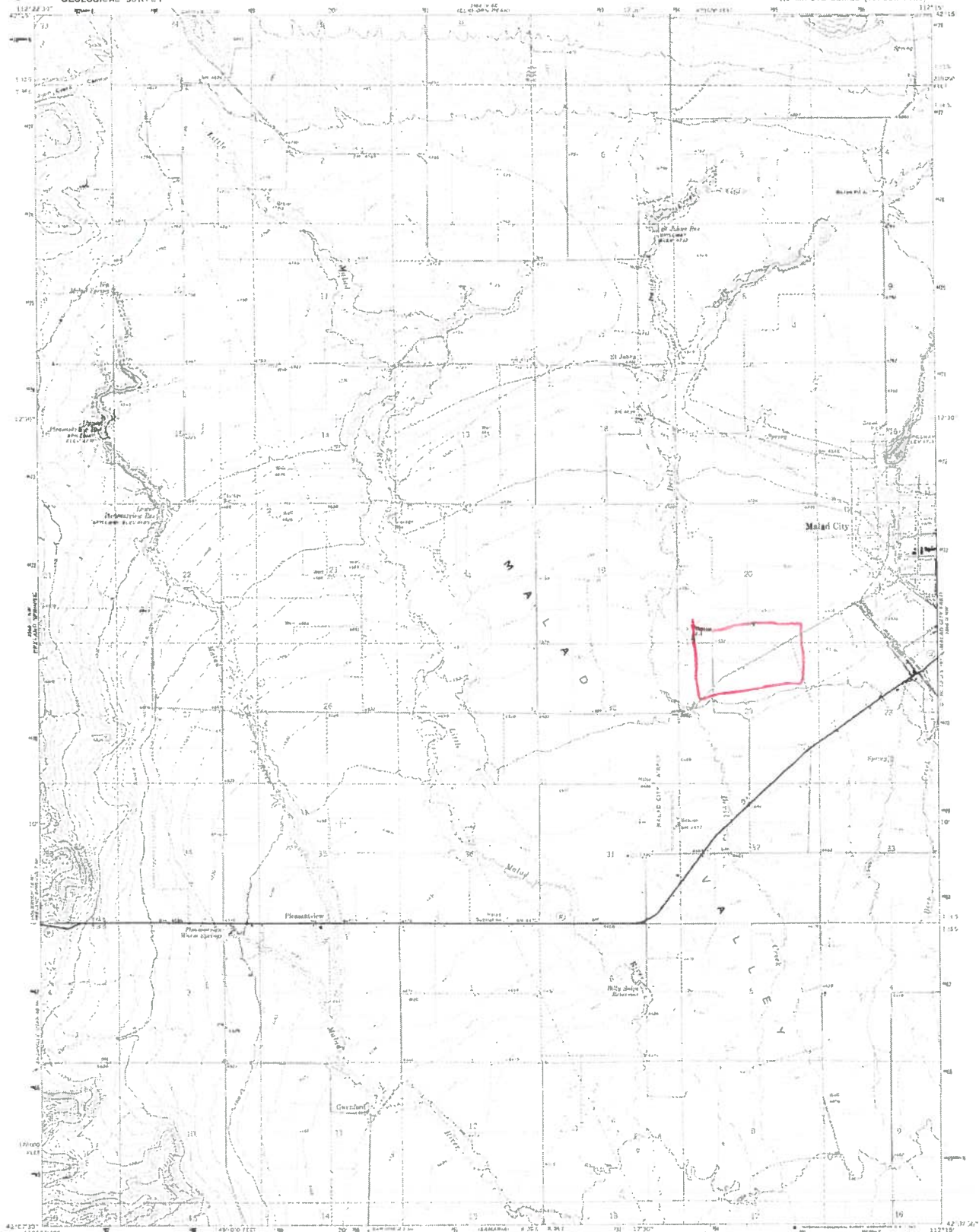
Print Name (and title, if applicable)

For Department Use:

Received by DM Date 3-27-2014 Time 12:30pm Preliminary check by _____
Fee \$ 290- Received by DM Receipt No. 5033913 Date 3-27-2014

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MALAD CITY WEST QUADRANGLE
IDAHO-ONEIDA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



Map published and published by the Geological Survey

Compiled by USGS and USGS
Topography by photogrammetry method from aerial
photos taken from 1955. First edition 1958.
Vertical datum: 1929 North American Datum
Horizontal datum: 1929 North American Datum
Scale: 1:50,000
Projection: UTM
Zone: 12N
Datum: NAD 83
Units: Meters
Scale: 1:50,000
Projection: UTM
Zone: 12N
Datum: NAD 83
Units: Meters

FOR SALE BY U.S. GEOLOGICAL SURVEY, OFFICE OF COASTAL AND WATERSHEDS, 1225 N. 1ST ST., RESTON, VA 20192
A FOLDER (GEOGRAPHIC) TOPOGRAPHIC MAPS AND HYDROGRAPHIC MAPS IS AVAILABLE ON REQUEST

USGS
Historical File
Topographic Division

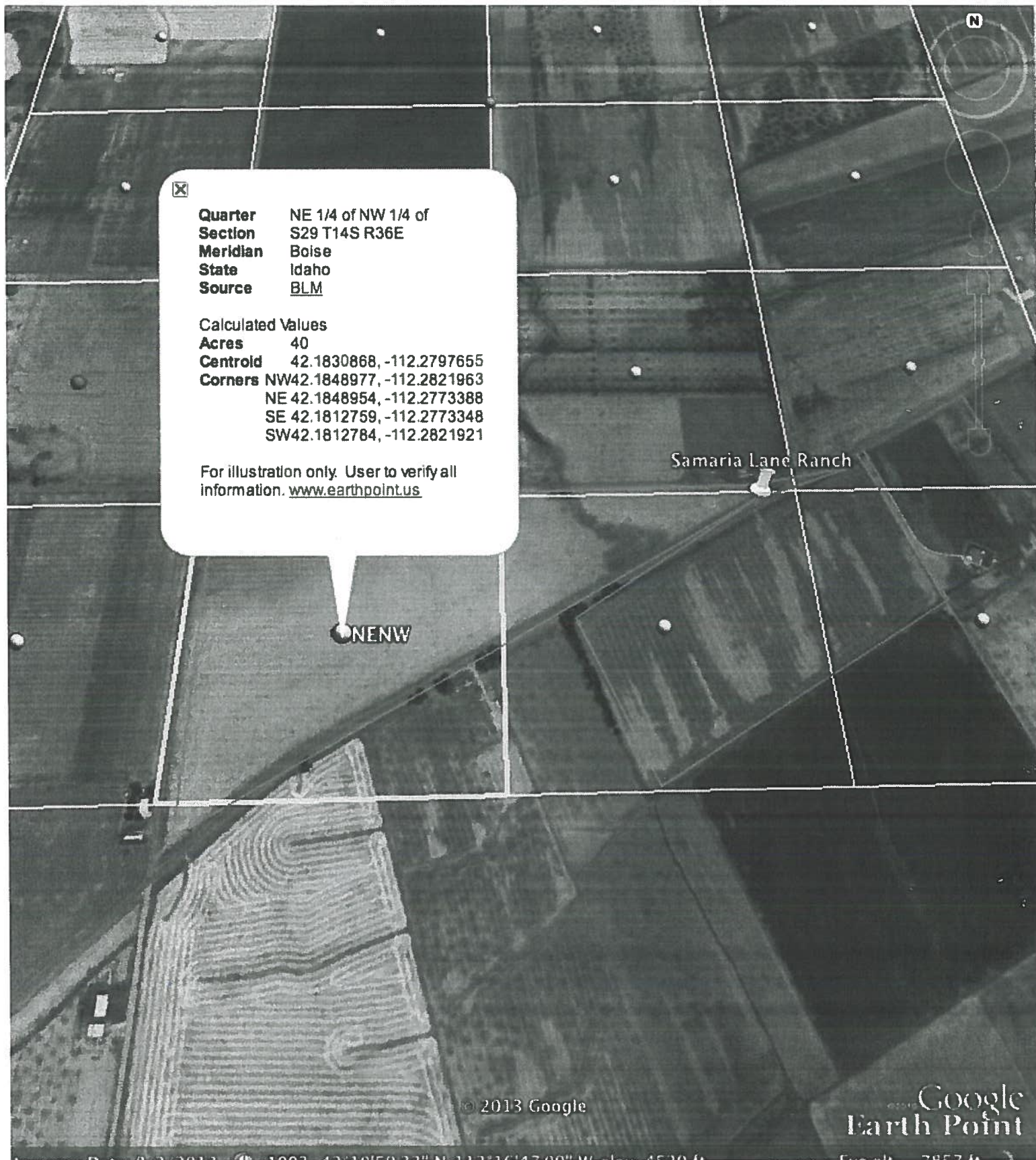
ROAD CLASSIFICATION
Primary highway, all weather
Secondary highway, all weather
Unimproved road, fair or dry weather
State Road

U.S.G.S.
FEDERAL BUREAU OF SURVEY
TOPOGRAPHIC DIVISION

MALAD CITY WEST, IDAHO
1:50,000
1958

JUL 1 1957

15-7377



Quarter NE 1/4 of NW 1/4 of
Section S29 T14S R36E
Meridian Boise
State Idaho
Source BLM

Calculated Values

Acres 40
Centroid 42.1830868, -112.2797655
Corners NW42.1848977, -112.2821963
NE 42.1848954, -112.2773388
SE 42.1812759, -112.2773348
SW42.1812784, -112.2821921

For illustration only. User to verify all
information. www.earthpoint.us

NENW

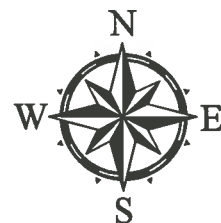
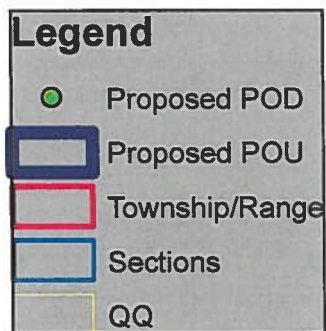
Samaria Lane Ranch

© 2013 Google

Google
Earth Point

15-7377

Hartvigsen Permit Application



15-7377



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

July 31, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

ERIC HARTVIGSEN
PO BOX 53
MALAD, ID 83252

Application For Permit No. 15-7377

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO ENTERPRISE on August 7 and 14, 2014. 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 blue ink that reads "Sharla Cox". The signature is written in a cursive, flowing style.

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2014

Eric Hartvigsen
PO Box 53
Malad ID 83252

RE: Application for Permit 15-7377

Dear Applicant:

The Department has received the above application for permit to appropriate 0.84 cfs of ground water in the Malad River drainage. For new appropriations, under Idaho Code § 42-203A(5) IDWR has the responsibility to ensure there is a sufficient supply of water and that the appropriation will not result in injury to existing water rights

Historically, when issuing permits for new appropriations, IDWR viewed ground water and surface water as two separate sources. Often the impacts of new ground water appropriations on existing surface water rights were not evaluated. However, Idaho water law now recognizes that in many places ground water and surface water are hydraulically interconnected, and proper administration of existing water rights and new appropriations requires conjunctive management of both sources.

In March 2009, the Department received a letter from the Oneida County Commissioners expressing their concern about the perceived decline in flows from springs and artesian wells in the area. Their letter questioned whether the Department should continue issuing new permits to appropriate ground water in the Malad River drainage. In response to the commissioners' request, the Department's Hydrology Section has been tasked to review available information and data on ground water and surface water supply in this drainage. The Hydrology Section's report will be helpful in developing water policy for the Malad River drainage.

Meanwhile, applicants who want IDWR to take final administrative action on their applications can provide IDWR with the information required under Water Appropriation Rule 40.05 regarding the availability of water for the proposed appropriation and the potential for the proposed appropriation to injure existing water rights. The additional information requirement is usually waived for applications proposing the appropriation of 5 cfs or less or the storage of 500 af or less. Because of the concerns regarding the impact to springs and artesian wells in the area, the department is requiring that applicants submit the additional information required by water appropriation rule 40.05, even when the application is for less than the 5 cfs / 500 af thresholds. Only certain

applications for small domestic and stock water uses and applications to divert ground water for domestic in multiple homes are exempt from the additional information requirement. A copy of the pertinent sections of Water Appropriation Rule 40.05 is included in this letter. If you believe that a particular section of Rule 40.05 is not relevant to your application, please explain why.

Ultimately, the applicant bears the burden for demonstrating that the water supply is sufficient for the proposed appropriation and that it will not cause injury to other water right holders.

Please submit the information within 30 days of this letter. If you have questions concerning this matter discussed above feel free to contact the Eastern Region Office.

Respectfully Submitted



James Cefalo
Water Resources Program Manager

Enclosure – Copy of Application
Copy of Water Appropriation Rule 40.05

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, July 31, 2014 11:45 AM
To: 'Idaho Enterprise (enterpriseneeds@atcnet.net)'
Subject: Legal Notice for your paper
Attachments: Idaho Enterprise E-Mail.doc

Contacts: Idaho Enterprise

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

15-7377

ERIC HARTVIGSEN

PO BOX 53

MALAD, ID 83252

Point of Diversion

NWNE S29 T14S R36E

ONEIDA County

Source GROUND WATER Tributary

Use: IRRIGATION

04/01 to 10/31 0.84 CFS

Total Diversion: 0.84 CFS

Date Filed: 3/27/2014

Place Of Use: IRRIGATION

T14S R36E S29 NWNE NENW SENW

Total Acres: 42

15-7378

BILL WEEKS

JALYN WEEKS

1800 N 3400 W

MALAD, ID 83252

Point of Diversion

NWNE S13 T14S R35E

ONEIDA County

Source GROUND WATER Tributary

Use: IRRIGATION

04/01 to 10/31 0.86 CFS

Total Diversion: 0.86 CFS

Date Filed: 4/3/2014

Place Of Use: IRRIGATION

T14S R35E S13 NWNE NWNW

Total Acres: 43

15-7380

GARY LUND

JULIE M LUND

6276 S OLD HWY 191

MALAD CITY, ID 83252

Point of Diversion

SWNW S26 T15S R36E

ONEIDA County

Source GROUND WATER Tributary

Use: DOMESTIC

01/01 to 12/31 0.01 CFS

Use: IRRIGATION

04/01 to 10/31 0.28 CFS

Use: STOCKWATER

01/01 to 12/31 0.01 CFS

Total Diversion: 0.3 CFS

Date Filed: 7/7/2014

Place Of Use: IRRIGATION, DOMESTIC and STOCKWATER

T15S R36E S26 SWNW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before August 25, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 7 and 14, 2014