

RECEIVED

FORM 202 11/13

JUL 01 2014

Ident. No. 67-15107WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of applicant(s) William E. Phelps Phone 360-783-2633
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 874 City Long Beach
 State WA Zip 98631 Email _____

2. Source of water supply East Pine Creek which is a tributary of Weiser River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16N	4W	35			SE	NE	Washington	East Pine Creek	

4. Water will be used for the following purposes:

Amount 0.02 for Domestic purposes from 1/1 to 12/31 (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) 0.02 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. 2 inch pump - 1.25 inch line to cabin reduced to 3/4 inch hose bib. Fill 250 gallon storage tank

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 _____ inches; proposed depth of well is _____ 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 1

e. Other; describe fully. Domestic water for cabin 6 to 8 weeks a year - 2 weeks in April, 2 weeks in June, 2 weeks in October, 2 weeks in late December

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	
16N	4W	35				D													

Total number of acres to be irrigated: _____

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?

Subdivision has irrigation rights under 67-219

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

12. Time required for completion of works and application of water to proposed beneficial use is 1 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.

William E. Phelps
Signature of Applicant

Signature of Applicant

William E. Phelps
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by J. Strange Date 7-1-14 Time 10:30 AM Preliminary check by KW
Fee \$ 100.00 Received by RS Receipt No. W041864 Date 2-24-14

Sec

PINE CREEK MOUNTAIN ESTATES

16 N 4 W T 16 N
R 4 W
35

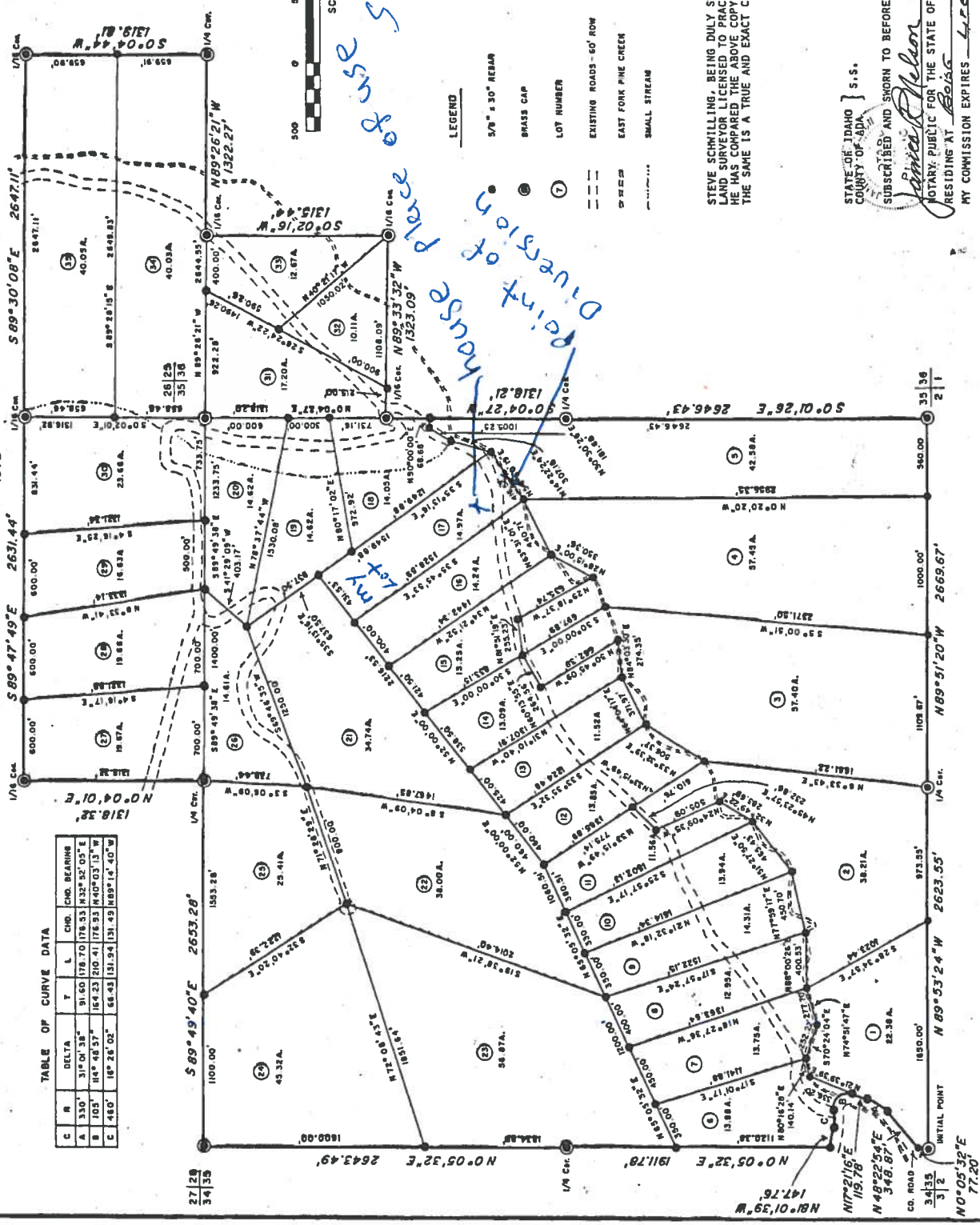
2-20-14

S 1/2 of the SE 1/4 of Sec. 26; S 1/2 of the SW 1/4 of Sec. 25; NW 1/4 of the NW 1/4 of Sec. 35; and Sec. 35, T. 16 N., R. 4 W., B. M., Washington County, Idaho

STEVE SCHWILLING R.L.S. 1978

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 31"	91.60	178.70	178.53	N 32° 52' 05" E
B	103'	104° 48' 57"	167.23	170.41	178.53	N 40° 03' 13" W
C	480'	18° 28' 02"	66.43	131.94	131.43	N 89° 14' 40" W



LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, SAYS THAT HE IS A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE BY THE STATE OF IDAHO AND THAT HE HAS COMPARED THE ABOVE COMPILED ORIGINAL PLAT, AND THAT THE SAME IS A TRUE AND EXACT COPY OF SAID PLAT.

Steve Schilling
STEVE SCHWILLING, R.L.S.

STATE OF IDAHO
COUNTY OF ADA

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF April, 1978

James P. Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES 4-1-78

Bk L Pg 134

67-15107

RECEIVED

FEB 24 2014

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 67-151071. Name of applicant(s) William E. Phelps Phone 360-783-2633
Name connector (check one): ☐ and ☒ or ☐ and/orMailing address P.O. Box 874 City Long BeachState WA Zip 98631 Email _____2. Source of water supply East Pine Creek which is a tributary of Weiser River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>16N</u>	<u>4W</u>	<u>35</u>	<u>1</u>		<u>SE</u>	<u>NE</u>	<u>WA</u>	<u>East fork Pine Creek</u>	

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 _____ 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) .02 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

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a. Describe type and size of devices used to divert water from the source. 2 in. Pump - 1 1/4 in. line to cabin reduced to 3/4 hose bib, fill 250 gal. Storage tankb. 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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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 1e. Other; describe fully. Domestic water for cabin 6 to 8 weeks a year - 2 weeks in April - 2 weeks in June - 2 weeks in Oct 2 weeks in late Dec.Approved by: Approved Ann of 7/1/2014

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						D													

Total number of acres to be irrigated: _____

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Subdivision has Irrigation Rights 67-219

10. a. Who owns the property at the point of diversion? William E. Phelps
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11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

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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.

William E. Phelps
Signature of Applicant

Signature of Applicant

William E. Phelps
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by RS Date 2-24-14 Time 3:30 Preliminary check by _____
Fee \$ 100 Received by RS Receipt No. W041864 Date 2-24-14

Sommer, Rachel

From: Sommer, Rachel
Sent: Friday, July 11, 2014 9:36 AM
To: 'rick.ward@idfg.idaho.gov'
Subject: Application for Permit
Attachments: Agency Recommendation Form.docx; Application for Permit No. 67-15107.pdf

July 11, 2014

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: RICK WARD
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application for Permit No. 67-15107

Dear Mr. Ward:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of the applications are enclosed with this email for your reference. Please review the applications, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of August 4, 2014.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, July 10, 2014 9:32 AM
To: 'REPORTER@CTCWEB.NET'
Subject: Washington Legal Ad
Attachments: Washington Cover Letter.docx; Washington Legal Ad.docx

Good Morning Bonnie,

Please see the attached ad for publication on 7/17/2014 & 7/24/2014.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

July 10, 2014

LEGAL NOTICE DEPARTMENT
UPPER COUNTRY NEWS REPORTER
PO BOX 9
CAMBRIDGE, ID 83601-0009

RE: Application for Permit No. 67-15107

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 8/4/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

67-15107

WILLIAM E PHELPS

PO BOX 874

LONG BEACH, WA 98631

Point of Diversion SENE S35 T16N R04W WASHINGTON County Source EAST PINE CREEK Tributary WEISER RIVER

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

Total Diversion: 0.02 CFS

Date Filed: 2/24/2014

Place of Use: DOMESTIC

T16N R04W S35 SENE

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 8/4/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/17/2014 and 7/24/2014



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

June 20, 2014

WILLIAM E PHELPS
PO BOX 874
LONG BEACH WA 98631

RE: Application for Water Right Permit 67-15107

Dear Mr. Phelps:

We are in the process of reviewing the above referenced application for permit and find that we need additional information to proceed. The place of use was not completed on the application form. I have prepared an "Amended" Application for Permit for your signature. I have also included a copy of your original application for your convenience. Please review the amended application form, sign on page 2 if you agree with the changes, and return it to this office at your earliest convenience.

If you have any questions in regard to this matter, please do not hesitate to contact me at 334-2190.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

6/30/14
Mr. Phelps
called - will
get amended
app sent back
to my attention.
KW

Walker, Kay

From: Lester, Steve
Sent: Thursday, June 19, 2014 10:20 AM
To: Walker, Kay
Subject: Appl 67-15107 - email for file document

Hi Kay:

Discussed your 5/15/2014 email with watermaster yesterday. She apologized for not replying sooner, got sidetracked by other things.

She said hardly any year around people there, mostly recreation cabin users, should be ok for limited use for applicant's cabin, occasional visits totaling about 2 months/year.

Said has pretty good luck so far with 6/15 curtailments there so 1 more little one won't be a problems for her.

Please proceed with processing the appl. If no protests, let's visit about period of use & maybe limiting condition of approval in that regard.

Thx

Steve

Walker, Kay

From: Walker, Kay
Sent: Thursday, May 15, 2014 3:28 PM
To: watermaster67@hotmail.com
Cc: Walker, Kay
Subject: Application for Permit 67-15107
Attachments: App 67-15107.pdf; Watermaster Recommendation Form.docx

May 15, 2014

BRANDI HORTON
WATER DISTRICT NO. 67
2297 SNAPP LN
MIDVALE ID 83645

Hi, Brandi!

I am working on an Application for Permit for water from East Pine Creek. Steve asked me to get your comments on this application **before** we advertise it. I am attaching a copy of the application to this e-mail for your information. Although the application is for a very minor use and for limited time periods (as shown under item 7e) we realize that East Pine Creek is a troubled source. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to me at your earliest convenience.

Thank you for your attention to this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
334-2190

2-20-14

Uicki Music has
helped me through
application process over
the phone and has
understanding of my
Application-

William Phelps

WILLIAMS
- 0046 -
RECEIVED

FEB 24 2014

**WATER RESOURCES
WESTERN REGION**