

MAY 30 2014

Ident. No. 63-33905

WATER RESOURCES WESTERN REGION AMENDED

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) TheDrake, LLC Phone (208)489-7488
Name connector (check one): [ ] and [ ] or [ ] and/or
Mailing address c/o Douglas Bates, 950 W Bannock, Ste 1050 City Boise
State ID Zip 83702 Email doug@clearwateranalytics.com

2. Source of water supply Boise River which is a tributary of Snake River

3. Location of point(s) of diversion:

Table with 10 columns: TWP, RGE, SEC, Govt Lot, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Row 1: 5N, 5W, 26, 4, SW, NW, Canyon, Boise River.

4. Water will be used for the following purposes:

Amount 0.40 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
(cfs or acre-feet per year)
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Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.40 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. Pump, sprinkler and gravity irrigation
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet.
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 \_\_\_\_\_
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	
5N	5W	26						19.5	8										27.5
								L4	L4										

Total number of acres to be irrigated: 20 acres w/i a 27.5 acre permissible place of use (PPU)

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?

None. Acres under water rights 63-178E, 63-33499 and 63-32176 are separate and not included in the PPU described above.

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

A low-lift pump will divert water from the river to ditches and pipelines for gravity and sprinkler irrigation. One or more booster pumps will pressurize water for sprinklers. Irrigation will be primarily for wildlife food plots and wildlife habitat enhancement. Any return flow will return to the river upstream of Highway 95.

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

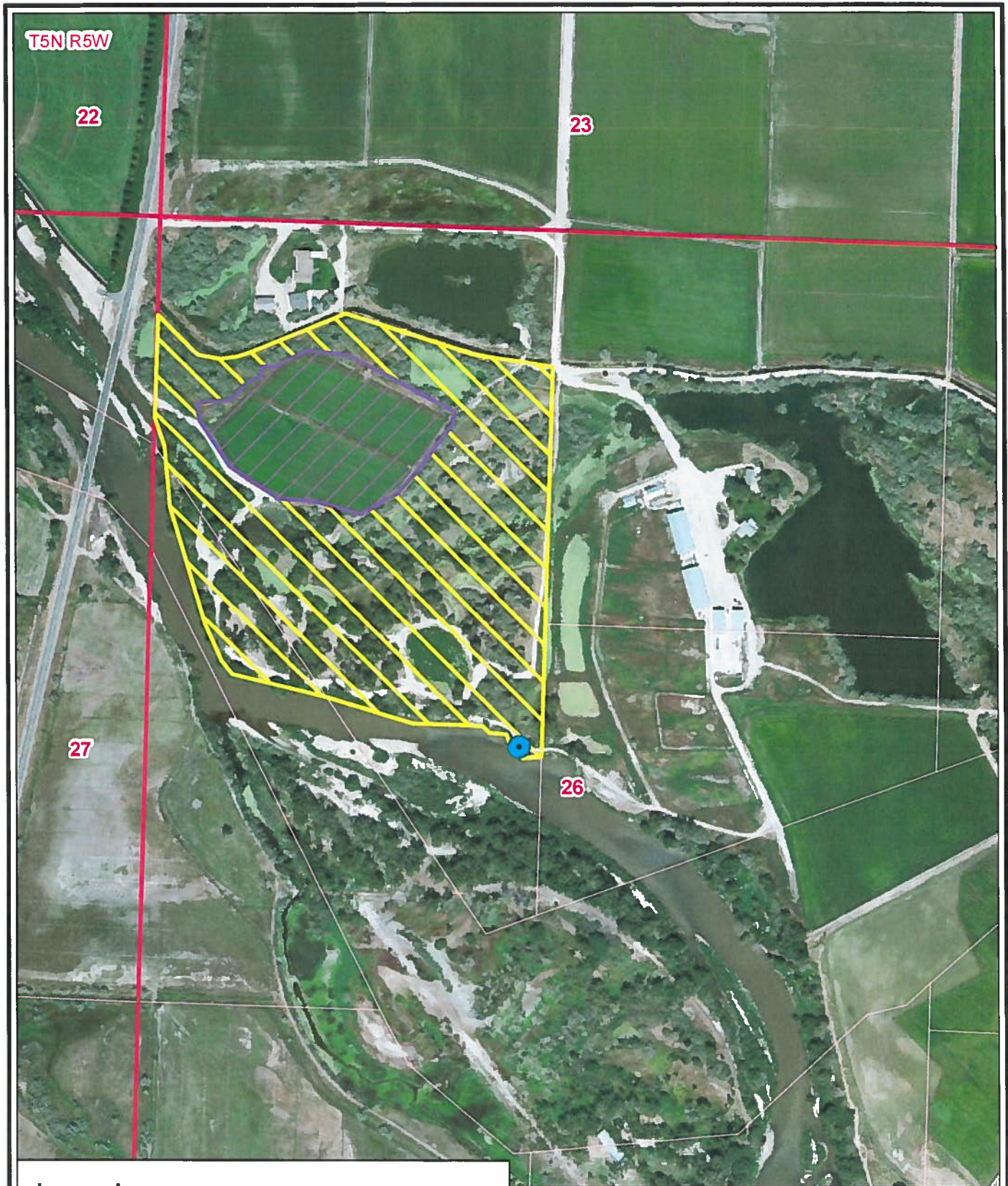
\_\_\_\_\_  
Signature of Applicant

DOUGLAS K. BATES, OWNER  
Print Name (and title, if applicable)




\_\_\_\_\_  
Print Name (and title, if applicable)

For Department Use:

Received by JS Date 5/30/2014 Time 10:30 Preliminary check by kw  
Fee \$ 250.00 Received by MG Receipt No. W041810 Date 1/30/2014

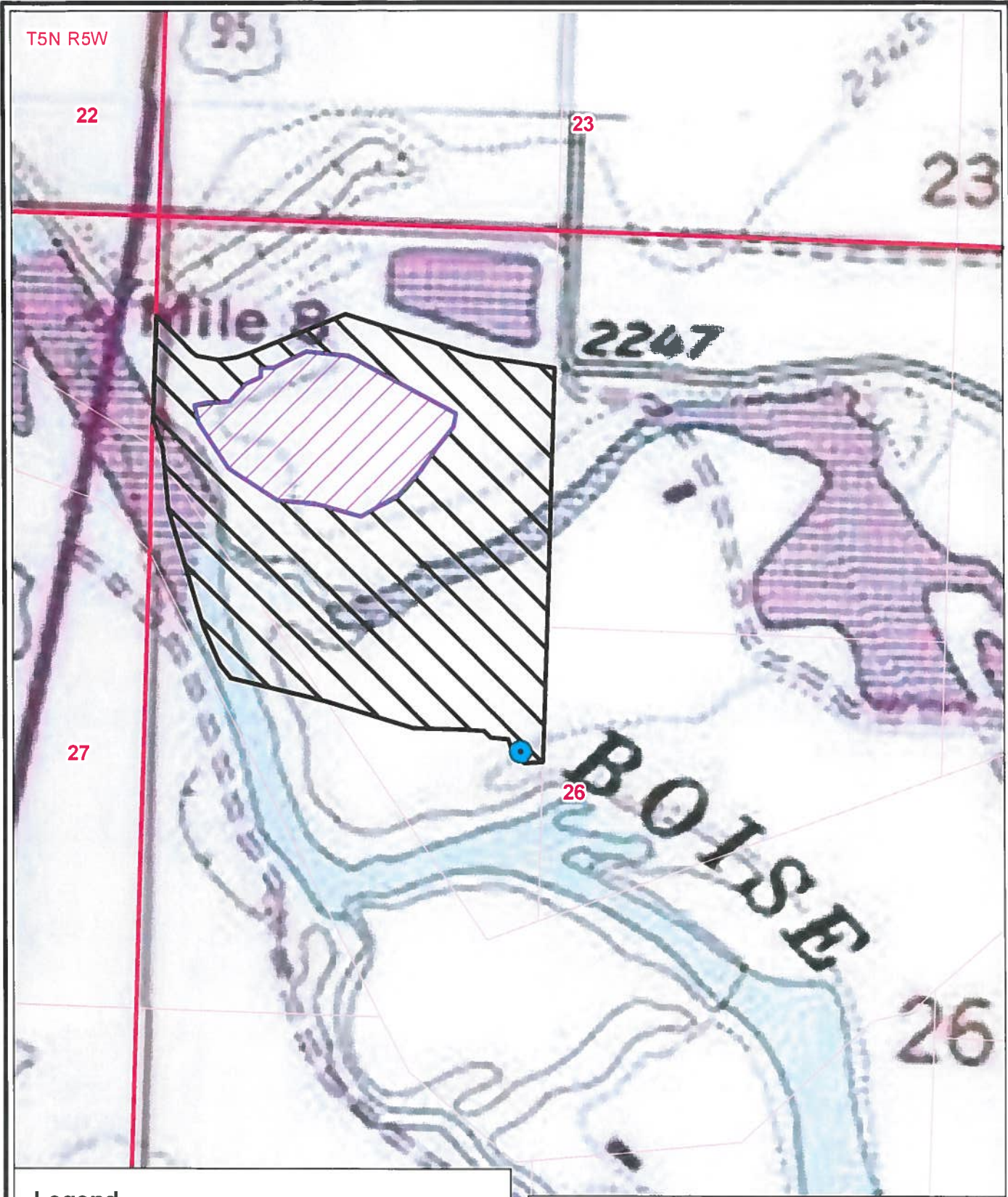


**Legend**




-  Proposed POD
-  Proposed Irrig PPU
-  Authorized Irrig for 63-178E, 63-33499 & 63-32176

TheDrake, LLC






**Legend**


-  Proposed POD
-  Proposed Irrig PPU
-  Authorized Irrig for 63-178E, 63-33499 & 63-32176

**TheDrake, LLC**



0    250    500

————— Feet



63-33905

RECEIVED

JAN 30 2014

WATER RESOURCES WESTERN REGION

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT To appropriate the public waters of the State of Idaho

Ident. No. 63-33905

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Name connector (check one): [ ] and [ ] or [ ] and/or
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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. .

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d. Domestic; show number of households
e. Other; describe fully.

Superceded by Amended App

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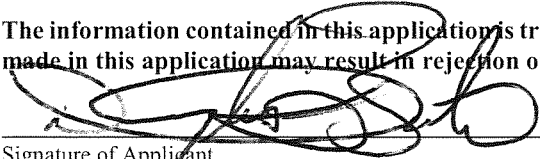
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**The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.**

  
Signature of Applicant  
Douglas K. Bates  
Print Name (and title, if applicable)

\_\_\_\_\_  
Signature of Applicant  
\_\_\_\_\_  
Print Name (and title, if applicable)

For Department Use:  
Received by MG Date 1/30/14 Time 2:30 Preliminary check by \_\_\_\_\_  
Fee \$ 150 Received by MG Receipt No. W041810 Date 1/30/14

## Sommer, Rachel

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**From:** Sommer, Rachel  
**Sent:** Tuesday, June 17, 2014 12:30 PM  
**To:** 'waterdistrict63@qwestoffice.net'  
**Subject:** Application for Permit  
**Attachments:** Application for Permit 63-33905.pdf

June 17, 2014

REX BARRIE  
WATER DISTRICT #63  
PO BOX 767  
10769 W STATE ST  
STAR ID 83669-0767

**RE: Application for Permit No. 63-33905**

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete a recommendation form, and submit your reply, if any, to this office by July 7, 2014.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. 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](mailto:rachel.sommer@idwr.idaho.gov)

## Sommer, Rachel

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**From:** Sommer, Rachel  
**Sent:** Tuesday, June 17, 2014 12:30 PM  
**To:** 'rick.ward@idfg.idaho.gov'  
**Subject:** Application for Permit  
**Attachments:** Application for Permit 63-33905.pdf

June 17, 2014

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

**RE: Application for Permit No. 63-33905**

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 July 7, 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](mailto:rachel.sommer@idwr.idaho.gov)

## Sommer, Rachel

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**From:** Sommer, Rachel  
**Sent:** Wednesday, June 11, 2014 5:39 PM  
**To:** 'LEGALS@IDAHO PRESS.COM'  
**Subject:** Canyon Legal Ad  
**Attachments:** Cayon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 6/19/2014 & 6/26/2014.

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](mailto:rachel.sommer@idwr.idaho.gov)

June 11, 2014

LEGAL NOTICE DEPARTMENT  
PRESS TRIBUNE  
PO BOX 9399  
NAMPA, ID 83652

RE: Application For Permit No's: 63-33905, 63-33918

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 7/7/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer  
Administrative Assistant

Enclosures

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

**63-33905**

THEDRAKE LLC  
C/O DOUGLAS K BATES  
950 W BANNOCK ST STE 1050  
BOISE, ID 83702  
Point of Diversion L4(SWNW) S26 T05N R05W CANYON County Source BOISE RIVER Tributary SNAKE RIVER  
Use: IRRIGATION 03/01 to 11/15 0.4 CFS  
Total Diversion: 0.4 CFS  
Date Filed: 1/30/2014  
Place of Use: IRRIGATION  
T05N R05W L4(NWNW) L4(SWNW)  
Total Acres: 27.5

**63-33918**

KASPER LAND & CATTLE LLC  
3349 HILL RD  
MELBA, ID 83641  
Point of Diversion SWNW S15 T01S R02W CANYON County Source GROUND WATER  
Use: COMMERCIAL, STOCKWATER 01/01 to 12/31 0.95 CFS  
Total Diversion: 0.95 CFS  
Date Filed: 2/10/2014  
Place of Use: COMMERCIAL, STOCKWATER  
T01S R02W S26 NW(ALL)  
T01S R02W S27 NENE SENE  
Water bearing zone to be appropriated is unknown. Well drilled in 1953 to a total depth of 78 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](http://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 7/7/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/19/2014 and 6/26/2014



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

May 27, 2014

THEDRAKE LLC  
C/O DOUGLAS BATES  
950 W BANNOCK STE 1050  
BOISE ID 83702

RECEIVED

MAY 30 2014

WATER RESOURCES  
WESTERN REGION

RE: Application for Permit 63-33905

Dear Mr. Bates:

We are in the process of reviewing the above referenced application for permit and find we need you to make a correction to the place of use before we can prepare the application for advertising. The place of use appears to be in the W1/2NW1/4 of Section 26. The description under item 8b appears to be in error. We have prepared an "Amended" Application for your review and signature. We have also enclosed a copy of your original application for your information and convenience.

Please review the amended application and if you agree with the corrections, sign the form on page 2 (add your title to your signature) and return it to my attention at your earliest convenience. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

*Kay Walker*

KAY WALKER  
Sr. Water Resource Agent

Enclosures

*ATTACHED PER YOUR REQUEST  
THANKS KAY*

*Doug BATES  
489-7488  
Doug@ASKBATES@EMAIL.CO*



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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 27, 2014

THEDRAKE LLC  
C/O DOUGLAS BATES  
950 W BANNOCK STE 1050  
BOISE ID 83702

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Please review the amended application and if you agree with the corrections, sign the form on page 2 (add your title to your signature) and return it to my attention at your earliest convenience. If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style.

KAY WALKER  
Sr. Water Resource Agent

Enclosures

5-29-14  
Mr. Bates called -  
will send in  
~~att~~ signed form  
today - Kew



January 28, 2014

Steve Lester  
Water Rights Supervisor  
Western Region Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

*Subject: Application for Permit for Irrigation Purposes – TheDrake LLC*

Dear Steve:

Enclosed please find an application for permit for TheDrake LLC. Included is a check for the \$250 filing fee.

The application proposes irrigation of 20 acres near Parma using water pumped from the Boise River. The application has been signed by Douglas Bates, Member of TheDrake LLC.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry M. Scanlan", is written in a cursive style.

Terry M. Scanlan, P.E., P.G.  
Engineer/Hydrogeologist

Cc: Doug Bates

Enclosure: Application for Permit and Filing Fee

File: 1073.0010