

RECEIVED

JUL 03 2013

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. 78-124141. Name of applicant(s) Richard and/or Tyra Stubbs Phone 208-385-9536
Name connector (check one): ☐ and ☐ or ☒ and/orMailing address: 1322 E Braemere Rd. City BoiseState Idaho Zip 82702 Email: rlstubbs@careyperkins.com2. Source of water supply Groundwater which is a tributary of Elk Creek*

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
22N	01E	23		NW	NW		Idaho	Elk Creek	0040124
				SE	SW			ground water	

4. Water will be used for the following purposes:

Amount ~~8896~~ cfs *04 for domestic purposes from *1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount .52* for *irrigation purposes from *4/1 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) *.565. Total quantity to be appropriated is (a) ~~8896~~ cubic feet per second (cfs) and/or (b) *32.2 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Well cap with valve and pressure gauge

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 ☐ Noc. Proposed well diameter is 8/4.5 inches; proposed depth of well is 323 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? 4/26/05; drilling firm Stuivenga Vessey DrillingWell was drilled for (well owner) David Collar; Drilling Permit No. 832908

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; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households 1

e. Other; describe fully. _____

* amended 9/18/13 RLS

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	
22N	1E	~~23~~ 26					~~NE~~	~~NW~~					14				11		25 *
		26					1												1

Total number of acres to be irrigated: 26

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? 78-7348-irrigation and domestic

10. a. Who owns the property at the point of diversion? Richard and Tyra Stubbs
- 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. Seeking permit for well placed in 2005

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.

Signature of Applicant

Richard L. Stubbs

Print Name (and title, if applicable)

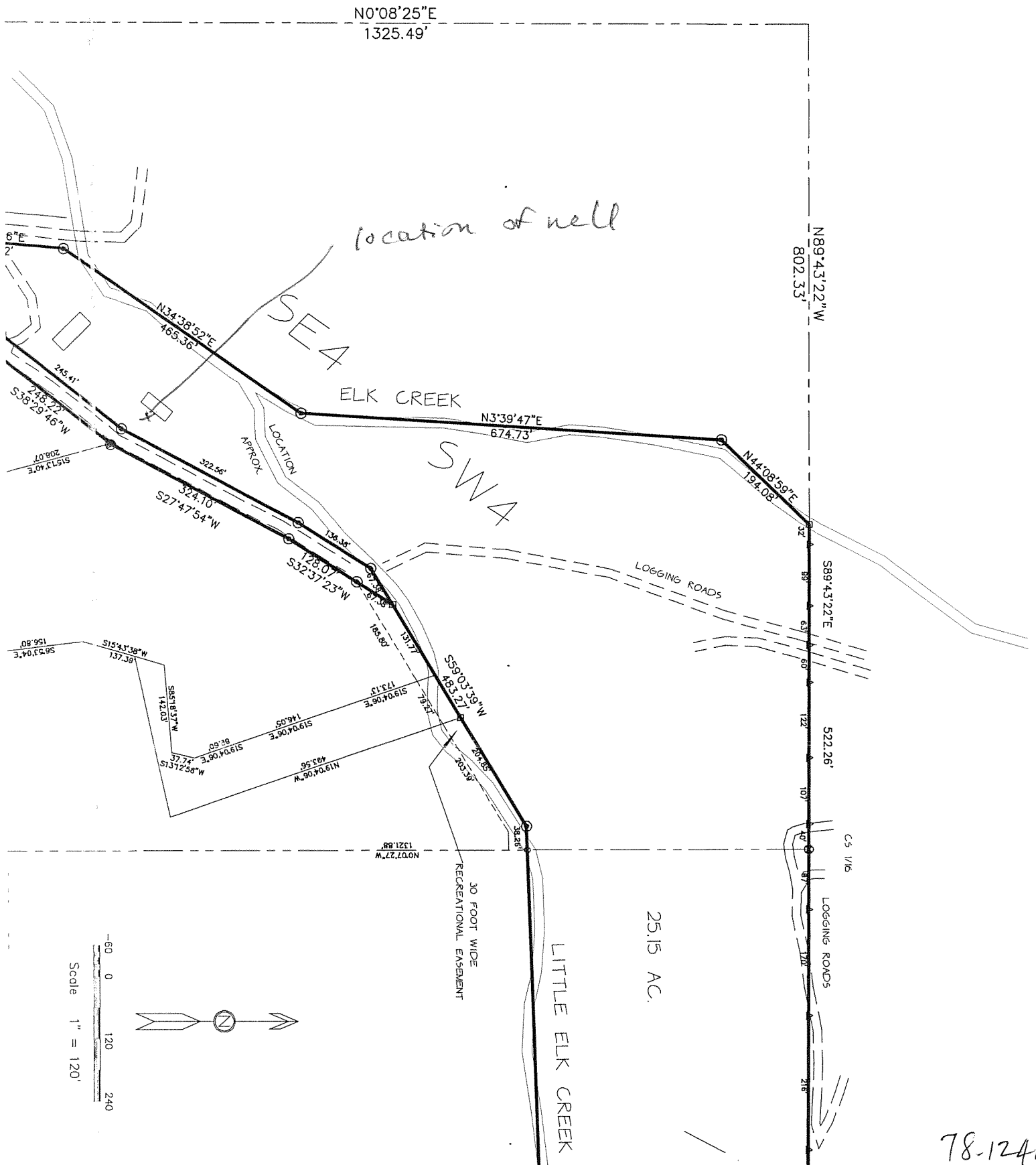
Signature of Applicant

Print Name (and title, if applicable)

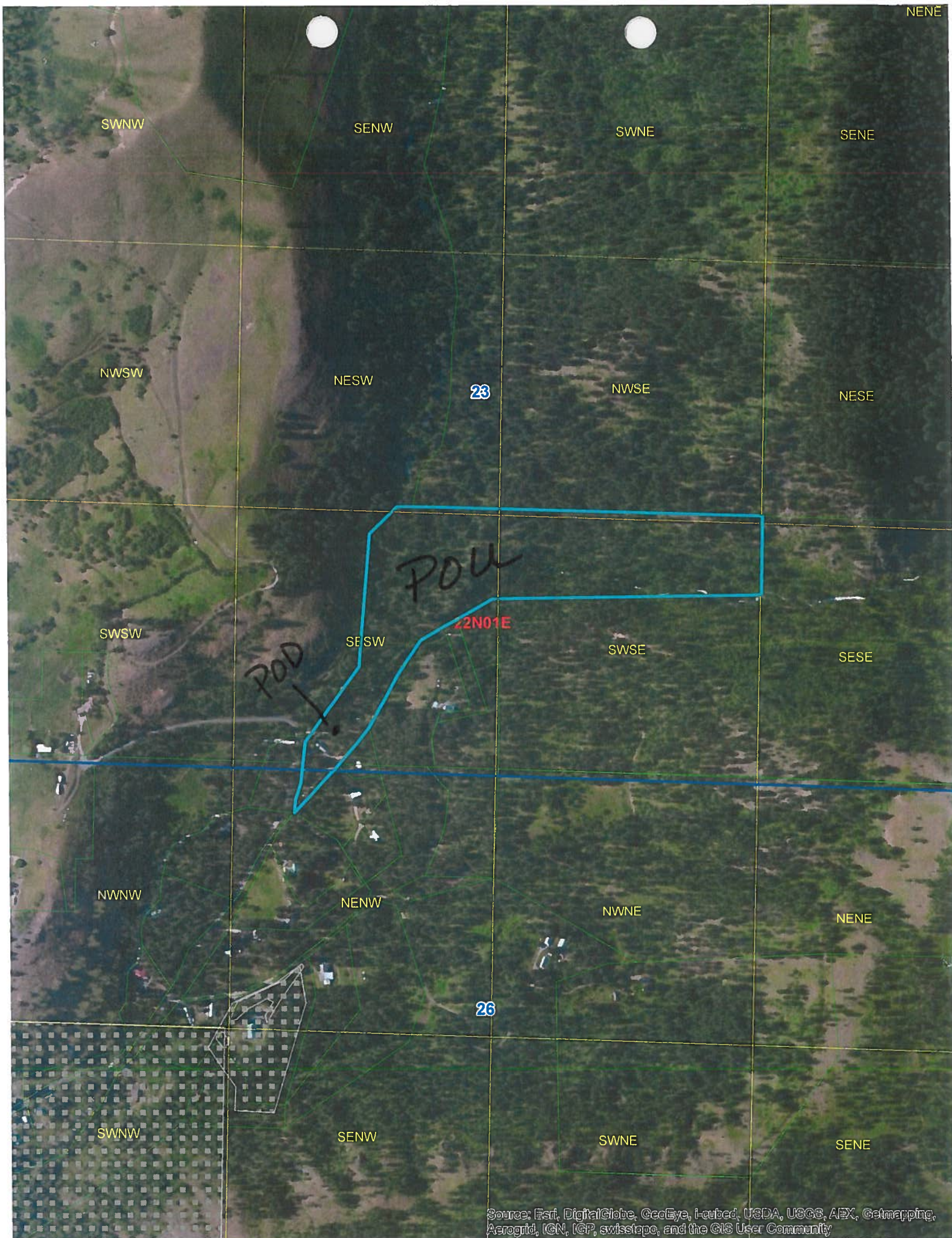
For Department Use:

Received by JA Date 7/3/2013 Time 3:22 Preliminary check by _____

Fee \$ 250.00 Received by JA Receipt No. W041312 Date 7/3/2013



78-12414



Form 238-7
6/02

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

832908

Office Use Only

Well ID No. 403491

Inspected by _____

Twp _____ Rge _____ Sec _____

1/4 _____ 1/4 _____ 1/4 _____

Lat: _____ Long: _____

1. WELL TAG NO. D 0040124

DRILLING PERMIT NO. _____

Water Right or Injection Well No. _____

2. OWNER:

Name David Collar

Address HC 75, Box 3567

City New Meadows State ID Zip 83654

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 22 North ☒ or South ☐

Rge. 1 East ☒ or West ☐

Sec. 26 NW 1/4 NW 1/4 1/4

Gov't Lot _____ County Adams

Lat: _____ Long: _____

Address of Well Site 1 mi up Elk Creek Road

Fire #19 City Pollock

(Give at least name of road - Distance in feet or landmarks)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
Bentonite	0	40	25 Sk	Overbore
Granuals				Poured

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 40'

Was drive shoe seal tested? ☒ Y ☐ N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	40	250	Steel	☒	☐	☒	☐
4 1/2	-5	323	200	PVC	☐	☒	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method Saw Cut

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
283	323	1/8x6	90	4 1/2	PVC	☐	☒

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL or ARTESIAN PRESSURE:

+2 ft. below ground Artesian pressure 8 lb.

Depth flow encountered 260 ft. Describe access port or control devices: _____

Well Cap with valve & Pressure Gauge

12. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
20			1 hr

Water Temp. 55

Bottom hole temp. _____

Water Quality test or comments: Cool & Clear

Depth first Water Encounter 260

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	0	25	Boulders		X
12	25	40	Fractured Basalt		X
8	40	240	Basalt		X
8	240	260	Black Clay & Silt		X
8	260	300	Fractured Salt & Pepper Granite	X	
8	300	323	Salt & Pepper Granite		X

RECEIVED

MAY 31 2005

WATER RESOURCES
WESTERN REGION

Completed Depth 323 (Measurable)

Date: Started 4/26/05 Completed 4/28/05

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Stuivenga Vessey Drilling No. 545

Principal Driller [Signature] Date 5-3-05

and Driller or Operator II [Signature] Date 5-3-05

Operator I _____ Date _____

Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, January 09, 2014 4:44 PM
To: Thiel, Sandra
Subject: Application for Permit
Attachments: Application for Permit 78-12414.pdf; Agency Recommendation Form.docx

January 9, 2014

IDAHO DEPT OF WATER RESOURCES
ATTN: SANDRA THIEL, PLANNING BUREAU
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Permit: 78-12414

Dear Ms. Thiel:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicants if you have concerns about the application.

Please submit any comments you may have to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

Please contact this office at 334-2190 if you have any questions regarding the application.

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, January 09, 2014 4:32 PM
To: 'rick.ward@idfg.idaho.gov'
Subject: Application for Permit
Attachments: Application for Permit 78-12414.pdf; IDFG RECOMMENDATION FORM.DOCX

January 9, 2014

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

RE: Application for Permit No. 78-12414

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 application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office within 30 days.

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 2/3/2014.

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, January 09, 2014 12:56 PM
To: 'IFPlegals@idahocountyfreepress.com'
Subject: Idaho Legal Ad
Attachments: Idaho Cover Letter.docx; Idaho Legal Ad.docx; Idaho Legal Ad.docx

Good Afternoon Nona Donaldson,

Please see the attached ad for publication on 1/15/2013 & 1/22/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

January 9, 2014

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application for Permit No. 78-12414

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 2/3/2014. 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:

78-12414

RICHARD STUBBS

TYRA STUBBS

1322 E BRAEMERE RD

BOISE, ID 83702

Point of Diversion SESW S23 T22N R01E IDAHO County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/15 to 11/15 0.52 CFS

Total Diversion: 0.56 CFS

Date Filed: 7/3/2013

Place of Use: IRRIGATION

T22N R01E S23 SESW SWSE

T22N R01E S26 NENW

Place of Use: DOMESTIC

T22N R01E S23 SESW

Total Acres: 26

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 2/3/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/16/2014 and 1/23/2014

Curtis, Sharla

From: Richard Stubbs [rlstubbs@careyperkins.com]
Sent: Monday, December 23, 2013 2:26 PM
To: Curtis, Sharla
Subject: Re: Application for Permit 78-12414
Attachments: SKONICA-LEW13100414310[1].pdf

Dear Ms. Curtis:

Enclosed please find a letter that I received from Idaho DEQ. I apologize for not sending this to you earlier. I thought that DEQ had sent the letter to you but I now see that it only sent the letter to me.

Thank you and I hope you have a wonderful holiday.

--

Richard L. Stubbs

Carey Perkins LLP

Capitol Park Plaza

300 North 6th Street, Suite 200

P.O. Box 519

Boise, Idaho 83701

Telephone (208)345-8600

Facsimile (208)345-8660

rlstubbs@careyperkins.com

Carey Perkins LLP, www.careyperkins.com, has offices in Boise and Idaho Falls, Idaho, and has attorneys admitted to practice in Idaho, Oregon, Utah, Washington and Wyoming.

CONFIDENTIALITY NOTICE: This e-mail is intended only for the personal and confidential use of the individual(s) named as recipients and is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. It may contain information that is privileged, confidential and/or protected from disclosure under applicable law including, but not limited to, the attorney client privilege and/or work product doctrine. If you have received this e-mail in error, please notify the sender at (208) 345-8600 and delete this message from your computer. Do not deliver, distribute or copy this transmission, disclose its contents or take any action in reliance on the information it contains.

From: <Curtis>, Sharla <Sharla.Curtis@idwr.idaho.gov>
Date: Monday, December 23, 2013 at 12:21 PM
To: Richard Stubbs <rlstubbs@careyperkins.com>
Subject: Application for Permit 78-12414

Mr. Stubbs,



I received a comment letter from the Dept. of Fish & Game but have not received a letter from DEQ. Did you request that they send a letter to us? I can send your application in for advertising as soon as I have a response from DEQ. Could you please check on this matter and ask them to send a response as soon as possible to us.

Thank you.

Sharla Curtis
Sr. Water Resource Agent



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
Curt Fransen, Director

October 4, 2013

Richard and Tyra Stubbs
1322 East Braemere Road
Boise, Idaho 83702

RE: Water Rights Application for Permit, # 78-12414

Dear Mr. and Ms. Stubbs,

DEQ has received a request for comment on the approval of a water right application to draw a total quantity of 0.56 cfs of ground water from a well for domestic use from January 1 to December 31, and irrigation use from 3/15 to 11/15.

Based on the information that has been provided, DEQ cannot estimate nor predict impairments to surface or ground water beneficial uses resulting from the requested withdrawal. However, assuming all federal, state, and local permits have been obtained, regulations met, and reviews completed, we can offer the following comment.

It is the policy of the State of Idaho, Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of ground water and interconnected surface water not be allowed.

Thank you for requesting our review and comment of your activity.

Sincerely,

John Cardwell
Regional Administrator

c: Sharla Curtis, IDWR
Ray Hennekey, IDFG



IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION
McCALL OFFICE
555 Deinhard Lane
McCall, Idaho 83638

C.L. "Butch" Otter / Governor
Cal Groen / Director

October 21, 2013

RECEIVED

OCT 23 2013

WATER RESOURCES
WESTERN REGION

Kay Walker
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Water Right Application # 78-12414

Dear Ms. Walker;

We have reviewed application for a water right permit from Richard Stubbs for an irrigation well; permit number 78-12414. The application is to use a well for domestic and domestic irrigation for 0.56 CFS.

Since the proposal is for ground water development we have no further comments.

If you have further questions or need further information please contact Dale Allen, Regional Fishery Manager in McCall at 208-0634-8137.

Sincerely,

A handwritten signature in black ink that reads "Scott Reinecker".

Scott Reinecker
Regional Supervisor

DA
Cc: Richard Stubbs



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

October 2, 2013

Richard &/or Tyra Stubbs
1322 E. Braemere Rd.
Boise, ID 83702

Re: Application for Permit No. 78-12414

Dear Applicants:

When I recently helped you amend your application, I forgot to mention some special processing steps we go through for all applications for new water permits from sources within the Salmon River basin. Additional information is needed to fully evaluate your proposal, even though your proposed source of water is a well. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within the Salmon River basin. I apologize for the oversight on my part and for any inconvenience this may have caused.

Please see the enclosed attachment about additional information for your application. Page 1 of the attachment outlines the legal basis and reasons for this request. That page also provides contact information for the other state agencies that will be involved in this process. Please provide written comments from those other state agencies regarding your application.

The other requirements in the attachment are waived for your application.

Please provide the requested information within the next sixty (60) days. Alternately, you may seek up to six months additional time to provide the information. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

Enclosure