

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED
NOV 08 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Name: ROCKLEDGE ESTATES HOA INC
1200 OVERLAND AVE
BURLEY ID 83318
(208) 878-1116

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER	NE1/4SE1/4SE1/4	Sec. 15, Twp 10S, Rge 18E, B.M.
TWIN FALLS County		
#2 GROUND WATER	NE1/4SE1/4SE1/4	Sec. 15, Twp 10S, Rge 18E, B.M.
TWIN FALLS County		

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.36 CFS	

5. Total quantity to be appropriated is:	0.36 CFS	52.0 AF
--	----------	---------

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source:
- 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 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

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POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source:
- 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 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	18E	15													X				X

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Applicant seeks to develop a regulated public water supply system for in house domestic uses within the Rockledge Estates subdivision. Results of test well pumping indicates excellent source water quality and adequate groundwater capacity to supply 800 gallons/day/home. Maximum diversion rate expected to be 160 gallons/minute and average annual use expected to be 600 to 400 gallons/day/lot. Current Rockledge Estates approved plat includes 58 residential lots corresponding to an expected total annual use between 26 and 40 AF/year. DEQ approval for regulated public drinking supply will be completed prior to serving more than 15 homes.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

11. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.



Applicant

Received by J. COOPER Date 11/8/13 Time AM Preliminary check by J. COOPER
Publication prepared by DM Date 11/14/2013 Published in Times News
Publication approved _____ Date Nov. 21 & 28, 2013

Receipt No. S033625

Date: 11/8/13

Received by: J. COOPER



ARTICLES OF INCORPORATION (Non-Profit)

(Instructions on back of application)

FILED EFFECTIVE

2013 OCT -1 AM 8:50

The undersigned, in order to form a Non-Profit Corporation under the provisions of Title 30, Chapter 3, Idaho Code, submits the following articles of incorporation to the Secretary of State.

SECRETARY OF STATE
STATE OF IDAHO

Article 1: The name of the corporation shall be:

Rockledge Estates HOA Inc.

Article 2: The purpose for which the corporation is organized is:

Home Owners Association

Article 3: The street address of the registered office is: 1200 Overland Ave., Burley, Idaho 83318

and the registered agent at such address is: Jonathan Price

Article 4: The board of directors shall consist of no fewer than three (3) people. The names and addresses of the initial directors are:

Jonathan Price same as 5

Shannon Vanderkooi same as 5

Jared Vanderkool same as 5

Article 5: The name(s) and address(es) of the incorporator(s):

Jonathan Price 532 Picabo Dr. Twin Falls, ID 83301

Shannon Vanderkoi 514 Riverside Dr. Burley, ID 83318

Jared Vanderkoi 514 Riverside Dr. Burley, ID 83318

Article 6: The mailing address of the corporation shall be:

1200 Overland Ave Burley, ID 83318

Article 7: The corporation (☒ does ☐ does not) have voting members.

Article 8: Upon dissolution the assets shall be distributed:

Among the stockholders

Signatures of all incorporators:

[Handwritten signatures of Jonathan Price, Shannon Vanderkooi, and Jared Vanderkool]

Jonathan Price

Typed Name:

Shannon Vanderkooi

Typed Name:

Jared Vanderkool

Typed Name:

Typed Name:

Typed Name:

Customer Acct #:

(if using pre-paid account)

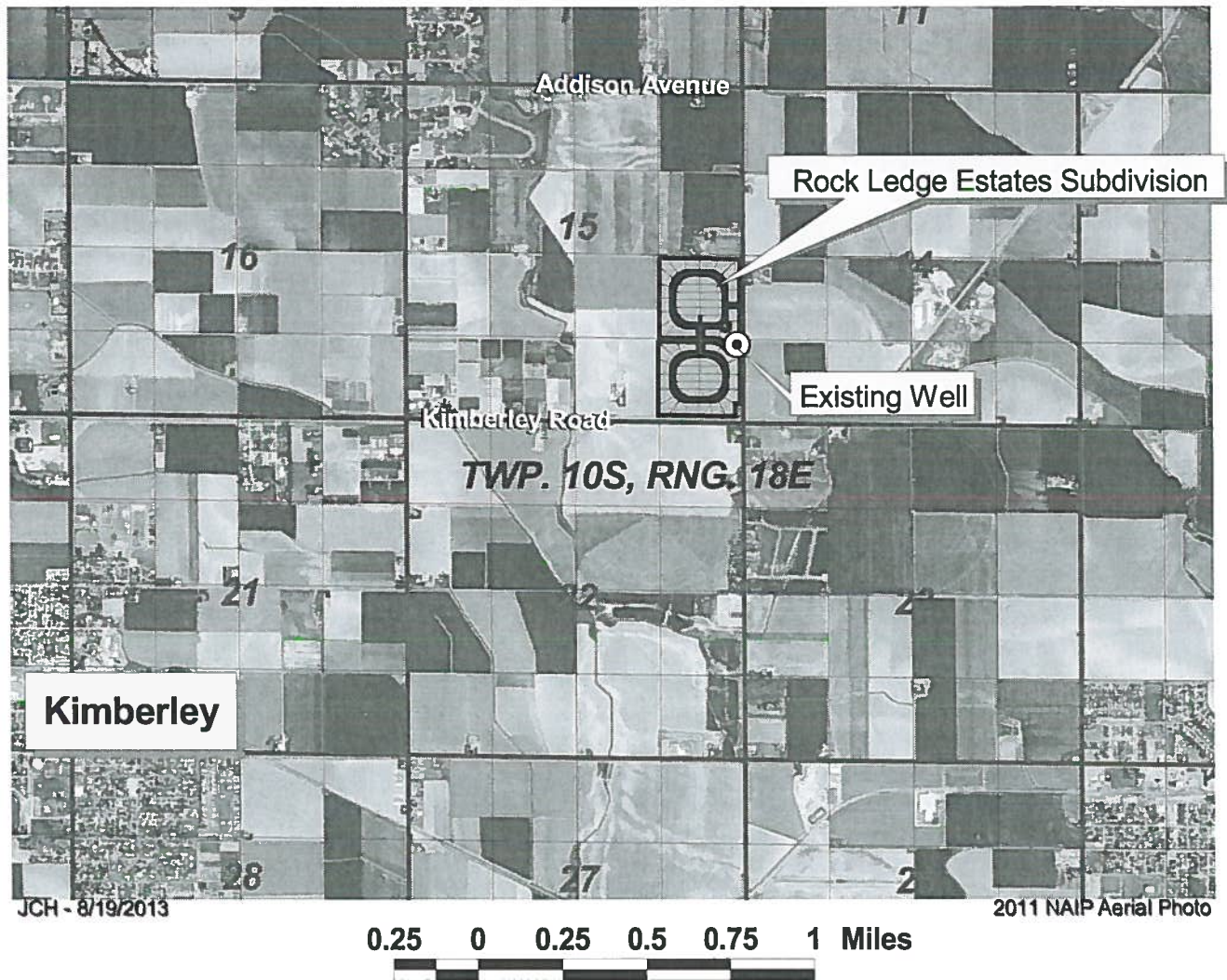
Secretary of State use only

g:\corp\forms\corp forms\articles\incprofit.p45
Revised 07/2002

IDAHO SECRETARY OF STATE
10/01/2013 05:00
CK: 045 CT: 200129 BH: 1392281
1 @ 30.00 = 30.00 INC NONP # 2

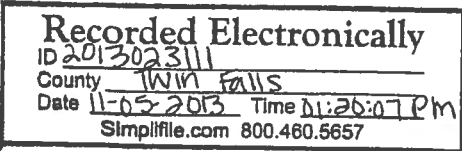
Web Form

Rock Ledge Estates Subdivision Application for Water Right Permit (Township 10S, Range 18E, Section 15 - E1/2, SE 1/4)



- ⊙ Proposed Point of Diversion
- Proposed Place of Use
- ▬ Township & Range
- ▬ Sections
- 40s





QUITCLAIM DEED

For value received, *DAVID R. PRICE, TRUSTEE, of the B & D, INC. PROFIT SHARING PLAN dated July 1, 1980 and DAVID R. PRICE, TRUSTEE, of the B & D, INC. MONEY PURCHASE PLAN dated July 1, 1980*, P.O. Box 1120, Burley, Idaho 83318 (Grantor) remises, releases and forever quitclaims to *ROCK LEDGE ESTATES HOA, INC.*, an Idaho corporation, whose address is 1200 Overland Avenue, Burley, Idaho 83318 (Grantee) all of Grantor's interest of every kind and nature in the premises in Twin Falls County, Idaho, more particularly described as follows:

SEE EXHIBIT A ATTACHED.

To have and to hold the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

DATED: 16 Oct, 2013.

DAVID R. PRICE, TRUSTEE, of the B & D, INC.
PROFIT SHARING PLAN dated July 1, 1980

BY [Signature]
David R. Price, Trustee

DAVID R. PRICE, TRUSTEE, of the B & D, INC.
MONEY PURCHASE PLAN dated July 1, 1980

BY [Signature]
David R. Price, Trustee

STATE OF IDAHO)
County of Cassia) ss

On this 16th day of October, in the year 2013, before me, the

FLETCHER LAW
OFFICE
BURLEY, IDAHO

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STATE OF IDAHO

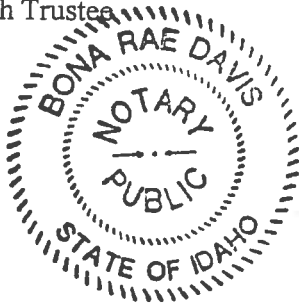
County of Cassia

)
) ss
)

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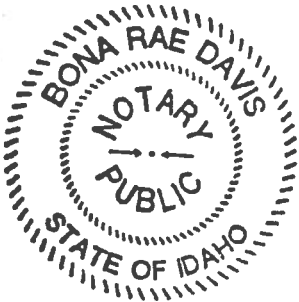
undersigned, a Notary Public in and for said State, personally appeared **DAVID R. PRICE**, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the B & D PROFIT SHARING PLAN dated July 1, 1980 and acknowledged to me that he executed the same as such Trustee.



Bona Rae Davis
Notary Public for Idaho
Residing at Burley
My commission expires on 7/5/2014

STATE OF IDAHO }
County of Cassia } ss

On this 16th day of October, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared **DAVID R. PRICE**, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the B & D MONEY PURCHASE PLAN dated July 1, 1980 and acknowledged to me that he executed the same as such Trustee.



Bona Rae Davis
Notary Public for Idaho
Residing at Burley
My commission expires on 7/5/2014

CLIENT: David Price

JOB NUMBER: 13003

DATE: October 7, 2013

DESCRIPTION: WELL LOT FOR THE ROCK LEDGE ESTATES SUBDIVISION BEING A PORTION OF THAT REAL PROPERTY CONVEYED TO DAVID R. PRICE, TRUSTEE, OF THE B&D, INC. PROFIT SHARING PLAN DATED JULY 1, 1980 AND DAVID R. PRICE, TRUSTEE, OF THE B&D, INC. MONEY PURCHASE PENSION PLAN DATED JULY 1, 1980 BY QUITCLAIM DEED RECORDED 24MAR10 AS INSTRUMENT No. 2010-005745, TWIN FALLS, COUNTY RECORDS.

TOWNSHIP 10 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO.

SECTION 15: A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2, SE 1/4) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 15, MONUMENTED BY A BRASS CAP AND THENCE RUNNING NORTH 0°06'32" WEST ALONG THE EAST SECTION LINE FOR 1185.38 FEET TO A 5/8" REBAR AND CAP; THENCE LEAVING THE EAST SECTION LINE SOUTH 89°53'28" WEST ALONG THE NORTH LINE OF 3825 NORTH ROAD FOR 40.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG THE NORTH LINE OF 3825 NORTH ROAD SOUTH 89°53'28" WEST FOR 40.97 FEET TO A 5/8" REBAR AND CAP AT THE POINT OF A TANGENT CURVE;

THENCE CONTINUING ALONG SAID NORTH LINE ALONG A CURVE TO THE RIGHT WITH LENGTH OF 106.43 FEET, RADIUS OF 160.00 FEET, DELTA OF 38°06'44", CHORD BEARING OF NORTH 71°03'10" WEST AND CHORD DISTANCE OF 104.48 FEET TO A 5/8" REBAR AND CAP;

THENCE CONTINUING ALONG SAID NORTH LINE NORTH 55°34'04" WEST FOR 23.69 FEET;

THENCE LEAVING SAID NORTH LINE NORTH 44°45'47" EAST FOR 225.70 FEET;

THENCE SOUTH 0°06'32" EAST FOR 207.49 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED REAL PROPERTY CONTAINS 0.42 ACRES, MORE OR LESS AND MAY BE SUBJECT TO EASEMENTS OF RECORD OR THOSE LEGALLY ESTABLISHED.

FLETCHER LAW
OFFICE
BURLEY, IDAHO

Recorded Electronically
ID 2013023111
County TWIN FALLS
Date 11-05-2013 Time 01:26:07 PM
Simplifile.com 800.460.5657

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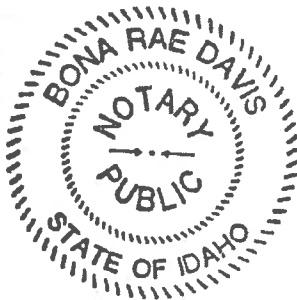
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 14, 2013

ROCKLEDGE ESTATES HOA INC
1200 OVERLAND AVE
BURLEY, ID 83318

Re: Application For Permit No. 47-17616

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 **TIMES NEWS on 11/21/2013 and 11/28/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**December 9, 2013**).

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,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 14, 2013 4:08 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on November 21st & 28th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

November 14, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 47-17616

RE: Transfer No. 78873
Water Right No(s): 36-16550, 36-16551, 36-16556, 36-16827

RE: Transfer No. 78891
Water Right No(s): 45-13589, 45-256A, 45-2663, 45-275, 45-284B, 45-284C, 45-285, 45-286,
45-327D, 45-517D, 45-523A

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 December 9, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

47-17616

ROCKLEDGE ESTATES HOA INC
1200 OVERLAND AVE
BURLEY, ID 83318

Point of Diversion NESESE S15 T10S R18E TWIN FALLS County Source GROUND WATER Tributary

Point of Diversion NESESE S15 T10S R18E TWIN FALLS County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.36 CFS 52 AF

Total Diversion: 0.36 CFS 52 AF

Date Filed: 11/8/2013

Place Of Use: DOMESTIC

T10S R18E S15 NESE SESE

Application for permit proposes to divert 0.36 CFS (52 AFA) for domestic in-house use on 58 lots within a subdivision, located approximately 1 - 1.5 mi. N & 1 - 1.25 mi. W of Hansen, locally known as Rockledge Estates. Application proposes to utilize an existing well and a proposed well, within the development, to supply water to homes on the lots.

Irrigation within the development is currently and will continue to be supplied by shares of Twin Falls Canal Company.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78873

SHIRLEY S JENTZSCH and RODNEY A JENTZSCH, 20106 5TH ST, RUPERT, ID 83350; has filed Application No. 78873 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16550, 36-16551, 36-16556, 36-16827. The purpose of the transfer is to change a portion of the above rights as follows: Transfer application proposes to convert a 6.2 acre portion (0.11 cfs and 11.8 af) of two ground water irrigation rights to year round commercial use at a nursery located approximately 4.0-4.3 miles east and 3.3-4.0 miles north of the city of Rupert. The application also proposes to create a permissible place of use for the commercial use and the irrigation of 51.7 acres. Four existing wells will be used for the commercial use and irrigation of the 51.7 acres and to divert up to a total of 0.9 cfs and 218.6 af.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78891

ALBION 12 INVESTMENTS LLC, 7595 EAST MCDONALD DR #130, SCOTTSDALE, AZ 85250; has filed Application No. 78891 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13589, 45-256A, 45-2663, 45-275, 45-284B, 45-284C, 45-285, 45-286, 45-327D, 45-517D, 45-523A. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add points of diversion (PODs) for a portion of the following irrigation water rights: 45-284C (Howell Creek, 0.51 CFS), 45-286 (Howell Creek, 1.2 CFS), 45-2663 (Groundwater, 1.0 CFS), and 45-256A (Antone Creek, Pine Creek, Howell Creek, 3.35 CFS). These rights are currently authorized to irrigate 167.7 acres on ground located approximately 2.2 – 2.4 mi. E and 2.8 – 4.3 mi. S of Albion, Idaho. Applicant has recently purchased 21.2 acres within the authorized POU for these rights and seeks to change the POU and add PODs to allow more flexible usage with rights on adjacent ground owned by the applicant, located approximately 1.4 – 2.4 mi. E and 2.0 – 4.7 mi. S of Albion. Rights on this adjacent ground are currently authorized to irrigate 378 acres under the following rights: 45-275 (Springs, 0.24 CFS), 45-284B (Howell Creek, 1.5 CFS), 45-285 (Howell Creek, 0.15 CFS), 45-327D (Howell Creek, 0.70 CFS), 45-517D (Spring Creek, 0.20 CFS), 45-523A (Waste Water, 0.12 CFS), and 45-13589 (Springs, 0.56 CFS). Application proposes to create a permissible place of use (PPU) with all these rights to include adjacent grounds, owned by the applicant, equivalent to 480 acres. If approved, when combined with the split portion of rights 45-284C (45-14449), 45-286 (45-14450), 45-2663 (45-14451), and 45-256A (45-14452) the total allowed irrigation would be 399.2 acres. Additionally, application proposes to add three additional PODs on Howell Creek approximately located the following distances from Albion: 1.8 mi. E and 2.7 mi. S, 1.7 mi. E and 3.2 mi. S, and 1.6 mi. E and 3.4 mi. S, currently authorized under rights 45-284B, 45-285, and 45-327D, to the split portion of rights authorized to be diverted from Howell Creek (45-14449, 45-14450, and 45-14452). In addition, the application proposes to change the point of diversion for the split portion of right 45-2663 (45-14451) to an existing well located approximately 2.2 mi. E and 2.8 mi. S of Albion.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before December 9, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 21st & 28th, 2013