

RECEIVED

AUG 28 2013

Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 25-14395  
App ID: 788021. Name of applicant(s) Blackhawk HOA and Iron Rim Ranch HOA Phone 208-390-7073  
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 8070 Blackhawk Dr. City Idaho FallsState ID Zip 83406 Email: \_\_\_\_\_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 # |
|-----|-----|-----|----------|-----|-----|-----|------------|--------------|---------------------|
| 01N | 38E | 11  |          |     | NE  | SE  | BONNEVILLE | GROUND WATER |                     |
| 01N | 38E | 12  |          |     | NW  | SW  | BONNEVILLE | GROUND WATER |                     |
|     |     |     |          |     |     |     |            |              |                     |
|     |     |     |          |     |     |     |            |              |                     |

4. Water will be used for the following purposes:

Amount 0.4 CFS for DOMESTIC purposes from 01/01 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) 0.4 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. Two existing wells already connected to the water supply system for the two subdivisions.

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 ☒ Noe. If well is already drilled, when? 1st-July 2003; drilling firm 1st-Vollmer Well Drilling; 2nd-?;Well was drilled for (well owner) 1st-Blackhawk Ventures LLC; Drilling Permit No. 1st- 25-7669

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 76 houses

e. Other; describe fully. \_\_\_\_\_

25-14395

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 |        |
| 01N | 38E | 11  |    |    |    |    |    |    |    |    |    |    |    |    | D  |    | D  | D  |        |
|     |     | 12  |    |    |    |    |    |    |    |    |    | D  | D  |    |    |    |    |    |        |
|     |     | 13  |    |    |    |    |    | D  | D  |    | D  | D  | D  |    |    |    |    |    |        |
|     |     | 23  | D  |    |    | D  |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     | 24  |    |    |    |    | D  | D  | D  | D  | D  | D  |    |    |    |    |    |    |        |

Total number of acres to be irrigated: NA

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? Water right 25-7669 is also used within the same water supply system. It provides water to 65 lots, both in-house use and irrigation. The proposed right will only be used for in-house domestic use. It will not be used for irrigation.
10. a. Who owns the property at the point of diversion? Blackhawk Homeowners Association
- b. Who owns the land to be irrigated or place of use? Applicant and lot owners
- 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. Existing water right only provides water to 65 of the 141 lots. Applicant proposes to develop additional in-house water to compensate for the deficiency. Since this application intends to provide non-consumptive domestic water, no mitigation plan is required.
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.

Colvin E. Jennings  
Signature of Applicant

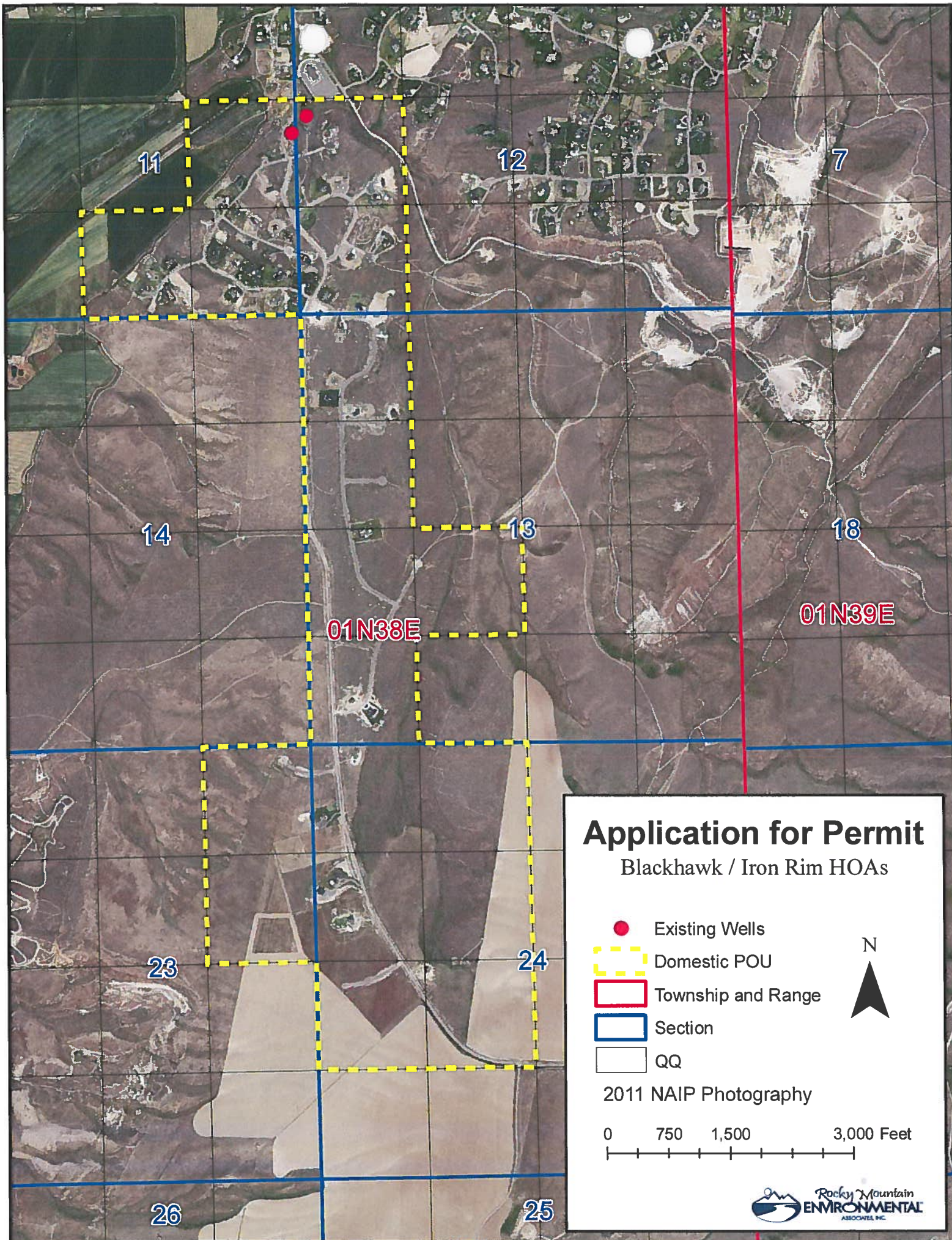
\_\_\_\_\_  
Signature of Applicant

Colvin E. Jennings President Blackhawk Homeowners Association  
Print Name (and title, if applicable)

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

**For Department Use:**

Received by WCF Date 8/29/2018 Time 8am Preliminary check by \_\_\_\_\_  
Fee \$ 250 Received by WCF Receipt No. E039052 Date \_\_\_\_\_





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

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

September 11, 2013

BLACKHAWK HOA AND IRON RIM RANCH HOA  
8070 BLACKHAWK DR  
IDAHO FALLS ID 83406

Application For Permit No. 25-14395

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 POST REGISTER on September 19 and 26, 2013. 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 style with a large, looping 'S' at the beginning.

Sharla Cox  
Administrative Assistant



**State of Idaho**

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**C.L. "BUTCH" OTIER**  
Governor

**GARY SPACKMAN**  
Director

September 11, 2013

Idaho Department of Environmental Quality  
900 North Skyline, Suite B  
Idaho Falls, ID 83402

Application to Permit No. 25-14395

DEQ:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox".

Sharla Cox  
Administrative Assistance

Enclosure(s)

## Cox, Sharla

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**From:** Cox, Sharla  
**Sent:** Wednesday, September 11, 2013 11:08 AM  
**To:** 'Post Register (legalnotices@postregister.com)'  
**Subject:** Legal Notice for your paper  
**Attachments:** Post Register E-Mail.doc  
  
**Contacts:** Post Register

*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](mailto: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:

25-14395

BLACKHAWK HOA AND IRON RIM RANCH HOA

8070 BLACKHAWK DR

IDAHO FALLS ID 83406

Point of Diversion

NWSW S12 T01N R38E

NESE S11 T01N R38E

BONNEVILLE County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 8/28/2013

Place Of Use: DOMESTIC

T01N R38E S12 NWSW SWSW

T01N R38E S13 NWNW SWNW NESW NWSW SWSW

T01N R38E S23 NENE SENE

T01N R38E S24 NENW NWNW SWNW SENW NESW NWSW

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 October 7, 2013. The protestant must also send a copy of the protest to the applicant.

#### NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78738

DAVID Z WARD and MELISSA WARD, 2700 N 626 E, PO BOX 32, MONTEVIEW, ID 83435; has filed Application No. 78738 for changes to the following water rights within CLARK County(s): Right No(s). 32-13204, 32-4001D, 32-7034D; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion and to change the place of use. The point of diversion is in the NWSE Sec 8 T9N R34E from ground water for 1.89 cfs. The place of use is in the SE 1/4 Sec 8 T9N R34E for 133.8 acres.

TRANSFER NO. 78801

FOSTER CO, PO BOX 626, RIRIE, ID 83443; LEWISVILLE CEMETARY DISTRICT, PO BOX 249, LEWISVILLE, ID 83731; has filed Application No. 78801 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-4013; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion and to change the place of use. The point of diversion is in the NWNE Sec 18 T4N R38E from ground water for 0.04 cfs. The place of use is in the NWNE Sec 18 T4N R38E for 3.3 acres.

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 Sec. 42-222.

Any protest against the proposed change must be filed with the Department 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 October 7, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 19 and 26, 2013



State of Idaho

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

8/29/2013

Blackhawk HOA and Iron Rim Ranch HOA  
C/O Colvin Jergins  
8070 Blackhawk Dr.  
Idaho Falls, ID, 83406

Dear Mr. Jergins,

The Department of Water Resources, Eastern Region, received your Application for Permit on August 28, 2013, and requires some clarification before moving forward with the permitting process. Specifically, we'd like to know if the 76 additional subdivision lots will have lawn/garden plots, and why the current place of use under Permit 25-7669 is included in the application for additional appropriation.

An initial review of the application concluded that the requested 0.4 cfs is not enough to meet the needs of 76 additional lots, if those lots are to have lawns. Will the additional lots have lawns? If so, how does the HOA plan to acquire the additional water?

Further, the initial review of the Application indicated that its purpose is to "compensate for [a] deficiency," and that the entire current Place of Use for Permit 25-7669 is included in the proposed area for compensation. Does this permit propose to address a deficiency in the amount of water currently supplied to the 65 lots covered under Permit 25-7669? Is the deficiency as identified in the Application only referring to the 76 lots in the subdivision not covered by Permit 25-7669? Or is the deficiency a combination of both above, affecting the entire 141 lot subdivision?

Thank you for assistance in answering these questions as they will help clarify the type of Permit the Department issues.

Sincerely,

Cooper Fritz  
Water Resources Agent

CC: Rocky Mountain Environmental Associates



State of Idaho

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GARY SPACKMAN  
Director

9/9/2013

File for Permit Application # 25-14395

This memo serves to document a conversation with Kristin Moore, Water Rights Analyst at Rocky Mountain Environmental Associates and representative of Applicant, Blackhawk HOA and Iron Rim Ranch HOA, on 9/4/2013 in response to a letter dated 8/29/2013.

Kristin stated irrigation rights for the 76 lots would be procured through either a transfer of water rights from lands currently irrigated, or would be applied for in a separate, future application.

Kristin also stated that Application #25-14395 is for in-house use only in the 76 additional lots, not the 65 lots currently covered by Permit # 25-7669.

-Cooper Fritz

