

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 02-10496**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Dale &/or Gail Hurley Phone 208-896-4949
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address: 9048 HWY 78 City Melba
 State ID Zip 83641 Email: daleh1@frontier.com
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
2N	4W	36	3		SW	SE	Owyhee	Snake River	
2N	4W	36			NW	SE	Owyhee	Snake River	

4. Water will be used for the following purposes:

Amount 0.06 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)

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) 0.06 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. 6 HP gasoline engine with 2 inch outlet pump.
One point of diversion proposed in one of the legals shown above.
- 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; show name of municipality or the applicant's qualifications as a municipal provider. _____
- d. Domestic; show number of households _____
- e. Other; describe fully. To irrigate approximately 1.5 acres where irrigation water does not reach, plus to water windbreak trees to be planted.

RECEIVED**JUN 27 2013**

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
2N	4W	36												1				1	2

Total number of acres to be irrigated: 2

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? Opaline Irrigation District

10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- 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. We plan to use a small gasoline powered pump to get water from the Snake River which borders our property. Water will be used for irrigation.

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.

X Dale Hurley
 Signature of Applicant
Dale Hurley
 Print Name (and title, if applicable)

X Gail P. Hurley
 Signature of Applicant
Gail Hurley
 Print Name (and title, if applicable)

For Department Use:

Received by MG Date 5/17/13 Time 12:00pm Preliminary check by KW
 Fee \$ 100.00 Receipted by MG Receipt No. W041078 Date 5/1/2013



RECEIVED

MAY 01 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 02-10496

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES

1. Name of applicant(s)

DALE HURLEY AND GAIL HURLEY Phone 208-896-4949Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address:

9048 Highway 78City MELBAState ID Zip 83641

Email:

DALEH1@FRONTIER.COM2. Source of water supply SNAKE RIVER 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 #
<u>2N</u>	<u>2W</u>	<u>36</u>			<u>SE</u>	<u>SW</u>	<u>OWYHEE</u>	<u>SNAKE</u>	

4. Water will be used for the following purposes:

Amount .06 for IRRIGATION purposes from 3/01 to 11/01 (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) .06 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. 6 HORSEPOWER ENSOLIKE ENGINE WITH 2 INCH OUTLET PUMP.b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total reservoir capacity 0 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 0 inches; proposed depth of well is 0 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; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. TO IRRIGATE APPROXIMATELY 1 1/2 ACRES WHERE IRRIGATION DOES NOT REACH PLUS TO WATER WINDBREAK TREES TO BE PLANTED.

Check # 1074 - \$100.00, 4/30/2013 - Ronal G. M. L. S.

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	
2N	2W	36											1					1/2	1 1/2

Total number of acres to be irrigated: 1 1/2

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? _____

10. a. Who owns the property at the point of diversion? APPLICANT - HURLEY
- b. Who owns the land to be irrigated or place of use? APPLICANT - HURLEY
- 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. WE PLAN TO USE A SMALL BATTERY POWERED PUMP TO GET WATER FROM THE SNARE RIVER WHICH BORDERS OUR PROPERTY. WATER WILL BE USED FOR IRRIGATION.

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 8 1/2" 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.

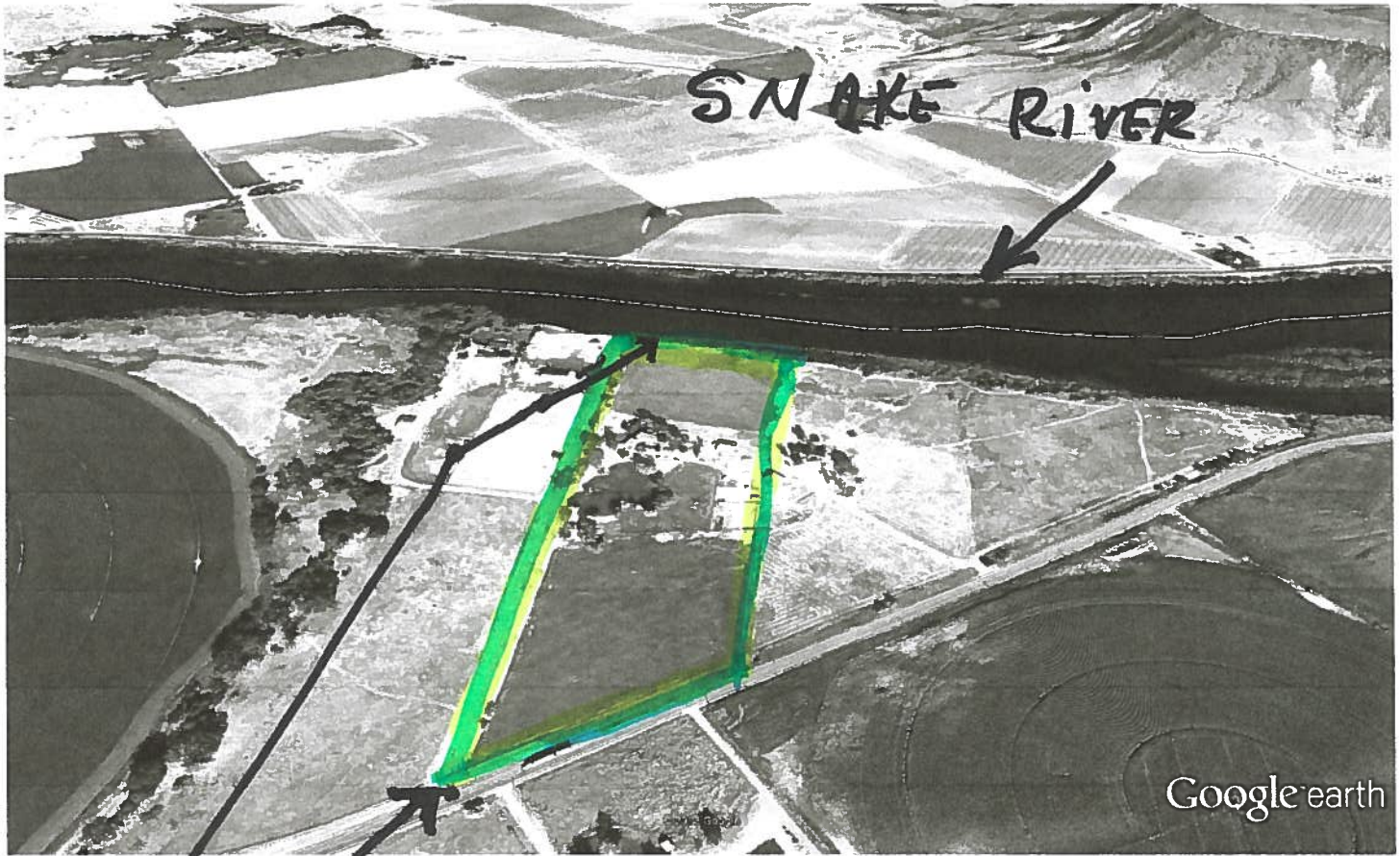
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Dale Hurley
Signature of Applicant
DALE HURLEY
Print Name (and title, if applicable)

Dale K. Hurley
Signature of Applicant
DALE K. HURLEY
Print Name (and title, if applicable)

For Department Use:

Received by MG Date 5/1/13 Time 10:35am Preliminary check by _____
Fee \$ 100- Received by MG Receipt No. W041078 Date 5/1/13



feet 2000
meters 600

APPLICANT HURLEY PROPERTY:
9048 HIGHWAY 78
MELBA, ID. 83641
OWYHEE COUNTY

Pump location

RECEIVED

MAY 01 2013

WATER RESOURCES
WESTERN REGION

00 10191

Snake River Ranch Estates #2

OWYHEE COUNTY

THIS PROJECT IS MADE SOLELY TO ASSIST
 THE STATE OF IDAHO IN THE CONSTRUCTION OF THE
 STATE HIGHWAY 78 FOR VARIATION
 PROJECT AND SURVEY.

9048 Hwy 78

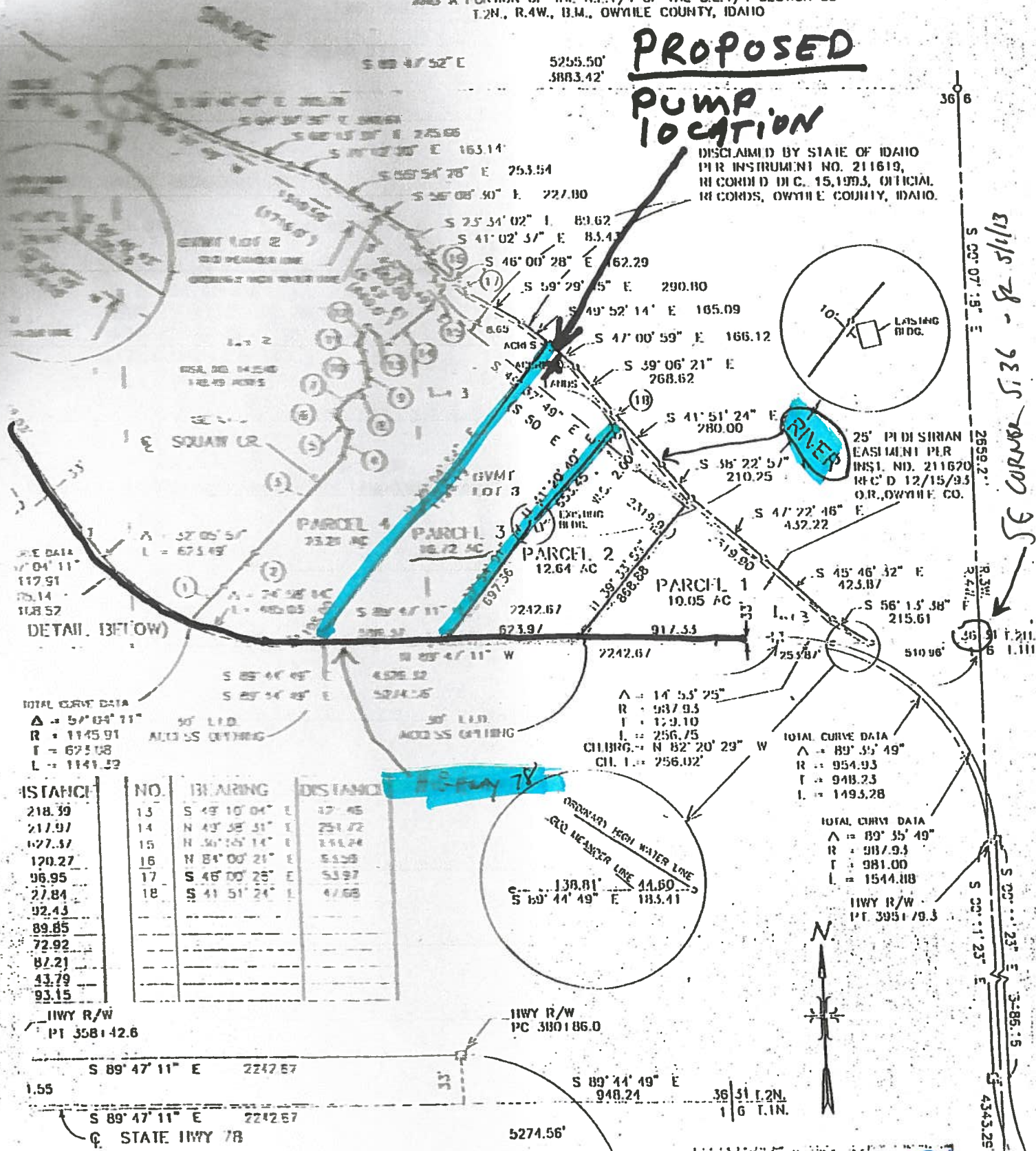
RECORD OF SURVEY NO. MELEB, ID.

83641

A PORTION OF THE SOUTH 1/2 OF SECTION 36
 AND A PORTION OF THE N.E. 1/4 OF THE S.E. 1/4 SECTION 35
 T.2N., R.4W., B.M., OWYHEE COUNTY, IDAHO

**PROPOSED
 PUMP
 LOCATION**

DISCLAIMED BY STATE OF IDAHO
 PER INSTRUMENT NO. 211619,
 RECORDED DEC. 15, 1993, OFFICIAL
 RECORDS, OWYHEE COUNTY, IDAHO.



Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, July 10, 2013 4:57 PM
To: 'rick.ward@idfg.idaho.gov'
Subject: Application for Permit
Attachments: Permit App 2-10496.pdf; Amended Permit App 2-10496.pdf

July 10, 2013

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

RE: Application for Permit No. 2-10496

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 August 5, 2013.

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

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, July 10, 2013 11:57 AM
To: 'JENNIFER@OWYHEEAVALANCHE.COM'
Subject: Owyhee Legal Ad
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Jennifer Stutheit,

Please see the attached ad for publication on 7/17/2013 & 7/24/2013.

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

July 10, 2013

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application for Permit No. 2-10496

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 8/5/2013. 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:

2-10496

DALE HURLEY

GAIL HURLEY

9048 HWY 78

MELBA, ID 83641

Points of Diversion NWSE L3(SWSE) S36 T02N R04W OWYHEE County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/01 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 5/1/2013

Place of Use: IRRIGATION

T02N R04W S36 SESW L3(SWSE)

Total Acres: 2

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 8/5/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/17/2013 and 7/24/2013



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

June 19, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

DALE &/OR GAIL HURLEY
9048 HWY 78
MELBA ID 83641

RE: Application for Permit 02-10496

Dear Mr. and Mrs. Hurley:

RECEIVED

JUN 27 2013

WATER RESOURCES
WESTERN REGION

We are in the process of reviewing your application for permit and find we need to make some changes before we can proceed with advertising. Enclosed is an "Amended" Application for your review and signature. We have also included a copy of your original application for your convenience.

We found that the location of your property is within Range 4 West, rather than Range 2 West, as you proposed. This was determined based upon the subdivision plat you had provided with your application. We then went into Owyhee County tax lots and verified which lot was yours and printed out the map attached to the amended application form. We have also changed the legal descriptions for the point of diversion and place of use based upon the tax lot information. Other small changes to your application include adding the tributary, standard season of use for your area and added a second point of diversion so your pump is covered wherever you place it on the river.

Please review the amended application form and if you agree with the changes, both of you should sign it on page 2 and return it to this office.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must be received within 30 days of the date of this letter, or by July 20, 2013. The application will be voided without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

6/25/2013

THANK YOU FOR TAKING
THE TIME & EFFORT TO
CORRECT MY ERRORS.



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

June 19, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
~~Assistant~~ Director

DALE &/OR GAIL HURLEY
9048 HWY 78
MELBA ID 83641

RE: Application for Permit 02-10496

Dear Mr. and Mrs. Hurley:

We are in the process of reviewing your application for permit and find we need to make some changes before we can proceed with advertising. Enclosed is an "Amended" Application for your review and signature. We have also included a copy of your original application for your convenience.

We found that the location of your property is within Range 4 West, rather than Range 2 West, as you proposed. This was determined based upon the subdivision plat you had provided with your application. We then went into Owyhee County tax lots and verified which lot was yours and printed out the map attached to the amended application form. We have also changed the legal descriptions for the point of diversion and place of use based upon the tax lot information. Other small changes to your application include adding the tributary, standard season of use for your area and added a second point of diversion so your pump is covered wherever you place it on the river.

Please review the amended application form and if you agree with the changes, both of you should sign it on page 2 and return it to this office.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must be received within 30 days of the date of this letter, or by July 20, 2013. The application will be voided without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

6/20/13 -
Returned call to Mr.
Hurley re: status. He
will call me if
has questions
regarding above
letter.
KW