

AMENDED

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

Ident. No. 63-33741

1. Name of applicant(s) James and/or Toni Webber Phone 503-816-5842
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address: 4920 S.E. Kelly City Portland

State OR Zip 97206 Email: jwww@earthlink.net

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

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5N	6W	13			NW	NW	Canyon	South Boise Drain	

4. Water will be used for the following purposes:

Amount 3.20 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) 3.20 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. concrete or steel sump(s) size TBD

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. _____

RECEIVED**MAY 14 2013****WATER RESOURCES
WESTERN REGION**

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	6W	12											20	40					60
		13					20	40	40										100

Total number of acres to be irrigated: 160

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

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. _____

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.

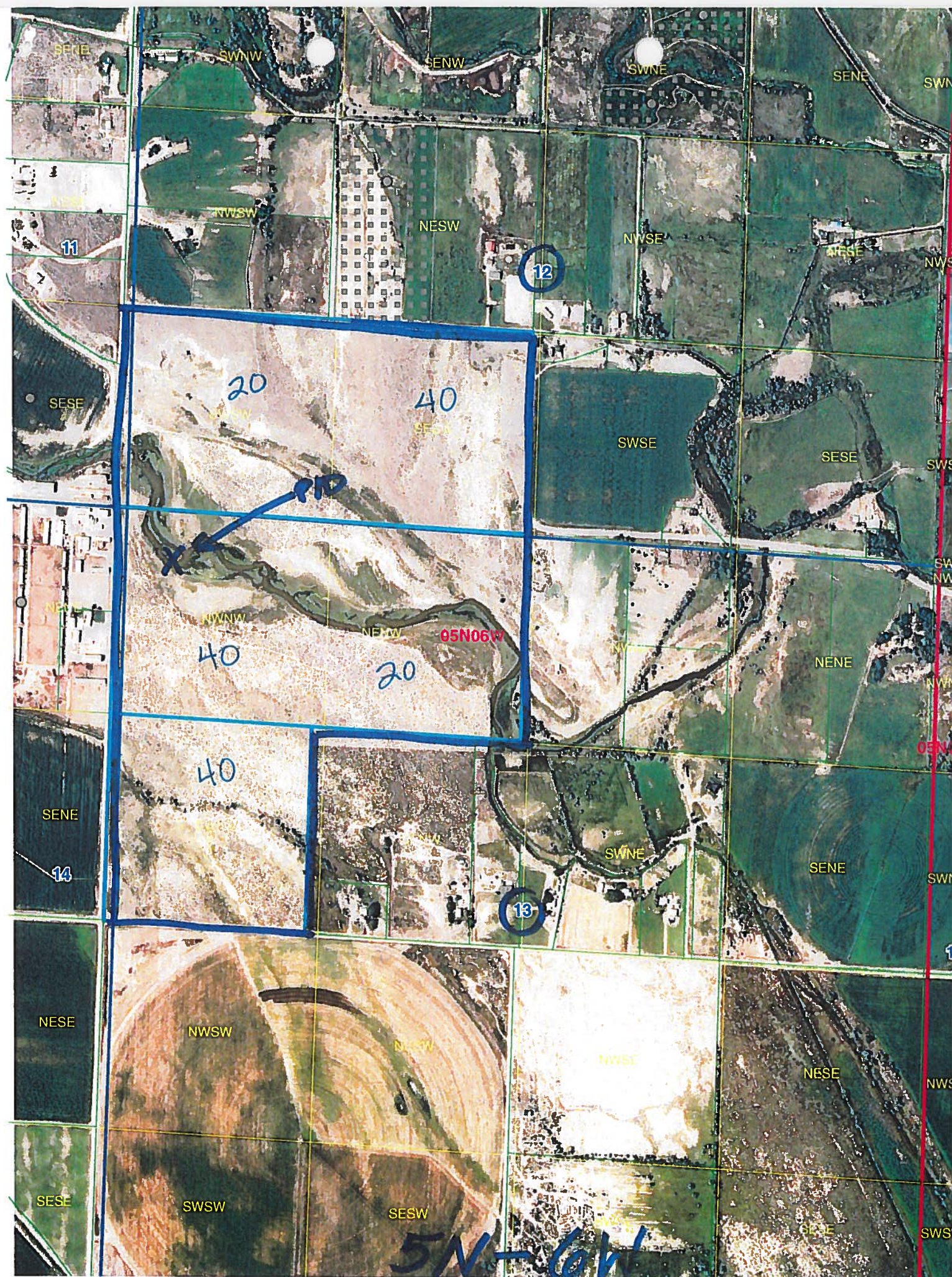
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

James Webber
Signature of Applicant
James Webber
Print Name (and title, if applicable)

Toni Webber
Signature of Applicant
Toni Webber
Print Name (and title, if applicable)

For Department Use:

Received by Kew Date 5-14-13 Time 10:00 Preliminary check by _____
Fee \$ 370.00 Received by JA Receipt No. W040819 Date 1/28/2013



RECEIVED

JAN 28 2013

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 63-33741

1. Name of applicant(s) James and or Toni Webber Phone 503-816-5842
Name connector (check one): ☐ and ☐ or ☐ and/or
- Mailing address: 4820 S.E. Kelly City Portland
State OR Zip 97206 Email: jww@earthlink.net
2. Source of water supply Homestead Gulch which is a tributary of Boise River
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
SN	6W	12			NW	SW	Canyon	Homestead Gulch	

4. Water will be used for the following purposes:

Amount 3.20 for Irrigation purposes from Mar 1 to Nov 1 (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) 3.2 cubic feet per second (cfs) and/or (b) 1 acre-feet per year (af).

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. concrete or steel sump(s)
Size TBD
- 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. _____

Superseded by Amended App Rec'd 5/11

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	
05N	6W	12							20	40	20	40	40						160

Total number of acres to be irrigated: 160

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

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- b. Who owns the land to be irrigated or place of use? Applicant
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11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

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.

James Webber
Signature of Applicant
James Webber
Print Name (and title, if applicable)

Toni Webber
Signature of Applicant
Toni Webber
Print Name (and title, if applicable)

For Department Use:

Received by JA Date 1/28/2013 Time 10:32 Preliminary check by _____
Fee \$ 370.00 Received by JA Receipt No. W040819 Date 1/28/2013



SW SW

Webber

05N-06W-Sec 12



Wobler

05M-06W-See 12

SW SW

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, June 04, 2013 12:24 PM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Permit
Attachments: Application for Permit 63-33741.pdf; Amended Application for Permit 63-33741.pdf

June 4, 2013

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

RE: Application for Permit No: 63-33741

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office within 21 days.

The protest deadline for any interested party is June 24, 2013. A written protest and the \$25 filing fee must be received by 5:00 p.m. that day in order to be recognized by IDWR.

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

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, June 04, 2013 12:22 PM
To: Thiel, Sandra
Subject: Application for Permit
Attachments: Application for Permit 63-33741.pdf; Amended Application for Permit 63-33741.pdf

June 4, 2013

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: 63-33741

Dear Ms. Thiel:

Attached is a copy of an application 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 208-334-2190 if you have any questions regarding the applications.

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, May 29, 2013 3:21 PM
To: 'LEGALS@IDAHOPRESS.COM'
Subject: Legal Ad
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Leann Nobella,

Please see the attached ad for publication on 6/6/2013 & 6/13/2013.

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

May 29, 2013

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

RE: Application For Permit No's: 63-33741, 63-33764, 63-33769, 63-33774 & 63-33777
Transfer No. 78594
Extension of Time to Avoid Forfeiture No. 2-10370

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 6/24/2013. 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:

63-33741

JAMES WEBBER
TONI WEBBER
4920 SE KELLY
PORTLAND, OR 97206
Point of Diversion NWNW S13 T05N R06W CANYON County Source SOUTH BOISE DRAIN Tributary SNAKE RIVER
Use: IRRIGATION 03/01 to 11/01 3.2 CFS
Total Diversion: 3.2 CFS
Date Filed: 1/28/2013
Place Of Use: IRRIGATION
T05N R06W S12 SWSW SESW
T05N R06W S13 NENW NWNW SWNW
Total Acres: 160

63-33764

JAMES RONALD HAYS
2438 E HERBERT DR
BOISE, ID 83706
Point of Diversion SENW S12 T01S R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.8 CFS
Total Diversion: 0.8 CFS
Date Filed: 4/22/2013
Place Of Use: IRRIGATION
T01S R02W S12 SENW
Total Acres: 40
Water bearing zone to be appropriated is from 120 to 250 feet.

63-33769

O STANLEY MORTENSEN
MYRTLE L MORTENSEN
2367 RIVER OAKS DR
NAMPA, ID 83686
Point of Diversion SWNE S29 T01N R02W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 1.6 CFS
Total Diversion: 1.64 CFS
Date Filed: 4/25/2013
Place Of Use: DOMESTIC
T01N R02W S29 SWNE
Place Of Use: IRRIGATION
T01N R02W S29 SWNE SENE
Total Acres: 80
Water bearing zone to be appropriated is from 150 to 300 feet.

63-33774

RUBEN ASUMENDI
23032 HWY 20 26
PARMA, ID 83660
Point of Diversion NESW S36 T04N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 2.32 CFS
Total Diversion: 2.32 CFS
Date Filed: 5/2/2013
Place Of Use: IRRIGATION
T04N R02W S36 SENW NESW NWSW
Total Acres: 116
Water bearing zone to be appropriated is from 20 to 400 feet.

63-33777

LAKEVIEW LAND CO LLC
10778 PERCH RD
CALDWELL, ID 83686
Point of Diversion SWSW S4 T02N R03W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.6 CFS
Total Diversion: 1.6 CFS
Date Filed: 5/14/2013
Place Of Use: IRRIGATION
T02N R03W S4 NWSW SWSW
Total Acres: 80
Water bearing zone to be appropriated is from 200 to 400 feet.

PROPOSED CHANGE OF WATER RIGHT(S)

Ronald G. Smith of 25357 Wamstad Rd Parma ID 83660 filed Application No. **78594** to transfer four water right(s) with 1977 to 1987 priority dates from ground water totaling 11.75 cfs. The purpose of the transfer is to change an existing P/D and add a new P/D for diversion of up to 7.8 cfs. Water will be used at the current place of use near the intersection of Arena Valley and Matthews Roads in the Deer Flat area southeast of Riverside Canal, approximately 4.5 miles southwest of Parma.

EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Khanh and Mongtu Nguyen of 12482 N. Upper Ridge Place, Boise, ID 83714, filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. **2-10370** with a 1963 priority from Snake River totaling 0.285 cfs. The applicant does not know when the the irrigation right was last used. The right serves property located 4 miles north of the Snake River and 6 miles northwest of Melba. The applicant requests the extension of time to provide adequate time to work with the Hat Butte Irrigation Company to reestablish water delivery to the site.

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 rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. For specific details of the extension see this link www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp using right no 2-10370. Protests may be submitted based on the criteria of Sec 42-203A and 42-222, Idaho Code. Any protest against the approval of this application(s) 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 6/24/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/6/2013 and 6/13/2013

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

RECEIVED

MAY 20 2013

WATER RESOURCES
WESTERN REGION

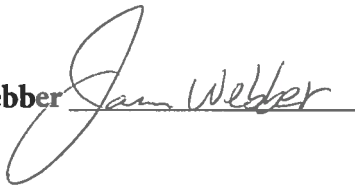
RE: Application for Permit No. 63-33741

As to the information we have received, there are two users beyond our property that pump water out of the South Boise Drain before the water runs into the Snake River.

As a result of the information we have received from the Riverside Irrigation District, there is an enormous amount of water that runs through our property. Therefore, there should be no negative effect of us pumping water out for irrigation purposes.

We are aware of our position as a secondary user and will be willing to modify the amount of water being pumped if it has a negative impact on the two other users due to overall flow reduction.

James Webber



Date 5-15-2013

Toni Webber



Date 5-15-2013

Riverside Irrigation District

P. O. Box 1080

Parma, Idaho 83660-1080

(208) 722-5044

RECEIVED

MAY 17 2013

WATER RESOURCES
WESTERN REGION

May 16, 2013

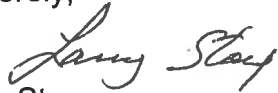
Idaho Department of Water Resources
Attention: Kay Walker
2735 Airport Way
Boise, ID 83705

RE: Application for Permit #63-33741

Dear Kay Walker:

Riverside Irrigation District has no objections of Jim and Toni Webber placing a pump into the South Boise Drain.

Sincerely,



Larry Story
Chairman
Riverside Irrigation District



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

April 18, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JAMES &/OR TONI WEBBER
4920 SE KELLY
PORTLAND OR 97206

RE: Application for Permit No. 63-33741

Dear Mr. and Mrs. Webber:

We have completed an initial review of the above application for permit and find we need to have corrections made to the form before we can continue our review. Enclosed, for your review and signature, is an Amended Application for Permit form. Please note that we have changed the source of water, tributary, point of diversion and place of use. We have also included a copy of the application you submitted, for your information and convenience.

Based on our topographical maps, the source of water you plan to divert is actually known as the South Boise Drain which is tributary to the Snake River. Please note that before we can process this application you will need to obtain permission from a representative of the South Boise Drain that states you can divert water from this source.

Please note that we have changed the legal descriptions used for your application. Based on the maps you submitted and Canyon county tax lot information, we find that your property was not all located within Sec. 12, Twp. 5N, Rge. 6W, as you indicated on the form. We found that your proposed point of diversion would be located within the NWNW, Sec. 13 and your place of use would be within Sections 12 and 13, Twp. 5N, Rge. 6W. Please review the amended application and the attached map, and if you agree, sign the application on page 2, where indicated.

We also found, through our overlap analysis of this proposal, that there is a water right license for wildlife and wildlife storage within the N1/2NW1/4, Sec. 13, Twp. 5N, Rge. 6W. What is your plan in regard to this licensed water right? Enclosed is a copy of the license and map of this development.

We also need information in regard to Water Appropriation Rules 40.05.c through 40.05.d. You can view these rules on the enclosed sheet. We need information concerning the effect on existing water rights, if this application is approved, and information relative to the sufficiency

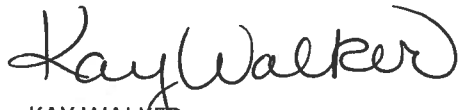
*5-2-13
discussed w/mk.
Webber - kw*

of the water supply. If you need assistance in obtaining this information you can contact a consultant. We have included a list of companies that provide services in water right related matters.

Please submit the amended application and additional information requested above 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 the next thirty (30) days. Failure to make a timely response will cause your application to be voided. A refund of the application fee cannot 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 need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

KAY WALKER
Sr. Water Resource Agent

Enclosures