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APR 22 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. 63-33764

1. Name of applicant(s) JAMES RONALD HAYS Phone 208-249-4999
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address: 2438 E. Herbert Dr., S City BOISE
 State ID Zip 83706-5706 Email: JRH7R@YAHOO.COM
2. Source of water supply GROUND which is a tributary of N/A
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
1S	2W	12			SE	NW	CANYON	GROUND	

4. Water will be used for the following purposes:

Amount 1.80 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) 1.80 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. DRILL WELL WITH GRAVITY SYSTEM
- 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 UNKNOWN inches; proposed depth of well is 350 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? N/A; 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. _____

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	
1S	2W	12								40									40

Total number of acres to be irrigated: 40

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? Boise-Kuna Irrigation District

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: N/A

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Well is being sought to supplement water from Boise-Kuna Irrigation District

water bearing zone 150' to 350'
120 250 (attached)

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 Ronald Hays
Signature of Applicant

JAMES RONALD HAYS
Print Name (and title, if applicable)

Signature of Applicant

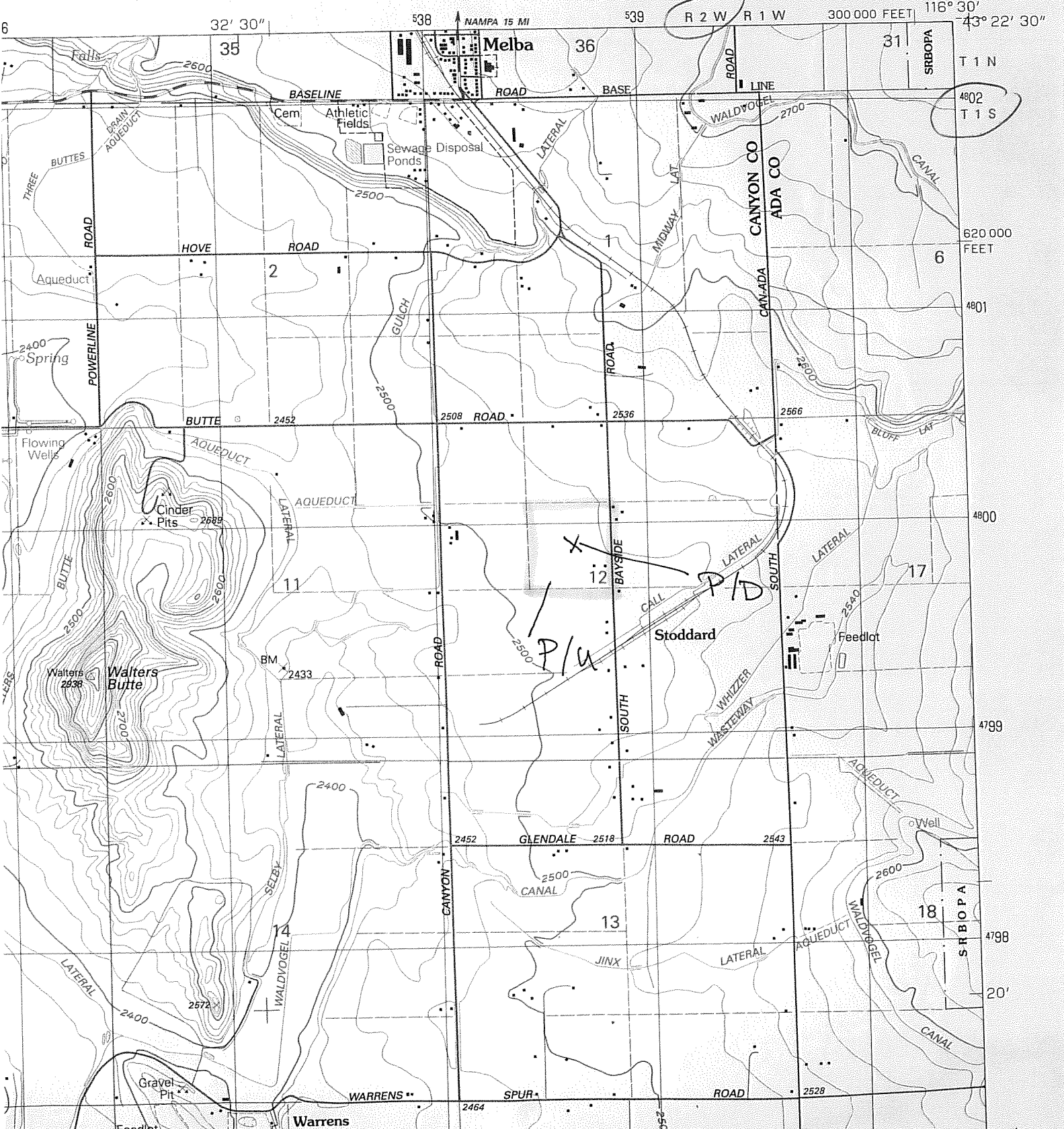
Print Name (and title, if applicable)

For Department Use:

Received by JA Date 4.22.13 Time 9:30am Preliminary check by JK
Fee \$ 250- Received by JA Receipt No. W041050 Date 4.22.13

UTTE

WALTERS BUTTE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



1.2 2271 A

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

RECEIVED

MAY 13 2013

WATER RESOURCES
WESTERN REGION

APPLICATION 63-33764 RESPONSE FORM

CHECK ONE OF THE FOLLOWING OPTIONS

OPTION #1 _____

I withdraw the above referenced Application for Permit. Please issue a full refund of the application fee that was paid.

OPTION #2 X

Please expedite processing of the above referenced Application for Permit. With or without protests against the application, I understand it will be held pending additional information necessary to complete the evaluation of my application.

NOTE: This option requires the following sentence to be completed:

The proposed water bearing zone to be appropriated from the aquifer is from 120 to 250 feet.

OPTION #3 _____

Delay processing my application until I provide sufficient information to satisfy the evaluation criteria of 42-203A, *Idaho Code*.

.....

I acknowledge Options #2 and #3 will most likely result in a delay of an undetermined amount of time before IDWR can issue a decision regarding my application.

DATE: May 10, 2013

SIGNATURE:

James R. Hays
Applicant printed name

James R. Hays
Applicant signature

Attach additional applicant name(s) and signature(s) if applicable.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Director

May 1, 2013

JAMES HAYS
2438 E HERBERT DR
BOISE ID 83706-5706

Re: Application for Permit No. 63-33764

Dear Applicant:

The Idaho Department of Water Resources (IDWR) received your application for permit requesting a new ground water right for supplemental irrigation in south Canyon County. IDWR is trying to expedite such applications due to the limited water supply this year. This includes publishing legal notices in the *Press Tribune* newspaper as required by Idaho law.

However, the area in question is somewhat problematic at this time. A number of applications proposing a considerable amount of new ground water uses for this area are pending before IDWR. The full extent of proposed development is being clarified based on an ongoing process between the applicants and IDWR.

IDWR has limited data and knowledge regarding water availability for the area in question. Ideally, additional data and information will become available as pending applications are processed and evaluated on a seniority basis. This should help determine the extent to which new applications should be approved. An estimate of how long this will take is unknown at this time

New Water Right Applications

Section 42-203A, *Idaho Code*, requires IDWR to consider certain criteria in processing new water right applications. In some cases, the applicant is asked to provide sufficient information to address some or all of the following criteria:

1. Will the new appropriation injure existing water rights?
2. Is the water supply sufficient for the purpose for which it is sought?
3. Is the application made in good faith or for delay or speculation?
4. Does the applicant have sufficient financial resources to complete the project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

SEE RESPONSE FORM ATTACHED
to Application
-SE

Application 63-33764
May 1, 2013
Page 2

Options for Consideration

Based on the above explanation, the following options are available for your application:

1. Withdraw the application and receive a full refund. You may re-file at a later date if desired.
2. Have IDWR expedite publication of legal notices for your application to determine if protests will be filed. With or without protests, IDWR will hold the application until there is sufficient information available for continued processing of your application. A refund cannot be issued under this option.
3. Have IDWR delay processing until you provide sufficient information to satisfy the above evaluation criteria. The evidence should include technical data and analysis to support your application.

A consultant list is enclosed for your convenience if you decide to seek expert help.

Please select one of these options by completing and returning the enclosed response form in the next thirty (30) days. You may request more time to make your decision. Your application will be voided if a timely written response is not received. Refunds are not issued for voided applications.

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

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure