

RECEIVED

APR 09 2012

WATER RESOURCES
WESTERN REGION

App. ID 77865

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) Sands LLC Phone 208-859-8115
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address c/o Steve Loomis, 7154 W. State St. #187 City Boise
 State ID Zip 83714 Email: _____

I am the owner of Water Appropriation Permit No. 65-23355 and request that the permit be amended as follows:

- ☒ Change point of diversion ☐ Add point of diversion ☐ Change period of use
☐ Change nature of use ☒ Change place of use ☐ Other _____

1. **Point of diversion:** ☐ No changes to point(s) of diversion. Skip item #1 and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
6N	2E	8			SE	NW	Boise	Unnamed Stream	

2. **Period and nature of use:** ☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)

3. **Place of use or land to be irrigated:** ☐ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2E	8								X	X								
		8			4					6									10

Total number of acres to be irrigated 10

X = irrigation storage

4. **Property ownership:** ☐ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.

- 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:
- _____
- _____
- _____

5. **Describe the proposed change in narrative form:**

Move the on-stream pond and point of diversion to the SENW, rather than the SWNE as originally proposed.

Change the irrigation place of use to acres predominately downstream from the on-stream pond and diversion point.

On-stream pond size has been amended to approximately 0.4 acre surface area, 18.5 feet deep, with a 0.4 slope factor.

No additional storage water and/or irrigated acres are proposed.

Because the proposed (amended) dam will be greater than 10 feet deep, attached is an Application for Construction of a New Dam.

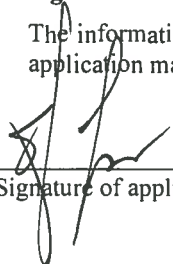
Acres originally listed in the SWNE have been rounded up from 3.5 to 4.0 to comply with Department Standards.

6. **Map:** ☒ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.

Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

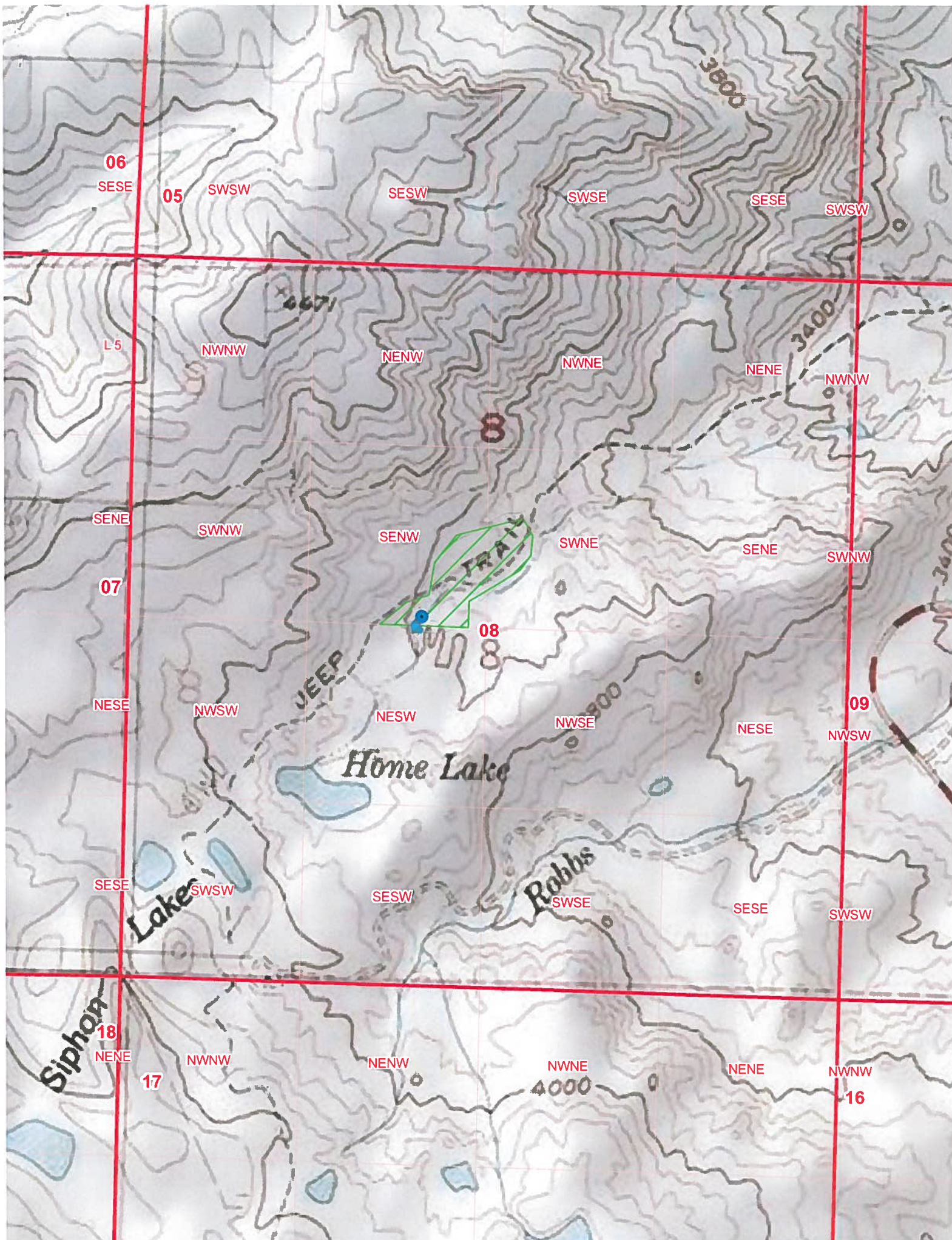
7. **Signature:**

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

	<u>Steve Loomis</u>	<u>4/5/12</u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date
_____	_____	_____
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date

FOR DEPARTMENT USE ONLY

Received by <u>RS</u>	Date <u>4.9.12</u>	Receipt No. <u>W040214</u> <u>W040059</u>
Received by <u>RS</u>	Date <u>4.9.12</u>	
Reviewed by <u>VLM</u>	Date <u>5-18-12</u>	



Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, December 27, 2012 3:08 PM
To: 'editor@idahoworld.com'
Subject: Legal Ads
Attachments: Boise Combined Ad.docx; Boise Cover Letter.docx

Good Afternoon Teri,

I will be doing the advertising for IDWR Western Region at this time.

Please see the attached ad for publication on 1/2/2013 & 1/9/2013.

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

December 27, 2012

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Application For Permit No's: 65-23487 & 65-23488
RE: Application For Amendment No: 77865

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 1/22/2013. 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:

65-23487

JESSE LLC

C/O STEVE LOOMIS

7154 W STATE ST #187

BOISE, ID 83714

Point of Diversion L8(NWSW) S33 T07N R02E BOISE County

Source UNNAMED STREAM Tributary PAYETTE RIVER

Use: IRRIGATION 03/01 to 11/15 0.02 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/9/2012

Place Of Use: IRRIGATION & STOCKWATER T07N R02E S33 L3(SWNW) L8(NWSW)

Total Acres: 0.5

65-23488

JESSE LLC

C/O STEVE LOOMIS

7154 W STATE ST #187

BOISE, ID 83714

Point of Diversion NENWNW S15 T06N R02E BOISE County

Source SPRING Tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.06 CFS

Date Filed: 4/9/2012

Place Of Use: STOCKWATER & DOMESTIC T06N R02E S15 NWNW

Sands LLC, c/o Steve Loomis, of 7154 W State St #187, Boise, Idaho, 83714, filed Application No. 77865 to amend a water permit with a 2009 priority from an unnamed stream, tributary to Robbs Creek, totaling 6 af for irrigation storage and irrigation from storage. The permit provides water for property located about 2 miles southwest of Horseshoe Bend, Idaho. The applicant proposes to amend the permit to change the point of diversion to a point about 0.18 miles upstream and to decrease the acres to be irrigated from 25 to 10 acres.

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 amendment, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-203A and 42-211, 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 1/22/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/2/2013 and 1/9/2013

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, December 27, 2012 4:56 PM
To: 'waterdist65@srvinet.com'
Subject: RE: Water Right Applications
Attachments: Application for 65-23487.pdf; Application for 77865.pdf

December 27, 2012

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Permit No: 65-23487
Application for Amendment No: 77865

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 January 22, 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 I



May 25, 2012

RECEIVED

MAY 29 2012

WATER RESOURCES
WESTERN REGION

Vicky Music
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Amendment of Permit No. 77865, Permit No. 65-23355

Dear Vicky,

Per your request, enclosed on behalf of Sands LLC, is check No. 6918 for the additional \$50 filing fee associated with Application for Amendment of Permit No. 77865, Permit No. 65-23355.

Thank you very much for your consideration and assistance in this matter. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written over a faint, larger blue ink signature.

Lori Graves
Water Rights Specialist

Cc: Steve Loomis

Enclosure

SPF file number: 395.0010



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
Interim Director

May 18, 2012

Sands, LLC
c/o Lori Graves
SPF Water Engineering, LLC
300 Mallard Dr., Ste. 350
Boise, ID 83706

Re Application for Amendment of Permit No. 77865, Permit No. 65-23355

Dear Ms. Graves,

The application referenced above has been assigned to me for review and processing. The fee to file an Application For Amendment of Permit is \$100. The fee is listed on the application under the title, which states, "Fee is \$100 per § 42-221C, Idaho Code". The fee you paid on behalf of your client was \$50. Please remit the \$50 due.

In the letter you submitted with the application and fees, you requested that the Department not advertise this application. IDWR will not be able to honor this request. The application will be advertised.

Please remit the fee due by June 4, 2012, so that processing can continue. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent

Lester, Steve

From: Lester, Steve
Sent: Tuesday, May 08, 2012 9:28 AM
To: 'Lori Graves'
Subject: FW: 65-23355 Permit Amendment

Lori:

In regard to your question, the amendment appl will be advertised due to the high profile of this area having numerous appls over several years for multiple owners & some history of conflicts. The appl is being assigned today for staff to process it.

Steve

From: Lester, Steve
Sent: Thursday, April 19, 2012 1:45 PM
To: 'Lori Graves'
Subject: RE: 65-23355 Permit Amendment

Lori:

I don't know yet, need to do some background checking since Sands has filed so many things, hard to keep it all straight. Won't have time to look into until later in the next week or two.

Steve

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Wednesday, April 18, 2012 7:07 AM
To: Lester, Steve
Subject: 65-23355 Permit Amendment

Good Morning Steve,

Will the application for amendment we submitted for permit 65-23355 require advertising? The client is trying to prepare a development plan and asked for a processing time-frame. Thanks Steve.

Lori Graves
Water Rights Specialist
300 E. Mallard, Ste 350
Boise, ID 83706
208.383.4140 x219
fax 208.383.4156
e-mail lgraves@spfwater.com
www.spfwater.com



RECEIVED

APR 09 2012

WATER RESOURCES
WESTERN REGION

April 6, 2012

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Application for Amendment of Permit 65-23355*
Application for Construction of New Dam

Dear Steve,

Enclosed on behalf of Sands LLC, is an *Application for Amendment of Permit 65-23355* proposing changes in the place of use and point of diversion from those originally proposed. The changes include less irrigated area and relocation of the on-stream pond and diversion point. Although the pond shape will change, total storage volume will not exceed the amount originally proposed. Since the new pond location will result in a dam height greater than 10 feet, enclosed is an *Application for Construction of New Dam*.

Since the amended point of diversion and on-stream pond are very near to those permitted, and the changes proposed do not exceed the original permit parameters, the Department's consideration to forego advertising would be greatly appreciated to allow development to proceed as soon as possible.

Check No. 1058 for \$260 is enclosed for the filing fees; \$50 for the amendment and \$210 for the dam. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written over a light blue horizontal line.

Lori Graves
Water Rights Specialist

Cc: Steve Loomis

Enclosures

SPF file number: 395.0010