

RECEIVED

JUL 11 2012

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.

29-14027

AMENDED1. Name of applicant(s) Rowland's Inc.Phone 208-238-1259Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 1141 Rowland RoadCity PocatelloState IdahoZip 83204-7416

Email: _____

2. Source of water supply Groundwater

which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
06S	34E	07	2	NW	NE		POWER		

4. Water will be used for the following purposes:

Amount 0.06 cfs/0.2 AF for COMMERCIAL purposes from 4/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 cfs/4.0 AF for Irrigation purposes from 4/1 to 10/31 (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)5. Total quantity to be appropriated is (a) 0.08 cubic feet per second (cfs) and/or (b) 4.2 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. existing well with 5 hp pump

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? 1964; drilling firm CushmanWell was drilled for (well owner) Applicant; Drilling Permit No. unknown

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. Commercial use is for RV hookups

29-14027

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	
6S	34E	7		C/1															

Total number of acres to be irrigated: 1

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. Development of small RV park with 12 hookups. Applicant will mitigate for irrigation component of water right by drying up 1 acre under Water Right No. 29-13955.

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.

Thomas J. Bridge
Signature of Applicant

Signature of Applicant

Thomas J. Bridge, attorney for Applicant
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by SL Date 1/31/12 Time _____ Preliminary check by _____
Fee \$ 250- Receipted by SL Receipt No. ED31282 Date 1/31/12

29 - 14027

RECEIVED

FORM 202 03/10 Print form as a 2 page, single-sided document

JAN 31 2012
Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 29-140271. Name of applicant(s) Rowland's Inc. Phone 208-238-1259
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 1141 Rowland Road City Pocatello
State Idaho Zip 83204-7416 Email: _____2. Source of water supply Groundwater which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
06S	34E	07		NW	NE		POWER		

4. Water will be used for the following purposes:

Amount 0.06 cfs/0.17 AF for COMMERCIAL purposes from 4/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 cfs/4.0 AF for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
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d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? 1964; drilling firm Cushman
Well was drilled for (well owner) Applicant; Drilling Permit No. unknown

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d. Domestic; show number of households _____

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29-14027

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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
65	34E	7		C/1														1	

Total number of acres to be irrigated: 1

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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Thomas T. Tj
 Signature of Applicant
Attorney for Applicant
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by SL Date 1/31/12 Time _____ Preliminary check by _____
 Fee \$ 250- Received by SL Receipt No. E037282 Date 1/31/12

29-14027

MITIGATION CALCULATIONS

ROWLAND RV PARK APPLICATION FOR PERMIT

COMMERCIAL USE REQUIREMENT

25 gallons per day per RV

25 gallons per day X 365 days = 9,125 gallons per year per RV

9,125 gallons per year per RV X 12 RVs = 109,500 gallons per year

109,500 gallons per year X 1/2 year = 54,750 gallons per year total

1 acre-foot = 325,850 gallons

54,750 gallons per year = 0.17 acre-feet per year

MITIGATION REQUIREMENT

Precipitation deficit for Pocatello site for Alfalfa-peak (no cuttings) = 1010 mm annually

1010 mm per acre / 25.4 = 39.76 inches per acre

39.76 inches per acre / 12 = 3.31 acre-feet per acre

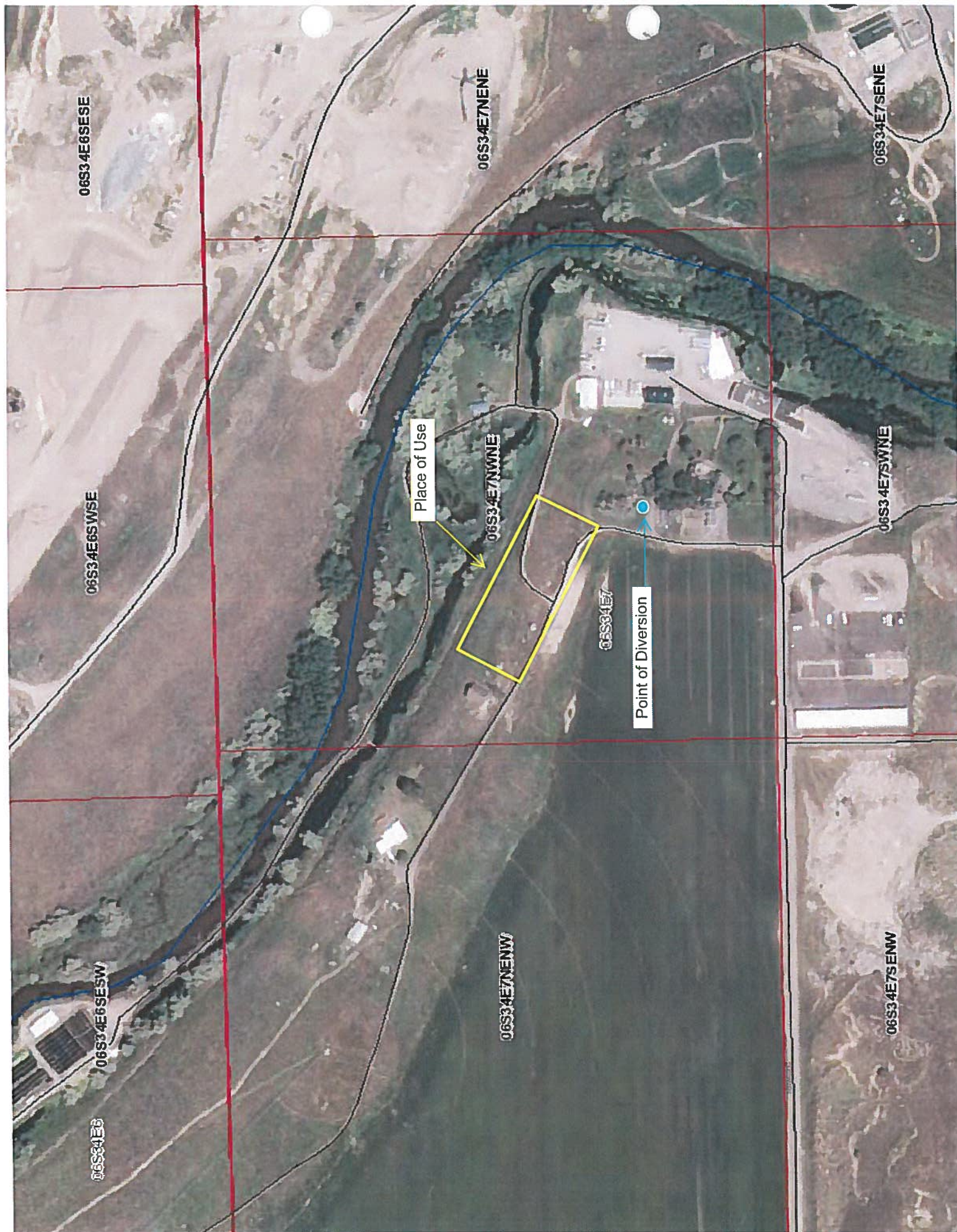
3.31 acre feet per acre / 0.17 acre-feet = 0.05 acres

0.05 acres rounded to nearest tenth of an acre = 0.1 acre

Mitigation for commercial use requires drying up 0.1 acre

Mitigation for irrigation use requires drying up 1.0 acres

Total mitigation requirement = 1.1 acre dry up





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

July 26, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROWLANDS INC
1141 ROWLAND RD
POCATELLO, ID 83204-7416

Application For Permit No. 29-14027

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 POWER COUNTY PRESS on August 1 and 8, 2012. 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,

Sharla Cox
Administrative Assistant

CC: RACINE OLSON NYE BUDGE & BAILEY CHTD
PO BOX 1391
POCATELLO, ID 83204-1391

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, July 26, 2012 8:31 AM
To: 'Power County Press (press1@press-times.com)'
Subject: Legal Notice for your paper
Attachments: Power County Press E-Mail.doc

Contacts: Power County Press

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-14027

ROWLANDS INC

1141 ROWLAND RD

POCATELLO, ID 83204-7416

Point of Diversion L2(NWNE)

S7 T06S R34E

POWER County

Source GROUND WATER Tributary

Use: COMMERCIAL

04/01 to 09/30 0.06 CFS

0.2 AF

Use: IRRIGATION

04/01 to 10/31 0.02 CFS

4 AF

Total Diversion: 0.08 CFS

4.2 AF

Date Filed: 1/31/2012

Place Of Use: COMMERCIAL

T06S R34E S7

L2(NWNE)

Place Of Use: IRRIGATION

T06S R34E S7

L2(NWNE)

Total Acres: 1

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 August 20, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 1 and 8, 2012

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
ERIC L. OLSEN
CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
FREDERICK J. HAHN, III
PATRICK N. GEORGE
SCOTT J. SMITH
JOSHUA D. JOHNSON
DAVID E. ALEXANDER
STEPHEN J. MUHONEN
CANDICE M. MCHUGH
CAROL TIPP, VOLYN
JONATHAN M. VOLYN
THOMAS J. BUDGE
BRENT L. WHITING
DAVE BAGLEY
JASON E. FLAIG
FERRELL S. RYAN, III
AARON A. CRARY
JOHN J. BULGER
BRETT R. CAHOON

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: tjb@racinelaw.net

BOISE OFFICE

101 SOUTH CAPITOL
BOULEVARD, SUITE 300
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

IDAHO FALLS OFFICE

477 SHOUP AVENUE
SUITE 107
POST OFFICE BOX 50698
IDAHO FALLS, ID 83405
TELEPHONE: (208) 528-6101
FACSIMILE: (208) 528-6109

ALL OFFICES TOLL FREE

(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL
JONATHAN S. BYINGTON, OF COUNSEL
JEFFREY A. WARR, OF COUNSEL

July 10, 2012

Sharla Cox
Idaho Department of Water Resources
Eastern Division
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RECEIVED
JUL 11 2012
Department of Water Resources
Eastern Region

Re: Amended Application for Permit

Dear Sharla:

I filed an Application for Permit on behalf of Rowland's, Inc., for a groundwater right that was received by the Department on January 31, 2012. Per request of Michael Holliday I have amended a few items in the Application. Enclosed is an original and one copy of an Amended Application for Permit.

Let me know if you have any questions regarding this.

Sincerely,



T.J. BUDGE

TJB:rr
Enclosures

RECEIVED

JAN 31 2012

Department of Water Resources
Eastern Region

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: tjb@racinelaw.net

BOISE OFFICE

101 SOUTH CAPITOL
BOULEVARD, SUITE 300
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

IDAHO FALLS OFFICE

477 SHOUP AVENUE
SUITE 107
POST OFFICE BOX 50698
IDAHO FALLS, ID 83405
TELEPHONE: (208) 528-6101
FACSIMILE: (208) 528-6109

ALL OFFICES TOLL FREE

(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

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BRETT R CAHOON
JEFFREY A. WARR

January 30, 2012

Sharla Cox
Idaho Department of Water Resources
Eastern Division
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Re: *Application for Permit*

Dear Sharla:

Enclosed is an original and one copy of *Application for Permit* being submitted on behalf of Rowland's, Inc., together with a check in the amount of \$250 for the filing fee. Please process the original and conform stamp and return the copy to me in the enclosed envelope.

This *Application for Permit* seeks to provide water for a small 12-unit RV park northwest of Pocatello near the Portneuf River. The commercial component of the water right provides water for the RV hookups. The irrigation component enables the irrigation of up to one acre within the RV park.

The applicant will mitigate for 100% of the commercial use. Assuming 25 gallons per day, 12 RV hookups, and a 6-month season of use (April 1 - September 30), the maximum diversion volume for the commercial component is 0.17 AF. The applicant will dry up irrigated acres under Water Right No. 29-13955 as mitigation. Using evaporation data from the ET Idaho website for the Pocatello site, commercial use of water at the RV park (0.17 AF) is equivalent to the irrigation of 0.05 acres of alfalfa hay. In the interest of providing a measurable amount of mitigation, the applicant will dry up 0.1 acres under Water Right No. 29-13955 to mitigate for the commercial

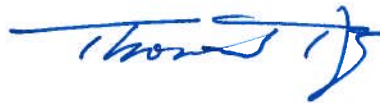
January 30, 2012

Page 2

component of this water right. The applicant will also dry up an additional one acre under Water Right No. 29-13955 to mitigate for the irrigation component of this water right. Thus, a total of 1.1 acres will be dried up under Water Right No. 29-13955 for mitigation purposes in conjunction with this application. Attached to this letter is a more-detailed explanation of the foregoing calculations.

Please let me know if you have any questions regarding this filing.

Sincerely,



THOMAS J. BUDGE

TJB:rr

Enclosures

cc: Bob Rowland/Rowland's, Inc. (w/encls.)