

RECEIVED

JUN 16 2011

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

79-14245

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Riverfront Gardens Home owners Ass.Phone 208-628-3400Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 72 Riverfront Rd.City Lucile,State ID Zip 83542Email: vsh@frontiernet.net2. Source of water supply ground water which is a tributary of NA Salmon River

3. Location of point(s) of diversion:

(see 6/21/ Response)

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
26N	1E	12	7		NW	SE	Idaho	grd water	

4. Water will be used for the following purposes:

Amount _____ for domestic purposes from Jan 1 to Dec 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)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) .19 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. well - small pump to reservoir w/pump, pipeline to homes.

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 ☐ Noc. Proposed well diameter is 6" 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 6e. Other; describe fully. up to 1/2 acre irrigation (lawn)

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	
26N	1E	12														L7D			

Total number of acres to be irrigated: _____

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? water will be using for

lawn + landscaping.

10. a. Who owns the property at the point of diversion? Riverfront Home Homeowners Ass.

b. Who owns the land to be irrigated or place of use? Homeowners

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: officers Association

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 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.

Shellie R. Heath
Signature of Applicant

Shellie R. Heath Treasurer
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by SB Date 6.16.2011 Time 10:30 AM Preliminary check by _____

Fee \$ 100 Received by JFW / DB Receipt No. W029331 Date 06/14/11



To see all the details that are visible on the screen, use the "Print" link next to the map.



T26N
R1E
Section 12
Gov Lot 7
RGHA - Homeowners

Shelley Heath

79-14245



Get Google Maps on your phone

Text the word "GMAPS" to 466453



79-14245

Transmission Report

Date/Time
Local ID 1

06-28-2011
2083342348

02:27:53 p.m.

Transmit Header Text
Local Name 1

Water Resources Airport Way ID

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

FAX Transmittal Cover Sheet

State of Idaho
Department of Water Resources
Western Region
Boise, ID
PH. (208) 334-2190
FAX NO. (208) 334-2348

Number of total pages: 3

Date: June 28, 2011

To: Idaho County Free Press, Attn: Nona Donaldson

From: Denise Buffington

Fax: (208) 983-1336

Attached please find (1) legal notice being submitted for publication. If you have any questions about the attached information; or if you are not able to run the notice on the dates requested, please contact me immediately. This information was also sent via e-mail earlier today.

Thank you in advance,

Denise
Denise Buffington
Administrative Assistant

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	296	2089831336	02:26:46 p.m. 06-28-2011	00:00:24	3/3	1	EC	HS	CP19200

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

✓ CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct

FAX Transmittal Cover Sheet

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Boise, ID

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Thank you in advance,



Denise Buffington
Administrative Assistant

Buffington, Denise

From: Buffington, Denise
Sent: Tuesday, June 28, 2011 2:21 PM
To: Idaho County Free Press
Subject: LEGAL NOTICE
Attachments: Idaho County - Cover Letter.Doc; Idaho County Ads - COMBINED.Doc

Attached please find one (1) legal notice being submitted for publication. Please contact me if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

June 28, 2011

LEGAL NOTICE DEPARTMENT

IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application For Permit No(s): 77-14331 & 79-14245

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 July 25, 2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

77-14331

BEAR LAKE MINING COMPANY, LLC

2828 W PARKER RD, STE 205

PLANO, TX 75024

Point of Diversion SWNE S09 T24N R05E IDAHO County Source BEAR LAKE Tributary BEAR CREEK

Use: MINING 06/01 to 11/30 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 1/15/2010

Place Of use: MINING

T24N R05E S9 SWNE SENE NWSE

79-14245

RIVERFRONT GARDENS HOMEOWNERS ASSOCIATION

72 RIVERFRONT RD

LUCILE, ID 83542

Point of Diversion L7(NWSE) S12 T26N R01E IDAHO County Source GROUNDWATER

Use: DOMESTIC 01/01 to 12/31 0.19 CFS

Total Diversion: 0.19 CFS

Date Filed: 6/16/2011

Place Of Use: DOMESTIC

T26N R01E S12 L7(NWSE)

Domestic use is for 6 residences.

For a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Permits will be subject to all prior water rights. 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 for each application on or before July 25, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 7/6 & 7/13/2011

Buffington, Denise

From: Buffington, Denise
Sent: Tuesday, June 28, 2011 3:03 PM
To: Rick Ward
Subject: Comment Letters for 67-15056, 67-15057 & 79-14245
Attachments: Comment Letter to F & G.Doc; 79-14245 APP.pdf; 67-15056 APP.pdf; 67-15057 APP.pdf

Attached is a cover letter and a copy of an Application(s), for your review &/or comment. Please feel free to use the attached recommendation form as needed. If you have any questions regarding the attached information, please do not hesitate to contact our office.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

June 28, 2011

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

RE: Application for Permit: 67-15056, 67-15057 & 79-14245

Dear Mr. Ward:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)



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 21, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Shellie Heath
Riverfront Gardens HOA
72 Riverfront RD
Lucile ID 83642

RE: Application for Permit – Domestic Use

Dear Ms. Heath:

Our office has received your application described above. We have reviewed the application and need some additional information. Please address the following:

(67') -From discussions with your well driller, the present well being utilized for the domestic use is less than 100 foot in depth. I would assume your new well will be in that depth range. If this is the case, the application water source #2 should read: *Ground Water which is a tributary of Salmon River*. Please acknowledge if this is correct, and I will make the edit. *Yes*

- ✓ -Provide the homeowners association board member names, addresses, and board position.
- ✓ -Provide the names and addresses of the homeowners that will utilize the community well. Place their names on the parcel lots on the enclosed map.
- ✓ -Mark an "X" for the new well location on the map.
- ✓ -A \$100 fee is required for filing the application. Please remit a check/money order to this office. The payment should be to the *Idaho Department of Water Resources*.

Please return the information as soon as possible-fax or email is fine; the fees can be sent regular mail. In the interim we will continue to expedite the processing of the application.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Thank you for your cooperation.

Sincerely,

John Westra
John Westra, Manager

Enclosure: Map,

Pages 5

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

FAX 208-334-2348

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

Ident. No. _____

1. Name of applicant(s) Riverfront Gardens Homeowners Ass. Phone 208-628-3400
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 72 Riverfront Rd. City Lucile,
State ID Zip 83542 Email: vsh@frontiernet.net

2. Source of water supply ground water which is a tributary of SALMON RIVER

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	%	%	%	County	Source	Local name or tag #
26N	1E	12	7		NW	SE	Idaho	grd water	

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(cfs or acre-feet per year)

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(cfs or acre-feet per year)

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(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

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a. Describe type and size of devices used to divert water from the source. well - small pump to reservoir w/ pump, pipeline to homes.

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c. Proposed well diameter is 6" 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 6

e. Other; describe fully. up to 1/2 acre irrigation (lawns)

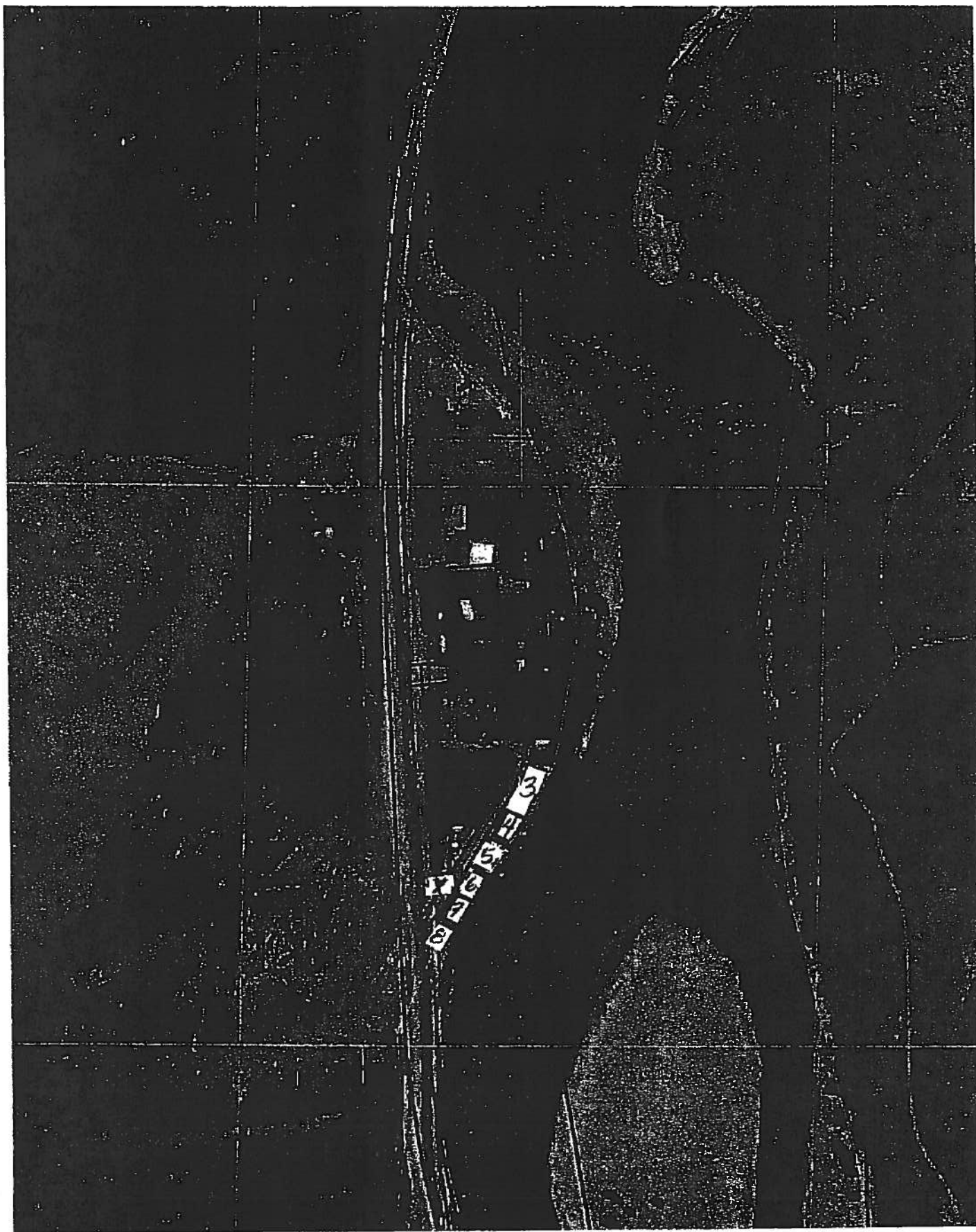


EXHIBIT B
Members in the Riverfront Gardens Homeowners Association, Inc.

Lot 3
 Vet Hakes and Shellie Heath
 P.O. Box 1027 72 RIVERFRONT RD
 McCall, Idaho 83638 LUCILE, ID
 83542

Lot 8
 James and Anita and Matt Cleveland
 P.O. Box 2879
 Ketchum, Idaho 83440

Lot 4
 RON & ERIN GOODIN
 P.O. Box 319
 HUNTSVILLE, UTAH 84317

Lot 8
 Randy Acker
 P.O. Box 177
 Ketchum, ID 83340

Lot 5
 John and Leslie Clark John - PRESIDENT
 P.O. Box 312
 Lucile, IDAHO 83542

Lot 6
 Rick and Janis VanNoy
 224 Nasi Lane
 McCall, Idaho 83638

(Lot 6, 7, 8 Share Cabin.)

Lot 6
 Rick and Cecé Bennett Ceci - Sec.
 5363 E. Quartersawn
 Boise, IDAHO 83716

Lot 7
 Nic Nicholson
 894 E Thunderbird Court
 Eagle, Idaho 83616

Lot 7
 Steve and Brenda Bance
 9600 W. Pebblebrook Lane
 Boise, ID 83704

Shellie R. Heath
P.O. Box 1142
703 Fairway Dr.
McCall, Id 83638-1142

92-372/1231 6623

Date 6/6/11

Pay to S.F.I. Water Resources \$ 100.00 per

Order of One Hundred Dollars 0.00 per Dollars

usbank. All of us serving you™

Under rights permit Shellie Heath AP

DEPOSIT ONLY & KISS

Transmission Report

Date/Time
Local ID 1

06-21-2011
2083342348

08:27:38 a.m.

Transmit Header Text
Local Name 1

Water Resources Airport Way ID

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"



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

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTTILL, JR.
Director

FAX COVER SHEET

Fax # (208) 334-2348

208-628-3407

DATE: 6/21/11

TO: Shellic Heath

FROM: J. Westra

DOCUMENT DESCRIPTION: _____

Additional Information request.

TOTAL # OF PAGES (INCLUDING COVER): 4

Total Pages Scanned : 5

Total Pages Confirmed : 5

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	263	1 208 628 3407	08:10:25 a.m. 06-21-2011	00:12:36	5/5	1	G3	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

FAX COVER SHEET

Fax # (208) 334-2348

208-628-3407

DATE: 6/21/11

TO: Shellie Heath

FROM: J. Westra

DOCUMENT DESCRIPTION: _____

Additional Information request.

TOTAL # OF PAGES (INCLUDING COVER): 4



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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June 21, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Shellie Heath
Riverfront Gardens HOA
72 Riverfront RD
Lucile ID 83642

RE: Application for Permit – Domestic Use

Dear Ms. Heath:

Our office has received your application described above. We have reviewed the application and need some additional information. Please address the following:

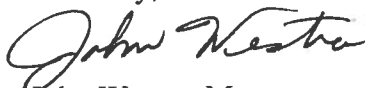
- From discussions with your well driller, the present well being utilized for the domestic use is less than 100 foot in depth. I would assume your new well will be in that depth range. If this is the case, the application water source #2 should read: *Ground Water which is a tributary of Salmon River*. Please acknowledge if this is correct, and I will make the edit.
- Provide the homeowners association board member names, addresses, and board position.
- Provide the names and addresses of the homeowners that will utilize the community well. Place their names on the parcel lots on the enclosed map.
- Mark an "X" for the new well location on the map.
- A \$100 fee is required for filing the application. Please remit a check/money order to this office. The payment should be to the *Idaho Department of Water Resources*.

Please return the information as soon as possible-fax or email is fine; the fees can be sent regular mail. In the interim we will continue to expedite the processing of the application.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Thank you for your cooperation.

Sincerely,



John Westra, Manager

Enclosure: Map,

NOTES:

Riverfront Gardens Home Owners Assoc.

Application for Permit

J. Westra JFW

Date: 06/20/11

Our office received this application for 6 residences near the banks of the Salmon River near Lucile. The 6 homeowners were hooked up to a neighbor's well. The well pump failed and there are problems with the well itself. There appears to be no existing water right for domestic use for the parcels.

The well driller/pump firm, Stuivenga Vessey (Eric) has installed a temporary pump to get the residents by. Rob W. and I have both had conversations with the driller. At this point, he feels the residents are getting by with the temporary setup. He is aware of the DEQ requirements on well construction.

The applicant has requested the application be expedited so a new well can be constructed for the HOA as soon as possible. Unless a situation presents itself where there is no water for the residents, a drilling permit will be considered. if there are no protests presented during the advertising window.

06/21/11

The additional information requested has promptly been submitted by the applicant.

79-14245

72 Riverfront Road
Lucile, Idaho 83542
Phone: 208-841-3550
Fax: 208-628-3407
Email: shellie-heath@hotmail.com

All Valley Agency Inc.
McCall Grangeville
Payette
**Complete Insurances &
Benefit Specialists**

FAX

Attn: John Westra @ ^{State of Idaho} Water Resources

Fax: 208-334-2348 Pages 2

Date: 06/16/2011 Phone: 208-628-3400

Riverfront Garden Homeowners Ass.
Re: water rights permit From: Shellie Heath / Treasurer

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Please review and process the following applications.

If you do not receive all copies or copiers are illegible, please call (208) 841-3550

CONFIDENTIALITY STATEMENT: The information contained in this facsimile is intended only for the recipient named above. If the reader of this message is not the intended recipient or the intended recipient's agent, you are hereby notified that any dissemination, distribution or copying of the information contained in the facsimile transmission (other than the intended recipient) is prohibited.

RIVERFRONT GARDENS HOMEOWNERS ASSOCIATION

Po Box 1027
McCall, Idaho 83638

*RGHA
72 Riverfront Rd
Lucile, Idaho 83542*

*State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705*

Atten: John Westra

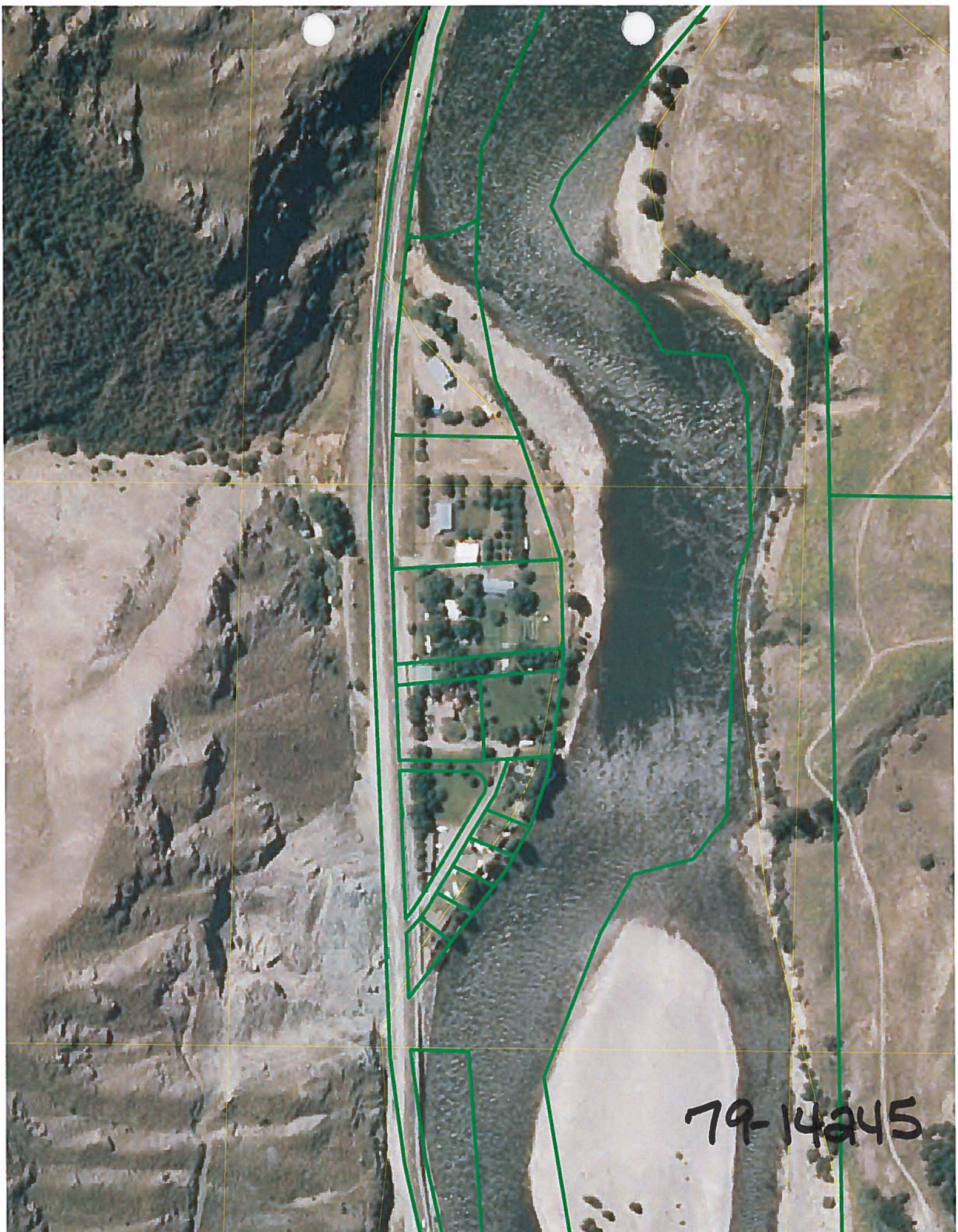
To Whom it May Concern:

We as the Riverfront Gardens Homeowners Association are in a sticky situation. The well pump has gone out. The drill company, Stuivenga Vessey Drilling has put in a loaner pump. (A smaller pump). The well is on the neighbor's property. There is a major concern with this sit up. It would be greatly appreciated if the department could expedite the process. So, the property owners can get off the temporary system as soon as possible.

Thank You,



*RGHA
Shellie Heath - Treasurer*



79-14245