

RECEIVED

OCT 22 2010

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED

OCT 15 2010

WATER RESOURCES
WESTERN REGION

1. Name: ESTATE OF ESTHER M SMITH
C/O DONNA LAKE EXECUTOR
2307 TOWELL RD
MIDVALE ID 83645
(208)355-3664

2. Source: GROUND WATER

3. Location of Point of Diversion:

- #1 GROUND WATER L1 (NE1/4NE1/4) Sec. 19, Twp 11N, Rge 06W, B.M.
WASHINGTON County
- #2 GROUND WATER NW1/4NW1/4 Sec. 20, Twp 11N, Rge 06W, B.M.
WASHINGTON County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01	to 11/15	0.25 CFS	
STOCKWATER	01/01	to 12/31	0.03 CFS	
DOMESTIC	01/01	to 12/31	0.15 CFS	

5. Total quantity to be appropriated is: 0.43 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: INFRASTRUCTURE NOT IN PLACE YET

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;

- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

- d. Is ground water with a temperature of greater than 85F being sought?

- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11N 06W 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.4
	12.4																
	L 1																

Total Acres: 12.4

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
11N 06W 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X																
	L 1																
11N 06W 20					X												

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
11N 06W 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X																
	L 1																
11N 06W 20					X												

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Domestic use is for 10 homes

Stock Water is for 50 cow/calf pairs

Point of Diversions up to 8 wells max. in either Sec 19 NENE or Sec 20 NWNW of 11N-6W

11. Map of proposed point of diversion and place of use attached? ☒

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Donna Lake10-19-10

Applicant

Date

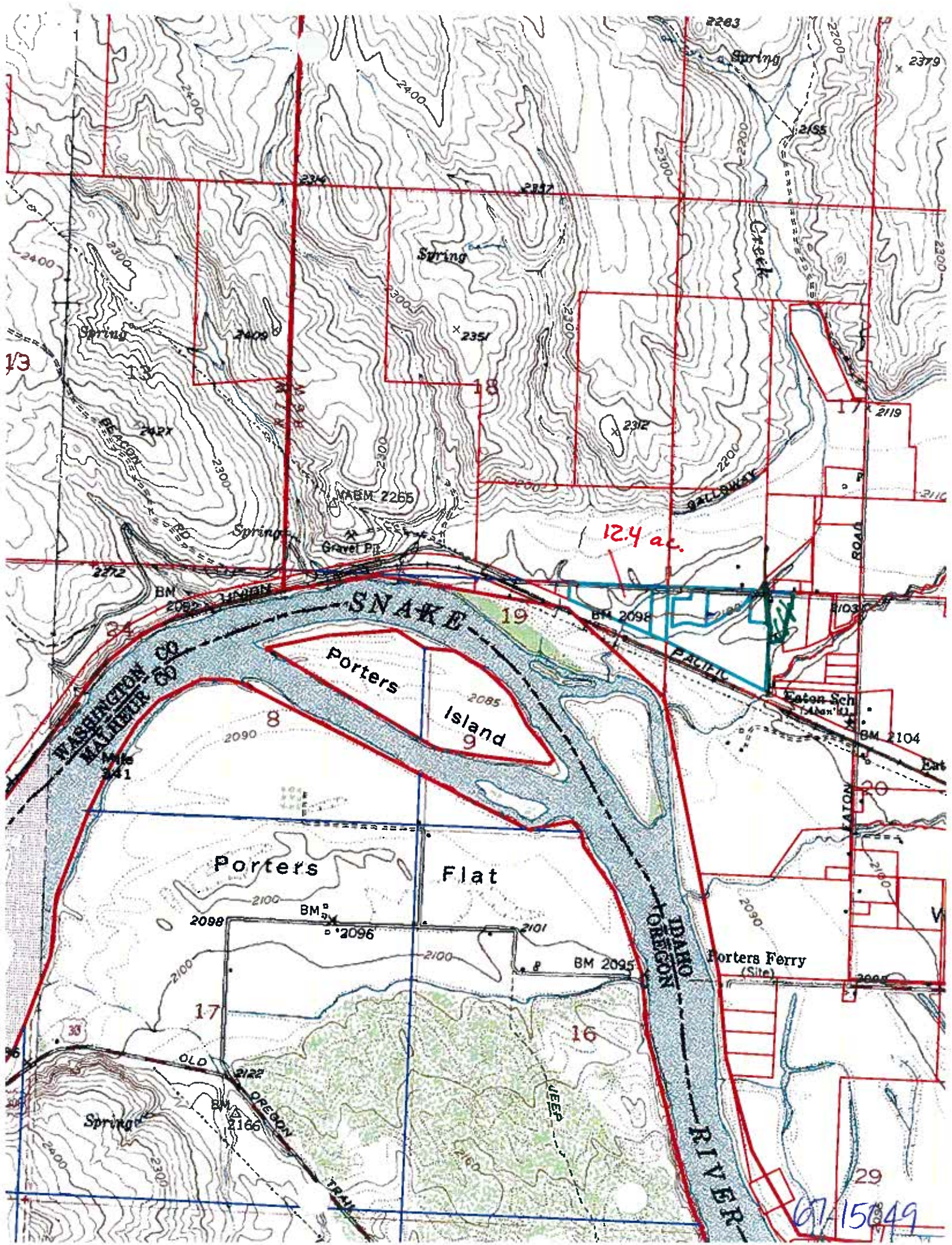
Received by gmh Date 10-15-10 Time 1:45 Preliminary check by JFW
Publication prepared by DB Date 12/9/2010 Published in Weiser Signal
Publication approved _____ Date: _____ Date December 15 & 22, 2010

Receipt No. C088968

Date: 10-15-10Receipted by: gmh

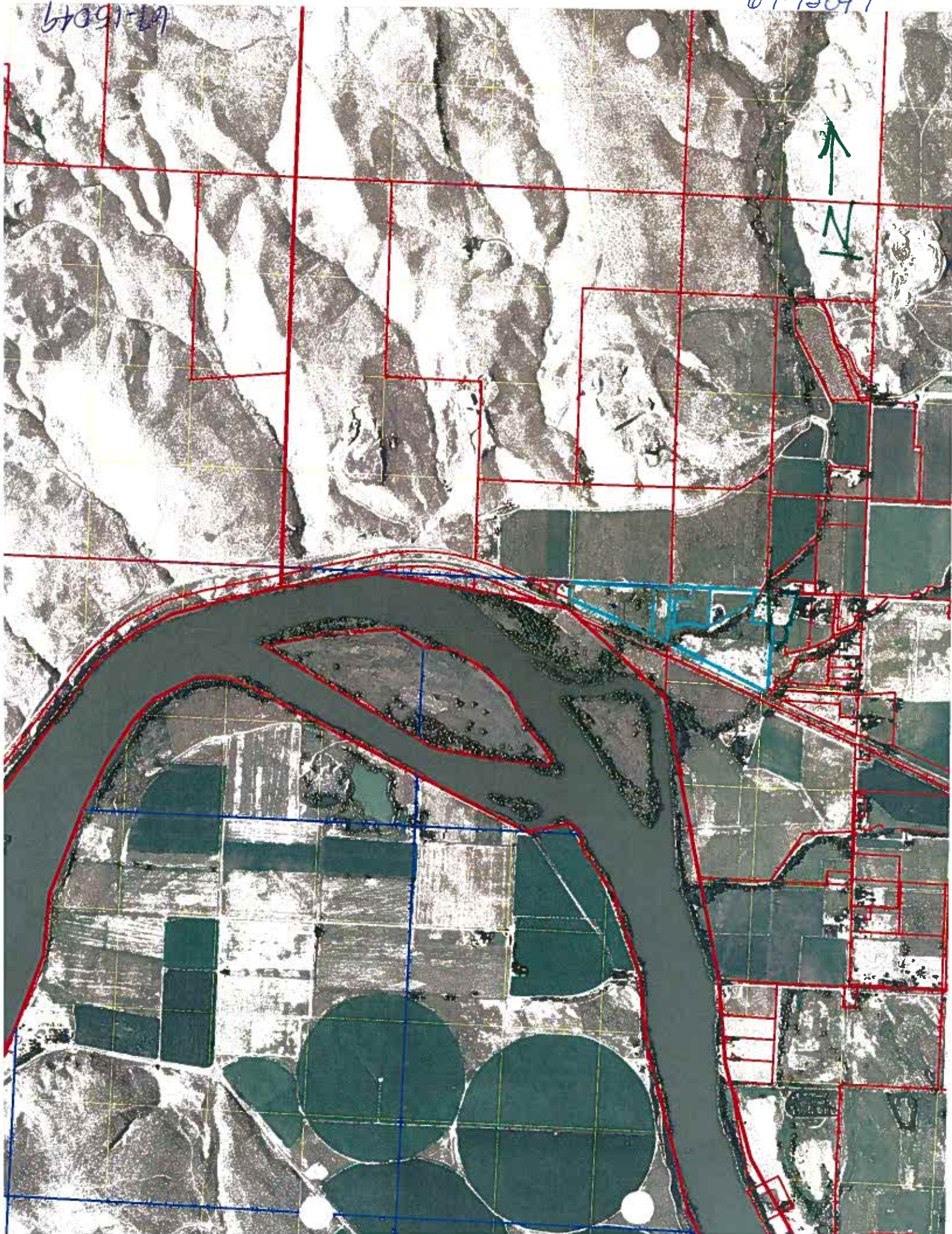
W038793

Rec'd 10/22/2010 w/ signature. DB



67-15049

67-15049



Buffington, Denise

From: Buffington, Denise
Sent: Thursday, December 09, 2010 12:50 PM
To: Weiser Signal
Subject: LEGAL NOTICE
Attachments: Washington Co. Cover Letter.Doc; Washington Co. Ads.doc

Attached please find (1) legal notice being submitted for publication. Please contact me immediately 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*

December 9, 2010

LEGAL NOTICE DEPARTMENT

WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Application For Permit No(s): 67-15049

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 1/3/2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

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

67-15049

ESTATE OF ESTHER M SMITH

C/O DONNA LAKE EXECUTOR

2307 TOWELL RD

MIDVALE, ID 83645

Point of Diversion L1(NENE) S19 T11N R06W WASHINGTON County Source GROUND WATER Tributary

Point of Diversion NWNW S20 T11N R06W WASHINGTON County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.25 CFS

Use: STOCKWATER 01/01 to 12/31 0.03 CFS

Use: DOMESTIC 01/01 to 12/31 0.15 CFS

Total Diversion: 0.43 CFS

Date Filed: 10/22/2010

Place Of Use: IRRIGATION

T11N R06W S19 L1(NENE)

Place Of Use: STOCKWATER & DOMESTIC

T11N R06W S19 L1(NENE)

T11N R06W S20 NWNW

Total Acres: 12.4

Domestic use is for 10 homes. Up to 8 wells in the above described point of diversion locations.

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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 1/3/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 12/15 & 12/22/2010



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 8, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Estate of Esther M Smith
Donna Lake Executor
2307 Towell RD
Midvale ID 83645

RE: Show Cause for Processing—Applications for Permit #67-15018 & #67-15019

Dear Applicant:

This letter is a follow-up to our telephone conversation earlier in the day relating to the above applications for permit. Please read this letter and instructions carefully. Our initial review of the applications revealed the following water appropriation permits are applicable to the same place of use:

#67-7927	.4 cfs	domestic use	90 homes	09/21/93 priority	Proof due 11/01/10
#67-8017	.5 cfs	domestic & fire prot.	120 homes	03/18/98 priority	Lapsed/void

Please note, that permit #67-7927 will also lapse if proof is not submitted by the November 2010 deadline. It appears that neither permit may ultimately be developed for water beneficial use. In July 2009, our office received application #67-15018 requesting domestic use for another 10 homes and application #67-15019 for irrigation of 12.4 acres totaling 1 cfs. (450 gal/min). The two proposed uses are from the same well source in the NWNW, section 19, Township 11N, Range 6W. Our well report records reveal the 945 ft well only yielded 15 gals/min at test pumping.

Good Faith

Our agency is required to evaluate each new appropriation application by criteria set under Idaho Code 42-203A and Appropriation Rule #45 (IDAPA37.03.08.045.) One of the criteria is whether the application is made in good faith, for speculation, or delay purposes. Please address the following:

1. *What is your intent regarding the development of permit #67-7927? Will a proof of beneficial use be filed or will this permit lapse?*
2. *New application #67-15018 is for domestic use (10 additional homes) which duplicates #67-7927 & #67-8017. Given the record, show cause why our agency should process this application and not reject it?*
3. *The same well source is listed for both applications. Provide data/information the well has the capacity/potential to supply the proposed flow rates, well report attached.*

SCANNED
MAY 11 2010

Page 2.
Esther Smith

Application Amendments/Combining

Application #67-15018

The recommended flow rate for a 10 home domestic (in-house use) is .15 cfs.
Items #4 & #5 on the application form should be reduced to **.15 cfs.**

Please sign and date the amended application.

Application #67-15019

The maximum flow rate is .02 cfs. per acre. Item #4 should be reduced to **.25 cfs.** for irrigation and **.03 cfs.** for stockwater (30 pairs cattle). Item #5 should read **.28 cfs.** The irrigation season for your location is 03/01 to 11/15 and stockwater is assumed year round.

Please sign and date the amended application.

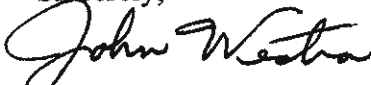
Combine applications

If you intent to use the same well and the project system will serve the domestic, stockwater, and irrigation uses, the applications should be combined for processing efficiency. A combined application under #67-15019 is enclosed. **Please sign and date** if you choose this option. A withdrawal form is also enclosed to withdraw application #67-15018.

Please submit the requested information and amended applications (choice) by **June 15, 2010.** Extensions of time may be granted by written request submitted prior to the deadline. The Department will order the applications void/rejected if responses are untimely or deficient.

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

Sincerely,


John Westra, Manager

Enclosure: amended applications, withdrawal form, well report.

SCANNED
MAY 11 2010

MEMORANDUM

Type: In Office Conversation

Telephone
Meeting Notes

Follow-up

Log of Events
Other _____

To: 67-15019

From: J. Westra, Western Reg. JFW

Date: 9/16/10

RE: Meeting with Cona Walker + Son.

I met with the Walkers to discuss the rejections of applications and lapsed water rights. 67-7927 (soon to lapse) + 67-8817 Moved forward with development of draft application that combined uses. This application will consider their needs and future development plans. Set P/D to include the 8 existing wells on the property which the Walkers know little about. This will provide flexibility for ground water source. Majority of Walker property has Galloway surface water for irrigation. 12.4 acres listed on application does not.

The Walkers took the draft application with them for signature from the estate Executor. - Dona Lake.
Will send to my attention with fee.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

764698

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: _____ Long: _____

1. WELL TAG NO. D 0015147 67-7927 & 67-08017
DRILLING PERMIT NO. _____
Other IDWR No. _____

2. OWNER:
Name Ester Smith #3
Address 727 Olds Ferry Rd.
City Weiser State ID Zip 83672

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
X
W
E
S
T
Twp. 11 North ☒ or South ☐
Rge. 6 East ☐ or West ☒
Sec. 20 NW 1/4 NW 1/4 1/4
Gov't Lot _____ County Washington
Lat: _____ Long: _____
Address of Well (Site) 727 Olds Ferry Rd
City Weiser
(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other public water system

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
<u>Bentonite</u>	<u>0</u>	<u>19</u>	<u>120</u>	<u>#</u>	<u>overhaul/pour</u>
<u>Bentonite</u>	<u>29</u>	<u>62</u>	<u>120</u>	<u>#</u>	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8"</u>	<u>12</u>	<u>19</u>	<u>32</u>	<u>Steel</u>	☒	☐	☒	☐
<u>8"</u>	<u>29</u>	<u>62</u>	<u>32</u>	<u>Steel</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method _____
Screens Screen Type Houston - pipe

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>19</u>	<u>29</u>	<u>.030</u>		<u>8"</u>	<u>SS</u>	☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

8.5 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: well cap

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>150</u>			<u>1 hour</u>

Water Temp. 58° Bottom hole temp. _____
Water Quality test or comments: Iron .5 PH 7.5
Grains 9 Depth first Water Encounter 9'

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12</u>	<u>0</u>	<u>9</u>	<u>brown clay</u>		
<u>"</u>	<u>9</u>	<u>28</u>	<u>gravel</u>	☒	
<u>"</u>	<u>28</u>	<u>65</u>	<u>gray brown clay</u>		

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AUG 26 2000

Department of Water Resources

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AUG 16 2000

WATER RESOURCES
WESTERN REGION

Completed Depth 62' (Measurable)
Date: Started 7-28-00 Completed 7-29-00

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Adams Pump & Drill No. 0457
Firm Official Dave Adams Date 8-14-00
and Driller or Operator Dave Adams Date 8-14-00
(Sign once if Firm Official & Operator)