

AMENDEDIdent. No. 65-23355

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 03 2009

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Sands LLC Phone 208-859-8115
Mailing address c/o Steve Loomis, 7154 W. State St. #187, Boise, ID 83714 Email _____
Representative Lori Graves, SPF Water Engineering LLC, 300 E. Mallard, Ste 350, Boise, ID 83706 208-383-4140
2. Source of water supply Unnamed Stream which is a tributary of Robbs Creek
3. Location of point of diversion is Township 6N Range 2E Sec. 8, in the _____ ¼,
_____ SW ¼, _____ NE ¼, Govt. Lot _____, B.M., _____ Boise _____ County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 6.0 af for Irrigation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5.0 afa for Irrigation from Storage purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 6.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source On-stream pond (0.5 ac surface area, 10 feet deep) pump, pipe, gravity and/or sprinkler irrigation
 - b. Height of storage dam 10 feet; active reservoir capacity 5 acre-feet;
total reservoir capacity 5 acre-feet
 - 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? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - 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. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

9. 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	
6N	2E	8			3.5					6	15.5								25
					X														

X = IRRIG. STOR. 6/10/14/10

Total number of acres to be irrigated 25

10. 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? Rights 65-2035 and 65-11141 (both proposed for transfer to pou) and accompanying Application for Permit

- 11.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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary Proposed storage volume for the on-stream pond includes 5 af capacity plus 1.0 af annual evaporative losses (see attached ET Idaho data).

Lori Graves, with SPF Water Engineering, is authorized to make modifications to this application during processing on behalf of applicant,

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

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

Steve Loomis
Signature of Applicant

STEVE LOOMIS, MANAGER
Print Name (and title, if applicable)

For Department Use:

Received by JNH by DB Date 9-3-09 Time 10:00 am Preliminary check by VLW
 Fee \$ 100- Received by DB Receipt No. W037853 Date 9-3-09
 Publication prepared by DB Date 10/13/2010 Published in IDAHO WORLD
 Publication approved _____ Date _____ Dates Published OCTOBER 20 & 27, 2010

T6N R2E

2006 Photo

Legend

-  On-Stream Pond
-  Point of Diversion
-  Place of Use
-  Sections

Application for Permit Sands LLC



0 250 500
Feet



SPF WATER
ENGINEERING

65-23355

<http://www.kimberly.uidaho.edu/ETIdaho/stcjrstats.php?station=102942&cover=55&stats=Deficit>

31-Jul-09

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	growing season	annual
Monthly ^a		-1	0.63	0.93	1.73	2.53	3.45	4.03	3.41	2.17	1.07	-0.81	-1.07	480	480
days/mo		31	28	31	30	31	30	31	31	30	31	30	31		365
monthly ET (mm)			17.64	16.43	51.9	78.43	103.5	124.93	105.71	65.1	33.17				596.81
monthly ET(ft)			0.058	0.054	0.170	0.257	0.340	0.410	0.347	0.214	0.109				1.96

1.96 ET/yr x 0.5 acre = 1.0 afa evap (On-Stream Pond)

65-23355

ETIdaho --- Evapotranspiration and Consumptive Irrigation Water Requirements for IdahoPlease send suggestions for improving this site to robinson at kimberly dot uidaho dot edu Copyright 2007, University of Idaho.**Emmett 2 E (NWS NOAA--102942)**

Statistics based on 30 years between 1974 to 2004

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Open water - shallow systems (ponds, streams)													
Precipitation Deficit (Click here for a graph)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a
Mean	mm/day												mm
Monthly ^b	-1.00	-0.63	0.53	1.73	2.53	3.45	4.03	3.41	2.17	1.07	-0.61	-1.07	480
15-Day Moving Average ^c	-1.03	-0.92	0.48	1.79	2.53	3.51	4.11	3.33	2.06	1.14	-0.67	-1.02	
7-Day Moving Average ^d	-1.04	-0.76	0.50	1.74	2.55	3.48	4.08	3.39	2.09	1.08	-0.70	-1.04	
3-Day Moving Average ^e	-1.00	-0.66	0.52	1.76	2.53	3.47	4.05	3.41	2.15	1.06	-0.64	-1.05	
Standard Deviation	mm/day												mm
Monthly	0.98	0.91	1.49	0.86	1.66	0.75	0.46	0.68	0.92	0.89	0.93	1.27	95
15-Day Moving Average	1.13	1.20	1.38	1.03	1.64	1.03	0.47	0.71	1.30	0.89	1.19	1.17	
7-Day Moving Average	1.54	1.66	1.66	1.46	2.11	1.45	0.69	0.92	1.62	1.33	1.33	1.61	
3-Day Moving Average	1.99	2.23	2.23	2.06	2.71	1.94	1.04	1.23	2.00	1.80	2.02	2.20	
20% Exceedance	mm/day												mm
Monthly	-0.42	0.34	1.23	2.47	3.34	4.07	4.31	3.81	2.82	1.60	0.10	-0.31	555
15-Day Moving Average	0.29	0.56	1.88	3.22	4.39	4.67	4.67	4.21	3.16	2.14	0.80	0.27	
7-Day Moving Average	0.44	1.22	2.52	3.95	4.84	5.06	4.94	4.45	3.49	2.53	1.06	0.54	
3-Day Moving Average	0.60	1.48	2.94	4.47	5.43	5.37	5.29	4.65	3.85	2.68	1.36	0.65	
80% Exceedance	mm/day												mm
Monthly	-1.56	-1.58	-0.52	1.08	1.59	2.67	3.63	2.95	1.75	0.39	-1.41	-1.73	397
15-Day Moving Average	-3.02	-2.46	-1.69	0.13	-0.07	1.51	3.14	2.16	0.58	-0.36	-2.87	-2.88	
7-Day Moving Average	-4.83	-5.11	-3.24	-2.22	-2.27	-0.43	2.17	1.02	-1.39	-2.39	-3.98	-5.10	
3-Day Moving Average	-7.54	-7.95	-6.39	-4.97	-6.76	-4.61	0.22	-1.70	-3.45	-5.51	-6.72	-9.10	
Ave Highest ET	mm/day												--
15-Day Moving Average ^f	0.12	0.27	1.42	2.64	3.64	4.26	4.46	3.81	2.79	1.80	0.46	0.13	
7-Day Moving Average ^g	0.35	0.89	2.12	3.39	4.42	4.74	4.70	4.22	3.26	2.22	0.75	0.35	
3-Day Moving Average ^h	0.52	1.24	2.67	4.03	4.99	5.12	5.03	4.47	3.59	2.46	1.10	0.50	
Ave Lowest ET	mm/day												--
15-Day Moving Average ^f	-1.91	-1.47	-0.25	0.92	1.34	2.68	3.62	2.88	1.38	0.36	-1.45	-1.98	
7-Day Moving Average ^g	-3.18	-2.88	-1.54	-0.46	-0.41	1.39	2.91	2.33	0.43	-0.67	-2.57	-3.36	
3-Day Moving Average ^h	-5.52	-4.99	-3.58	-2.37	-3.15	-0.72	1.49	0.94	-1.28	-2.56	-4.71	-5.94	
Special normal distribution parameters for monthly, seasonal, and annual intervals													
Skew	-0.16	-0.39	-0.30	0.33	-0.45	-0.54	-0.25	-0.36	-1.46	-0.11	-0.90	-0.22	-0.25
Kurtosis	0.61	2.58	0.85	2.91	1.25	2.73	0.60	1.11	4.36	0.61	3.24	0.90	2.61

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.^b Mean of the average daily value for month^c Mean of the fourteen 15-day period averages contained in the month^d Mean of the twenty three 7-day period averages contained in the month^e Mean of the twenty seven 3-day period averages contained in the month^f Mean of the highest/lowest 15-day period average in month^g Mean of the highest/lowest 7-day period average in month^h Mean of the highest/lowest 3-day period average in month

Copyright 2007, University of Idaho.

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one hundred years, have faithfully observed daily air temperature and precipitation.

The citation for the evapotranspiration data used from this site should be: Allen, Richard G. and Clarence W. Robison, 2006 (Revised 2007). *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho*. Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

Questions regarding the data should be addressed to Clarence W. Robison or Richard G. Allen, University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone: (208)-423-6610

65-23355

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, October 14, 2010 4:37 PM
To: Rick Ward, Fish & Game
Subject: Comment Letters for 65-23354 & 65-23355
Attachments: Comment Letter to Fish & Game for 65-23354 & 23355.Doc; 65-23354 APP.pdf; 65-23355 APP.pdf

Please review the attached information and comment as necessary. If you have any questions regarding the attached information, please feel free to contact our office.

Thank You,

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

October 14, 2010

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

RE: Application for Permit: 65-23354 & 65-23355

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)

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, October 14, 2010 4:38 PM
To: Ron Shurtleff, WD-65
Subject: Comment Letters for 65-23354 & 65-23355
Attachments: Comment Letter to WD 65 for 65-23354 & 23355.Doc; 65-23354 APP.pdf; 65-23355 APP.pdf

Please review the attached information and comment as necessary. If you have any questions regarding the attached information, please feel free to contact our office.

Thank You,

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

October 14, 2010

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

RE: Application for Permit: 65-23354 & 65-23355

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 14, 2010

TIM SWENSON
JENNIFER SWENSON
50 WEBSTER LN
HORSESHOE BEND ID 83629

Re: Application No(s). 65-23354 & 65-23355

Dear Mr. & Mrs. Swenson:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by November 8, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, October 13, 2010 3:55 PM
To: Idaho World
Subject: LEGAL NOTICE
Attachments: Boise County Ads - Cover Letter.Doc; Boise County Ads - COMBINED.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*

October 13, 2010

LEGAL NOTICE DEPARTMENT

IDAHO WORLD
PO BOX 99
GARDEN VALLEY, ID 83622

RE: Application For Permit No(s): 65-23354 & 65-23355

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 11/8/2010. 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:

65-23354

SANDS LLC

C/O STEVE LOOMIS

7154 W STATE ST #187

BOISE, ID 83714

Point of Diversion NESW S8 T06N R02E BOISE County Source HOME LAKE Tributary ROBBS CREEK

Point of Diversion SWSW S8 T06N R02E BOISE County Source SIPHON LAKES Tributary ROBBS CREEK

Point of Diversion SWSW S8 T06N R02E BOISE County Source SIPHON LAKES Tributary ROBBS CREEK

Use: IRRIGATION STORAGE 01/01 to 12/31 87 AF

Use: IRRIGATION FROM STORAGE 03/15 to 10/31 69 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.33 CFS

Total Diversion: 0.33 CFS

Date Filed: 9/3/2009

Place Of Use: IRRIGATION STORAGE

T06N R02E S8 SW (ALL)

Place Of Use: IRRIGATION FROM STORAGE

T06N R02E S8 SWNE SENW NESW

Total Acres: 25

65-23355

SANDS LLC

C/O STEVE LOOMIS

7154 W STATE ST #187

BOISE, ID 83714

Point of Diversion SWNE S8 T06N R02E BOISE County Source UNNAMED STREAM Tributary ROBBS CREEK

Use: IRRIGATION STORAGE 01/01 to 12/31 6 AF

Use: IRRIGATION FROM STORAGE 03/15 to 10/31 5 AF

Total Diversion: 6 AF

Date Filed: 9/3/2009

Place Of Use: IRRIGATION STORAGE

T06N R02E S8 SWNE

Place Of Use: IRRIGATION FROM STORAGE

T06N R02E S8 SWNE SENW NESW

Total Acres: 25

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 11/8/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 10/20 & 10/27/2010



SPF WATER
ENGINEERING

September 2, 2009

RECEIVED

SEP 03 2009

WATER RESOURCES
WESTERN REGION

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

Subject: Sands, LLC Applications for Permit (2)

Dear Steve,

Enclosed on behalf of Sands, LLC are two Applications for Permit. Check No. 1053 for \$350 is enclosed for the filing fees; \$250 for 0.33 cfs/87 af and \$100 for 6.0 af.

Please let me know if there are any questions. Thanks Steve.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Steve Loomis

Enclosures

SPF file number: 395.0010