

phone #
587-3211 +
New address
in database

Identification No. _____
Application No. 61-7504

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

MAY 11 1983

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

PO B4 756

1. Name of applicant MOUNTAIN HOME HIGHWAY DISTRICT Phone: 208 587-4731
post office address 170 East Jackson, Mountain Home, Idaho 83647 P O Bpx 725

2. Source of water supply Ground water which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 3 S
Range 6 E B.M. ELMORE County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into N/A at a point in $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:
Amount .04 cfs for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .5 cfs for road prog. purpose from 4-1 to 11-30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .5 cfs for fire prot. purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. .54 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A drilled well 8-inches in diameter, equipped with pump and motor.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 368 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use well is already completed. (ALLOW 1 YR.)

b. Estimated construction cost is \$ 13,000.00

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 3 S
Range 6 E B.M. for domestic purposes and water and also to be used for construction and maintenance of public roads.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served Mountain Home Highway District number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: Domestic use and for use in connection with construction and maintenance of public highways.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. **None**

9. a. Who owns the property at the point of diversion Mountain Home Highway District

b. Who owns the land to be irrigated or place of use Mountain Home Highway District

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

10. Remarks

[illegible]

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.

BY William C. Jones
(Applicant) President of Its Board

C. Wayne Laddall
Director of Highways

Received by SR Date 5/11/83 Time 9:00
Preliminary check by JS Fee \$ 45.00
Received by SR Date 7/14/83 Time 4:00 PM
Publication prepared by DBAC Date 2/11/2010
Published in Mountain Home News
Publication dates FEBRUARY 17 & 24, 2010
Publication approved Date
Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. , and said application is hereby .

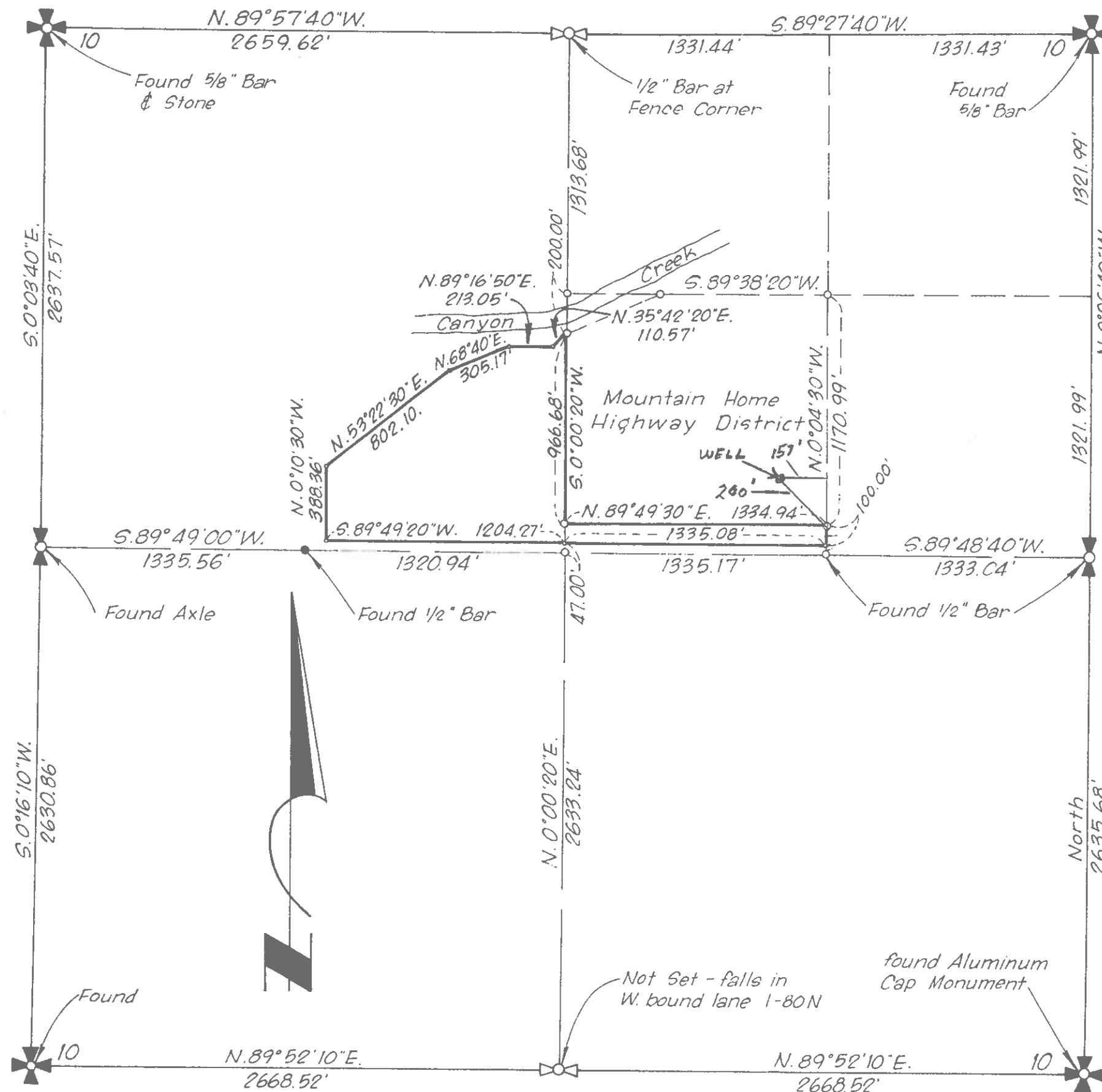
1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
- c. Other:

2. Denial of said application is for the following reasons:

Witness my hand this day of 19 .

 Director



DESCRIPTION

A tract of land in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 10, T.3S., R.6E., B.M., Elmore County, Idaho, more particularly described as follows:

Beginning at the east 1/4 corner of said Section 10, a 1/2 inch bar which bears S.0°06'40\"E., 2643.98 feet from the corner common to Sections 2,3,10 & 11, a 5/8 inch iron bar; thence S.89°48'40\"W., 1333.04 feet on the midsection line to a 1/2 inch iron bar; thence S.89°49'30\"W., 1335.17 feet to the center 1/4 corner of said Section 10; thence N.0°00'20\"E., 47.00 feet to the Real Point of Beginning; thence S.89°49'20\"W., 1204.27 feet parallel with the midsection line to a point; thence N.0°10'30\"W., 388.36 feet to a 5/8 inch bar; thence N.53°22'30\"E., 802.10 feet to a 5/8 inch bar; thence N.68°40'E., 305.17 feet to a 5/8 inch bar; thence N.89°16'50\"E., 213.05 feet to a 5/8 inch bar; thence N.35°42'20\"E., 110.57 feet to a 3 inch iron pipe marked Mt. Home Highway District property corner; thence S.0°00'20\"W., 966.68 feet to a 3 inch iron pipe marked Mt. Home Highway District property corner; thence N.89°49'30\"E., 1334.94 feet to a 3 inch iron pipe marked Mt. Home Highway District property corner; thence S.0°04'30\"E., 100.00 feet to a point; thence S.89°49'30\"W., 1335.08 feet to the Real Point of Beginning, said tract containing 24.61 acres more or less.



Revised 3/18/77

PROPERTY SURVEY for MOUNTAIN HOME HIGHWAY DISTRICT

a part of
the SE⁴ of the NW⁴ of Section 10, T3S, R6E, BM
Ada County, Idaho

McCARTER & TULLER ~ CONSULTING ENGINEERS
327 NO. 27TH ST.
Scale: 1\"=600'
BOISE, IDAHO
March 11, 1977

NOTICE

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

61-7504
MOUNTAIN HOME HIGHWAY DISTRICT

PO BOX 756
1208 NW MASHBURN
MOUNTAIN HOME, ID 83647

Point of Diversion SWNE S10 T03S R06E
ELMORE County Source GROUND WATER
Tributary

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

Use: FIRE PROTECTION 01/01 to 12/31
0.5 CFS

Total Diversion: 0.54 CFS

Date Filed: 5/11/1983

Place Of Use: FIRE PROTECTION AND
DOMESTIC

T03S R06E S10 SWNE

Domestic Use is restricted to 2,500 gal/day
- Exempt Fire Protection is to fight or repel an
existing fire

63-33226

US DEPT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
1249 S VINNELL WAY STE 200
BOISE, ID 83709

Point of Diversion SWNENW S15 T01S
R08E ELMORE County Source SPRING Trib-
utary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 6/23/2009

Place Of Use: STOCKWATER
T01S R08E S15 NENW

63-33227

US DEPT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
1249 S VINNELL WAY STE 200
BOISE, ID 83709

Point of Diversion NESENE S16 T01S
R08E ELMORE County Source SPRING Trib-
utary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 6/23/2009

Place Of Use: STOCKWATER
T01S R08E S16 SENE

PROPOSED CHANGE OF WATER RIGHT

James R. and Carmela M. Martell of 643 N.
Elk Ranch Dr., Glenns Ferry, ID, 83623, filed
Application No. 76106 to transfer one water
right with a 1930 priority date from the Snake
River totaling 0.64 cfs. The purpose of the
transfer is to move the point of diversion to a
location on their property. Water will be used at
the current place of use south of Glenns Ferry
and east of Three Island Crossing State Park on
the north side of the river.

PROPOSED CHANGE OF WATER RIGHT(S)

LCSC Enterprises LLC of 433 E. Las Colli-
nas Blvd Suite 1209 Irving TX 75039 filed Ap-
plication No. 76248 to transfer 5 water right(s)

with 1967 thru 1976 priority dates from ground
water totaling 16.96 cfs. The purpose of the
transfer is to add two new wells and correct
a minor error in the place of use description.
Water will be used at the current place of use
generally located west of S 18th St E between
E 42nd St S and Clover Hollow Rd approxi-
mately 4 miles south of Mountain Home.

Permits will be subject to all prior water
rights. Protests against permit applications
may be submitted based on the criteria of Idaho
Code § 42-203A. For specific details regarding
the application, please contact the Idaho De-
partment of Water Resources (IDWR) Western
Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new wa-
ter right applications." Protests may be submit-
ted based on the criteria of Sec 42-222, Idaho
Code. Any protest against the proposed change
must be filed with the Director, IDWR Western
Region, 2735 Airport Way, Boise ID 83705-
5082 together with a protest fee of \$25.00 for
each application on or before March 8, 2010.
The protestant must also send a copy of the
protest to the applicant.

GARY SPACKMAN, Interim Director
First Publication: February 17, 2010.
Last Publication: February 24, 2010.

Proofed

Date: 2-16-2010

☐ OK, With Changes

☒ OK, No Changes

☐ Re-Proof

Proofed by:

DB

Please sign & fax back
with any corrections by 10am
2/16/10.

THANK YOU
STACY SWENSON
MTN. HOME NEWS
PH. (208) 587-3331 • FAX (208) 587-9205

✓ Faxed back 2/16/2010. DB

WorkCentre 7345 Transmission Report

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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: February 11, 2010
To: Mountain Home News, Attn: Stacy Swenson
From: Denise Buffington
Fax: 208-587-9205

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.

Thank you in advance,

Denise
Denise Buffington
Administrative Assistant

Total Pages Scanned: 3 Total Pages Sent : 3

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RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated

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Thank you in advance,



Denise Buffington
Administrative Assistant

February 11, 2010

LEGAL NOTICE DEPARTMENT

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 76106
Water Right No(s). 2-4008B

RE: Transfer No. 76248
Water Right No(s). 61-7114, 61-7262A, 61-2207A, 61-10561, 61-2207B

RE: Application For Permit No(s).: 61-7504, 63-33226 and 63-33227

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 3/8/2010. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

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Use: FIRE PROTECTION 01/01 to 12/31 0.5 CFS

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Date Filed: 5/11/1983

Place Of Use: FIRE PROTECTION AND DOMESTIC

T03S R06E S10 SWNE

Domestic Use is restricted to 2, 500 gal/day --- Exempt Fire Protection is to fight or repel an existing fire

63-33226

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FOREST SERVICE
BOISE NATIONAL FOREST
1249 S VINNELL WAY STE 200
BOISE, ID 83709

Point of Diversion SWNENW S15 T01S R08E ELMORE County Source SPRING Tributary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 6/23/2009

Place Of Use: STOCKWATER

T01S R08E S15 NENW

63-33227

US DEPT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST
1249 S VINNELL WAY STE 200
BOISE, ID 83709

Point of Diversion NESENE S16 T01S R08E ELMORE County Source SPRING Tributary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 6/23/2009

Place Of Use: STOCKWATER

T01S R08E S16 SENE

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Permits will be subject to all prior water rights. Protests against permit applications may be submitted based on the criteria of Idaho Code § 42-203A. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before March 8, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 2/17 & 2/24/2010

MEMORANDUM

To: John Westra
From: Rob Whitney
Date: 2-08-10

RE: Amendment of Application no. 61-7504 for Mountain Home Highway District

The Director of the Highway District, C. Wayne Tindall was in this date to amend the referenced application. The change was limited to omitting the industrial use and adding "fire protection". The domestic portion remains unchanged. The original application was signed by a predecessor and has been additionally signed by the current director. After a looking at the file more closely, it appears that the application may not have been advertised. I find no affidavits of publication in the file.

P.O. Box 756
(1208 N.W. Mashburn)
Mountain Home, ID 83647
Phone: (208)587-3211
Fax: (208)587-7129



Larry Hall, Chairman
Bill Davison, Commissioner
Calvin Ireland, Commissioner
C. Wayne Tindall, Director
Penny Meyers, Treasurer
Jay Friedly, Attorney

February 19, 2009

RECEIVED

FEB 25 2009

WATER RESOURCES
WESTERN REGION

ATTN: Robert Whitney
Idaho Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705

Dear Mr. Whitney,

I am writing in response to your letter, dated February 9, 2009, regarding our well (Permit #61-07504). This well is a vital, integral part of the Highway District's operation, it serves our domestic requirements within the shop complex as well as our road construction and maintenance needs. Additionally, on occasion, we support the local Fire Department with our water hauling capabilities.

On page 2, I have checked box 1 but I am uncertain with regards to the "detailed evidence and data" that is mentioned in order to justify approval of this permit.

Although this well fluctuates with usage it has basically held steady in its, overall, level since it was drilled in 1979, Water Level Report enclosed. We also own a well on the north end of our property and it has been very stable as well, the report demonstrates this (enclosed).

Please let me know if these, enclosed, reports are not sufficient and what else we can provide.

Sincerely,

A handwritten signature in black ink that reads "C. Wayne Tindall". The signature is written in a cursive style with a large, stylized "C" and "T".

C. Wayne Tindall
Mountain Home Highway District

APPLICANT RESPONSE (choose one):

X 1. I intend to provide detailed evidence and data to convince the Director that there is sufficient water available to justify approval and that other prior water rights will not be injured by approval of my application. I understand that this detailed evidence must be received by the Department no later than **January 1, 2010** and that if the Department does not receive the information my application will be ordered void. Please sign and Date. Enclosed is a list of consultants if you need assistance providing this information.

OR

 2. I do hereby withdraw my application. I understand that by choosing this option my application will be void and removed from Department records. Please sign and Date.

Signature

C. Wayne Lindall

Date

2/20/09

Again, your response is required within 30 days of receiving this letter. Failure to respond to this letter will result in the Department ordering the application void pursuant to Section 42-204, Idaho Code.

Please mail your response to:

**Idaho Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705**

Any questions you have concerning this letter should be addressed to me at this office (334-2190).

Respectfully,



ROBERT WHITNEY
Sr. Water Resource Agent

Enclosures

RECEIVED

FEB 25 2009

WATER RESOURCES
WESTERN REGION

North end

of property

Well Number	WLDate	WLDepth	WLStatus	WLAgency
03S06E-10ABA1	12/6/1977	87		Driller
03S06E-10ABA1	7/23/1990	78.6		USGS
03S06E-10ABA1	10/22/1990	81.7		USGS
03S06E-10ABA1	12/15/1998	76.8		IDWR
03S06E-10ABA1	1/21/1999	79.9		IDWR
03S06E-10ABA1	2/19/1999	80.6		IDWR
03S06E-10ABA1	3/3/1999	80.6		IDWR
03S06E-10ABA1	3/10/1999	74.5		IDWR
03S06E-10ABA1	3/17/1999	76.5		IDWR
03S06E-10ABA1	3/24/1999	73.8		IDWR
03S06E-10ABA1	3/31/1999	71.5		IDWR
03S06E-10ABA1	4/7/1999	72.9		IDWR
03S06E-10ABA1	4/14/1999	73.1		IDWR
03S06E-10ABA1	4/21/1999	74		IDWR
03S06E-10ABA1	4/28/1999	75.2		IDWR
03S06E-10ABA1	5/5/1999	73.9		IDWR
03S06E-10ABA1	5/26/1999	72.6		IDWR
03S06E-10ABA1	6/18/1999	72.7		IDWR
03S06E-10ABA1	8/6/1999	73.8		IDWR
03S06E-10ABA1	9/10/1999	75.5		IDWR
03S06E-10ABA1	10/21/1999	76.6		IDWR
03S06E-10ABA1	11/16/1999	77.9		IDWR
03S06E-10ABA1	12/22/1999	80.3		IDWR
03S06E-10ABA1	2/25/2000	80.6		IDWR
03S06E-10ABA1	3/21/2000	80.7		IDWR
03S06E-10ABA1	4/20/2000	81.1		IDWR
03S06E-10ABA1	5/23/2000	78.4		IDWR
03S06E-10ABA1	6/28/2000	75.8		IDWR
03S06E-10ABA1	7/25/2000	78.7		IDWR
03S06E-10ABA1	8/21/2000	79.3		IDWR
03S06E-10ABA1	11/2/2000	79.3		IDWR
03S06E-10ABA1	3/7/2001	82.3		IDWR
03S06E-10ABA1	4/13/2001	82.5		IDWR
03S06E-10ABA1	6/5/2001	83		IDWR
03S06E-10ABA1	8/16/2001	84.4		IDWR
03S06E-10ABA1	11/13/2001	85.8		IDWR
03S06E-10ABA1	1/30/2002	85.9		IDWR
03S06E-10ABA1	3/28/2002	85.7		IDWR
03S06E-10ABA1	7/30/2002	80.2		IDWR
03S06E-10ABA1	10/17/2002	72.3		IDWR
03S06E-10ABA1	4/17/2003	80.5		IDWR
03S06E-10ABA1	10/5/2003	81.9		IDWR
03S06E-10ABA1	3/3/2004	82.7		IDWR
03S06E-10ABA1	10/6/2004	78.6		IDWR
03S06E-10ABA1	3/24/2005	81.7		IDWR
03S06E-10ABA1	11/4/2005	86.2		IDWR
03S06E-10ABA1	12/6/2006	78.6		IDWR
03S06E-10ABA1	4/25/2007	81.1		IDWR
03S06E-10ABA1	3/25/2008	81.4		IDWR
03S06E-10ABA1	11/24/2008	77.6		IDWR

RECEIVED

FEB 25 2009

WATER RESOURCES
WESTERN REGION

Permit

#

61-07504

03S06E-10ACD2	7/5/1979	95	Driller
03S06E-10ACD2	12/15/1998	94.2	IDWR
03S06E-10ACD2	1/21/1999	94.1	IDWR
03S06E-10ACD2	2/1/1999	94.2	Recently P IDWR
03S06E-10ACD2	3/3/1999	94.5	Recently P IDWR
03S06E-10ACD2	3/10/1999	93.6	IDWR
03S06E-10ACD2	3/17/1999	93.2	IDWR
03S06E-10ACD2	3/24/1999	92.6	IDWR
03S06E-10ACD2	3/31/1999	91.3	IDWR
03S06E-10ACD2	4/7/1999	94.9	Recently P IDWR
03S06E-10ACD2	4/14/1999	111.6	Recently P IDWR
03S06E-10ACD2	4/21/1999	102.1	IDWR
03S06E-10ACD2	4/28/1999	99.6	Recently P IDWR
03S06E-10ACD2	5/5/1999	107	Recently P IDWR
03S06E-10ACD2	5/26/1999	91.3	IDWR
03S06E-10ACD2	6/18/1999	91	IDWR
03S06E-10ACD2	8/6/1999	147.5	Recently P IDWR
03S06E-10ACD2	10/21/1999	93.3	IDWR
03S06E-10ACD2	11/16/1999	95.6	IDWR
03S06E-10ACD2	12/22/1999	89.5	IDWR
03S06E-10ACD2	1/26/2000	90	IDWR
03S06E-10ACD2	2/27/2000	95.1	IDWR
03S06E-10ACD2	3/21/2000	95.6	IDWR
03S06E-10ACD2	4/20/2000	95.9	IDWR
03S06E-10ACD2	5/23/2000	95.4	IDWR
03S06E-10ACD2	7/25/2000	94.9	IDWR
03S06E-10ACD2	8/21/2000	94.8	IDWR
03S06E-10ACD2	11/2/2000	103.6	Recently P IDWR
03S06E-10ACD2	3/7/2001	98.3	IDWR
03S06E-10ACD2	6/5/2001	172.2	Pumping IDWR
03S06E-10ACD2	8/16/2001	106.5	Recently P IDWR
03S06E-10ACD2	11/13/2001	102.6	IDWR
03S06E-10ACD2	1/30/2002	102.9	IDWR
03S06E-10ACD2	3/28/2002	102.9	IDWR
03S06E-10ACD2	7/30/2002	123.4	Recently P IDWR
03S06E-10ACD2	10/17/2002	102.1	IDWR
03S06E-10ACD2	4/17/2003	100.6	IDWR
03S06E-10ACD2	4/30/2004	107	IDWR
03S06E-10ACD2	10/16/2004	100.6	IDWR
03S06E-10ACD2	3/24/2005	100.4	IDWR
03S06E-10ACD2	11/4/2005	102.7	Recently P IDWR
03S06E-10ACD2	12/6/2006	96.7	IDWR
03S06E-10ACD2	4/25/2007	100	IDWR
03S06E-10ACD2	3/25/2008	98.9	IDWR
03S06E-10ACD2	11/24/2008	98.2	IDWR

RECEIVED

FEB 25 2009

WATER RESOURCES
WESTERN REGION



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

February 9, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Mountain Home Highway District
PO Box 756
Mt. Home, ID 83647

*Carl Farris Called
2-18-09
will send response
well used consistent w/ Ap 1
well drilled 1977*

**RE: Application for Permit No. 61-07504
Mountain Home Ground Water Management Area (MHGWMA)**

Dear Applicant:

The above referenced water right application has been held by the Idaho Department of Water Resources (Department) because the proposed location is within the MHGWMA. Ground Water Management Areas may be designated pursuant to Section 42-233b, Idaho Code, if an area's ground water resources are approaching a condition where ground water supplies are not sufficient to satisfy existing or additional water rights. Department monitoring data in the MHGWMA confirms aquifer levels have continued to decline over the last 32 years. Attached are maps showing regional water level declines from 1976 to present. The Department has concluded that pending applications should no longer be held on the basis that aquifer levels may eventually recover leaving ground water available for new appropriations.

The Director of the Department can approve new water right applications in a Ground Water Management Area **only** if he has determined that sufficient water is available and that existing water rights will not be injured by the approval (Section 42-233b, Idaho Code). All available data suggests that there are insufficient groundwater supplies in the MHGWMA, therefore, the Director must assume that there is not sufficient groundwater available for new appropriation.

Your application for permit to appropriate water in the MHGWMA has been reviewed by the Department and will not be processed or advertised unless sufficient data and information is submitted that will allow the Director to determine that 1) there is sufficient ground water available to satisfy the use proposed by your application and 2) approval of your application will not injure any other prior water rights.

The Department requires your response to this letter within 30 days of receipt regarding your application. Please place an "X" by one of the options below and return your response to this office (page 2 of this letter with signature and date).

APPLICANT RESPONSE (choose one):

_____ 1. I intend to provide detailed evidence and data to convince the Director that there is sufficient water available to justify approval and that other prior water rights will not be injured by approval of my application. I understand that this detailed evidence must be received by the Department no later than **January 1, 2010** and that if the Department does not receive the information my application will be ordered void. Please sign and Date. Enclosed is a list of consultants if you need assistance providing this information.

OR

_____ 2. I do hereby withdraw my application. I understand that by choosing this option my application will be void and removed from Department records. Please sign and Date.

Signature_____

Date_____

Again, your response is required within 30 days of receiving this letter. Failure to respond to this letter will result in the Department ordering the application void pursuant to Section 42-204, Idaho Code.

Please mail your response to:

**Idaho Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705**

Any questions you have concerning this letter should be addressed to me at this office (334-2190).

Respectfully,



ROBERT WHITNEY
Sr. Water Resource Agent

Enclosures

Mountain Home Highway District

P.O. Box 756
1208 N.W. Mashburn Road
Mountain Home, Idaho 83647
Office & Shop: (208) 587-3211 • Fax Number: (208) 587-7129

RECEIVED

DEC 27 2004

WATER RESOURCES
WESTERN REGION

Commissioners

Tim Corder Sr. Chairman
W.G. Davison
John Hopson

Secretary-Treasurer

Penny Meyers
Director of Highways
C. Wayne Tindall
Attorney
Jay Friedly

December 22, 2004

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Idaho 83705-5082
Attn: John Westra

Dear John,

The Mountain Home Highway District is responding to your letter dated November 30, 2004 on the Application for Permit #61-7504 Commercial and Domestic Public waters. The Mountain Home Highway District wishes to continue the State of Idaho Department of Water Resources application for permit filed May 1983. Should you have any questions please contact me at the Mountain Home Highway District office, 208-587-3211.

Sincerely,



Penny Meyers
Mountain Home Highway District



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Mountain Home Hiway District
PO Box 756
170 E Jackson
Mountain Home ID 83647

RE: Application for Permit #61-7504—Commercial & Domestic
Filed: May 1983

Dear Applicant:

The Department is in the process of reviewing and updating applications that have been held without action for an extended period, application copy attached. The last written communication regarding your application was in 1989.

As you are aware, your application is located within the boundaries of the Mountain Home Ground Water Management area. The Department has not processed/advertised the application due to the ground water management designation. Unfortunately, over the past few years the ground water levels have continued to decline. With continued water level declines, it is unlikely the management area restrictions will be removed.

If you still plan to develop the project as identified, and wish the application continued to be held, please advise this office of your intentions, **OR** sign and return the enclosed application withdrawal if the project is going to be abandon. Please respond by **December 31, 2004**. If no response is received, the Department will consider voiding the application pursuant to Idaho Code §42-204.

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

Sincerely,

John Westra
Western Regional Manager.

Enclosure.

Lester, Steve

O.P.

From: Curtis, Sharla
Sent: Wednesday, February 21, 2001 12:04 PM
To: Lester, Steve

Steve, a lady by the name of Penny with the Mountain Home Highway Disrrict spoke with me today about the well they use for road construction/maintenance and the shop. I found their filing; it's still an application (61-07504). It has a 1983 date of priority and it's obviously been held because it's in the Mtn. Home Ground Water Mgmt. Area.

She would like a copy of the filing faxed to her along with an update on the status. This may be an illegal diversion because it sounds like they're using the water for the purposes I stated above, without a water right it appears. Anyway, could you fax her a copy of the application and your viewpoint on the status and whatever steps you think need to be looked at now.

Thanks for your help on this one Steve. Today is my office day and I think everybody has been out looking at property again or they've been saving up all their gripes about their neighbors cuz I'm getting hammered today. So I really appreciate whatever help you can give me on this one. Penny's fax number is 587-7129.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 1, 1989

Mountain Home Highway District
P.O. Box 756
Mtn. Home, Id. 83647

Re: Application for Permit 61-07504

Dear Clydann:

As you requested, a letter is provided for the district meeting concerning alternatives that may allow approved uses of water for the needs of the district. I hope the following information proves useful.

As my letter of 6/2/89 states, to obtain an approved water right for ground water in the Mtn. Home Ground Water Management Area requires that an applicant prove that water is available for appropriation and that a new appropriation will not cause injury to existing users. This may be extremely difficult and expensive to accomplish. One alternative may be to buy or lease an existing valid but unused ground water right. Considerable amounts of irrigated lands are currently enrolled in the ten year USDA Conservation Reserve Program (CRP), which means that irrigation will not occur for at least ten years. CRP acres are a potential source of water rights that one may buy or lease. The best way to locate such lands is to contact the local ASCS office to identify land owners enrolled in the CRP. My office can provide water right information when given legal land descriptions (Township, Range, Section, and 1/4-1/4).

Our recent telephone conversation revealed that the district purchased land from Aquirre & Sons in T3S, R6E, Sec. 10, NW1/4 NE1/4 and E1/2 NW1/4. Water right license 61-02117 is most likely appurtenant to land in the E1/2 NW1/4. The license shows the Aquirres as the most recent owners. The license uses Canyon Creek to irrigate 61 acres and provide stockwater in the E1/2 NW1/4. Unless the water right was withheld by some legal contract in the sale of the property, the license is part of the land and belongs to the new owners. Perhaps Canyon Creek water under this right would fill some of the demands of the district. The main obstacle to this is the source itself. Canyon Creek includes Water District 61-A. Water Districts are composed of water users with decreed rights to use water, and the water is delivered to the users by a Watermaster. In other words, the water use is tightly controlled based on decreed rights. The limited Canyon Creek supply forces use to be restricted to the most senior rights soon after the spring runoff declines.

Letter to Mtn. Home Hwy. Dist.
page 2

For additional information about Canyon Creek and Water District 61-A, contact the Watermaster, Clayton Colthorp (140 S. 3rd E., Mtn. Home). Please contact me if additional information is needed.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL:sl



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 2, 1989

Mountain Home Highway District
P.O. Box 725
Mtn. Home, Id. 83647

Re: Application for Permit 61-07504

Dear Applicant:

Your 1983 application for the use of ground water for domestic and industrial use in T3S, R6E, S.10 faced two obstacles discussed in the most recent correspondence of 3/13/87. The Trustwater moratorium was recently lifted, and the Department will begin to process the many applications that are on hold because of the moratorium. Applications will be processed in the order in which they were received based on the date of priority. Such delays do not affect the preliminary date of priority for your application.

The remaining problem concerns the Mtn. Home Ground Water Management Area (GWMA). Idaho Code 42-233b provides for the establishment of a GWMA to protect declining water tables. As mentioned in the 3/13/87 letter, an applicant must prove that ground water within a GWMA is available and that the new appropriation will not adversely affect existing water rights or contribute to a decline in the water table. You may need to hire a qualified hydrologist or geologist to conduct a study and submit a report to this office to address the GWMA questions before your application can receive further consideration. Such evidence is needed for an approved use of ground water for anything beyond 13,000 gallons per day for a single-family domestic use (includes up to 1/2 acre of irrigation) and/or stockwater use.

An option to obtaining a new water right concerns the purchase of a valid existing right that is available for sale or lease. This office can provide additional information in this and related matters. Please respond within 30 days to address your water right situation.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL:s



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

61-7504
MOUNTAIN HOME HIGHWAYS DIST.
P.O. BOX 725
170 E. JACKSON
MOUNTAIN HOME, ID 83647

March 13, 1987

Dear Applicant:

The above-referenced application was received, given an initial review and has been on hold pending the Swan Falls Idaho Power water rights problem.

At this time we are still unable to complete our processing of applications that have points of diversion from either groundwater or surface water that are located hydraulically upstream from Swan Falls Dam and downstream from Milner Dam on the Snake River. Water diverted under these applications is considered to be "Trust Water" under provisions of a new statute and rules and regulations that have been developed in response to the Swan Falls water rights controversy. Until the Federal Energy Regulatory Commission (FERC) approves the Swan Falls Agreement, applications such as yours are being held and not processed. FERC has been ordered by the President and Idaho's Congressional Members to act as quickly as possible on this decision.

Another delay in your application is due to its location falling within the Mountain Home Groundwater Management Area. Designation as a groundwater management area means that the Department will consider the approval of additional groundwater withdrawals only if the applicant can show that there is water available for a specific project. Thus, each application in the area will be considered on an individual basis to determine what potential impacts may occur to the groundwater aquifer and to other existing water rights if the proposed use is begun. Once FERC acts on the above mentioned agreement and processing begins on your application, you will be given the opportunity to show that your proposed use will neither adversely affect existing water rights, nor cause or contribute to a further decline in the groundwater levels of your area. You may wish to hire a qualified groundwater hydrologist to conduct a study at that time and submit a report to our office.

We will keep you updated as to when any action can be taken by our Department. Please contact us if you have any questions.

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:jp



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 20, 1985

Cindy Cranston-Felton
Nelson, Rosholt, Robertson
Tolman & Tucker
P.O. Box 1906
Twin Falls, ID 83303

Re: Application for Permit to Develop a Water Right in the Name
of Mountain Home Highway District.

Dear Cindy:

My job duties in the Department have changed, but lo, I am still
involved with the Swan Falls matter.

In the Western Regional Office we have discovered one water right
application (referenced above) that apparently is a candidate for
dismissal from the lawsuit, per the guidelines of the Swan Falls
contract. Please review and advise if this water right is dropped
to allow continued processing of the application. Because this
application was identified in the Second Amended Complaint, I
will assume that you have a copy of the application and will not
send you one at this time.

Thank you for your assistance.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

ls

HALL & FRIEDLY, CHARTERED

LAW OFFICE

340 EAST 2ND NORTH

MOUNTAIN HOME, IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
DON L. ROBERTS

July 1, 1983

TELEPHONE
(208) 587-4412

Department of Water Resources
Western Region
450 West State
Boise, Idaho

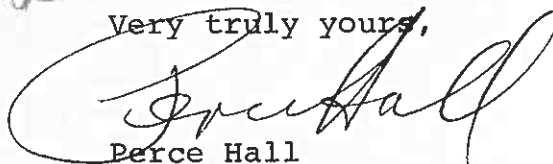
Gentlemen:

Re: Mountain Home Highway District

In behalf of the Mountain Home Highway District and pursuant to the request contained in your letter dated June 3, 1983, I am enclosing Application For Permit, with map attached to show point of diversion and together with my check in the amount of \$45.00 to pay your filing fee.

No check

Very truly yours,



Perce Hall

PH:dm

Enclosures

RECEIVED
JUL 5 1983

Department of Water Resources
Western Regional Office

June 3, 1983

Mountain Home Highway Dist.
170 E. Jackson
Mountain Home, ID 83647

Gentlemen:

We have received your application for permit for domestic use and road maintenance for the well in Sec. 10, Township 5 South, Range 6 East.

However, the fee for .54 cfs is \$45.00 rather than \$25.00. I am enclosing a fee schedule for your information. Also, Item #11 needs to be completed showing the point of diversion and place of use. The road building use will be designated as an industrial use on our computer and in the advertising.

Please complete the application as requested and return with the \$45.00 filing fee. I am returning your \$25.00 check in case it is easier on your paperwork to cancel this check out and write one for \$45.00.

If you have any questions concerning this matter, please contact us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG/cjk
Enclosures

HALL & FRIEDLY, CHARTERED

LAW OFFICE
340 EAST 2ND NORTH

MOUNTAIN HOME, IDAHO 83647

May 9, 1983

PERCE HALL
JAY R. FRIEDLY
DON L. ROBERTS

RECEIVED

MAY 11 1983

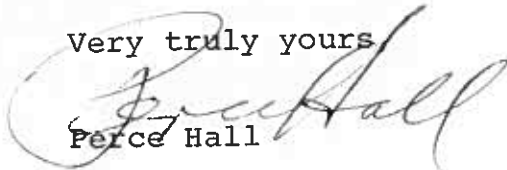
Idaho Department of Water Resources
TELEPHONE
(208) 587-4412

Idaho Department of Water Resources
450 West State
Boise, Idaho 83701

Gentlemen:

In behalf of Mountain Home Highway District I am enclosing Application for a Water Permit. I am also enclosing my check in the amount of \$25.00 to pay the permit fee.

Very truly yours,


Perce Hall

PH/hw

Enclosure

RECEIVED
MAY 22 1983

Department of Water Resources
Western Regional Office

61-7504

MOUNTAIN HOME HIGHWAYS DIST.

P.O. BOX 725, 170 E. JACKSON, MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Date Filed: 07/14/1983

Diversion Pt: SWNE Sec 10 T 03S R 06E

Use: INDUSTRIAL	(0.50 CFS)
DOMESTIC	(0.04 CFS)

In: SWNE Sec 10 T 03S R 06E