

Ident. No. 65-23337

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 27 2009

WATER RESOURCES
WESTERN REGION

1. Name of Applicant DANIEL SHELTON Phone 208-642-9416
Mailing address 7881 DUTCH LANE PAYETTE ID 83661 Email _____
2. Source of water supply Payette River which is a tributary of Snake River
3. Location of point of diversion is Township 8N Range 5W Sec. 24, in the _____ 1/4, NE 1/4, NW 1/4, Govt. Lot 3, B.M., Payette County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .18 for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
- Amount .02 for Stockwater purposes from 01/01 to 12/31 (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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .18 and/or (b) _____
cubic feet per second acre feet per year

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source Pump with sprinkler system 3HP PUMP w/10" X 500' OF GATE
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; PVC
total reservoir capacity _____ acre-feet PIPE
- 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 2 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. 15 Hd.
- 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	
8N	05 ^W	24					9												9
							5												

Total number of acres to be irrigated: 9

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? None

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. _____

Replaces

Lapsed permit 65-13325

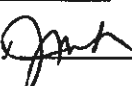
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.


Signature of Applicant

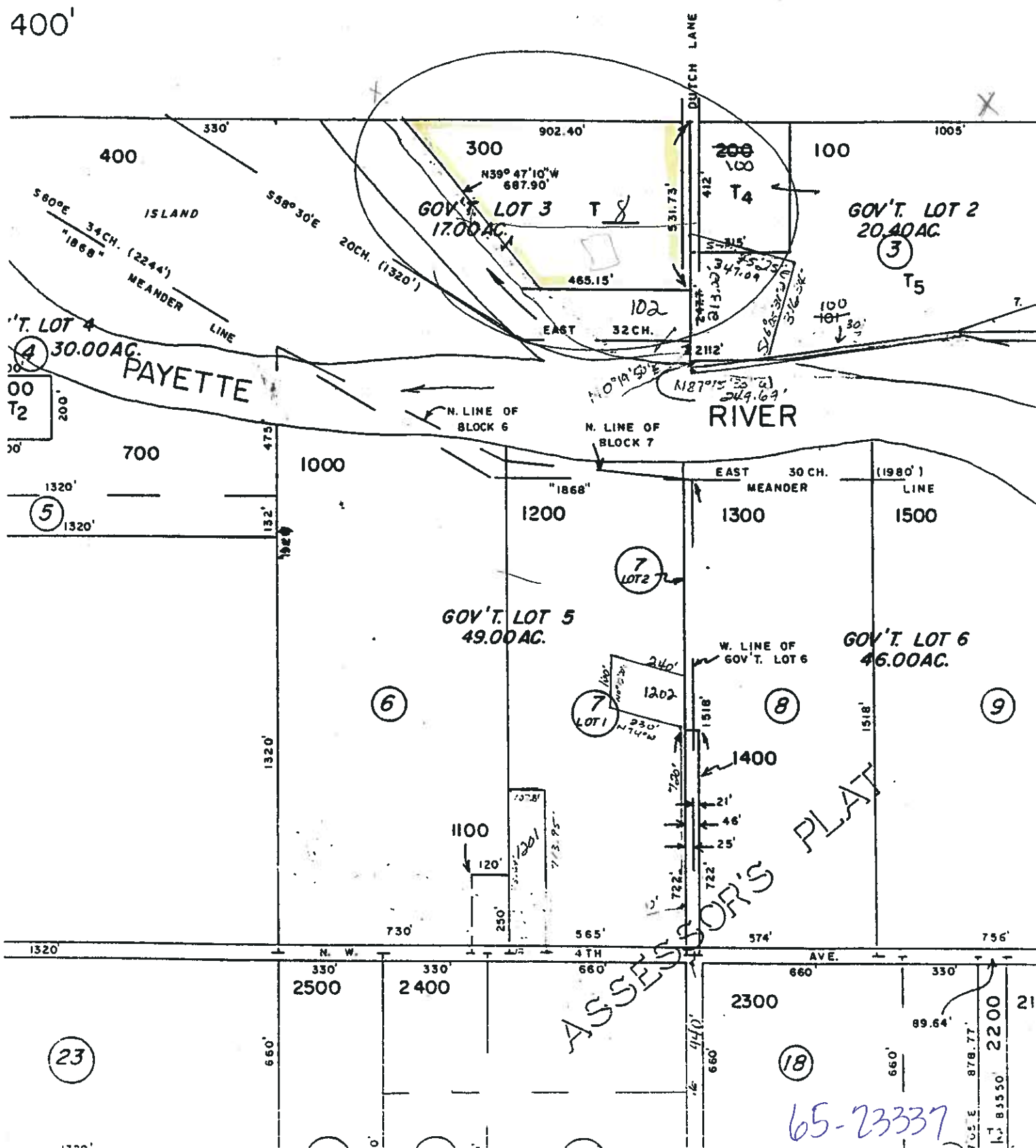
DANIEL SHELTON
Print Name (and title, if applicable)

For Department Use:

Received by JFW Date 4/27/09 Time 1:49pm Preliminary check by AK
Fee \$ 100.00 Receipted by  Receipt No. W0 37399 Date 4-27-09

24-8-5

THE SKETCH BELOW IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISES AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY. N



Buffington, Denise

From: Buffington, Denise
Sent: Thursday, December 31, 2009 10:24 AM
To: 'rward@idfg.idaho.gov'
Subject: Comment Letters
Attachments: Comment Letter to Fish & Game.Doc; 65-23131 APP.pdf; 65-23337 APP.pdf; 77-14326 APP.pdf; 77-14330 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
Dept of Water Resources
Western Region

December 31, 2009

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

RE: Application for Permit: 65-23131, 65-23337, 77-14326 and 77-14330

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, December 31, 2009 10:26 AM
To: 'waterdist65@srvinet.com'
Subject: Comment Letters
Attachments: Comment Letter to WD65.Doc; 65-23131 APP.pdf; 65-23337 APP.pdf; X-fer 75801 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
Dept of Water Resources
Western Region

December 31, 2009

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

RE: Transfer No. 75801
Water Right No(s). 65-2590B

RE: Application for Permit: 65-23131 and 65-23337

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)

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, December 30, 2009 1:11 PM
To: 'Lisa Allison'
Subject: LEGAL NOTICE
Attachments: Payette County Ads - Cover Letter.Doc; 65-23337 Ad.doc

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

Thank you in advance,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

December 30, 2009

LEGAL NOTICE DEPARTMENT

INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application For Permit No(s): 65-23337

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 1/25/2010. 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:

65-23337

DANIEL SHELTON
7881 DUTCH LANE
PAYETTE, ID 83661

Point of Diversion L3(NENW) S24 T08N R05W PAYETTE County Source PAYETTE RIVER Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 0.18 CFS

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

Total Diversion: 0.18 CFS

Date Filed: 4/27/2009

Place Of Use: IRRIGATION AND STOCKWATER
T08N R05W S24 L3(NENW)

Total Acres: 9

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. 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 1/25/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 1/6/2010 and 1/13/2010