

Amended

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

RECEIVED**NOV 27 2009**WATER RESOURCE
WESTERN REGION

1. Name of Applicant William Van Handel Phone 208-366-2540
Mailing address PO Box 231, Mountain Home, ID 83647 Email _____
Representative Lori Graves, SPF Water Engineering LLC, 300 E. Mallard, Ste 350, Boise, ID 83706 208-383-4140
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is Township 3S Range 6E Sec. 26, in the _____ 1/4,
SW 1/4, SW 1/4, Govt. Lot _____, B.M., Elmore County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
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 Well, pump, pipeline
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 550 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 1985; Drilling firm Hiddleston;
Well was drilled for (well owner) Applicant; Drilling Permit No. 841561
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. One
 - e. Other; describe fully. Commercial use for car wash facility

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
3S	6E	26											D						
													C						

Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- 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. Propose diversion from an existing well, limited to 2500 gpd.

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.

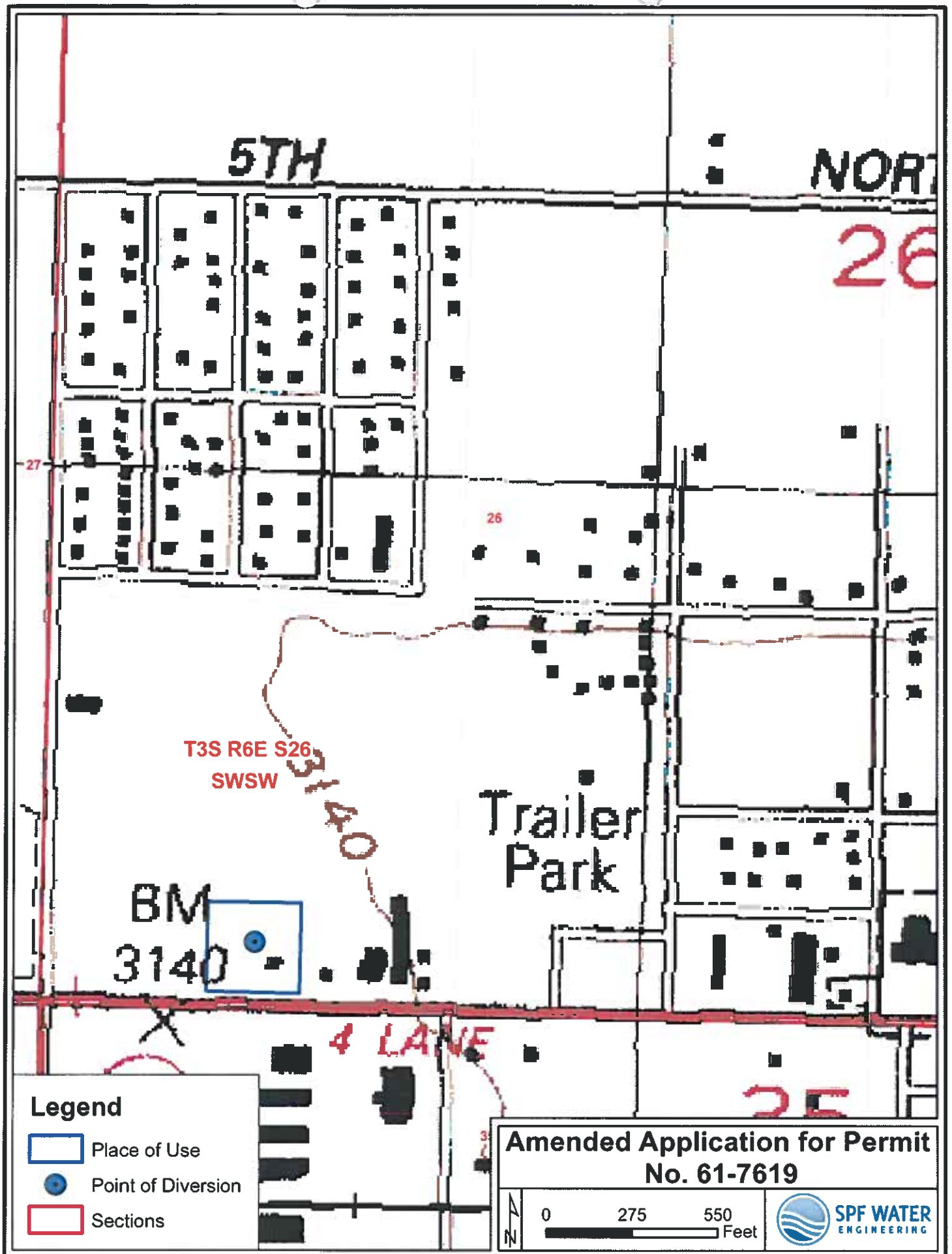
William Van Handel
Signature of Applicant

WILLIAM VAN HANDEL
Print Name (and title, if applicable)

For Department Use:

Received by SL Date 11/27/09 Time _____ Preliminary check by SL
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____
 Publication prepared by DB Date 12/30/2009 Published in MOUNTAIN HOME NEWS
 Publication approved _____ Date _____ Dates Published JANUARY 6 & 13, 2010

See ORIGINAL - OK per minimum fee category
At that time



2006 Photo

27

26

T3S R6E S26
SWSW

Legend

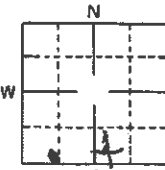
-  Place of Use
-  Point of Diversion
-  Sections

3
**Amended Application for Permit
No. 61-7619**



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.

1. WELL OWNER Name <u>Bill Vay Handle</u> Address <u>mt home</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>410</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below _____																																																																																																																																																																																																																													
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Ident. No. 61-07619

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

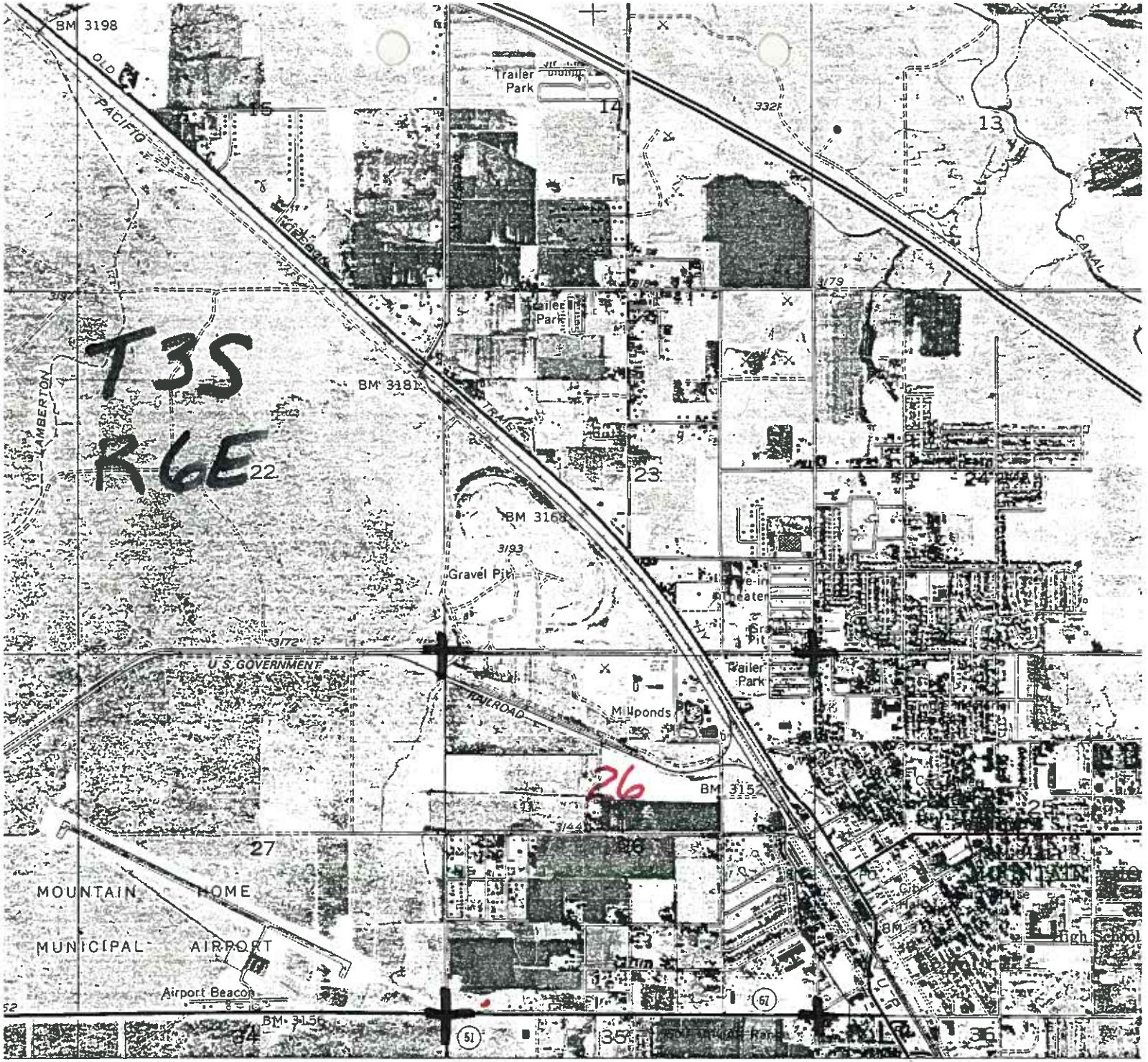
To appropriate the public waters of the State of Idaho

1. Name: WILLIAM J. VAN HANDEL
Address: P.O. BOX 231
MOUNTAIN HOME, ID 83647
208-366-2540
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SWSW Sec. 26, Township 03S, Range 06E
ELMORE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
COMMERCIAL	01/01	12/31	0.100		
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.140 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP & PIPELINE.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
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8. Description of proposed uses:
COMMERCIAL USE FOR CAR WASH AND OFFICES. DOMESTIC FOR ONE HOME.
9. Place of Use: COMMERCIAL

TWN RGE SEC
03S 06E 26 SWSW

Place of Use: DOMESTIC, same as COMMERCIAL use
10. Describe any other water rights used for the same purposes.
NONE



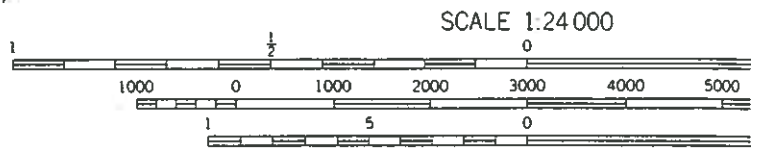
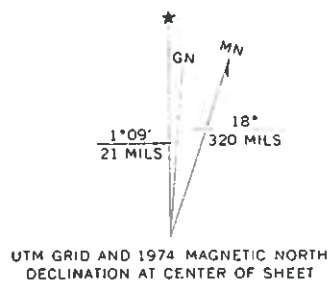
Map prepared by the Geological Survey

Map scale: 1:76,000
 Date: August 4, 1974

Map grid ticks: Idaho coordinate
 (Transverse Mercator)
 Transverse Mercator grid,
 North American datum

Map prepared by scanning techniques
 due to mismatched images;
 locations for map point

Idaho Department of Water Resources pursuant to
 in filing notices of claims and objections in the Sal Lake
 either express or implied, is made and no legal
 employees, its agents, contractors, and reproduction
 Supply Co. Inc. or its employees for the accuracy
 information set forth on this map



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225.

Copies Of These Maps Can Be
 At Bonneville Blue Print, Boi

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. S21 T35 R1E

526 T35 R6E

A large grid of graph paper. In the bottom-left corner, there are handwritten labels: '6E' in the second row from the bottom, first column from the left; '26' in the third row from the bottom, first column from the left; '35' in the third row from the bottom, fourth column from the left; and 'P/D P/U' in the bottom row, first column from the left, with an arrow pointing to the '26' label.

Scale: 2 inches equal 1 mile.

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. Remarks: Well was drilled in 7/1985 and in use at
carwash.

13. Map of proposed point of diversion and place of use attached? [X]

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.

X Mary K Mc Innis POA
Applicant
See attached power of attorney

Received by Ms. KW Date 12/7/89 Time 4:59pm Preliminary check by GP
12-6-89 Time 3:20

Fee \$ 30.00 Receipted by KW # C013329 Date 12-6-1989

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

AC 074724
AC 074724
61-7619

RECEIVED

GENERAL POWER OF ATTORNEY DEC 1 1989

Department of Water Resources

Know All Men by These Presents: That William Van Handel

of Boise, County of Ada, State of Idaho, has made, constituted and appointed, and by these presents does make, constitute, and appoint Mary McInnis, of Hammett, County of Elmore, State of Idaho, his true and lawful attorney for and in his name, place and stead, and for his use and benefit, to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interest, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing, payable, or belonging to him, and have, use, and take all lawful ways and means in his name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and acquittances, or other sufficient discharges for the same, for him and in his name, to make, seal, and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments, and accept the seisin and possession of all lands, and all deeds and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions, and under such covenants as she shall think fit. Also, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action, and to make, do, and transact all and every kind of business of what nature or kind soever, and also for him and in his name, and as his act and deed to sign, seal, execute, deliver, and acknowledge such deeds, leases, and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charter-parties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases, and satisfaction of mortgages, judgments and other debts, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto his said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as he might or could do if personally present (with full power of substitution or revocation), hereby ratifying and confirming all that his said attorney (or his substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 20 day of December, 1989.

Signed, sealed and delivered in the presence of

William Van Handel (Seal)

-POA for original Appl.

(Seal)

STATE OF IDAHO.

County of Ada

On this 20th day of

January

in the year 1988, before me

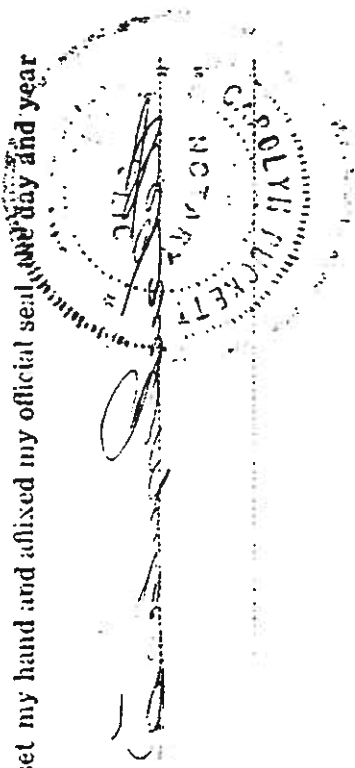
Carolyn Puckett

a Notary Public

in and for said County, personally appeared William Van Handel

known to me to be the person whose name is subscribed to the within instrument, and
acknowledge to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this day and year
in this certificate first above written.



POWER OF ATTORNEY
GENERAL

No. 252957

TO

Dated 19

STATE OF IDAHO,

County of Blaine ss.

I hereby certify that this instrument
was filed for record at the request of
Mary McKinnis

at 22 minutes past 3:00
o'clock P. M. this 19 day
of April, A.D. 1989,

in my office, and duly recorded in Book

of at page

KAMONA YRAZABAL

Ex-Officio Recorder.

By Maria Lopez Deputy.

Fees, \$ 6.00

STANFORD CO. PRINTERS & BINDERS, BOISE

NOTICE

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

61-7619
WILLIAM VAN HANDEL
PO BOX 231
MOUNTAIN HOME, ID 83647
Point of Diversion SWSW S26 T03S R06E
ELMORE County Source GROUND WATER
Tributary
Use: COMMERCIAL 01/01 to 12/31 0.04
CFS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion 0.04 CFS
Date Filed: 12/6/1989
Place Of Use: COMMERCIAL and DOMESTIC
T03S R06E S26 SWSW
Existing well proposed for existing car wash and for one home. Total use limited to 2500 gallons per day.

**PROPOSED CHANGE OF
WATER RIGHT**

Ark Properties LLC of 11204 N Bar 21 Dr., Glenns Ferry, ID 83623 filed Application No. 75265 to transfer three water rights with 1877, 1883 and 1952 priority dates from Cold Springs Creek, Henley Springs, and unnamed streams totaling 4.01 cfs. The purpose of the transfer is to create a permissible place of use on the applicant's property limited to irrigation of 200.5 acres in a 500 acre area. Water will be used at the current place of use generally located northeast of N. Hammett Hill Rd and Bennett Rd intersection between Rye Grass Rd and Walker Rd approximately six miles north of the Snake River, six miles northeast of Hammett, and 7 miles northwest of Glenns Ferry.

Permits will be subject to all prior water rights. 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 January 25, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
First Publication: January 6, 2010.
Last Publication: January 13, 2010.

Attn: Denise
Buffington

Proofed

Date: 1-5-2010

☐ OK, With Changes

☒ OK, No Changes

☐ Re-Proof

Proofed by:

DB

Please sign & fax back
with any corrections by
9am Tuesday 1/5/10.

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

✓ OK

faxed back 1-5-2010.

SCHEDULED

Ad # 53438

WorkCentre 7345 Transmission Report

G3 ID

Date/Time: 12/30/2009:02:23PM
Page: 1 (Last Page)

Local Name
Logo

Document has been sent.
Document Size 8.5X11"SEF

FAX Transmittal Cover Sheet

State of Idaho
Department of Water Resources
Western Region
Boise, ID
PH. (208) 334-2190
FAX NO. (208) 334-2346

Number of total pages: 3

Date: December 30, 2009

To: Mountain Home News, Attn: Stacy

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

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	5419	2085879205	12-30: 2:21PM	1m43s	3/ 3	ECM		CP

Note:
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

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: December 30, 2009

To: Mountain Home News, Attn: Stacy

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 Buffington
Administrative Assistant

December 30, 2009

LEGAL NOTICE DEPARTMENT

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

RE: Application For Permit No(s): 61-7619

RE: Transfer No. 75265
Water Right No(s). 61-11807, 61-328, 61-10578

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:

61-7619

WILLIAM VAN HANDEL

PO BOX 231

MOUNTAIN HOME, ID 83647

Point of Diversion SWSW S26 T03S R06E ELMORE County Source GROUND WATER Tributary

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

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

Total Diversion: 0.04 CFS

Date Filed: 12/6/1989

Place Of Use: COMMERCIAL and DOMESTIC

T03S R06E S26 SWSW

Existing well proposed for existing car wash and for one home. Total use limited to 2500 gallons per day.

PROPOSED CHANGE OF WATER RIGHT

Ark Properties LLC of 11204 N Bar 21 Dr., Glenns Ferry, ID 83623 filed Application No. 75265 to transfer three water rights with 1877, 1883 and 1952 priority dates from Cold Springs Creek, Henley Springs, and unnamed streams totaling 4.01 cfs. The purpose of the transfer is to create a permissible place of use on the applicant's property limited to irrigation of 200.5 acres in a 500 acre area. Water will be used at the current place of use generally located northeast of N. Hammett Hill Rd and Bennett Rd intersection between Rye Grass Rd and Walker Rd approximately six miles north of the Snake River, six miles northeast of Hammett, and 7 miles northwest of Glenns Ferry.

Permits will be subject to all prior water rights. 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 January 25, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on January 6th & 13th, 2010



SPF WATER
ENGINEERING

RECEIVED

NOV 27 2009

WATER RESOURCES
WESTERN REGION

November 24, 2009

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

Subject: Amended Application for Permit No. 61-7619

Dear Steve,

Enclosed on behalf of William Van Handel is *Amended Application* for Permit No. 61-7619. To allow Department processing of the application to move forward, the original proposed flow rate was reduced from 0.10 cfs to 0.04 cfs and total diversion limited to 2,500 gallons per day.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: William Van Handel
Flight Line Car Wash Inc.

Enclosure

SPF file number: 829.0010



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 27, 2009

William J. Van Handel
2800 Walton Place
El Dorado Hills, CA 95762

RE: Information related to the MHGWMA

Dear Mr. Van Handel:

As you requested in your letter dated July 7, 2009, please find the following information under this cover:

- 1) Directory to IDWR information on the internet
- 2) Ground water investigation of the Mountain Home Plateau
- 3) Declining water levels in the Perched Aquifer System, Southwest Mountain Home, Report by Steven J. Baker
- 4) IDWR Open-File Report by Shane Bendixsen, 1994
- 5) IDWR Open-File Report by Paul M. Castelin, 1988
- 6) Mountain Home Area Ground Water Management Plan Draft
- 7) Report and Recommendations of the Expanded Natural Resources Interim Committee, Mountain Home Working Group
- 8) Memorandum dated March 31, 2004 (Bill Ondrechen)
- 9) List of related applications in the MHGWMA including applicant names and addresses.
- 10) Copy of Administrative Rules for Water Appropriation (IDAPA 37.03.08)

I hope this information will be helpful in assisting you with preparing your response regarding the Department's processing of water right application no. 61-7619.

Respectfully,

Robert B. Whitney
Sr. Water Resource Agent

INVOICE FOR SPECIAL SERVICES

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY, BOISE ID 83705
(208) 334-2190

Date: July 27, 2009

Billing information:

Company Name: _____

Contact Person Name: William J Van Handel

Address: 2800 Walton Pl

City & State: El Dorado Hills, CA Zip Code: 95762

Telephone Number: _____

Nature of Research:

☒ Water Rights _____ Adjudication
_____ Well Construction _____ Stream Channel Program
or Dredging
_____ Other _____

of Hours: (applies to Research only) @ \$48 / hour _____

of Copies made 281 @ .05 each \$ 14.05

****Color copies are \$1.00 each**

Other charges: _____ \$ _____

Total charges: \$ 14.05

Remarks: _____

PLEASE REMIT THE TOTAL AMOUNT TO THE ABOVE ADDRESS WITHIN 10 BUSINESS DAYS

Receipt #: W037803 Received by: JmH Fee: \$ 14.05 Date: 8-14-09

William J. Van Handel
P.O. Box 231
Mt. Home, Idaho 83647

RECEIVED
JUL 10 2009
WATER RESOURCES
WESTERN REGION

July 7, 2009

State of Idaho
Department of Water Resources
Western Region
Attn: Robert Whitney
Sr. Water Resource Agent
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit No. 61-07619
Mountain Home Ground Water Management Area (MHGWMA)

Dear Mr. Whitney:

I am in receipt of your letter dated June 12, 2009, acknowledging my previous correspondence to the Department of Water Resources.

Your letter refers to Administrative Rules that would provide the opportunity to a hearing regarding any final decision or Order issued by the Department. I appreciate the opportunity of an administrative hearing, and the right to Petition the court for Judicial Review of any adverse decision, but before that process, I want the benefit of an informal gathering to obtain and review all documentation, reports and studies that relate to the issues of the Snake River Aquifer, and the issues surrounding its depletion or re-charge.

I would request your attention and response to this, my third request, that we hold an "informal hearing" with representatives of the Idaho Department of Water Resources, for the specific purpose of my gathering information that will benefit the proper determination from my presentation to the Department of Water Resources prior to January 1, 2010.

In addition to an "informal hearing", I am requesting the following:

- 1.) A copy of all studies, data, reports, etc. pertaining to the Snake River Aquifer and levels within the MHGWMA, whether supportive or non-supportive of the Department's current position.
- 2.) Test results, method and dates of testing, as well as the address and location of each monitoring site.
- 3.) A copy of all information in the possession of the Department relating to the issues and concerns that relate to the recharging of the Snake River Aquifer.
- 4.) A list, to include names, addresses and application filing dates, of all parties within the MHGWMA for review of all relevant applications, appropriations, and beneficial uses of water.

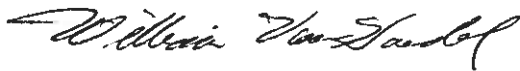
I don't want the time to slip away before I can be provided this information for my presentation as proposed by the Department before January 1, 2010, so I would urge your diligent accommodation of my concerns. Your prompt response to this letter and providing the materials requested is essential for a thorough preparation for my presentation and a full understanding of the assertions of the Department of Water Resources.

If the compilation of the requested documents is too voluminous to practically mail to me, then notify me in a timely manner, and I will arrange for all documents and related information to be picked up at your office.

As in my previous letters, **Please send copies of all correspondence to: William J. Van Handel, 2800 Walton Place, El Dorado Hills, Ca 95762**

I look forward to your response, and for all purposes I can be contacted at (916) 768-7311

My best regards, and until we speak again, I remain yours very truly,

A handwritten signature in cursive script, reading "William Van Handel".

William Van Handel

cc: David R. Tuthill, Jr., Director



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 12, 2009

William J. Van Handel
2800 Walton Place
El Dorado Hills, CA 95762

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Application to Appropriate Water No. 61-7619

Dear Mr. Van Handel:

The Department of Water Resources (Department) has received your response regarding the above referenced water right application. Your response to the Department indicates you intend to provide detailed information in support of the application no later than January 1, 2010. Your "Applicant Response" was received March 9, 2009 along with a cover letter. Additionally, the Department has received letters from you dated April 18, 2009 and May 26, 2009. The Department will continue to hold your application pending receipt and review of the information you intend to submit.

Please be aware that Administrative Rules provide the opportunity to request a hearing in response to any final decision or Order issued by the Department. At this point, the Department has not issued a formal decision, made any final determination to approve or deny your application nor has it issued any Order to void the application. You will be notified of any formal or final decision related to your application and at that point will be afforded the opportunity to request a hearing. Please feel free to contact me at this office if you would like to discuss this matter further or have questions concerning this letter.

Respectfully,

A handwritten signature in black ink, appearing to read 'RB Whitney', is written over a horizontal line.

ROBERT B WHITNEY
Sr. Water Resource Agent

cc: Van Handel @ Mtn. Home P.O. Box

RECEIVED

JUN 01 2009

WATER RESOURCES
WESTERN REGION

William J. Van Handel
P.O. Box 231
Mt. Home, Idaho 83647

May 26, 2009

State of Idaho
Department of Water Resources
Western Region
Attn: Robert Whitney
Sr. Water Resource Agent
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit No. 61-07619
Mountain Home Ground Water Management Area (MHGWMA)

Dear Mr. Whitney:

Attached, please find a copy of my letter to the Department of Water Resources, dated April 18, 2009. The aforementioned letter requested an "informal hearing" with you and representatives from your department for the purpose of discovery as it relates to processing applications for permits to appropriate water in MHGWMA.

To date, we have received neither telephonic nor written confirmation of your receipt of said letter, nor a response to our request to schedule a meeting.

This letter is to serve as a second request for a meeting with your department representatives.

In order to accommodate scheduling for all parties, your prompt response to this second request will be appreciated.

Again, I am prepared to meet with your representatives for the above referenced "informal hearing" during business hours any time between June 15 and June 26, 2009.

Please send copies of all correspondence to: William J. Van Handel, 2800 Walton Place, El Dorado Hills, CA 95762.

I look forward to your response. I can be contacted at (916) 768-7311.

Regards,


William Van Handel

William J. Van Handel
P.O. Box 231
Mt. Home, Idaho 83647

RECEIVED
APR 22 2009
WATER RESOURCES
WESTERN REGION

April 18, 2009

State of Idaho
Department of Water Resources
Western Region
Attn: Robert Whitney
Sr. Water Resource Agent
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit No. 61-07619
Mountain Home Ground Water Management Area (MHGWMA)

Dear Mr. Whitney:

I am in receipt of your letter dated February 9, 2009.

As part of my preparation for a formal hearing and response to the position outlined in the above referenced letter, I am requesting an informal hearing at your office with appropriate representatives from the Department of Water Resources to fully discuss and explore the issues relating to processing applications for permit to appropriate water in the MHGWMA.

I am prepared to meet with your representatives for the above referenced "informal hearing" during business hours any time between June 15 and June 26, 2009.

Please send copies of all correspondence to: William J. Van Handel, 2800 Walton Place, El Dorado Hills, CA 95762.

I look forward to your response. I can be contacted at (916) 768-7311.

Regards,



William Van Handel

RECEIVED

MAR 09 2009

WATER RESOURCES
WESTERN REGION

William J. Van Handel
P.O. Box 231
Mountain Home, ID. 83647

March 4, 2009

Department of Water Resources
Attn: Mr. Robert Whitney
2735 Airport Way
Boise, ID. 83705-5082

RE: Application for permit #61-07619

Robert Whitney:

I am in receipt of your letter dated February 9, 2009.

Attached, please find my "APPLICANT RESPONSE". Option 1 has been indicated with the explicit intent and directive that my application # 61-07619 is to be held in full force and effect as it has been up to this time and no changes are to be made. Furthermore, it is my intent to comply with your January 1, 2010 deadline, when responding to the Department's conclusion that pending applications should no longer be held.

Please send any and all future correspondence to both addresses listed:

William J. Van Handel
P.O. Box 231
Mountain Home, Idaho 83647

William J. Van Handel
2800 Walton Place
El Dorado Hills, Ca. 95762

Regards



William J. Van Handel

RECEIVED

MAR 09 2009

WATER RESOURCES
WESTERN REGION

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 William Van Tassell

Date March 4, 2009

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



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

William J Van Handel
PO Box 231
Mt. Home, ID 83647

RE: Application for Permit No. 61-07619
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

William J. Van Handel
P. O. Box 231
Mountain Home, ID 83647

RECEIVED
APR 19 2005
WATER RESOURCES
WESTERN REGION

April 17, 2005

Department of Water Resources
Attn: Ms. Sue Kreger
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Permit #61-7619

Dear Ms. Kreger:

After receiving Mr. John Westra's letter of December 10, 2004, I wrote letters requesting additional information on December 30, 2004 and February 6, 2005.

On January 10, 2005 and January 25, 2005, you told me that Mr. Westra was working on a response to our letters. To date, we have not received any response.

In our phone conversation of March 29, 2005, you assured me that the permit was "put back in the 'hold' drawer until the moratorium is lifted or we get more water or something happens."

On March 29, 2005, you assured me that nothing would happen with this permit right now. I told you that Mr. Van Handel wanted to be certain that his permit stayed in full force and effect and that he be notified if anything changed so that he could respond **prior** to any action being taken. This letter is to confirm in writing my comments of March 29, 2005.

We will expect to hear from you if there are any pending changes.

Sincerely,



Jan Wilson
Bookkeeper

William J. Van Handel
P.O. Box 231
Mountain Home, ID 83647

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FEB 08 2005

WATER RESOURCES
WESTERN REGION

February 6, 2005

Department of Water Resources
Attn: Mr. John Westra
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Permit #61-7619

Dear Mr. Westra:

On December 30, 2004, I wrote a letter asking for clarification of your December 10, 2004 letter regarding the above permit number.

On January 10 and January 25, 2005, I called and checked with Sue Kreger and she assured me that your letter was forthcoming and that the permit would stay in effect.

I am sending this letter to once again ask that we receive clarification of your December 10, 2004 letter and its attachments. I also want to reiterate that Permit #61-7619 is to be held as it has been up to this time and no change is to be made.

We look forward to receiving your response.

Sincerely,



Jan Wilson
Bookkeeper

RECEIVED

JAN 03 2005

WATER RESOURCES
WESTERN REGION

**William J. Van Handel
P. O. Box 231
Mountain Home, ID 83647**

December 30, 2004

Department of Water Resources
Attn: Mr. John Westra
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Permit #61-7619

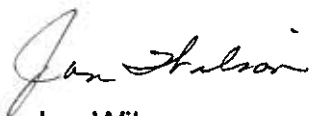
Dear Mr. Westra:

We are in receipt of your December 10, 2004 letter.

We would like to request further information and clarification of that letter and its attachments.

We look forward to your response.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Wilson".

Jan Wilson
Bookkeeper



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2004

WILLIAM J VAN HANDEL
PO BOX 231
MOUNTAIN HOME ID 83647

RE: Application for Permit #61-7619 – Domestic and Commercial
Filed: December 1989

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 your application due to the ground water management designation. Unfortunately, over the past few years the ground water levels have continued to decline; because of this, 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 in writing of your intentions, **OR** sign and return the enclosed application withdrawal if the project has been abandoned. Please respond by **January 15, 2005**. 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,

A handwritten signature in cursive script that reads "Sue Kruger".

for John Westra
Western Regional Manager.

Enclosure

December 13, 1989

William J. Van Handel
P.O. Box 231
Mountain Home, Id. 83647

Re: Application for Permit 61-07619

Dear Applicant:

Our office has received your Application For Permit, but there is an issue that must be resolved before we can finish processing it.

(1) The Point of Diversion and Place of Use listed in your application are within the Mountain Home Ground Water Management Area (GWMA). Idaho Code 42-233b provides for the establishment of a GWMA to protect declining water tables. An applicant must prove that groundwater 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. This may be extremely difficult and expensive to accomplish. One alternative may be to hire a qualified hydrologist or geologist to conduct a groundwater study and submit a report addressing the GWMA issue to this office. Such evidence is needed to approve any groundwater use except for a single-family domestic use (includes up to 1/2 acre of irrigation) and/or stockwater use, using up to 13,000 gallons of water per day.

As far as I can determine, no applicants have successfully furnished such evidence in the Mountain Home GWMA as of this date. An option to obtaining a new water right would be the acquisition of a valid existing water right that is available for sale or lease that could be transferred. This option involves modifying an existing appropriation as opposed to obtaining a new one. One good source of candidates for obtaining existing rights is the Agriculture Stabilization and Conservation Service (ASCS) office in Mountain Home. Their records will identify farmers who own land enrolled in the ten year Conservation Reserve Program (CRP). Land in the CRP will not be irrigated for at least ten years, thus freeing the appurtenant water rights for sale or lease. Upon the purchase or lease of a water right you would be required to file a transfer application with the Department of Water Resources.

I will hold your application for 30 days while you decide how to proceed. If no response is received by December 28, 1989 your application will be put in a hold file until such time that:

- a. it is determined water is available
- b. you lease or purchase a water right
- c. you wish to withdraw the application.

Please contact me at 334-2190 or 2735 Airport Way, Boise, Idaho 83705, if I can be any further assistance to you.

Sincerely,

A handwritten signature in cursive script that reads "Melvin Gene Gibson".

Melvin Gene Gibson

Sr. Water Resource Agent