



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 4, 2009

Dan Bilbao Jr.
C/O Gene Gibson
21654 Wood LN
Parma ID 83660

RE: Contested Application #63-32238 -- Stout
Amended Application.

Dear Mr. Bilbao Jr:

Attached is an amended application for permit for the above Stout contested application. The amended application moves the point of diversion (pump) downstream on the Boise River adjacent to the Stout property —Section 31 SE NE, see map.

The change in the point of diversion location requires the application to be readvertised for protests in the newspaper. Please note, you will not have to re-file your protest. It will continue to remain with the amended application. However if you desire to withdraw your protest, a withdrawal form is enclosed.

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

Sincerely,



John Westra, Manager

Enclosure: Amended Application, withdrawal form
Cc: B. Smith, S. Stout, L. Graves SPF.

NOV 27 2009

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Steven L. and/or Chris L. Stout Phone 208-342-4102
Mailing address 4017 North La Mesita Way, Boise, ID 83702 Email _____
Representative Lori Graves, SPF Water Engineering LLC, 300 E. Mallard, Ste 350, Boise, ID 83706 208-383-4140
2. Source of water supply Boise River which is a tributary of Snake River
3. Location of point of diversion is Township 5N Range 4W Sec. 31, in the _____ ¼,
_____ SE ¼, _____ NE ¼, Govt. Lot 5, B.M., _____ Canyon _____ County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 10.0 cfs for Recreation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 10.0 cfs for Wildlife 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10.0 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 Pump, pipe, ditch
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Recreation for fishing in existing slough and waterfowl hunting in fields and seasonal wetlands, flooding fields and maintaining open water on slough for waterfowl habitat. slough ponds; wildlife for 11/23/09

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	
5N	4W	31	Lt 1 R, W	Lt 10 R, W	Lt 4 R, W	Lt 5 R, W													

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? Permit 63-31350 authorizes diversion from the same source, for the same uses, but from a different point of diversion. This application proposes diversion of an additional 10.0 cfs from the Boise River for a total of 15.0 cfs when combined with permit 63-31350.

- Who owns the property at the point of diversion? Applicants
- Who owns the land to be irrigated or place of use? Applicants
- 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. Amendment proposed to resolve protest issues.

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.


Signature of Applicant

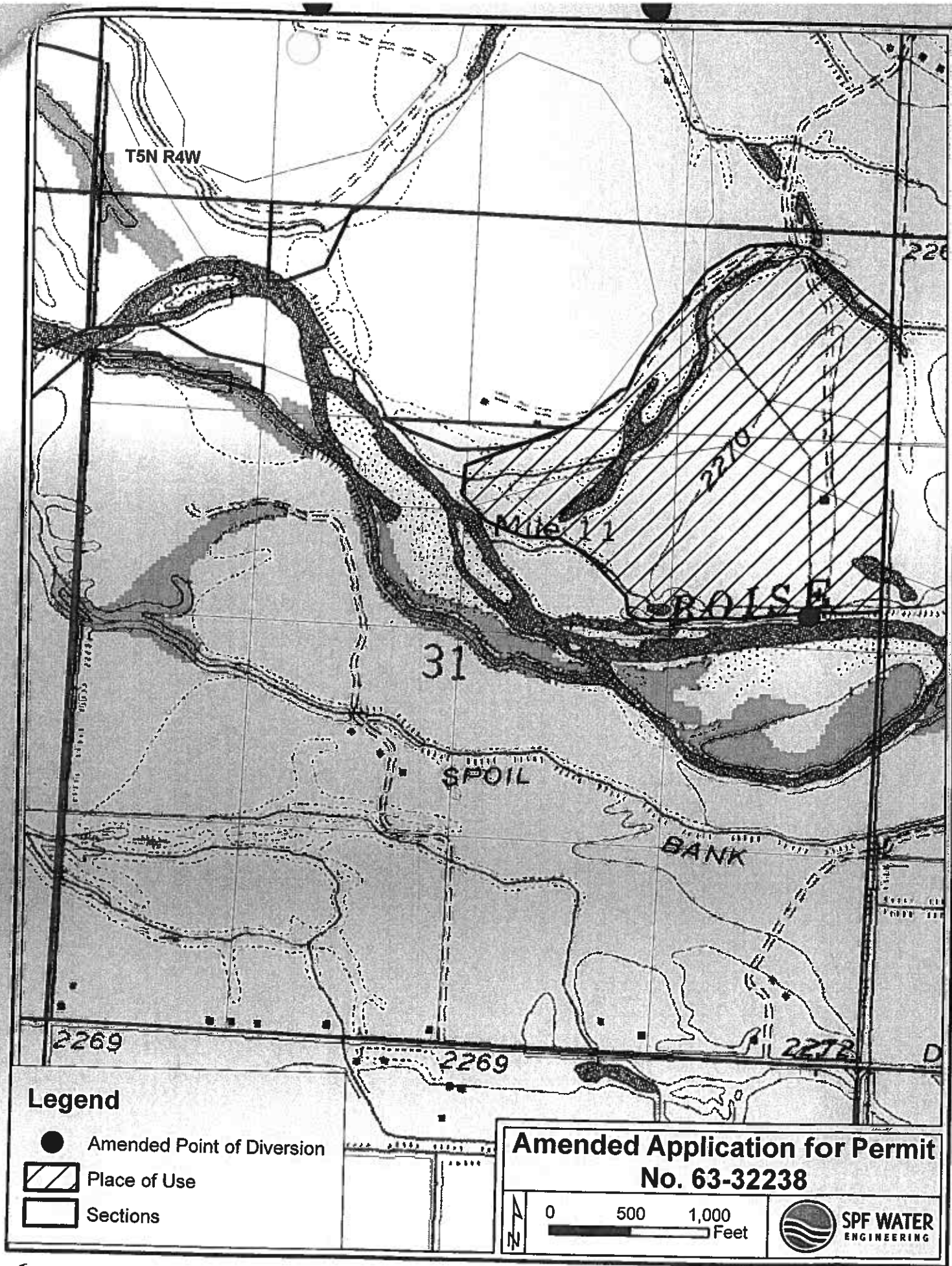
STEVEN C. Stout
Print Name (and title, if applicable)

For Department Use:

Received by SB Date 11/28/09 Time 9:33 Preliminary check by SL
Fee \$ 50.00 Receipted by JH Receipt No. W038022 Date 11/27/09

Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____ Dates Published _____

→ RE-ADVERTISING FEE, OK -SL



63-32238