

RECEIVED

MAY 01 2009

FORM 202 10/07

Ident. No. 63-33201

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant GREGORY S. FARMER AND/OR KIRK Phone (208) 908-8124
Mailing address 568 Victoria Dr. Email REMRAF@Rockeima.com
2. Source of water supply Spring which is a tributary of Strawberry Creek
3. Location of point of diversion is Township 2N Range 7E Sec. 1 in the SE NE 1/4, N. 43.54
SE NE 1/4, NE 1/4 Govt. Lot 51 more B.M., 51 more County 115.561

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for Domestic purposes from 1/1 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .02 cubic feet per second and/or (b) _____ acre feet per year

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 3" perforated pipe in ground
to collect spring water

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 1 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. 1 cabin internal use
e. Other; describe fully. _____

AMENDED

of 11/6/09

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	
2N	7E	1	X			D													

Total number of acres to be irrigated: N/A

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? GREGORY S. FARMER, KIRK + PAM EBERTZ
b. Who owns the land to be irrigated or place of use? SAME
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. _____

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.)

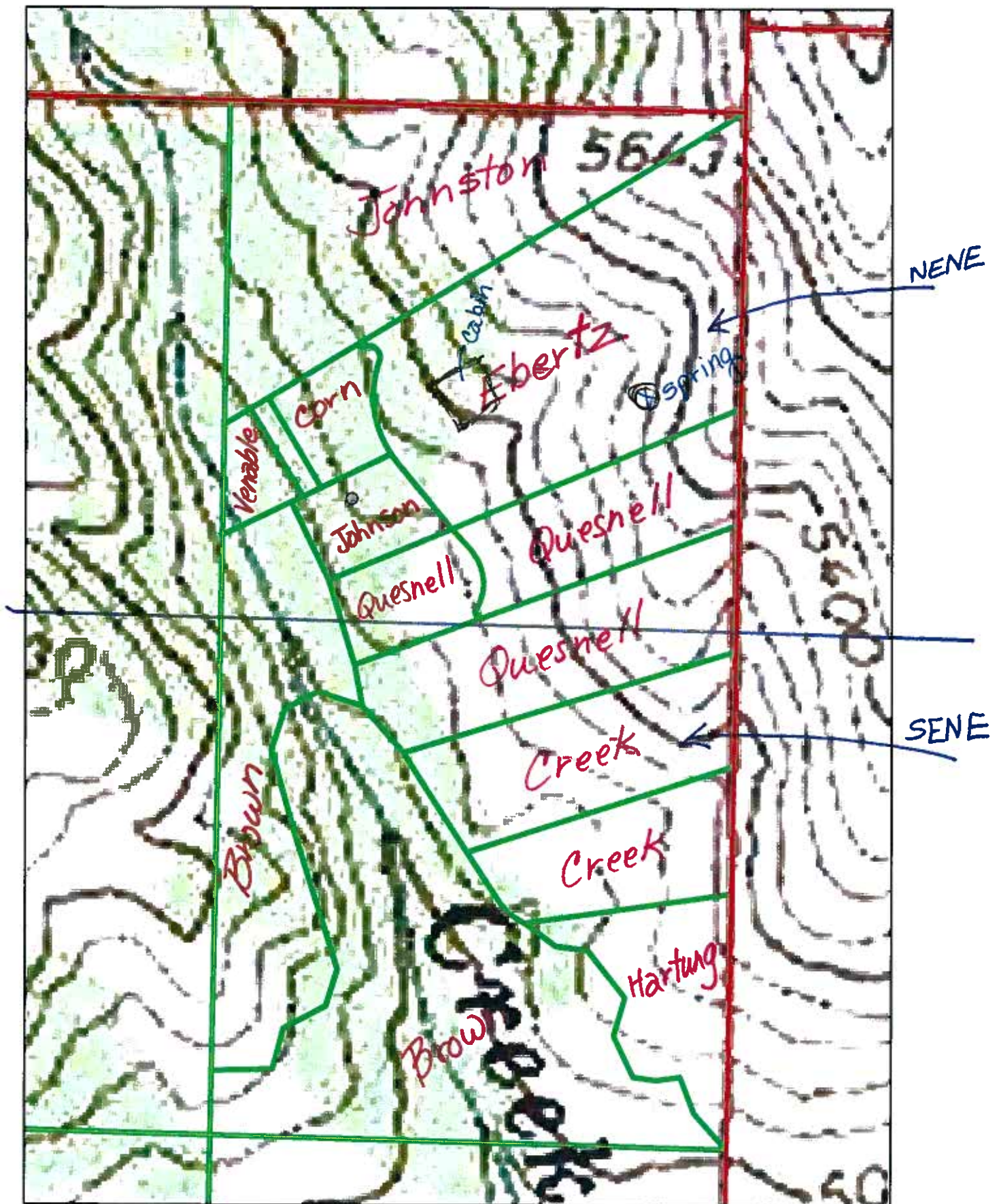
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Gregory S. Farmer
Kirk Ebertz
Signature of Applicant

GREGORY S. FARMER
Kirk Ebertz
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date May 1, 09 Time 11:47 Preliminary check by KW
Fee \$ 100.00 Received by [Signature] Receipt No. 42037414 Date May 1, 09
Publication prepared by DB Date 11/12/2009 Published in MOUNTAIN HOME NEWS
Publication approved _____ Date _____ Dates Published NOVEMBER 18 & 25, 2009



$E\frac{1}{2}NE\frac{1}{4}$, Sec.1, 2N, 7E
TAX Lot Information in red

WorkCentre 7345 Transmission Report

G3 ID

Date/Time: 11/12/2009: 12:42PM
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) 334-2348
Number of total pages: 3

Date: November 12, 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	0972	2085879205	11-12:12:40PM	1m21s	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	

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Thank you in advance,



Denise Buffington
Administrative Assistant

November 12, 2009

LEGAL NOTICE DEPARTMENT

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

RE: Application For Permit No(s).: 63-33201

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 12/7/2009. 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:

63-33201

GREGORY S FARMER
KIRK EBERTZ
568 VICTORIA DR
BOISE, ID 83705

Point of Diversion L1(SENENE) S1 T02N R07E ELMORE County Source S PRING Tributary STRAWBERRY CREEK

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

Total Diversion: 0.02 CFS

Date Filed: 5/1/2009

Place Of Use: DOMESTIC

T02N R07E S1 L1(NENE)

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 12/7/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 11/18/2009 and 11/25/2009

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, November 12, 2009 3:17 PM
To: 'rward@idfg.idaho.gov'
Subject: Comment Letter
Attachments: 63-33201 Comment Letter to IDFG.Doc; 63-33201 APP.pdf

Please review the attached information and comment as necessary. Feel free to contact our office if you have any questions about this information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

November 12, 2009

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

RE: Application for Permit: 63-33201

STATE OF IDAHO:

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)

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application No.: 63-33201

Applicant's Name: GREGORY S FARMER
KIRK EBERTZ
568 VICTORIA DR
BOISE, ID 83705

Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
-
-
- c) _____ I oppose approval of this application for the following reasons:
-
-
-
- d) _____ Additional comments:

Dated this _____ day of _____, 2009

Signature



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

November 12, 2009

RANDY DAVISON
WATER DISTRICT 63B
2019 PRAIRIE RD
PRAIRIE, ID 83647

RE: Application for Permit: 63-33201

Dear Watermaster:

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

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

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

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application No.: 63-33201

Applicant's Name: GREGORY S FARMER
KIRK EBERTZ
568 VICTORIA DR
BOISE, ID 83705

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2009

Watermaster's Signature, Water District No. 63B

Printed Name



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 26, 2009

GREGORY S FARMER
568 VICTORIA DR
BOISE ID 83705

RE: Application for Permit 63-33201

Dear Mr. Farmer:

We are in the process of reviewing the above referenced application for permit and found we have some questions in regard to the location of the property and spring that you are filing on. During preliminary review we found that the county tax lots do not show that you own any property within the E1/2NE1/4, Sec. 1, Twp. 2N, Rge. 7E, Elmore County. We did locate some property under the ownership of Kirk and Pam Ebertz who you have listed as owners on item 11 on the application form; however, the property shown under their ownership is located within the NENE, Sec. 1, rather than the SENE, Sec. 1 as you have listed on the application form. Enclosed, for your convenience and review is a copy of a topographical map with the tax lot information included. Please confirm that the application is correct as filed so we can proceed with our review. You may also want to add the Ebertz as applicants for this water right since they show up as the property owners or you should obtain a consent form that allows you to file on the property.

Please let me know if this application is correct, as filed, or if you need to change the legal descriptions. It would be to your advantage to get the correct legal descriptions on the form prior to advertisement. We will withhold further review until we hear from you in this regard. Feel free to contact me at 334-2190 if you have question concerning this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

*- corrections
for office visit
11/6/2009 - see
"amended"
form. kw*