

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED

JUL 31 2009

WATER RESOURCES
WESTERN REGION

1. Name: W EUGENE FISHER FAMILY TRUST
2275 N GRAYS CREEK RD
INDIAN VALLEY ID 83632
(208)256-4426

2. Source: SPRING Tributary to: SINKS

3. Location of Point of Diversion:

#1 SPRING

ADAMS County

~~NE NE~~ ~~NE SE NE~~ Sec. 30, Twp 18N, Rge 02W, B.M.
NW

4. Water will be used for the following purposes:

Purpose	From	To	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER	01/01	12/31	0.04 CFS	
STOCKWATER STORAGE	01/01	12/31		2.0 AF

5. Total quantity to be appropriated is: 0.04 CFS 2.0 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

- Type and size of devices used to divert water from the source:
- Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- Is ground water with a temperature of greater than 85F being sought?
- If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

- 8.

* Corrections made by JFW 8/3/09

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N 02W 30				X													

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N 02W 30				X													

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

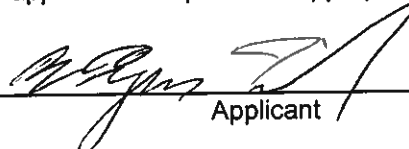
9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

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

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.

 07-29-09
 Applicant

Received by _____ Date 7-31-09 Time _____ Preliminary check by _____
 Publication prepared by DB Date 8/12/09 Published in THE RECORD
 Publication approved _____ DATE: _____ Date 1 AUGUST 20 & 27, 2009

See Original

Receipt No. W037137

Fisher
Property
Boundary

NW 1/4

NE 1/4

X

SW 1/4

SE 1/4

NE 1/4

X = Road / Spring location
Fisher Family Trust

Ident. No. 67-15004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
JAN 16 2009
WATER RESOURCES
WESTERN REGION

1. Name of Applicant W. Eugene Fisher Family Trust Phone (208) 256-4426
2. Mailing address 2275 N Grays CR RD Indian Valley ID 83632 Email enfisher@cteweb.net
3. Source of water supply Spring/Pond which is a tributary of sinks
4. Location of point of diversion is Township 18 Range 2W Sec. 30, in the E 1/2 NE 1/4,
NW 1/4 NE 1/4, E 1/4 SW 1/4, Govt. Lot NE 1/4 SE 1/4, B.M., Adams County;
additional points of diversion if any: _____
5. Water will be used for the following purposes:
- | | | |
|--|-------------------------------|---|
| Amount <u>2</u>
(cfs or acre-feet per year) | for <u>stockwater storage</u> | purposes from <u>1-1</u> to <u>12-31</u> (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount <u>.04</u>
(cfs or acre-feet per year) | for <u>stockwater</u> | purposes from <u>1-1</u> to <u>12-31</u> (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ (both dates inclusive) |
6. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) 2 acre feet per year
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source _____
- b. Height of storage dam 8' feet; active reservoir capacity 2 acre-feet;
total reservoir capacity 2 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. _____
8. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
9. 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. 100 range cattle ; 200 sheep
- 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	
18	2	30	SW										SW						
			J										J						
			S										S						

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? _____

11. a. Who owns the property at the point of diversion? W. Eugene Fisher Family Trust
- b. Who owns the land to be irrigated or place of use? W. Eugene Fisher Family Trust
- 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.

[Signature] Signature of Applicant W. Eugene Fisher, Trustee Print Name (and title, if applicable)

For Department Use:

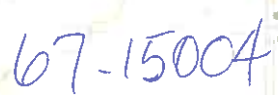
Received by [Signature] Date Jan 16, 2009 Time 10:09 Preliminary check by _____

Fee \$ 100 Received by DB Receipt No. W037137 Date 1-16-09

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____ Dates Published _____

115° 37' 30" 530000mE



Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, August 12, 2009 2:50 PM
To: Record (legals@theadamscountyrecord.com)
Subject: LEGAL NOTICES - ADAMS COUNTY
Attachments: Adams County Ads - Cover Letter.doc; 67-14975 Ad.doc; 67-14992 Ad.doc; 67-15004 Ad.doc; 67-15007 Ad.doc; 78-12351 Ad.doc; ~~79-14205 Ad.doc~~

Attached please find ⁵(5) legal notices being submitted for publication. If you have any questions or are not able to run the notices on the dates requested, please contact me immediately.

Thank You in advance,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

NOTE: 79-14205 SHOULD NOT HAVE BEEN ATTACHED / SENT TO ADAMS COUNTY, THE RECORD. SHOULD HAVE GONE TO IDAHO COUNTY FREE PRESS. NOTIFIED ADAMS COUNTY AND THEY CONFIRMED, THEREFORE WILL NOT PUBLISH IT.

DB

8-12-09

3:15 pm

8/12/2009

August 12, 2009

LEGAL NOTICE DEPARTMENT

THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Application For Permit No.: 67-14975, 67-14992, 67-15004, 67-15007 & 78-12351

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 9/8/2009. 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:

67-15004

W EUGENE FISHER FAMILY TRUST
2275 N GRAYS CREEK RD
INDIAN VALLEY, ID 83632

Point of Diversion NWSENE S30 T18N R02W ADAMS County Source SPRING
Tributary to SINKS

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

Use: STOCKWATER STORAGE 01/01 to 12/31 2 AF

Total Diversion: 0.04 CFS

Date Filed: 1/16/2009

Place Of Use: STOCKWATER
T18N R02W S30 SENE

Place Of Use: STOCKWATER STORAGE SAME AS STOCKWATER

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 9/8/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 8/20/2009 and 8/27/2009



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

July 20, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

W Eugene & Niki Fisher
2275 N Grays Creek RD
Indian Valley ID 83632

RE: Applications for permit #67-15007 & #67-15004

Dear Fishers:

This letter is a follow-up to our phone conversation last Friday in relation to processing of the above described applications for permit. As discussed, I have made several changes to the attached amended applications. Please review and follow the directions as outlined below:

Application 67-15007

-#2: The water source has been changed to *waste water* trib to *sinks*. A condition of approval on the permit will specify this is waste water from #67-11484.

-#3: The point of diversion will need to be where the water enters your property.
NE of NE Sec 27 15N-1W . Please mark the map where it crosses the road.

-#4: The flow rate and storage volume have been increased to *.04 and 2.0 ac-ft. Purposes are added stockwater storage & diversion to storage*. This will match you other right for the same pond #67-14885

-#8: The place of use (pond location) same as #67-14885—NE of NE Sec 27 15N-1W

If these changes are acceptable please sign and date the application on page 2- at sticky.

Application 67-15004

-I was not able to find the pond location on the map. Please mark the approx. location of pond on the enclosed map.

-Once the map is marked, transfer the map 40 acre tract location ($\frac{1}{4}$ of $\frac{1}{4}$) to #3 and #8 on the application form—see stickys.

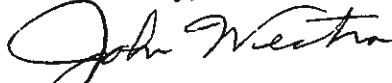
Please sign and date the application on page 2.

Page 2.
Fisher

Once you have made the edits and signed the applications, please return the forms to me as soon as possible so that your processing position can be retained. No response or an untimely response after 30 days may result in the applications order void.

Feel free to contact me if you have questions or concerns at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager

Enclosures: amended applications, original appl. copies, maps.

MEMORANDUM

Type: In Office Conversation

Telephone

Meeting Notes

Follow-up

Log of Events

Other Info.

Calculations

To: Application 67-15004

From: J. Westra, Western Reg.

Date: 7/20/09

RE: Conversation with Nicki Fisher - Applicant.

Spring source inside the pond. - need to locate on map
pond location.

Pond surface area = Approx $100' \times 100' = 10,000 \text{ ft}^2$

$$\frac{10,000 \text{ ft}^2}{43,560 \text{ ft}^2/\text{ac.}} = \underline{\underline{.23 \text{ ac. Surface area}}}$$

$$\text{Evaporation} = .23 \text{ ac} \times \frac{30''}{12} \text{ loss/yr} = .57 \text{ ac-Ft.}$$

8' dam = 6' water storage depth. + 2' Freeboard.
 $\therefore$ 2 acre-Ft storage adequate for storage + evaporation