

Ident. No. 63-33205

RECEIVED

AUG 07 2009

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

WATER RESOURCES
1. Name of applicant(s)Middleton Bus LLCPhone 459-0195Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 22973 S. 21ST AVE WEST City MiddletonState ID Zip 83644 Email: _____2. Source of water supply groundwater which is a tributary of Boise River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>4N</u>	<u>3W</u>	<u>12</u>	<u>-</u>	<u>-</u>	<u>NW</u>	<u>NW</u>	<u>Canyon</u>	<u>groundwater</u>	<u>00055784</u>

4. Water will be used for the following purposes:

Amount .80 for Fire Protection 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)5. Total quantity to be appropriated is (a) .80 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 6" subm. pumpb. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12.c. Proposed well diameter is 12 inches; proposed depth of well is 30 feet.d. Is ground water with a temperature of greater than 85°F being sought? NOe. If well is already drilled, when? _____; drilling firm Riverside Inc.Well was drilled for (well owner) Applicant; Drilling Permit No. TAJ 000557847. 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. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Fire protection for bus stop

AMENDED

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	
4N	3W	12					F												

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? > Applicant
- b. Who owns the land to be irrigated or place of use?
- 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.

Water bearing zone to be appropriated is 1 to 30 ft

See Attached map.

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.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Steve Vis

Signature of Applicant

Steve Vis MANAGING MEMBER

Print Name (and title, if applicable)

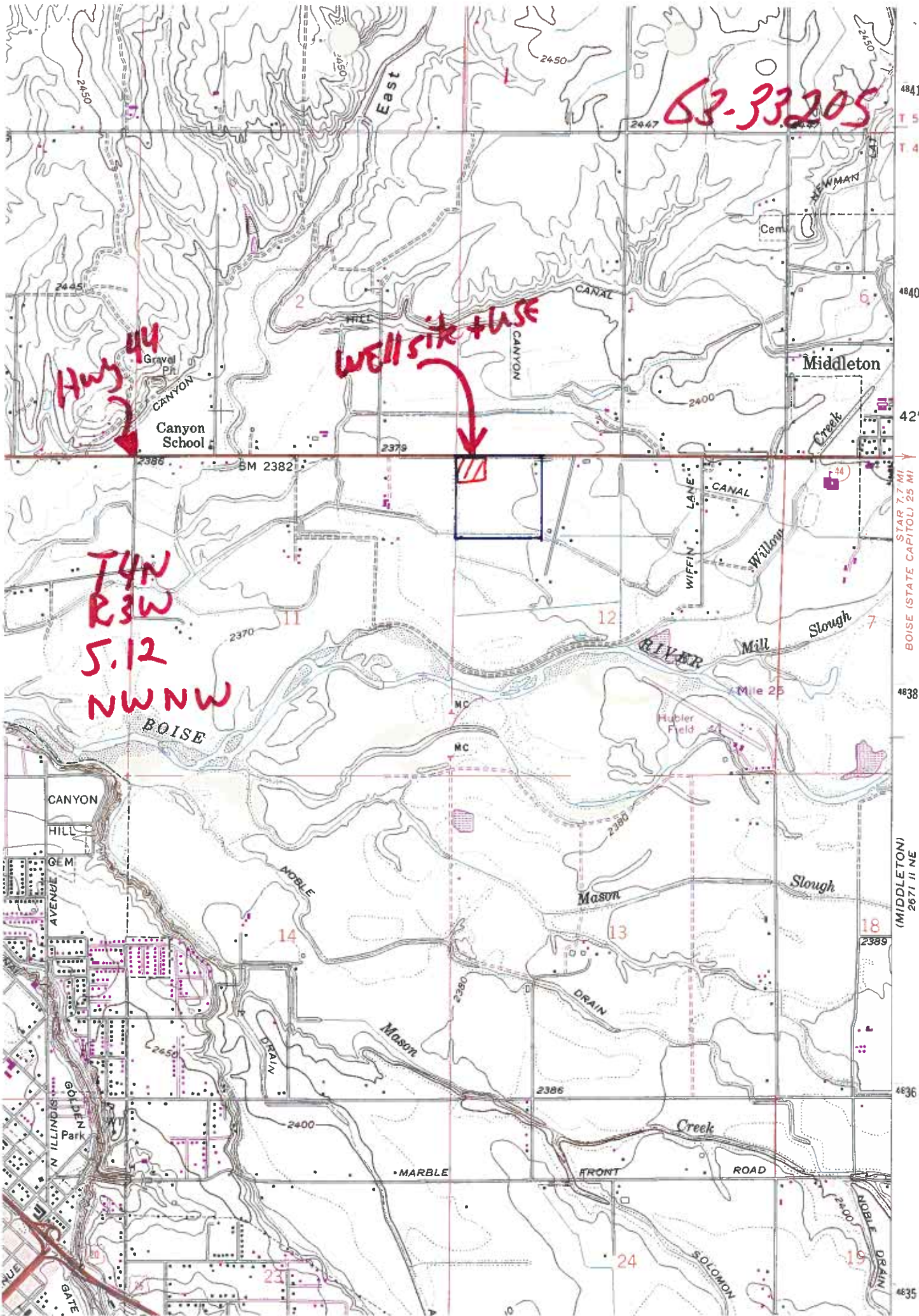
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by SB Date 8/7/09 Time 12:54 PM Preliminary check by SL

Fee \$ 250 Received by SL Fu DB Receipt No. W037453 Date 5/14/09



63-33205

Hwy 44

Well site + L&SE

T4N
R3W
5.12
NWNW

2-1

T 5 N
T 4 N

42'30"

STAR 7.7 MI
BOISE (STATE CAPITOL) 25 MI

(MIDDLETON)
2671 II NE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Middleton Bus LLC. Phone 459-0195
Mailing address 22973 S. 21st Ave. west Middleton Id Email o
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 4N Range 3W Sec. 12, in the 1/4,
NW 1/4, NW 1/4, Govt. Lot , B.M., CANYON County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount .8 cfs for Fire protection 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) .8 cfs and/or (b) o
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 6" submersible pump

b. Height of storage dam o feet; active reservoir capacity o acre-feet;
total reservoir capacity o acre-feet
c. Proposed well diameter is 12" inches; proposed depth of well is 30' feet
d. Is ground water with a temperature of greater than 85°F being sought? no
e. If well is already drilled, when? ; Drilling firm Riverside Inc.
Well was drilled for (well owner) Middleton Bus LLC.; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 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. o
b. Stockwatering; list number and kind of livestock. o
c. Municipal; show name of municipality. o
d. Domestic; show number of households. o
e. Other; describe fully. Fire protection For Bus shop.

RECEIVED

MAY 14 2009

WATER RESOURCES
WESTERN REGION

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	
4N	3W	12																F	0

Total number of acres to be irrigated: 0

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? Middleton Bus LLC
- b. Who owns the land to be irrigated or place of use? Middleton Bus LLC
- 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.

Steve Vis
Signature of Applicant

Steve Vis Managing Member
Print Name (and title, if applicable)

For Department Use:

Received by DB Date 5-14-09 Time _____ Preliminary check by _____

Fee \$ 250- Receipted by DB Receipt No. W037453 Date 5-14-09

IDAHO PRESS TRIBUNE
AD AUTHORIZATION

Salesperson: MARISSA MCNEAL

Printed at 08/17/09 12:46 by \$LOGIN

Acct#: 29512 Ad#: 38792 Status: N
1 IDAHO DEPT. OF WATER RESOURCES Start: 08/20/09 Stop: 08/27/09
2735 AIRPORT WAY Times Ord: 2 Times Run: ****
BOISE ID 83705 LEG 4.00 X 28.00 Words: 164
Contact: DENISE BUFFINGTON Rate: L4 Cost: 178.45
Phone: (208)334-2190 Class: 0001 LEGAL NOTICES
Fax#: Descript: 63-33205
Email: Denise.Buffington@idwr.idaho.gov Given by: *
Agency: Created: mmc14 08/17/09 12:43
Last Changed: mmc14 08/17/09 12:46

PUB ZONE ED TP START INS STOP SMTWTFS
IPT A 96 S 08/20,27

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

DB

Name (signature)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-33205

MIDDLETON BUS LLC
22973 S 21ST AVE W
MIDDLETON, ID 83644

Point of Diversion NWNW S12 T04N R03W CANYON County Source GROUND WATER
Tributary to BOISE RIVER

Use: FIRE PROTECTION 01/01 to 12/31 0.8 CFS
Total Diversion: 0.8 CFS

Date Filed: 5/14/2009

Place Of Use: FIRE PROTECTION
T04N R03W S12 NWNW

Water bearing zone to be appropriated is from 1 to 30 feet.

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

August 20, 27, 2009

38792

E-mailed Press Tribune 8/17 ✓ OK

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, August 12, 2009 2:58 PM
To: 'Legals'
Subject: LEGAL NOTICES - CANYON COUNTY
Attachments: Canyon County Ads - Cover Letter.doc; X-fer 73810 Ad.doc; X-fer 75674 Ad.doc; 63-32646 Ad.doc; 63-33125 Ad.doc; 63-33126 Ad.doc; 63-33130 Ad.doc; 63-33147 Ad.doc; 63-33160 Ad.doc; 63-33205 Ad.doc

Attached please find (9) 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

8/12/2009

August 12, 2009

LEGAL NOTICE DEPARTMENT

PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Transfer No. 75674
Water Right No(s). 63-33146

RE: Transfer No. 73810
Water Right No(s). 63-3599D, 63-7825A, 63-7825C, 63-32076

RE: Application For Permit No.: 63-32646, 63-33125, 63-33126, 63-33130, 63-33147, 63-33160 & 63-33205

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:

63-33205

MIDDLETON BUS LLC
22973 S 21ST AVE W
MIDDLETON, ID 83644

Point of Diversion NWNW S12 T04N R03W CANYON County Source GROUND WATER
Tributary to BOISE RIVER

Use: FIRE PROTECTION 01/01 to 12/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 5/14/2009

Place Of Use: FIRE PROTECTION
T04N R03W S12 NWNW

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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 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

July 30, 2009

ATTN STEVE VIS
MIDDLETON BUS LLC
22973 S 21ST AVE WEST
MIDDLETON ID 83644

Re: Application for Permit No. 63-33205

Dear Mr. Vis:

The above referenced application for a new water right for a fire protection well can be processed once it is amended to comply with Idaho Department of Water Resources (IDWR) standards. Please review the enclosed information in that regard.

A copy of the original application is marked up for suggested changes. An amended application based on those suggested changes is enclosed. Please note the following points about the amended application.

- ✓ Tributary – The shallow well will intercept ground water presumed to be tributary to the Boise River.
- ✓ Well Tag – IDWR approved a well drilling permit authorizing construction of the well as part of expediting this situation for you. The well tag information was added to the water right application.
- ✓ Time Required – This item should be completed on the amended application. The minimum time is one year, which is probably sufficient for completing the well and installing the necessary fire protection pump. The maximum amount of time to complete the project is five years.
- ✓ Place of Use – Assumed to be same as well location in the NW ¼ of NW ¼ of the section (not SE ¼ SE ¼ marked on original application – that site is about 1 mile southeast of the well site).
- ✓ Water Bearing Zone – This was added to the remarks to identify the approximate depths in the aquifer from which water would be pumped.
- ✓ Map – A map was added as required. The map is based on the original application plus the county tax lot ownership information.

Application for Permit No. 63-33205

July 30, 2009

Page 2

If the amended application looks good, please complete item 7 and sign the application. You can return it to me at your earliest convenience. IDWR will process the amended application as soon as possible.

More IDWR information is available on the Internet at www.idwr.idaho.gov. Please contact me at 334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized flourish at the end.

Steve Lester
Water Rights Supervisor

Enclosure

1/31/03

Drilling Permit No. 90359-856916

Drilling Permit I.D. Tag No. D0055784

Water Right Permit No. Ap # 63-33205

Injection Permit No. _____

COPY

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Owner (please print): Middleton Bus L.L.C.
2. Mailing Address: 22973 South 21st Ave. West Middleton
City: Middleton State: ID Zip Code: 83644 Telephone (208) 459-0195
3. Proposed Well Location: Twp. 4N, Rge. 3W, Sec. 12, 1/4 NW 1/4 NW 1/4;
Gov't Lot No. _____ County Canyon Lat. _____: _____: _____ Long. _____: _____: _____
Street Address of Well Site 22973 South 21st Ave. West City Middleton
Lot, block and subdivision _____
Give at least name of road + Distance to Road or Landmark

4. Proposed Use of Well:

☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Livestock ☐ Test ☒ Other Fire protection
Type _____ Number Hd. _____ (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit. No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Replace
B. Proposed Casing Diameter 12" Proposed Maximum Depth 30'
C. Anticipated bottom hole temperature:
☒ 85 F or less (Cold Water Well) ☐ 85 F to 212 F (Low Temp. Geo. Well) ☐ 212 F. or more (Geothermal Well)

6. Construction Start Date: 7-7-09

7. Anticipated Well Driller: Riverside Inc. Driller's Lic. No. 333
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: [Signature] Date 6-5-09

Address (if different than owner): 111 South Rosewell Blvd.

City: Parma State: ID Zip Code: 83660 Telephone 208-722-6731

Title: Drilling manager
(Owner, Firm Representative, Other)

RECEIVED

JUN 17 2009

WATER RESOURCES
WESTERN REGION

90859-856916
D0055784
ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED Date 6.29.09

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one(1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare, which may be required before construction of the well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals, which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.
9. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
10. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.

SPECIFIC CONDITIONS: Use from this well is not authorized except in the event of an actual fire.


Signature of Authorized Department Representative

SENIOR WATER
RESOURCE AGENT

Receipt No. WD37570 Received by SB Fee \$200.00 Date 6.17.09

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

COPY