

RECEIVED

JAN 22 2009

FORM 202 10/07

Ident. No. 57-11765

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 TFR Partnership Phone 916-715-1459
Mailing address c/o Richard Caldwell, 45625 Manzo Dr., Indian Wells, CA 92210 Email _____
Representative Terry Scanlan, SPF Water Engineering LLC, 300 E. Mallard, Ste 350, Boise, ID 83706 208-383-4140

2. Source of water supply Unnamed Drain which is a tributary of Snake River

3. Location of point of diversion is Township 3N Range 5W Sec. 4, in the _____ ¼,
NW ¼, NW ¼, Govt. Lot 3, B.M., Owyhee

County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 50.0 for Wildlife Storage 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) 2.0 and/or (b) 50.0
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 Check structure, 12-inch corrugated pipe

b. Height of storage dam excavated pond (n/a) feet; active reservoir capacity 50.0 acre-feet;
total reservoir capacity 50.0 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. _____

e. Other; describe fully. Development of wildlife habitat

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	
3N	5W	4						Lt 3 X											
		5	Lt 1 X																
4N	5W	32																Lt 4 X	
		33											Lt 3 X						

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? 2-10343

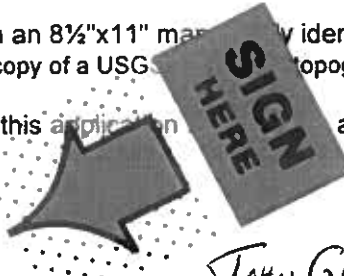
- 11.a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The pond provides a shallow water feeding area and vegetation associated with still or slow moving water that is vital to the production of water fowl. Nesting habitat and insect production is critical not only for ducks and geese, but also a wide variety of non-game birds.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map showing the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS topographic quadrangle map is preferred.)

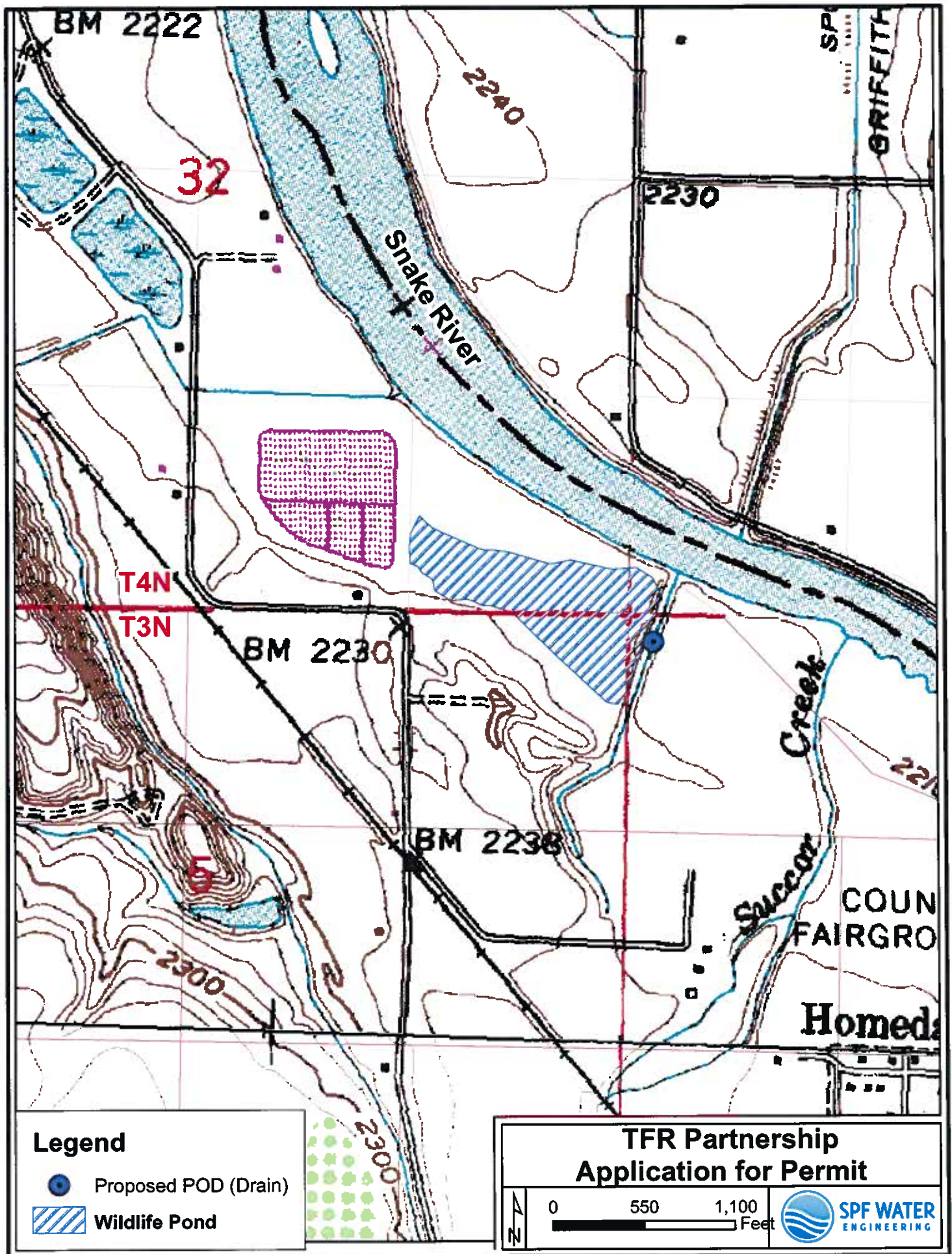
BE IT KNOWN that the undersigned hereby makes this application appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant


JOHN GINGERICH, PARTNER TFR
Print Name (and title, if applicable)

For Department Use:

Received by DB Date 1-22-09 Time 3:00 PM Preliminary check by JFW
 Fee \$ 290 Received by DB Receipt No. W037158 Date 1-22-09
 Publication prepared by DB Date 8/12/2009 Published in OWYHEE AVALANCHE
 Publication approved _____ Date _____ Dates Published AUGUST 19 & 26, 2009



57-11765

Buffington, Denise

From: Buffington, Denise
Sent: Friday, August 14, 2009 12:53 PM
To: 'rward@idfg.idaho.gov'
Subject: Comment Letters: 57-11765, 63-33130 & 67-14975
Attachments: Comment Letter to IDFG (3 apps).doc; 57-11765 APP.pdf; 63-33130 APP.pdf; 67-14975 APP.pdf

Please review the attached information and comment as necessary. Please do not hesitate to contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

8/14/2009

August 14, 2009

RICK WARD
ENVIRONMENTAL STAFF BIOLOGIST
ID DEPT FISH & GAME SOUTHWEST REGION
3101 S POWERLINE RD
NAMPA ID 83686

Re: Water Right Application(s): 57-11765, 63-33130 & 67-14975

Dear Mr. Ward:

Attached are copies of one or more applications that may be of interest to your agency. Please contact the applicant(s) if your agency has concerns about the application(s). It is not necessary to provide agency comments to the Idaho Department of Water Resources (IDWR), although your comments are welcome if you think IDWR would benefit from them.

If your agency desires to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by September 8, 2009.

Please contact this office at 334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise

Sent: Wednesday, August 12, 2009 2:34 PM

To: 'Jennifer Stutheit'

Subject: LEGAL NOTICES - OWYHEE COUNTY

Attachments: Owyhee County Ads - Cover Letter.doc; X-fer 73748 & 73749 Ad.doc; 55-13890 Ad.doc; 57-11753 Ad.doc; 57-11765 Ad.doc

Attached please find ⁴(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

8/12/2009

August 12, 2009

LEGAL NOTICE DEPARTMENT

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Transfer No. 73748
Water Right No(s). 2-7168C, 2-7279A, 2-7168A

RE: Transfer No. 73749
Water Right No(s). 57-2239

RE: Application For Permit No.: 55-13890, 57-11753 & 57-11765

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:

57-11765

TFR PARTNERSHIP
C/O RICHARD CALDWELL
45625 MANZO DR
INDIAN WELLS, CA 92210

Point of Diversion	NWNW S4	T03N R05W	OWYHEE County	Source	UNNAMED DRAIN
Tributary to SNAKE RIVER					
Use:	WILDLIFE STORAGE	01/01 to 12/31		50 AF	
Use:	DIVERSION TO STORAGE	01/01 to 12/31	2 CFS		
		Total Diversion:	2 CFS	50 AF	

Date Filed: 1/22/2009

Place Of Use: WILDLIFE STORAGE

T03N R05W S4	NWNW
T03N R05W S5	NENE
T04N R05W S32	SESE
T04N R05W S33	SWSW

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 8/19/2009 and 8/26/2009



RECEIVED

JAN 22 2009

**WATER RESOURCES
WESTERN REGION**

January 20, 2009

Steve Lester
Western Region Water Right Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: TFR Partnership - Water Right Field Examination and Proof of Beneficial
Use for Permit 02-10342 and Application for Permit

Dear Steve:

On behalf of TFR Partnership, I have enclosed the following documents.

1. Beneficial Use Field Report for Permit 02-10342 with attached Statement of Completion for Submitting Proof of Beneficial Use.
2. Application for Permit seeking 2.0 cfs diversion from an Unnamed Drain for diversion to storage and 50.0 acre feet of wildlife. The application seeks water for the same purpose as permit 02-10342, but seeks to divert the water from an unnamed drain that is tributary to the Snake River.

Also enclosed is a \$290 check to cover the filing fees for the application for permit.

Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script, reading "Terry M. Scanlan".

Terry M. Scanlan, P.E., P.G.
Certified Water Right Examiner

Cc: Bruce Smith
John Gingerich