

MAY 04 2009

To appropriate the public waters of the State of Idaho

1. Name of Applicant Kevin Harris Phone 208-559-2780
Mailing address 13100 South Fivemile Road, Kuna, ID 83634 Email k_mharris@msn.com
Representative Terry Scanlan, SPF Water Engineering LLC, 300 E. Mallard, Ste 350, Boise, ID 83706 208-383-4140

2. Source of water supply Ground Water which is a tributary of NA

3. Location of point of diversion is Township 2N Range 1E Sec. 26, in the SW 1/4, NW 1/4, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.18 cfs for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for Domestic 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) 0.18 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 One existing well, submersible pump, sprinkler irrigation system

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet

c. Proposed well diameter is 6 inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 1997; Drilling firm Adamson Pump and Drilling
Well was drilled for (well owner) Denny and Barbara Hyde; Drilling Permit No. 63-97-W-0241-000

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. one

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	
2N	1E	26							9										9
		26							D										

Total number of acres to be irrigated 9

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? Domestic portion of the application is for in-home domestic uses only. No other water rights are appurtenant to the property.

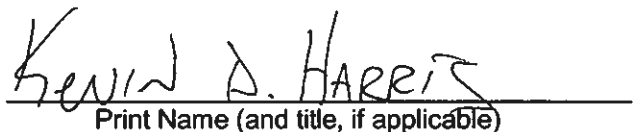
- 11.a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant propose irrigation of 9 acres within a 9.36-acre parcel (Ada County Parcel No. S1426233600). Water-bearing zone to be appropriated is 250 to 500 feet.

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.

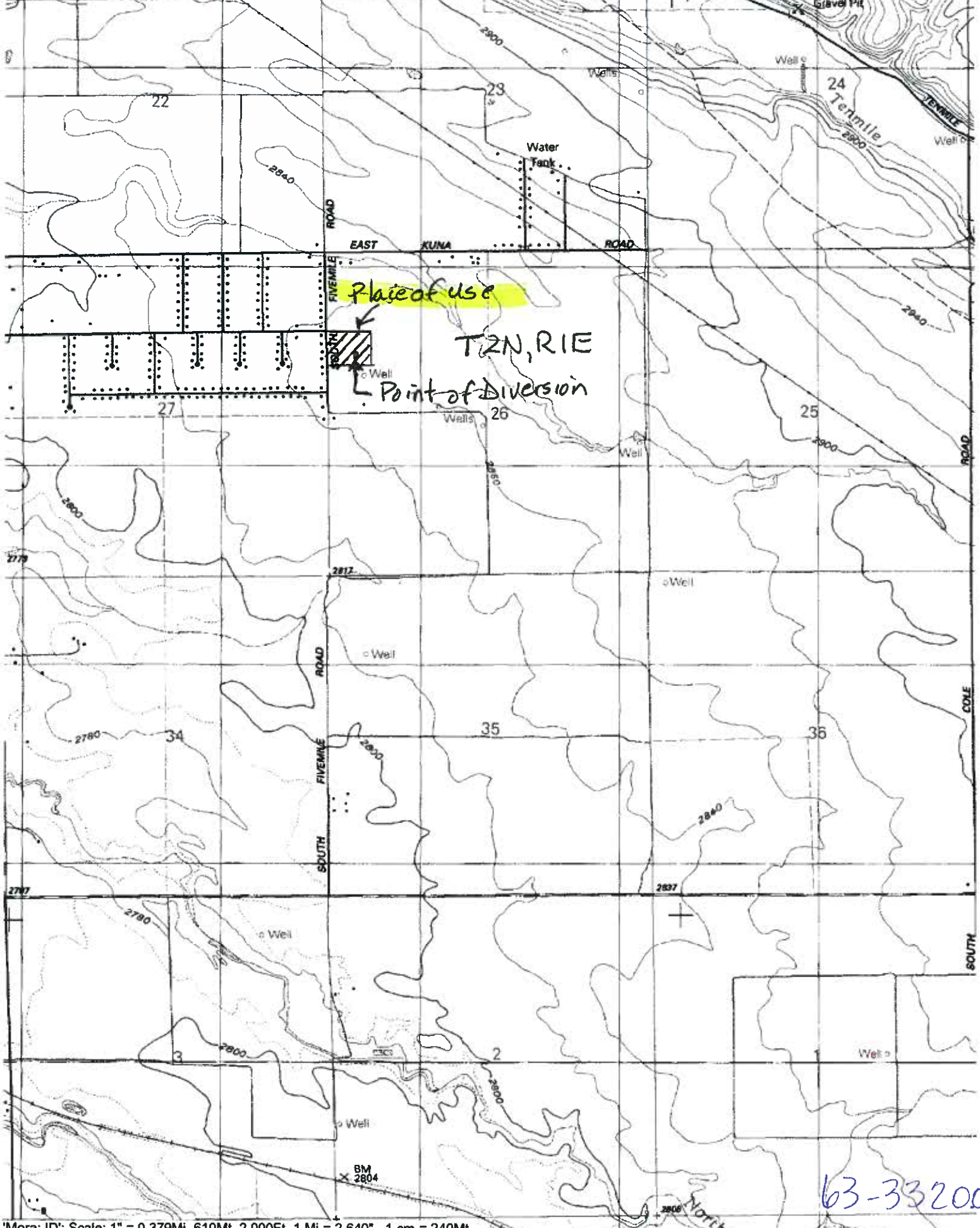

Signature of Applicant


Print Name (and title, if applicable)

For Department Use:

Received by Jmh Date 5-4-09 Time 10:55am Preliminary check by VLM
 Fee \$ * 225- Received by Jmh Receipt No. W037421 Date 5-4-09
 Publication prepared by DB Date 6/25/2009 Published in IDAHO STATESMAN
 Publication approved _____ Date _____ Dates Published JULY 2 & 9, 2009

*includes upgrade fee for well.



63-3320c

Buffington, Denise

From: Buffington, Denise

Sent: Thursday, June 25, 2009 2:35 PM

To: legals@idahostatesman.com

Subject: LEGAL NOTICES

Attachments: Ada County Ads Cover Letter.RTF; X-fer 75232 Ad.doc; 63-33077 Ad.RTF; 63-33089 Ad.RTF; 63-33200 Ad.RTF

Attached please find (4) legal notices being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ads on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

6/25/2009

June 25, 2009

Legal Notice Department

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No. 75232
Water Right No(s). 63-9003

RE: Application for Permit No. 63-33077, 63-33089 & 63-33200

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 07/20/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

63-33200

KEVIN HARRIS
13100 S FIVE MILE RD
KUNA ID 83634

Point(s) of Diversion SWNW S26 T02N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.18 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.18 CFS

Date Filed: 05/04/2009

Place Of Use: IRRIGATION

T02N R01E S26 SWNW

Number of Acres 9

Place Of Use: DOMESTIC SAME AS IRRIGATION

Remark: Domestic use is for internal use in one home and does not include irrigation.

Water bearing zone to be appropriated is from 250 to 500 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 Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/20/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published in the Idaho Statesman on July 2nd & 9th, 2009

Music, Vicky

From: Music, Vicky
Sent: Monday, June 15, 2009 3:10 PM
To: 'MICHELLE AND KEVIN HARRIS'; Terry Scanlan
Subject: RE: application for permit 63-33200

Terry and Kevin –

It is not necessary to amend the application. I was hoping you could connect the dots for me and provide information that would clear up the inconsistencies which you have, in part. Though very often a property owner will include their mailing address rather than the address of the well when applying for a drilling permit, I will assume the POD on the log is incorrect and continue to process the application.

Thanks -

Vicky Music

From: MICHELLE AND KEVIN HARRIS [mailto:k_mharris@msn.com]
Sent: Wednesday, June 10, 2009 3:29 PM
To: Terry Scanlan; Music, Vicky
Subject: RE: application for permit 63-33200

Terry,

I was away from the computer, sorry. The previous owners were Barb and Dennis Hyde. Please let me know if I can do anything to help.

Thanks,

Kevin

Subject: RE: application for permit 63-33200
Date: Wed, 10 Jun 2009 12:05:49 -0600
From: TScanlan@spfwater.com
To: k_mharris@msn.com; vicky.music@idwr.idaho.gov

Vicky and Kevin –

I agree there are some inconsistencies with the well log. The log lists NWNW, and describes a location 300-400 yds east of the intersection of Fivemile and Kuna Roads, which puts it in the NWNW. However, the well driller's database shows the log in the SWNW with the 13100 Fivemile Road address. I think that the Hydes (owner listed on well report) were the previous owners of Kevin's property (Kevin, is that correct?).

Kevin's well and property are both in the SWNW, so the application is correct regarding POD and POU. The well log might be incorrect. If necessary, we can change part 6.e. to "unknown". Let us know what you want to do.

The static water levels in that neighborhood are all between 200 and 300 feet. Therefore, the water-bearing zone of 250 to 500 feet is reasonable. I always list as wide of a water-bearing zone as practical for flexibility purposes. I've seen several permits that list narrow water-bearing zones that ultimately have to be changed because a well is deepened, redrilled, or initially drilled to a different depth. The modification to the permit is time consuming for

6/15/2009

the permit holder and the Department. In this case, if the well log is correct, and the well is drawing from 300 feet exactly, then 250 to 500 feet is correct. If the well is something different than 300 feet, the 250 to 500 foot water bearing zone will likely still work. If the well has to be redrilled or deepened in a couple of years, then the proposed water-bearing zone provides flexibility to go to depths of up to 500 feet. Therefore, I don't recommend that the water-bearing zone description be changed.

Terry

-----Original Message-----

From: MICHELLE AND KEVIN HARRIS [mailto:k_mharris@msn.com]

Sent: Wednesday, June 10, 2009 9:17 AM

To: vicky.music@idwr.idaho.gov; Terry Scanlan

Subject: RE: application for permit 63-33200

Vicky,

Thanks for the update. I will get with Terry and one of us will get you the information requested.

Kevin

Subject: application for permit 63-33200

Date: Tue, 9 Jun 2009 15:37:36 -0600

From: Vicky.Music@idwr.idaho.gov

To: TScanlan@spfwater.com; k_mharris@msn.com

Hello Terry and Kevin –

This application, filed by Mr. Harris for irrigation and internal domestic purposes from an existing well, has been assigned to me for review and processing. There are a couple of items about the well location and water bearing zone that require written clarification.

First, the well log lists the QQ of the well as being in the NWNW Sec 26 and the application lists the location as being in the SWNW. This needs to be reconciled.

Last, the well log indicates that the total depth of the well is 300' but the water bearing zone is listed as 250' – 500'. This, too, needs to be corrected or clarified.

Terry, the application lists you as the representative though no cover letter was received with the application. Hence, I am sending this email to you as well as Mr. Harris.

Thank you -

Vicky L. Music

Sr. Water Resource Agent

IDWR/Western Region

2735 Airport Way

Boise, Idaho 83705-5082

(208) 334-2190

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Insert movie times and more without leaving Hotmail®. [See how.](#)

6/15/2009

Music, Vicky

From: Terry Scanlan [TScanlan@spfwater.com]
Sent: Wednesday, June 10, 2009 12:06 PM
To: MICHELLE AND KEVIN HARRIS; Music, Vicky
Subject: RE: application for permit 63-33200

Vicky and Kevin –

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Subject: RE: application for permit 63-33200

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Subject: application for permit 63-33200
Date: Tue, 9 Jun 2009 15:37:36 -0600
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To: TScanlan@spfwater.com; k_mharris@msn.com

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Vicky L. Music

Sr. Water Resource Agent

IDWR/Western Region

2735 Airport Way

Boise, Idaho 83705-5082

(208) 334-2190

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RECEIVED

MAY 07 2009

WATER RESOURCES
WESTERN REGION

Kevin Harris
KM Ranch
13100 S. Five Mile Road
Kuna, Idaho 83634
May 5, 2009

Steve Lester
Water Allocation Supervisor
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Dear Mr. Lester:

We recently submitted an application for water rights on our property located at 13100 S. Five Mile Road, Kuna, Idaho. We paid the well upgrade fee along with the application fee. While in your office it was mentioned that there was a possibility to expedite this water rights claim. This is a formal request to do so. I understand your office is very busy and is already shorthanded. We would not usually request our application be set in front of others. We do feel that we have a reasonable request and we very much appreciate you taking the time to review this letter and listen to us plead our case.

My wife and I have a small cattle business. Currently we have to lease property to graze our animals. The properties we lease are located in Star and in Boise. We have tried planting non irrigated grass on the pastures. The grass has a hard time growing in the harsh climate and soils we live in. It would be a blessing to be able to irrigate these pastures and keep most of the animals at our house. We would immediately start irrigating with the approval of our application from IDWR. If we could start irrigating this summer, our pastures would be ready for next year's grazing. We appreciate your consideration with this matter and look forward to hearing from your office soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Harris', with a stylized flourish at the end.

KM Ranch
Kevin Harris
Owner

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT
Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. DRILLING PERMIT NO. 63 - 97 - W- 0241 - 000
Other IDWR No. _____

2. OWNER:

Name **Denny & Barbara Hyde**
Address **7630 South GreenAcres Drive**
City **Boise** State **ID** Zip **83709**

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N

XX

Twp. 2 North ☒ or South ☐

Rge. 1 East ☒ or West ☐

Sec. 26 NW $\frac{1}{4}$ NW $\frac{1}{4}$ $\frac{1}{4}$

Gov't Lot _____ County Ada

Lat. : : Long. : :

10 acres 40 acres 160 acres

Address of Well Site 300-400 Yds East of
Corner of Kuna & 5 Mile Rd City Kuna
(Give at least name of road & distance to road or landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other_____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	118	500#	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 118
Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	118	.25	Steel	XX	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Lines
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

240 ft. below ground Artesian pressure _____ lb
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
30			1.0 Hr

Water Temp. **58** Bottom hole temp:
Water Quality test or comments: **Iron 8.0/ PH 7.0 / Grains 16**

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth **300** (Measurable)
Date: Started **4-28-97** Completed **5-02-97**

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name **ADAMSOM PUMP & DRILLING** Firm No. **0457**

Firm Official W. B. Binner Date 5-14-97

and

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

REMAX CAPITAL CITY
APRIL FLORCZYK

Email: aprif@remax.net
208-724-6968 Cell
208-846-8406 Fax

FAX TRANSMITTAL FORM**TO:** Dana**DATE:** 3/5/07**FAX:** 2 87-6700**NUMBER OF PAGES:** (3)**RE:** 13100 S. Five Mile Rd.**MESSAGE:**

Please let me know when the
well report can be changed to show
the casing at 300'.

Thank you,

April
724-6968



Adamson Pump & Drilling

1320 Smith Avenue

Nampa, ID 83651

INVOICE

Date

Invoice No.

5/14/97

5-10

Bill To

Denny & Barbara Hyde
7630 South GreenAcres Drive
Boise, ID 83709

Job Description/Location

New Well on Kuna Road
Kuna ID
T2N, R1E, Sec 26, NW, NW
Ada County

Terms	Due Date	Completion ...	Type of Service
Net 10th	5/10/97	5/2/97	New Well

Quantity	Description	Amount
120	Drilling - 8"	2,640.00
180	Drilling - 6"	1,818.00
300	Casing - 6" x 20' x .25"	1,422.00
1	6" Drive Shoes	55.00
1	Well Cap 6" Turtle	23.00
1	Well Surface Seal	125.60
10	Bentonite 50#Bags	24.40
1	Permit, Drilling #63-97-W-0241-000	75.00
	Use Tax	74.83
7	Labor	0.00
7	Labor	0.00
8	Labor	0.00
8	Labor	0.00
8	Labor	0.00
8	Labor	0.00

moved to Mike: 824-3341

Total**\$6,259.83**

A finance charge of 1.5% per month (18% apr) will be added to all accounts 30 days or more past due. The prevailing party is entitled to attorney's fees & costs in any legal proceeding. A lien will be filed on accounts 15 days past due.

paid in full
6-10-97