

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED

MAR 03 2009

WATER RESOURCES
WESTERN REGION

1. Name: WILLOW CREEK RANCH ESTATES #2 & #3
9650 KEMP ROAD
MIDDLETON ID 83644
(208)459-8274

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER SE1/4SE1/4 Sec. 28, Twp 05N, Rge 02W, B.M.
CANYON County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.03 CFS	

5. Total quantity to be appropriated is: 0.03 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: WELL, PUMP & PIPELINE
- b. Height of storage dam N/A feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- c. Existing well diameter is 8 inches.
Existing depth of well is 232 feet.
- d. Is ground water with a temperature of greater than 85F being sought? N
- e. If well is already drilled, when? 6/10/1993
Drilling Firm: ADAMSON PUMP & DRILLING

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

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8.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 02W 28																1.0	1.0

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:

This is an existing well also proposed in Application 63-33086. Both applicants will share the well for separate common areas. Water bearing zone to be appropriated is from 127 to 132 feet. This application replaces withdrawn Transfer Application 73932. Fee from that withdrawal will cover this new application but not the drilling permit fee upgrade also noted in the other application (total of \$165 upgrade due for both filings, not \$165 per application).

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.

President T.W.C.R.E. #243 W.C.R.E. HOA. #243 by RAY Tschob
TITLES Applicant Ray Tschob

Received by DB Date 3.3.09 Time 12: PM Preliminary check by SL
Publication prepared by DB Date 3/25/09 Published in PRESS TRIBUNE
Publication approved _____ DATE: _____ Date APRIL 2 & 9, 2009

Receipt No. W032967

Date: 5/23/05 \$ 100

Received by: SL for DB

RECEIVED

JUL 07 1993

RECEIVED

JUN 23 1993

RECEIVED

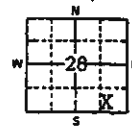
JUN 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

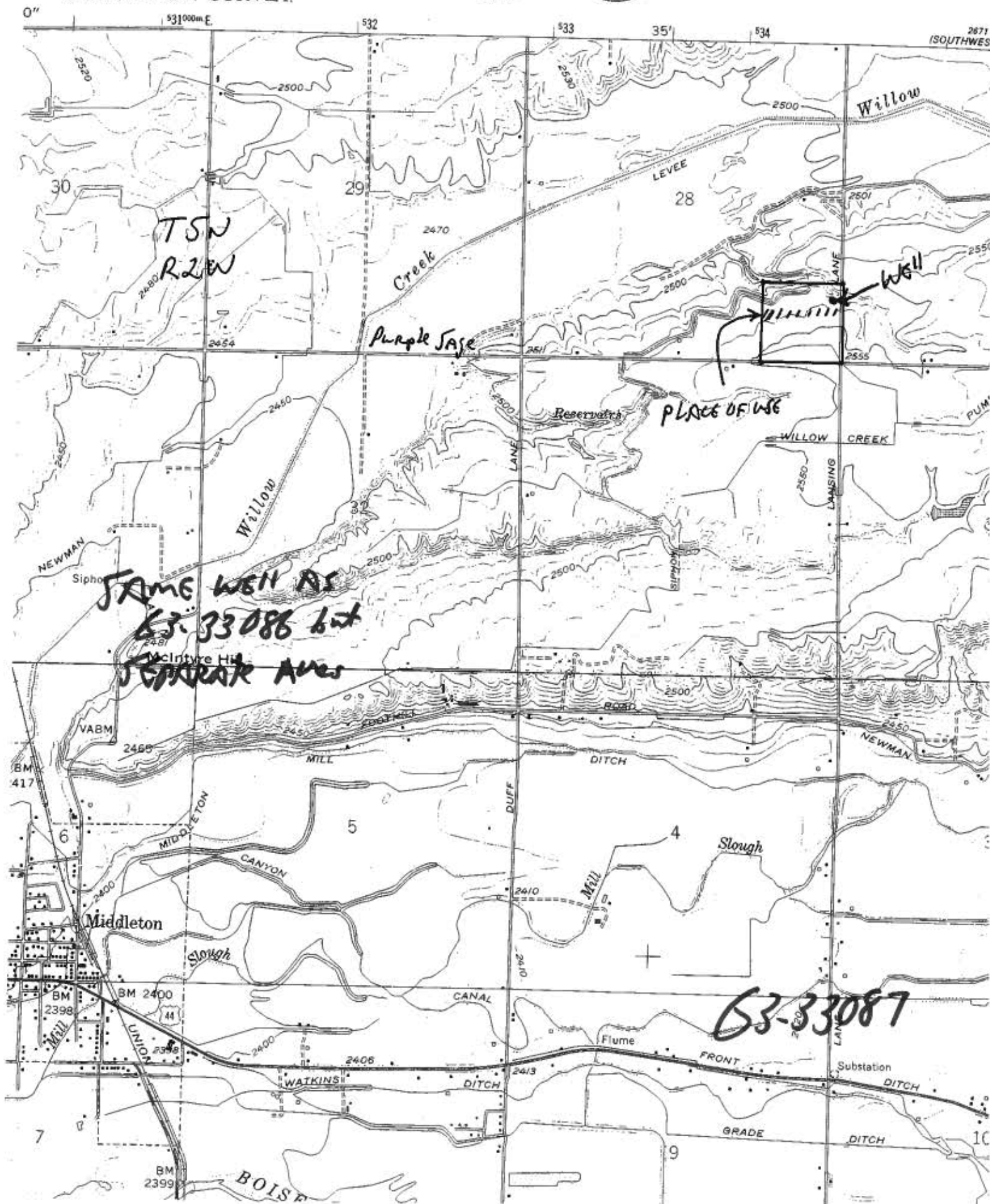
WELL DRILLER'S REPORT

Department of Water Resources

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Bob Kemp</u> Address <u>Box 206 Middleton, ID 83644</u> Drilling Permit No. <u>63-93-W-0518</u> Water Right Permit No. _____		7. WATER LEVEL Static water level <u>118</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>56</u> °F. Quality <u>Iron 2.5/PH 7.5/Gr 15</u> Describe artesian or temperature zones below.																																																																																																																																																																																																																													
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Modification ☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)		8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.R.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>100</u></td><td></td><td><u>3/4</u></td></tr><tr><td><u>80</u></td><td><u>After Screen</u></td><td><u>3/4</u></td></tr></tbody></table>		Discharge G.R.M.	Pumping Level	Hours Pumped	<u>100</u>		<u>3/4</u>	<u>80</u>	<u>After Screen</u>	<u>3/4</u>																																																																																																																																																																																																																			
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Monitor ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <u>104331</u> <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8"</td><td>1</td><td>2</td><td>Top Soil</td><td></td><td></td></tr><tr><td>"</td><td>2</td><td>5</td><td>Hard Pan</td><td></td><td></td></tr><tr><td>"</td><td>5</td><td>11</td><td>Hard Pan-coarse sand</td><td></td><td></td></tr><tr><td>"</td><td>11</td><td>15</td><td>Tan Clay</td><td></td><td></td></tr><tr><td>"</td><td>15</td><td>26</td><td>Gravel-Sand & Clay</td><td></td><td></td></tr><tr><td>"</td><td>26</td><td>45</td><td>Tan Clay</td><td></td><td></td></tr><tr><td>"</td><td>45</td><td>47</td><td>Sandy Clay</td><td></td><td></td></tr><tr><td>"</td><td>47</td><td>70</td><td>Sand & Gravel</td><td></td><td></td></tr><tr><td>"</td><td>70</td><td>83</td><td>Gravel w/ Clay</td><td></td><td></td></tr><tr><td>"</td><td>83</td><td>97</td><td>Sandy Clay</td><td></td><td></td></tr><tr><td>"</td><td>97</td><td>100</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>100</td><td>105</td><td>Coarse Sand & Clay</td><td></td><td></td></tr><tr><td>"</td><td>105</td><td>126</td><td>Gravel & Sand</td><td></td><td></td></tr><tr><td>"</td><td>126</td><td>133</td><td>Gravel (sm.) Coarse Sand</td><td></td><td></td></tr><tr><td>"</td><td>133</td><td>137</td><td>Clay Some Rocks</td><td></td><td>X</td></tr><tr><td>"</td><td>137</td><td>147</td><td>Clay Some Rocks</td><td></td><td>X</td></tr><tr><td>"</td><td>147</td><td>150</td><td>Sandy Clay Soft/Rocks</td><td></td><td></td></tr><tr><td>"</td><td>150</td><td>170</td><td>Sandy Clay Soft/Rocks</td><td></td><td></td></tr><tr><td>"</td><td>170</td><td>176</td><td>Clay Tan Solid</td><td></td><td></td></tr><tr><td>"</td><td>176</td><td>181</td><td>Sand Coarse/Clay</td><td></td><td>X</td></tr><tr><td>"</td><td>181</td><td>187</td><td>Tan Clay</td><td></td><td></td></tr><tr><td>"</td><td>187</td><td>190</td><td>Sand</td><td></td><td></td></tr><tr><td>"</td><td>190</td><td>200</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>200</td><td>203</td><td>Clay & Sand Stratas</td><td></td><td>X</td></tr><tr><td>"</td><td>203</td><td>205</td><td>Sand</td><td></td><td></td></tr><tr><td>"</td><td>205</td><td>206</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>206</td><td>211</td><td>Sand</td><td></td><td></td></tr><tr><td>"</td><td>211</td><td>213</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>213</td><td>215</td><td>Sand</td><td></td><td></td></tr><tr><td>"</td><td>215</td><td>216</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>216</td><td>220</td><td>Sand</td><td></td><td></td></tr><tr><td>"</td><td>220</td><td>225</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>225</td><td>227</td><td>Sand Good 100 gpm</td><td></td><td>X</td></tr><tr><td>"</td><td>227</td><td>230</td><td>Clay</td><td></td><td></td></tr><tr><td>"</td><td>230</td><td>232</td><td>Clay</td><td></td><td></td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	8"	1	2	Top Soil			"	2	5	Hard Pan			"	5	11	Hard Pan-coarse sand			"	11	15	Tan Clay			"	15	26	Gravel-Sand & Clay			"	26	45	Tan Clay			"	45	47	Sandy Clay			"	47	70	Sand & Gravel			"	70	83	Gravel w/ Clay			"	83	97	Sandy Clay			"	97	100	Clay			"	100	105	Coarse Sand & Clay			"	105	126	Gravel & Sand			"	126	133	Gravel (sm.) Coarse Sand			"	133	137	Clay Some Rocks		X	"	137	147	Clay Some Rocks		X	"	147	150	Sandy Clay Soft/Rocks			"	150	170	Sandy Clay Soft/Rocks			"	170	176	Clay Tan Solid			"	176	181	Sand Coarse/Clay		X	"	181	187	Tan Clay			"	187	190	Sand			"	190	200	Clay			"	200	203	Clay & Sand Stratas		X	"	203	205	Sand			"	205	206	Clay			"	206	211	Sand			"	211	213	Clay			"	213	215	Sand			"	215	216	Clay			"	216	220	Sand			"	220	225	Clay			"	225	227	Sand Good 100 gpm		X	"	227	230	Clay			"	230	232	Clay		
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary ☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)		10. Work started <u>6/8/93</u> finished <u>6/10/93</u>																																																																																																																																																																																																																													
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>.250</u> inches</td><td><u>8</u> inches</td><td><u>2</u> feet</td><td><u>224</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation? _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☒ Yes ☐ No Manufacturer <u>Cook</u> Type <u>SS Wire Wrap</u> Top Packer or Headpipe <u>117</u> Bottom of Tailpipe <u>132</u> Diameter <u>5"</u> Slot size <u>.025</u> Set from <u>127</u> feet to <u>132</u> feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>Top of Well</u>		Thickness	Diameter	From	To	<u>.250</u> inches	<u>8</u> inches	<u>2</u> feet	<u>224</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Adamsen Pump & Drilling</u> Firm No. <u>457</u> Address <u>Nampa, ID</u> Date <u>6/11/93</u> Signed by Drilling Supervisor <u>Dan Adamsen</u> and <u>Dan Adamsen</u> (Operator) (If different than the Drilling Supervisor)																																																																																																																																																																																																	
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. <u>28</u> County <u>Canyon</u> Address of Well Site <u>Purple Sage & Lancing</u> Middleton, ID (give at least name of road) T. <u>5</u> N. ☒ or S ☐ SE <u>1/4</u> SE <u>1/4</u> Sec. <u>28</u> R. <u>2</u> E ☐ or W ☒																																																																																																																																																																																																																															

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT



LEGAL NOTICE

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63-33087

WILLOW CREEK RANCH ESTATES #2 & #3

9650 KEMP ROAD

MIDDLETON ID 83644

Point(s) of Diversion SESE S28 T05N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 03/03/2009

Place Of Use: IRRIGATION

T05N R02W S28 SESE

Number of Acres 1

Remark: Water bearing zone to be appropriated from an existing well is from 127 to 132 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 04/20/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

April 2, 9, 2009

06561507

Received 3/25/09 from Press Tribune to proof.

✓ OK DB 3/26/09

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, March 25, 2009 10:59 AM
To: legals@idahopress.com
Subject: Legal Notices - Canyon County
Attachments: Canyon County Ads - Cover Letter.RTF; 63-33001 Ad.RTF; 63-33087 Ad.RTF; X-fer 73783 Ad.doc; X-fer 74114 Ad.doc

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

3/25/2009

March 25, 2009

Legal Notice Department
PRESS-TRIBUNE
PO BOX 9399
NAMPA ID 83652

RE: Application for Permit No. 63-33001 & 63-33087

RE: Transfer No. 73783
Water Right No(s). 63-3049C 63-2823C

RE: Transfer No. 74114
Water Right No(s). 63-8381

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 04/20/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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DAVID R. TUTHILL, JR., Director

Published on April 2nd & 9th, 2009

Lester, Steve

From: Lester, Steve
Sent: Friday, March 13, 2009 2:51 PM
To: 'Justin Walker (jwalker@kellerassociates.com)'
Subject: Willow Creek #2 & #3, Application 63-33087

Contacts: Justin Walker

Hi Justin:

I received the final application of the 4 we were dealing with -- Willow Creek #2 & 3 filed theirs last week. Processing is underway and I imagine we will have the same outcome, with an approval being issued soon. That will wrap everything up, which will be great for all involved.

One final detail for Application 63-33087. It was filed in the name of "Willow Creek Ranch Estates #2 and #3." Recent reinstatement of the business entity registration no. C143062 is in the name of "Willow Creek Ranch Estates No. 2 Subdivision Homeowners Association Inc."

Unless I hear otherwise from you by March 31, I will assume it is acceptable to issue an approved water right in the name of "Willow Creek Ranch Estates No. 2 Subdivision Homeowners Association Inc." instead of in the version of that name listed on the application. Instead of a formal assignment of application from one entity to the other, this would be considered a clarification of the official name to conform with information on file with the Idaho Secretary of State.

A reply is not necessary unless my assumption is incorrect. Thank you.

Steve



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
DAVID R. TUTHILL, JR., Director

February 5, 2009

WILLOW CREEK RANCH ESTATES #2 & 3
C/O JUSTIN WALKER
9059 KEMP RD
MIDDLETON ID 83644

Re: Application for Transfer No. 73932

Dear Justin:

The above referenced application was one of four similar proposals now mostly resolved by approval of replacement applications for permit. The irrigation issue for Willow Creek Ranch Estates #2 & 3 has not been successfully resolved yet.

Willow Creek Ranch Estates #2 & 3 was going to withdraw Transfer Application No. 73932 and replace it with an application for permit seeking a new water right. Please recall the draft Application for Permit No. 63-33087 previously sent for this purpose. That has not happened yet.

The Idaho Department of Water Resources (IDWR) seeks withdrawal of the transfer application. Without that action, IDWR must conclude the transfer application should be denied since it is not approvable.

The applicant should withdraw the transfer application and file a replacement application for permit within the next thirty (30) days. Without a timely reply, IDWR will issue a preliminary order to deny Transfer Application No. 73932. The transfer application fee will not be refunded for a denied application. A denied application generally cannot be re-filed for substantially the same proposal.

Another copy of draft application 63-33087 and a transfer withdrawal form are enclosed. Please let me know if you have any questions. Thank you for your attention to this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

August 28, 2008

JUSTIN WALKER
9059 KEMP RD
MIDDLETON ID 83644

Re: Withdrawal of Transfer Application Nos. 73754, 73929, 73932 and 73933
and Replacement Applications for Permit

Dear Justin:

The replacement applications are enclosed as we discussed. Each application also includes its related transfer withdrawal form. Withdrawal of the transfers is necessary to apply the transfer fees to the applications for permit. The latter can be processed once those fees can be associated with these replacement filings.

Please note the replacements applications share several things in common as follows:

1. The maximum flow rate for minor acreage is shown – 0.03 cfs instead of the standard 0.02 cfs associated with most irrigation.
2. Assumed a minimum of 1 year to complete development under each application. For example, the Bailey system already exists and the 1 year minimum is applicable (1 year listed for existing systems per department standards). The development period under the other applications can be changed if necessary. See Item 7 in the applications – acceptable responses are 1, 2, 3, 4 or 5 years.
3. The transfer withdrawal forms should be completed by the applicants and returned with the replacement applications.

Please note the following items for specific applications.

- 1) Bailey Application 63-33084 – I assumed she stills owns the property. If not, the current owner can file the application by changing the applicant information in item 1.

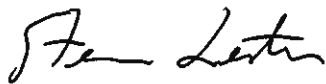
Justin Walker
August 28, 2008
Page 2

- 2) Walker Application 63-33085 – Multiple names joined by “and/or” only require 1 signature on the application. The drilling permit fee upgrade of \$125 is needed for the domestic well to be used for an irrigation water right.
- 3) Homeowners Assoc. Application 63-33086 – Item number 9 needs to be answered and explained if necessary for ownership of the well site. The application should be signed by one of the association officers. That person’s title should be included in the signature block. The drilling permit fee upgrade of \$165 is needed for the domestic well to be used for an irrigation water right (upgrade fee dependent on when well was drilled as a domestic well).
- 4) Estates #2 & #3 Application 63-33087 – The application name can be changed if it is not listed correctly per ongoing work to register this business entity name with the Idaho Secretary of State. Same information is needed for item number 9 as noted in the above application. Appropriate signature and title should be included. A list of officers should be attached since the applicant is not currently registered as a business entity. Note the drilling permit fee upgrade is \$165 between Applications 63-33086 and 63-33087, not \$165 for each application for this shared well.

The applicants can make changes on the forms if anything does not look correct. You will continue to be listed as the consultant for the other three applicants. This will allow you to remain informed about the outcome of those applications.

Let me know if you have any questions or run into any problems. The replacement applications can be processed once they are completed as noted above and returned. Thank you for your attention to these matters.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure