

RECEIVED

FORM 202 10/07

JUN 03 2008

Ident. No. 63-33063

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 JEAN BROBECK VANCE Phone 888-4228
Mailing address 5370 S. LOCUST GROVE RD, MERIDIAN ID 83642 Email bj-vance@hotmail.com
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 03N Range 01E Sec. 32, in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot _____, B.M., ADA County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.08 for IRRIGATION purposes from 3/01 to 11/15 (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) 0.08 cubic feet per second and/or (b) 18.00 acre feet per year
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 6" WELL, 194'6" DEEP, 5hp SUBMERSIBLE PUMP
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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? 1972; Drilling firm SKINNER WELL DRILLING
Well was drilled for (well owner) JEAN BROBECK VANCE 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. _____

9. Description of place of use: PARCEL No. R984700055, LOT 3 UPPIANO SUB.
- 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	1E	32							4										4

Total number of acres to be irrigated: 4

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? _____

SEE 12 BELOW

11. a. Who owns the property at the point of diversion? JEAN BROBECK VANCE
- b. Who owns the land to be irrigated or place of use? JEAN BROBECK VANCE
- 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. THIS IS AN ADDITIONAL WATER RIGHT FOR IRRIGATION TO WATER RIGHT 63-19136 DATED 8/1/72. I HAVE NO OTHER SOURCE OF WATER TO IRRIGATE MY PASTURE & THOUGHT I HAD APPLIED FOR IRRIGATION RIGHTS IN THE EARLY 1970'S.

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.

Jean Brobeck Vance
Signature of Applicant

JEAN BROBECK VANCE
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date June 30, 2008 Time 12:00 Preliminary check by [Signature]
 Fee \$ 100.00 Received by [Signature] Receipt No. 20036563 Date June 30, 2008
 Publication prepared by DB Date 12/23/2008 Published in IDAHO STATESMAN
 Publication approved _____ Date _____ Dates Published JANUARY 1 & 8, 2009



Idaho Department of Water Resources

Water Right

63-9869

(IRRIGATION)

Vance

Legend

Point of Diversion

Place of Use

Townships

PLS Sections

Quarter Quarters

Taxlots



Ada County
IDWR Basin 63

Prepared by John Westra
On Tuesday, May 13, 2008
2004 Aerial Photography

R01E



63-33063



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 24, 2008

SEE ATTACHED DISTRIBUTION LIST

Re: Application No(s). 63-33063 & 63-33064

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire 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 January 20, 2009.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is fluid and cursive, with the first name "Denise" being more prominent.

Denise Buffington
Administrative Assistant

Enclosure

MAILING DISTRIBUTION LIST

**APPLICATION FOR PERMIT 63-33063 FOR JEAN BROBECK VANCE
APPLICATION FOR PERMIT 63-33064 FOR LAWRENCE & KAY HANSEN**

FRED NITZ
5325 S LOCUST GROVE RD
MERIDIAN ID 83642

RON WILKINSON
SHERRY WILKINSON
1310 E MARY LN
MERIDIAN ID 83642

HERB NITZ
JOANNE NITZ
5445 S LOCUST GROVE RD
MERIDIAN ID 83642

JOHN JOBE
CATHY JOBE
5495 W LOCUST GROVE RD
MERIDIAN ID 83642

BRUCE C MARTIN
1135 MARY LN
MERIDIAN ID 83642

HERB LLOYD
JUDY LLOYD
1360 E TANYA LN
MERIDIAN ID 83642

Buffington, Denise

From: Buffington, Denise
Sent: Tuesday, December 23, 2008 3:19 PM
To: legals@idahostatesman.com
Subject: Legal Notices
Attachments: Ada County Cover Letter.RTF; 63-33063 Ad.RTF; 63-33064 Ad.RTF; 63-33079 Ad.RTF; 63-33139 Ad.RTF

Attached please find (4) legal notices being submitted for advertising. Please contact me immediately if you have any questions or if you are not able to run the notices on the dates listed.

Thank You and Happy Holidays,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

12/23/2008

December 23, 2008

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-33063, 63-33064, 63-33079 & 63-33139

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 01/20/2009. 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:

63-33063

JEAN BROBECK VANCE
5370 S LOCUST GROVE RD
MERIDIAN ID 83642

Point(s) of Diversion NWSWNW S32 T03N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 06/03/2008

Place Of Use: IRRIGATION

T03N R01E S32 SWNW

Number of Acres 4

Remark: Water bearing zone to be appropriated is from 135 to 195 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 01/20/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on January 1st & 8th, 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

July 8, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JEAN BROBECK VANCE
5370 S LOCUST GROVE RD
MERIDIAN ID 83642
(208) 888-4228

RECEIVED

JUL 09 2008

WATER RESOURCES
WESTERN REGION

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 63-31470

Dear Renter:

The Department of Water Resources ("Department") acknowledges receipt of your application to rent water from the Water Supply Bank ("Bank"). Please find enclosed a Water Supply Bank Rental Agreement for your review and signature. Upon signature and return of the original agreement, together with the rental fee described below, the department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of **\$252.00** was calculated based on \$14.00 per acre-foot times a diversion volume of 18.0 acre-feet. Please send a check made payable to the Idaho Department of Water Resources together with the signed rental agreement to my attention within ten (10) days of receipt of this letter so I can complete the processing.

Please note that applications for rental of water must be reviewed in accordance with Section 42-1763, Idaho Code, and the Department's Water Supply Bank Rule 30 (IDAPA 37.02.03.030). This includes consideration of whether there will be injury to other water rights, whether the proposal would constitute an enlargement of the water rights, whether the water will be put to a beneficial use, whether the water supply available from applicable rights in the Bank is sufficient for the use intended and whether the proposal is in the local public interest. While a one-year rental usually involves a general review of the water rights and proposed use, rental of water over multiple years may require more comprehensive review, notice to advise anyone who desires to protest the proposed water use, and approval by the Idaho Water Resource Board.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Water Allocation Bureau

Enc: 1

c: John Westra – IDWR Western Regional Office

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT**

This is to certify that: **JEAN BROBECK VANCE**
5370 S LOCUST GROVE RD
MERIDIAN ID 83642
(208) 888-4228

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board") being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

	<u>Water Right</u>	<u>Rented Rate</u>	<u>Annual Rented Volume</u>	<u>Total Rented Acres</u>
	63-31470	0.08 CFS	18.0 AF	4.0 AC
COMBINED RENTAL TOTALS:		0.08 CFS	18.0 AF	4.0 AC

TERM OF RENTAL: March 15, 2008 to November 15, 2008

RENTAL FEE: \$252.00

Detailed water right specific limitations and conditions attached.

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Dated this _____ day of _____, 20_____.

By: _____
(Print Name) (Signature)

(Title if on behalf of company or organization)

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and, IDAPA 37.02.03030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this _____ day of _____, 20_____.

DAVID R. TUTHILL, JR., Director
Department of Water Resources

WATER RIGHT NO. 63-31470 **WATER SUPPLY BANK RENTAL AGREEMENT**

The renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described below:

Renter: JEAN BROBECK VANCE
 5370 S LOCUST GROVE RD
 MERIDIAN ID 83642
 (208) 888-4228

Priority Date: 12/29/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.08 CFS	18.0 AF
	Total:		0.08 CFS	18.0 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER SW¼NW¼ Sec. 32 Twp 03N Rge 01E ADA County

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	01E	32							4.0										4.0

Total Acres: 4.0

CONDITIONS OF WATER USE

- The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
- Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
- Use of water under this agreement does not constitute a dedication of the water to renter's place of use and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
- This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
- This rental agreement does not authorize the construction of a well.
- Use of water under this agreement shall not prejudice any action of the Department in its consideration of the application for permit filed by the renter for this same use.
- Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
- Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
- Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
- Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

01/03

Before the Idaho Water Resource Board

RECEIVED

JUN 03 2008

WATER RESOURCES
WESTERN REGION

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Applicant JEAN BROBECK VANCE Phone 888-4228
Address 5370 S. LOCUST GROVE RD.
City MERIDIAN State ID Zip Code 83642

A. DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water GROUND WATER
tributary to N/A
2. Maximum volume of water 18.00 AF.
3. Maximum rate of diversion 0.08 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use IRRIGATION
2. Location of point of diversion SW 1/4 NW 1/4, Section 32,
Township 03N, Range 01E, B.M. ADA County.
3. Season of use: From 3/15 to 11/15.
4. Description of diverting works:
Pump HP 5 Lift _____ Pump type SUBMERSIBLE.
Canal name, if appropriate _____
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by
40-acre tract, section, township and range.
4 ACRES SEC. 32, T. 03N, R. 01E
AKA. PARCEL No. R884700055, LOT 3 UPPHANO SUE

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

7. Who owns the property at the point of diversion?

JEAN BROBECK VANCE

8. Who owns the property at the place of use?

JEAN BROBECK VANCE

9. Are you seeking a rental for more than one (1) year? No (yes or no)
If yes, for how many years? _____

10. Remarks: NEED WATER UNTIL APPLICATION
FOR IRRIGATION WATER RIGHT IS
APPROVED.

6/3/08
Date

Jean Brobeck Vance
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by JNO-L Date June 3, 08 Time 12:00

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

April 22, 2008

Attn: John Westra
Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

APR 30 2008

WATER RESOURCES
WESTERN REGION

Mr. Westra:

We are writing this letter to express our concern regarding the misuse of domestic ground water for larger usage than the ½ acre allocation

Water levels in the last few years have dropped causing low pressure and lower water levels. There has been an extremely bad iron/sulfur smell in the water, which has caused some residents to have to install expensive water treatment systems to remove the odor from the water.

There needs to be an immediate stop put to this type of usage before there is no water. These people need to utilize the irrigation surface water for their pastures, crops and oversized yards. Below is a list of the obvious properties in the area that are using the domestic ground water to irrigate more than their ½ acre allocation. A closer look on your part of the surrounding area for other violators would be necessary.

Larry & Kay Hansen
1440 E. Mary Ln.
Meridian, Idaho 83642
Parcel # S1131141900
S1131141950

Harley & Jean Vance
5370 S. Locust Grove Rd.
Meridian, Idaho 83642
Parcel # R8847000055

Stone Crofts
1770 E. Mary Ln.
Meridian, Idaho 83642
Parcel # R8847000040
R8847000045

Gary & Diana Hanson
1921 E. Mary Ln
Meridian, Idaho 83642
Parcel # R8847000140

We would appreciate your attention to this matter. We have listed our contact information of the concerned neighbors in the area. We would also appreciate a follow-up on this situation and how it will be handled.

Fred Nitz - 870-0741
5325 S. Locust Grove Rd
Meridian ID 83642

Carol Nitz
Carol Nitz

Rod & Sherry Wilkinson
1310 E. Mary Lane 887-0857
Meridian, ID 83642

Rod & Sherry Wilkinson
Sherry Wilkinson

Herb & JoAnne Nitz
5445 So. Locust Grove Rd
Meridian Id. 83642

Herb Nitz
JoAnne Nitz

cc:
C.L. "Butch" Otter, Idaho Governor
Russell Fulcher, Idaho State Senator
Clifford Bayer, Idaho State Representative
John Vander Woude, Idaho State Representative
Ada County Commissioners

Sara: Cathy Jones
5495 W Locust Grove Rd
Meridian, ID 83642 888-7197
Cathy Jones
Cathy Jones

Bruce C. Martin
1135 Mary Lane
Meridian, Idaho 83642
Bruce C. Martin

Herb & Judy Lloyd
1360 E. Tanya Ln
Meridian, ID 83642
Herb Lloyd 888-2901

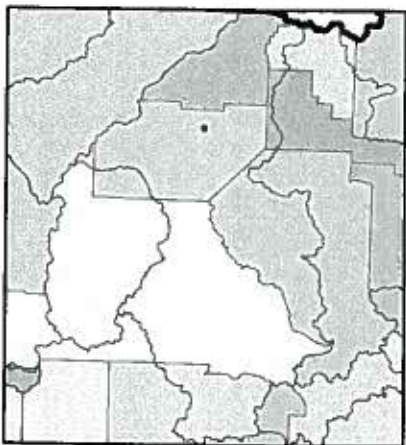


Water Right
63-9869
(IRRIGATION)

Idaho Department of Water Resources

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Ada County
IDWR Basin 63

Prepared by John Westra
On Tuesday, May 13, 2008
2004 Aerial Photography



0 0.05 0.1 0.2
Miles



Untitled Map



SE
NE

THIS MAP NOT INTENDED FOR NAVIGATIONAL USE

SW/NW

<u>Ba</u>	<u>Sequence</u>	<u>Basis</u>	<u>Source</u>	<u>Priority Date</u>	<u>Two Range</u>	<u>Sec</u>	<u>QQQ</u>	<u>Rate(c)</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>
63	4089	Statutory	C GROUND WATER	18/12/1960	03N 01E	31	SENE	0.03	DOMESTIC	NITZ, HERBERT (Current)
63	4972	Decreed	GROUND WATER	01/01/1970	03N 01E	31	SENE	0.02	DOMESTIC	STEWART, DARLENE R (Current)
63	22711	Decreed	GROUND WATER	04/09/1961	03N 01E	31	SENE	0.06	DOMESTIC	ST(NITZ, HERBERT H (Current); NITZ, JO ANNE (Current)
63	24067	Decreed	GROUND WATER	01/01/1960	03N 01E	31	SENE	0.06	DOMESTIC	ST(GLODOWSKI, MARGARET (Current)
63	27125	Decreed	GROUND WATER	05/03/1973	03N 01E	31	SENE	0.04	DOMESTIC	WILKINSON, RONALD C (Current)
63	27790	Decreed	GROUND WATER	01/09/1962	03N 01E	31	SESEN	0.04	DOMESTIC	RICE, GILBERT T (Current); RICE, GLADYS (Current)
63	28777	Decreed	GROUND WATER	30/09/1972	03N 01E	31	SENE	0.04	DOMESTIC	LEAVITT, CAROL LEE (Current); LEAVITT, ELDEN (Cur