

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-12426

WATER RIGHT NUMBER: 63-12426

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT M AINSWORTH 8464 BROOKSIDE LN BOISE, ID 83703 (208)939-7378

<u>Current Owner</u>	JAMES M GRAMLING 8464 W BROOKSIDE LN BOISE, ID 83714 (208) 938-0597
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Priority Date: 11/12/1997

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.100 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 25, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0
																			5.0

Total Acres: 5

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-12426

Comments:

1. jwestra 9/2/2008 Legal Notice Remarks

Comment: Water bearing zone to be appropriated is from 200 to 250 feet.

Dates and Other Information:

Application Received Date: 11/12/1997

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks:

Other Water Rights:

Time to Complete Works: 2

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

11/99

DE ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 21 2006

DEPARTMENT OF
WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Robert M. Ainsworth, hereby assign to James M. Gramling
of, 8464 W. Brookside Ln Boise, ID 83714 208 938-0597
(Full Address) (Phone)

All my right, title, and interest in and to Application for Permit No. 63-12426
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

RECEIVED

JAN 31 2007

The following described portion of my right, title, and interest in and to Application for
Permit No. _____ to appropriate the public waters of the State of Idaho
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 10th day of August, 2006.

Robert M. Ainsworth
Applicant(s)

State of Idaho)
County of ADA)ss

On this 10th day of AUGUST, 2006, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Jan Dees
Notary Public residing at
Eagle, ID

commission expires:

9/14/2007

✓ database is current.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROBERT M AINSWORTH 208-939-7378
Address: 8464 BROOKSIDE LN
BOISE ID 83703
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NESW Sec. 25, Township 05N, Range 01E
ADA County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.100		
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.140 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PIPELINE AND SPRINKLERS
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 250
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when? 01/13/1992
Drilling Firm CAN-ADA WELL DRILLING PERMIT #63-91-W-390
Well was drilled for OWNER
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
05N	01E	25	NESW 05			5

Total number of acres irrigated: 5

Place of Use: DOMESTIC, same as IRRIGATION use

9. 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.

10. Remarks:

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.

See original
Applicant

Received by JS Date 11-12-97 Time _____ Preliminary check by _____

Fee \$ 50- Receipted by JS # W023234 Date 11-12-97
11/13

Publication prepared by DB Date 2008 Published in IDAHO STATESMAN

Publication approved _____ DATE: _____ Date NOVEMBER 20 & 27, 2008

Ident. No. 63-12426

Comments: Date: 1/ 5/1998 User-ID: STAYLOR

Subject: AKA

ALSO KNOWN AS LOT 9, SPRING CREEK ESTATES.

Ident. No. 63-12426

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Robert M. Ainsworth Phone 939-7378
Mailing address 8464 Brookside Lane, Boise, Id 83703
2. Source of water supply Ground water which is a tributary of N/A
3. Location of point of diversion is Township 5 North Range 1 EAST Sec. 25, in the NE 1/4, SW 1/4, Govt. Lot ADA County County;
additional points of diversion if any: SPRING CREEK ESTATES LOT 9
4. Water will be used for the following purposes:

Amount <u>.04</u> for	domestic	purposes from	1 Jan	to	31 Dec	(both dates inclusive)
(cfs or acre-feet per annum)						
Amount <u>.10</u> for	Irrigation Field	purposes from	MAR 15	to	NOV 15	(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) .14 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 3/4" pipe from well to pulsating sprinklers
 - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
 - c. Proposed well diameter is 8" inches; proposed depth of well is 250 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? 1/13/92; Drilling firm Can-Ada Well Drilling; Well was drilled for (well owner) well owner; Drilling Permit No. 63-91-W-390
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. 1 HOME
 - 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	25									5								5
											D								

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Robert M. Ainsworth

b. Who owns the land to be irrigated or place of use? Robert M. Ainsworth

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Remarks: AKA LOT 9, SPRING CREEK ESTATES.

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.

Robert M. Ainsworth
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 11-18-97 Time 11:45 AM Preliminary check by [Signature]
Fee \$ 50 Received by [Signature] # W023234 Date 11-12-97
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

State
Department of Water Resources

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

[illegible]

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



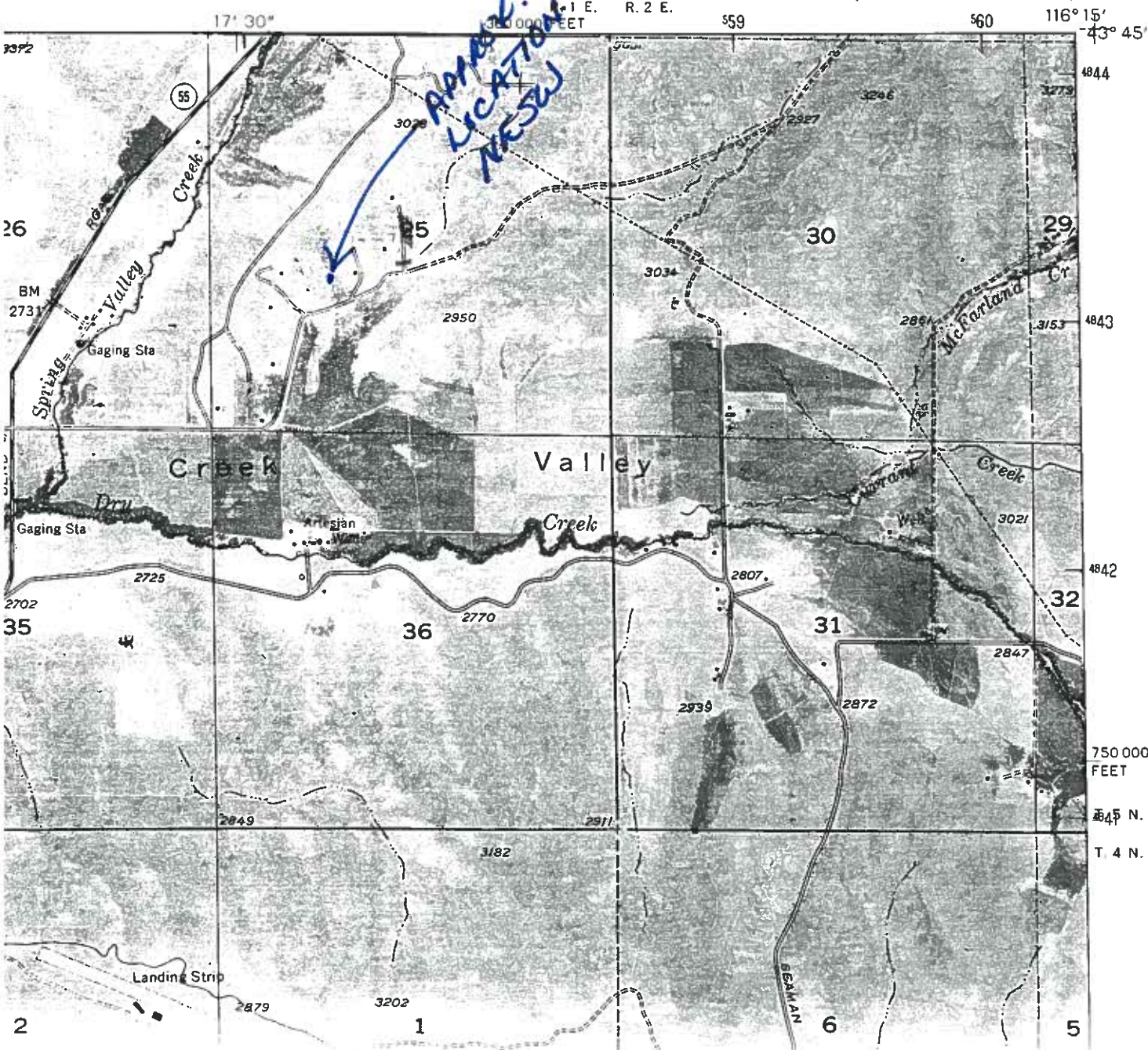
X-8

RIE R2E

TSN
RIE
Sec 25
NESW
No Gov Lts

EAGLE QUADRANGLE
IDAHO

7.5-MINUTE SERIES (ORTHOPHOTOQUAD)



T5
T4

PLAT SHOWING **SPRING CREEK ESTATES**

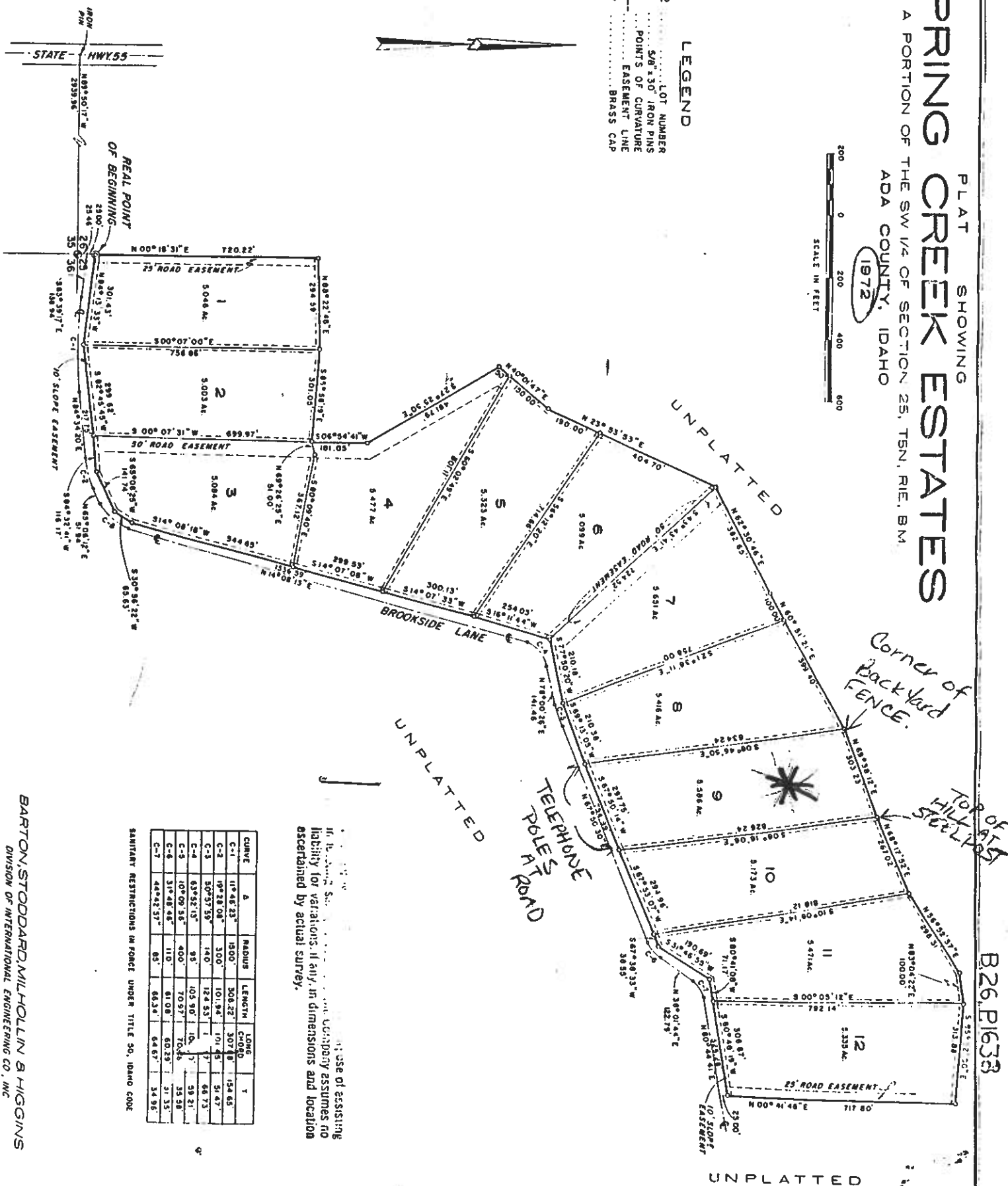
A PORTION OF THE SW 1/4 OF SECTION 25, T5N, R1E, B1M
 ADA COUNTY, IDAHO

1972



LEGEND

- 2 LOT NUMBER
- 5/8" x 30" IRON PINS
- POINTS OF CURVATURE
- EASEMENT LINE
- BRASS CAP



use of existing
 liability for variations, if any, in dimensions and location
 ascertained by actual survey.

CURVE	A	RADIUS	LENGTH	CHORD	T
C-1	11°46'23"	1500'	308.22'	307.18'	154.65'
C-2	19°28'08"	300'	101.94'	101.45'	51.47'
C-3	50°57'59"	140'	124.53'	124.53'	66.73'
C-4	63°52'13"	95'	105.90'	105.90'	28.21'
C-5	10°09'56"	400'	70.97'	70.97'	35.38'
C-6	31°48'46"	110'	81.08'	80.29'	31.35'
C-7	44°42'57"	65'	66.34'	64.67'	34.96'

SANITARY RESTRICTIONS IN FORCE UNDER TITLE 20, IDAHO CODE

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, November 13, 2008 1:17 PM
To: legals@idahostatesman.com
Subject: Legal Notices

Attachments: Ada County Ads - Cover Letter.RTF; 63-12285 Ad.RTF; 63-12286 Ad.RTF; 63-12372 Ad.RTF; 63-12426 Ad.RTF; 63-12486 Ad.RTF; 63-31327 Ad.RTF; 63-31563 Ad.RTF; 63-32220 Ad.RTF; 63-33124 Ad.RTF

Attached please find (9) legal notices being submitted for publication. Please contact me if you have any questions or are not able to run the ads on the dates listed.

Thank You,

Denise Buffington
Idaho Dept of Water Resources
Western Region



Ada County Ads -
Cover Letter....



63-12285 Ad.RTF
(14 KB)



63-12286 Ad.RTF
(14 KB)



63-12372 Ad.RTF
(13 KB)



63-12426 Ad.RTF
(14 KB)



63-12486 Ad.RTF
(13 KB)



63-31327 Ad.RTF
(14 KB)



63-31563 Ad.RTF
(13 KB)



63-32220 Ad.RTF
(13 KB)



63-33124 Ad.RTF
(13 KB)

November 13, 2008

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-12285, 63-12286, 63-12372, 63-12426, 63-12486, 63-31327,
63-31563, 63-32220 & 63-33124

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 12/08/2008. 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:

63-12426

JAMES M GRAMLING
8464 W BROOKSIDE LN
BOISE ID 83714

Point(s) of Diversion NESW S25 T05N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.1 CFS

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

Total Diversion: 0.14 CFS

Date Filed: 11/12/1997

Place Of Use: IRRIGATION

T05N R01E S25 NESW

Number of Acres 5

Place Of Use: DOMESTIC SAME AS IRRIGATION

Remark: Water bearing zone to be appropriated is from 200 to 250 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 12/08/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on November 20th & 27th, 2008

Response Form

Name of Applicant: JAMES M GRAMLING
Address: 8464 BROOKSIDE LN
BOISE, ID 83714

Application No: # 63-12426

(Please read carefully and mark)

☒ **Yes, I intend to proceed with the water use development outlined in the application. I retain full possessory interest in the listed point of diversion and place of use locations on the application. I request the Department continue processing the application.** (Please describe on the back updates/changes needed on your application)

(Please fill in) **The estimated (well) water bearing zone will be**
180 ft to 204 ft below the ground surface.

☐ **No, I do not wish to proceed with final processing of this application. I hereby withdraw my Application for Permit to Appropriate the Public Water of the State of Idaho**

Signed this 28 **day of** August **200** 8

Applicant Signature James M. Gramling

Printed Applicant Name James M. Gramling

Return Form to: J. Westra
Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705



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

July 31, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JAMES M GRAMLING
8464 W BROOKSIDE LN
BOISE, ID 83714

RE: Held Application for Permit #63-12426--Filed November 12, 1997

Dear Applicant:

As you aware, the above reference application for permit located in the Boise River Basin has been held by our agency since the 1990s. The Department began holding new groundwater applications for consumptive use due to prolonged drought and concerns about declining aquifer levels. As a result, the Treasure Valley Ground Water Study was initiated. The study was completed in 2002, and now provides modeling for projecting future groundwater availability in the valley. Our agency will commence processing held applications as staff resources are available.

Attached is a profile report of your application as submitted to our agency. Please check carefully the specifics on the application. You must still have full possessory interest- ownership in the listed point of diversion and place of use land locations for processing consideration. Your application will need to have public notice published in your local county newspaper. The notice will be published once per week for 2 consecutive weeks. Anyone having issue with an application may file a protest within the time allowed.

We are asking for you to convey your intentions regarding this application by completing the attached response form. *Please respond to the following:*

- If you desire to develop the water use, and wish our agency to complete the processing of your application, please mark the *YES* response, provide any updates/changes needed, and list the water bearing zone for the well source.

OR

-Mark the *NO* response to withdraw the application. The application will be removed from processing and our records. Our agency will not be able to provide refunds of fees for withdrawn applications.

-Sign, date, and return the response. Response forms need to returned to this office no later than 30 days of this letter date.

Should you have questions about further processing of this application, please contact Denise Buffington or John Westra at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra, Manager Western Region
Enclosure: Proof Report, Response Sheet



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Robert Ainsworth
8464 Brookside Ln
Boise ID 83703

RE: APPLICATION FOR PERMIT

Dear Mr. Ainsworth:

Your application for permit to appropriate ground water for irrigation and domestic use was received on November 12, 1997. Processing of the application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992, concerning water right applications proposing new consumptive uses of public water. The moratorium has been lifted, but processing of all new or pending applications has been suspended until technical data are available from a comprehensive Treasure Valley ground water study now underway. Initial results of the study will not be available for at least one year.

To facilitate handling of your filing once it can be processed, please provide the following information.

- 1) What is the depth of the water bearing zone developed within the aquifer. Based on your attached well log, it looks like your well's water bearing zone is between 180 and 204 feet. This assumption would require your confirmation.
- 2) Please confirm if the acres are already irrigated from a surface water source. If so, what is the nature of this existing water use (private system or delivery organization; name of organization etc.)? What is the source of this surface water, e.g. Boise River via Farmers Union Ditch Co.? If surface water has been used on the land and will now be replaced with ground water, a mitigation plan will need to be submitted showing how the reduction in aquifer recharge from the surface water source will be compensated.

When your well was drilled in 1991, you paid \$35 for a domestic drilling permit. A well used for irrigation requires a \$200 drilling permit fee. The \$165 difference will be due before your application can be processed.

If the water bearing zone information and additional fee are not received by the time processing can proceed, the Department will send a written request at that time.

This office will hold your application and will begin processing as soon as possible. Delays related to department actions do not affect the date of priority or seniority of any application, once established.

December 9, 1997

Page 2

If you have any questions, please feel free to contact this office at 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Lori Graves".

Lori Graves

Sr Water Resource Agent