

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

## APPLICATION FOR PERMIT

SEP 15 2008

To appropriate the public water of the State of Idaho

WATER RESOURCES  
WESTERN REGION

1. Name: JUSTIN WALKER AND/OR AUBREY WALKER  
9059 KEMP RD  
MIDDLETON ID 83644  
(208)859-2932

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER NE1/4SE1/4 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 6 inches.  
Existing depth of well is 228 feet.
- d. Is ground water with a temperature of greater than 85F being sought? NO
- e. If well is already drilled, when? 3/13/2006  
Drilling Firm: TREASURE VALLEY DRILLING  
Drilling Tag No. D0042304

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

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DEPARTMENT OF WATER RESOURCES

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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 domestic well drilled in 2006, requiring a drilling permit fee upgrade of \$125. Water bearing zone to be appropriated is from 218 to 228 feet. Parcel number R2790753300, Lot 11, Block 2, Willow Creek Ranch Estates No. 3. This application replaces withdrawn Transfer Application 73929. Fee from that withdrawal will cover this new application but not the drilling permit fee upgrade.

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.

*Justin Wally*  
Applicant

Received by DB Date 9-15-08 Time 1:00 pm Preliminary check by RL  
 Publication prepared by DB Date 9/25/08 Published in PRESS TRIBUNE  
 Publication approved \_\_\_\_\_ DATE: \_\_\_\_\_ Date 7 OCTOBER 2 & 9, 2008

Receipt No. W032907

Date: 5/9/05Received by: RL for LH

\$100 fee previously paid

Proposed  
P/U  
+  
P/D

T5N R2W S28 NESE

P/D +  
P/U



63

Form 236-7  
11/97 JGEIDAHO DEPARTMENT OF WATER RESOURCES  
**WELL DRILLER'S REPORT**

838703

| Office Use Only |     |      |  |
|-----------------|-----|------|--|
| Inspected by    |     |      |  |
| Twp             | Rge | Sec  |  |
| 1/4             | 1/4 | 1/4  |  |
| Lat             |     | Long |  |

**1. WELL TAG NO. D 0042304**

DRILLING PERMIT NO. \_\_\_\_\_

Other IDWR No. \_\_\_\_\_

**2. OWNER:**Name Justin & Aubrey WalkerAddress 21570 Lansing LaneCity Middleton State ID Zip 83644**3. LOCATION OF WELL by legal description:**

Sketch map location must agree with written location.

| N                      |  | Twp. <u>5</u>            |  | North <input checked="" type="checkbox"/> or South <input type="checkbox"/> |  |
|------------------------|--|--------------------------|--|-----------------------------------------------------------------------------|--|
| E                      |  | Rge. <u>2</u>            |  | East <input type="checkbox"/> or West <input checked="" type="checkbox"/>   |  |
| S                      |  | Sec. <u>28</u>           |  | 1/4 <u>NE</u> 1/4 <u>SE</u> 1/4                                             |  |
| Gov't Lot              |  | County <u>Canyon</u>     |  | 10 acres 40 acres 160 acres                                                 |  |
| Lat: <u>43°44.408'</u> |  | Long: <u>116°34.422'</u> |  |                                                                             |  |
| Address of Well Site   |  |                          |  |                                                                             |  |

City MiddletonLt. 11 Blk. 2 Sub. Name Willow Creek Ranch**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 | From To  | Sacks or Pounds |        |
| Bentonite        | 0 18'   | 13 Sacks | Overbore        |        |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 218'Was drive shoe seal tested? ☐ Y ☒ N How? \_\_\_\_\_**8. CASING/LINER:**

| Diameter | From To  | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|----------|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 6"       | +2' 218' | .250  | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe 5' Length of Tailpipe 0**9. PERFORATIONS/SCREENS:**
☐ Perforations ☐ Method  
☒ Screens ☐ Screen Type Johnson

| From To   | Slot Size | Number | Diameter | Material | Casing                   | Liner                               |
|-----------|-----------|--------|----------|----------|--------------------------|-------------------------------------|
| 218' 228' | .020      |        | 5"       | SS       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:**

107 ft. below ground Artesian pressure \_\_\_\_\_ lb.

Depth flow encountered 221 ft. Describe access port or control devices: Cap**11. WELL TESTS:**

| Yield gal./min. | Drawdown | Pumping Level | Time   |
|-----------------|----------|---------------|--------|
| 65              | 220'     | 220'          | 2 Hrs. |

Water Temp. 56Bottom hole temp. 56

Water Quality test or comments: \_\_\_\_\_

Depth first Water Encounter 162'**12. LITHOLOGIC LOG:** (Describe repairs or abandonment)

| Bore Dia. | From | To   | Remarks: Lithology, Water Quality & Temperature | Y | N |
|-----------|------|------|-------------------------------------------------|---|---|
| 10"       | 0    | 2'   | Top Soil                                        |   |   |
| 10"       | 2'   | 4'   | Clche                                           |   |   |
| 10"       | 4'   | 18'  | Cemented Sand & Gravel                          |   |   |
| 6"        | 18'  | 24'  | Cemented Sand & Gravel                          |   |   |
| 6"        | 24'  | 32'  | Sticky Tan Clay                                 |   |   |
| 6"        | 32'  | 48'  | Med. Brown Sand & Pea Gravel                    |   |   |
| 6"        | 48'  | 63'  | Sand & Gravel                                   |   |   |
| 6"        | 63'  | 94'  | Sticky Brown Clay                               |   |   |
| 6"        | 94'  | 121' | Gravel                                          |   |   |
| 6"        | 121' | 161' | Sticky Tan Clay                                 |   |   |
| 6"        | 161' | 178' | Fine Brown Sand                                 |   | X |
| 6"        | 178' | 201' | Fine Brown Sand                                 |   | X |
| 6"        | 201' | 212' | Medium Brown Sand                               |   | X |
| 6"        | 212' | 221' | Sticky Tan Clay                                 |   |   |
| 6"        | 221' | 223' | Large Coarse Sand                               |   | X |
| 6"        | 223' | 227' | Medium Coarse Sand                              |   | X |
| 6"        | 227' | 228' | Sticky Tan Clay                                 |   |   |

RECEIVED

MAR 20 2006

WATER RESOURCES  
WESTERN REGIONCompleted Depth 228 (Measurable)Date: Started 3/7/2006Completed 3/13/2006**13. DRILLER'S CERTIFICATION:**

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

Company Name Treasure Valley DrillingFirm No. 560

Firm Official \_\_\_\_\_

Date 3/14/2006

and \_\_\_\_\_

Driller or Operator \_\_\_\_\_

Date 3/14/2006

(Sign once if Firm Official &amp; Operator)

FORWARD WHITE COPY TO WATER RESOURCES

PC-59461

## WARRANTY DEED

FOR VALUE RECEIVED **Mary M. Kemp, Successor Trustee of the Kemp Family Trust**

GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY unto

JUSTIN WALKER & AUBREY WALKER, HUSBAND & WIFE

GRANTEE(s), whose current address is: 1632 Tennessee Drive, Middleton, Id 83644  
the following described real property in Canyon County, State of Idaho, more particularly described as follows to wit:

LOT 11 BLOCK 2, WILLOW CREEK RANCH ESTATES NO. 3, ACCORDING TO  
THE OFFICIAL PLAT THEREOF, CANYON COUNTY, IDAHO.  
SUBJECT TO THE FOLLOWING DEED RESTRICTION (see attached Exhibit "A")

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 2-27-04

Mary M. Kemp  
Mary M. Kemp, Successor Trustee

STATE OF Idaho  
COUNTY OF Ada Canyon

On this 27<sup>th</sup> day of February, in the year 2004, before me a Notary Public, personally appeared Mary M. Kemp, known or identified to me to be the person whose name is subscribed to the within instrument as the trustee of the Kemp Family Trust, and acknowledged to me that she executed the same as such trustee.

Alan D. Mills  
Notary Public

My commission expires on: AUG. 30, 2005  
Residing at: MIDDLETON



RECORDED  
JUL 16 PM 4:33  
C NOEL NALES  
CANYON CNTY RECORDER

200438777

PIONEER-CALDWELL  
REQUEST  
FILED Deed FEB 30

**LEGAL NOTICE**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:  
63-33085

JUSTIN WALKER  
AUBREY WALKER  
9059 KEMP RD  
MIDDLETON ID 83644

Point(s) of Diversion NESES28 T05N R02W CANYON County Source GROUND WATER

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

Date Filed: 09/15/2008

Place Of Use: IRRIGATION

T05N R02W S28

NESE

Number of Acres 1

Remark: Water bearing zone to be appropriated for existing domestic well is from 218 to 228 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 10/20/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR.,  
Director

October 2, 9, 2008

06559097

(Received from Press Tribune)  
✓ OK proofed 9/26/08

**Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Thursday, September 25, 2008 11:15 AM  
**To:** [legals@idahopress.com](mailto:legals@idahopress.com)  
**Subject:** Legal Notices - \*Canyon County  
**Attachments:** Canyon County Ads Cover Letter.RTF; 63-12288 Ad.RTF; 63-12404 Ad.RTF; 63-33085 Ad.RTF; X-fer 73822 Ad.doc; X-fer 74083 Ad.doc

Attached please find (5) 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 Department of Water Resources  
Western Region

9/25/2008

September 25, 2008

**Legal Notice Department**

PRESS-TRIBUNE

PO BOX 9399

NAMPA ID 83652

RE: Application for Permit No. 63-12288, 63-12404, 63-33085

RE: Transfer No. 73822  
Water Right No(s). 63-11139

RE: Transfer No. 74083  
Water Right No(s). 63-33099

**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 10/20/2008. Your cooperation is appreciated.

Sincerely,

Denise Buffington  
Administrative Assistant

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63-33085

JUSTIN WALKER  
AUBREY WALKER  
9059 KEMP RD  
MIDDLETON ID 83644

Point(s) of Diversion NESE 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: 09/15/2008

Place Of Use: IRRIGATION

T05N R02W S28 NESE

Number of Acres 1

Remark: Water bearing zone to be appropriated for existing domestic well is from 218 to 228 feet.

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DAVID R. TUTHILL, JR., Director

Published on October 2<sup>nd</sup> & 9<sup>th</sup>, 2008



## 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](http://www.idwr.idaho.gov)

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.

63-33085

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,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester  
Water Rights Supervisor

Enclosure