

RECEIVED

AUG 15 2008

FORM 202
12/99WATER RESOURCES
WESTERN REGIONAmended XIdent. No. 63-31147

RECEIVED

DEC 29 2000

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Philip N. and Lida R. Fry, trustees Home's Hill Trust Phone (208) 939-9267
Mailing address 4122 HOMER RD EAGLE, IDAHO 83616
2. Source of water supply groundwater which is a tributary of N/A
3. Location of point of diversion is Township 5N Range 1W Sec. 25 in the SE 1/4 SE 1/4, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: none

4. Water will be used for the following purposes:

- Amount .140 CFS for irrigation purposes from April 1 to Oct 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)
- 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) .140 CFS 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 N/A well pump, to sprinklers and/or drip irrigation ^{pipel}
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. Proposed well diameter is 6" inches; proposed depth of well is 200' feet
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? 1996; Drilling firm Phipps Drilling and Pumps; Well was drilled for (well owner) Philip and Lida Fry; Drilling Permit No. 730683 8/9/15/96
7. Time required for completion of works and application of water to proposed beneficial use is 4 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:

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	
5N	1W	25									*	*	*	*					14 acres
											40	40	40	40					160 acres
											PR	PR	PR	PR					

* Please NOTE: This permit is for 14 acres PRZ within a permissible place of use of 160 acres. Total number of acres to be irrigated ~~160~~ 14

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? Homer's Hill Trust

b. Who owns the land to be irrigated or place of use? Homer's Hill Trust

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

12. Remarks: Expect to add a second well in future in the same 40A quarter/quarter section to fully provide 0.14 cfs

The change to 14A will support our range grass and a change to grades in the future. BPSalsa is not planned, ever.

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.

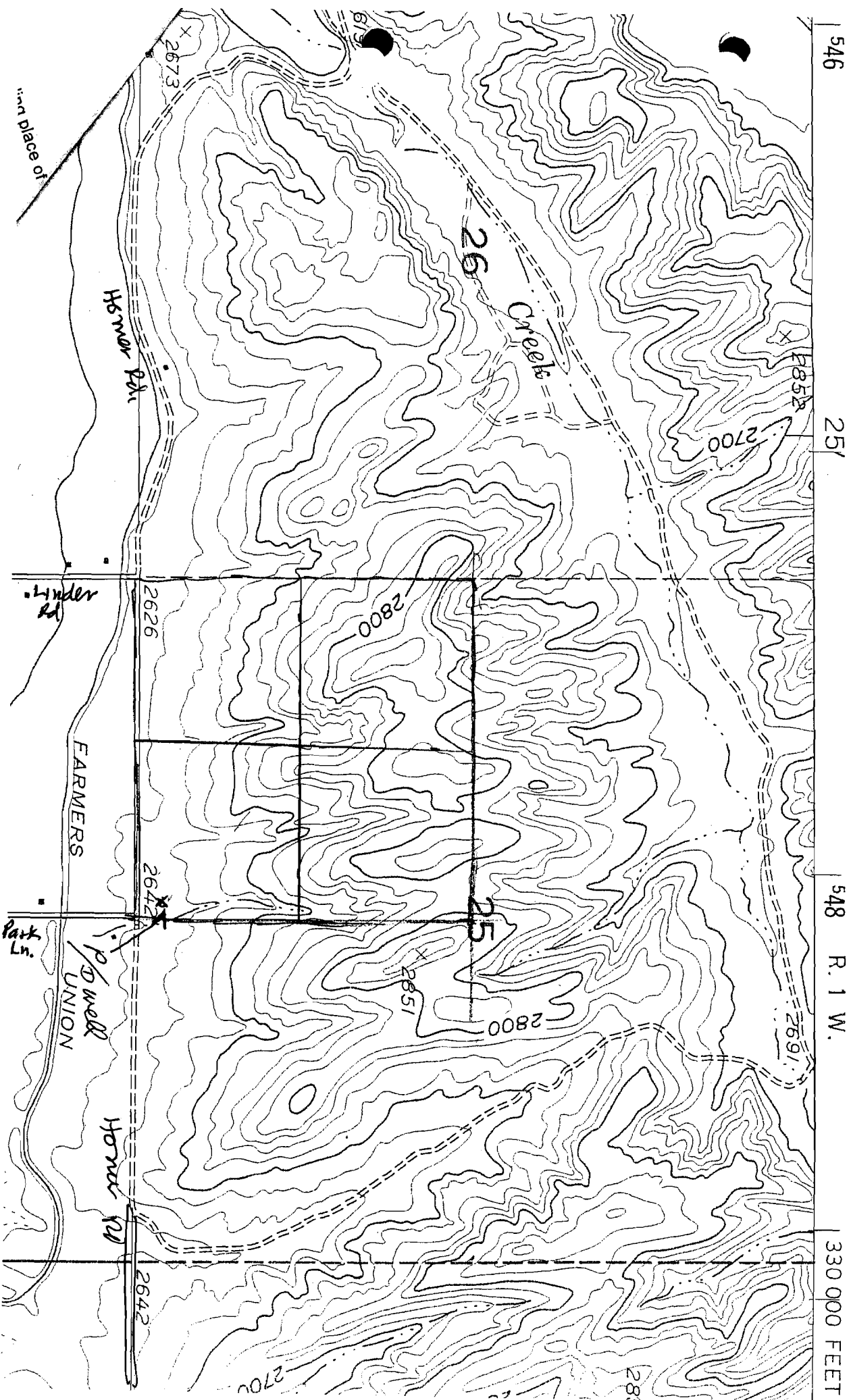
* Lida R Fry, Trustee Philip Fry Trustee
Signature of Applicant (and title, if applicable)

Received by John Date 12/29/00 Time 1:13 Preliminary check by _____
Fee \$ 100.00 Receipted by John # W027258 Date 12/29/00
Publication prepared by DO Date 9/25/08 Published in IDAHO STATESMAN
Publication approved _____ DATE: _____ Date 7 OCTOBER 2 & 9, 2008

* Amended application submitted with process Response Sheet 8/15/08
See signatures and date. JFW

STAR

7.5 MINUTE



RECEIVED

DEC 29 2000

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 Philip N. and Lida R. Fry, trustees ^{Homer's Hill} Trust Phone (208) 939-9267
Mailing address 4122 HOMER RD EAGLE, IDAHO 83616
2. Source of water supply groundwater which is a tributary of N/A
3. Location of point of diversion is Township 5N Range 1W Sec. 25, in the SE^{TRF} 1/4,
SE 1/4, SW 1/4, Govt. Lot _____, B.M., Rda County;
additional points of diversion if any: none
4. Water will be used for the following purposes:
- | | |
|--|--|
| Amount <u>.140 CFS</u> for <u>irrigation</u> | purposes from <u>April 1</u> to <u>Oct 15</u> (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) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) .140 CFS 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: N/A well pump to
sprinklers
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet
- c. Proposed well diameter is 6" inches; proposed depth of well is 200' feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 1996; Drilling firm Phipps Drilling and Pumps;
Well was drilled for (well owner) Philip and Lida Fry; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 4 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:

- 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	
5N	1W	25									*	*	*	*					7 acres *
											40	40	40	40					
											JRF	JRF	JRF	JRF					

* Please NOTE: This permit is for 7 acres JRF within a permissible place of use of 160 acres. Total number of acres to be irrigated 7

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? Homer's Hill Trust

b. Who owns the land to be irrigated or place of use? Homer's Hill Trust

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

12. Remarks:

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.)

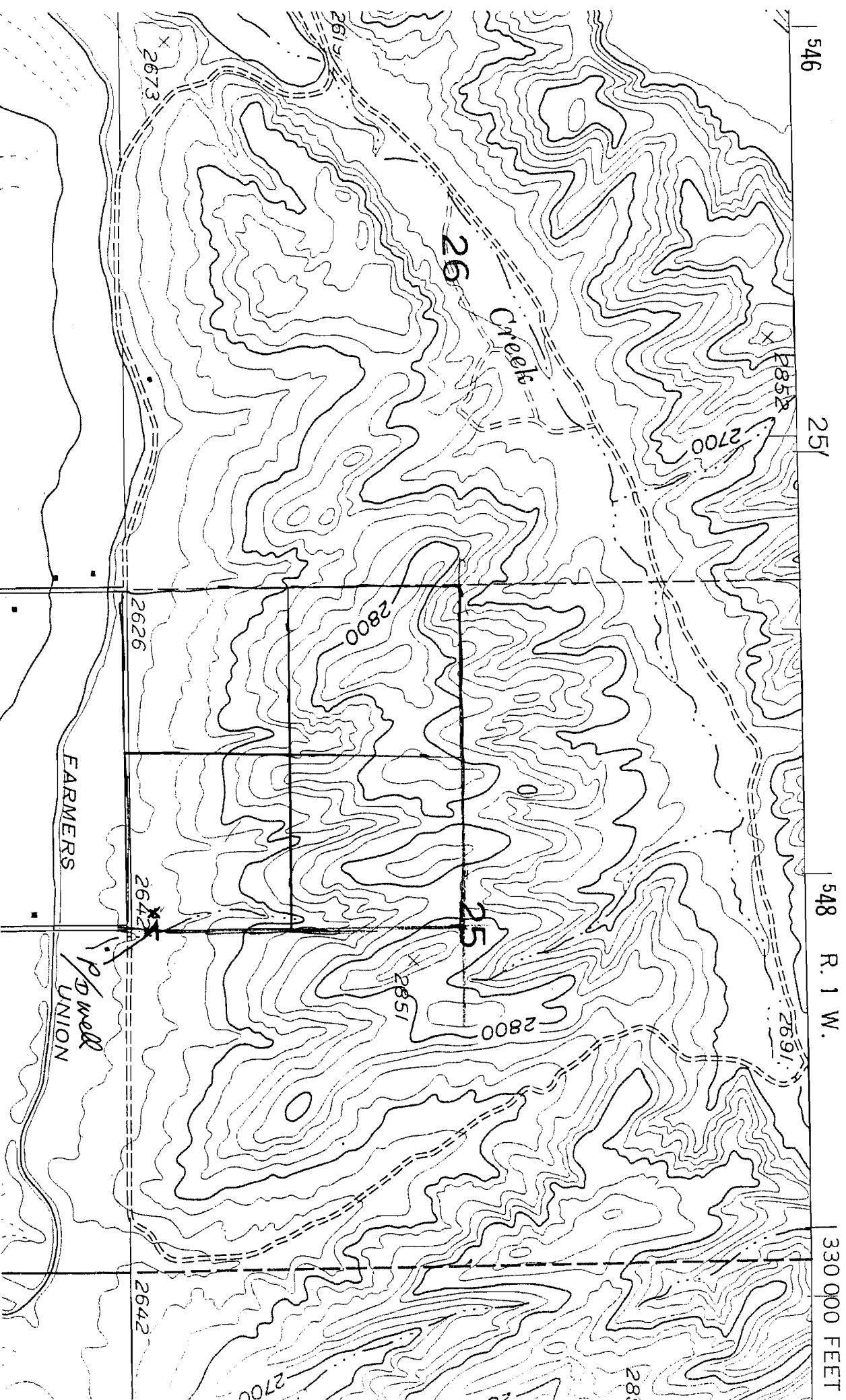
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Linda R Fry, Trustee Philip Fry, Trustee
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 12/29/00 Time 1:13 Preliminary check by _____
Fee \$ 100.00 Receipted by [Signature] # W027258 Date 12/29/00
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

STAR

7.5 MINUTE



REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Lida R Fry, trustee Homer's Hill Trust
Mailing Address 4122 Homer Rd
Eagle, Id. 83616
Application No. _____
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

A WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature Lida R Fry, trustee Homer's Hill Trust
Date Dec. 29, 2000

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Buffington, Denise

From: Buffington, Denise

Sent: Thursday, September 25, 2008 11:13 AM

To: legals@idahostatesman.com

Subject: Legal Notices

Attachments: Ada County Ads Cover Letter.RTF; 63-12211 Ad.RTF; 63-12240 Ad.RTF; 63-12251 Ad.RTF; 63-12253 Ad.RTF; 63-12341 Ad.RTF; 63-12389 Ad.RTF; 63-31147 Ad.RTF; 63-32674 Ad.RTF; X-fer 73823 Ad.doc; X-fer 74082 Ad.doc; X-fer 74580 Ad.doc; X-fer 74752 Ad.doc; X-fer 75059 Ad.doc

Attached please find (13) 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

IDAHO STATESMAN

PO BOX 40

BOISE ID 83707

RE: Application for Permit No. 63-12211, 63-12240, 63-12251, 63-12253, 63-12341, 63-12389
63-31147 & 63-32674

RE: Transfer No. 73823
Water Right No(s). 63-33098

RE: Transfer No. 74082
Water Right No(s). 63-3034C

RE: Transfer No. 74580
Water Right No(s). 63-33100

RE: Transfer No. 74752
Water Right No(s) 63-4023A 63-4086A 63-4980 63-4981 63-4982

RE: Transfer No. 75059
Water Right No(s) 63-3266 63-8215 63-11970

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

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

63-31147

PHILIP N FRY
LIDA R FRY
HOMERS HILL TRUST, TRUSTEES
4122 HOMER RD
EAGLE ID 83616

Point(s) of Diversion SESW S25 T05N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 12/29/2000

Place Of Use: IRRIGATION

T05N R01W S25 NESW NWSW SWSW SESW

Number of Acres 160

Remark: Water bearing zone to be appropriated is from 90 to 200 feet.
Irrigation is for 14 acres within a 160 acre permissible place of use

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

Published on October 2nd & 9th, 2008

RECEIVED

AUG 15 2008

WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: Philip N and Lida R Fry

Address: 4122 Homer RD

Eagle ID 83616

Application No: # 63-31147 ~~X~~

(Please read carefully and mark)

☒ Yes, I intent 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

90 ft to ~~100~~ ft below the ground surface.

~~100~~
200'

☐ 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 14 day of August 2008

Applicant Signature Philip Fry and Lida R Fry

Printed Applicant Name Philip Fry and LIDA R. FRY

Return Form to: J. Westra

Idaho Dept. of Water Resources

2735 Airport Way

Boise ID 83705

X Attached Amended application form. JFW

MEMORANDUM

____ Office Visit

____ ☒ Telephone

____ Meeting

TO 63-31147
FROM JL
DATE 8/14/08
RE Response Form & 7/23/08 Letter

Philip F. Calkins today to discuss -

Will send form soon, does want to proceed.

Probably will add possible second well in same QQ since does not think existing domestic well can produce 0.14 cfs.

W.B. zone @ 150-200 ft. per existing & possible proposed well

(Did not discuss but will need WD fee upgrade @ domestic well = \$125 per attached)

D/I well log attached. Discussed adding domestic use to Appl. - advised him probably better to leave domestic use as separate b.v. (unrecorded) right.



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 23, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Philip N and Lida R Fry
4122 Homer RD
Eagle ID 83616

RE: Held Application for Permit #63-31147--Filed 12/29/00

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 proof profile 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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31147

WATER RIGHT NUMBER: 63-31147

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LIDA R FRY HOMERS HILL TRUST TRUSTEE 4122 HOMER RD EAGLE, ID 83616 (208)939-9267

Current Owner	PHILIP N FRY HOMERS HILL TRUST TRUSTEE 4122 HOMER RD EAGLE, ID 83616 (208)939-9267
---------------	--

Priority Date: 12/29/2000

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	04/01 to 10/15	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 25, Twp 05N, Rge 01W, B.M.
ADA County		

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	01W	25									40.0	40.0	40.0	40.0					160.0

Total Acres: 160

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 63-31147

Comments:

1. slester 12/7/2004 10:10:16 A M Special Administration Area Notes

Comment: Special Administration Areas : Basin 63 administrative hold

Exempt: N

Reason: Ground Water

Doc Attached:

Explanation: Application held in Basin 63 processing delay that replaced withdrawn moratorium 1995-1996

Dates and Other Information:

Application Received Date: 12/29/2000

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: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: PLEASE NOTE: This application is for 7 acres within the 160 acre permissible place of use.

Other Water Rights:

Time to Complete Works: 4

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: True

Combined Use Limits:

Lester, Steve

From: Keen, Shelley
Sent: Tuesday, December 07, 2004 8:15 AM
To: Lester, Steve
Subject: 63-31147

Steve,

Just a little database cleanup item this morning. Application 63-31147 is in your hold drawer according to the file inventory system. Its status is "draft." Can you check to see if it would be appropriate to change the status to "active" and to set the draft flag to "yes"?

Thanks.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-287-4947
shelley.keen@idwr.idaho.gov

done 12/7/04 SK ✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 3, 2001

Philip and Lida Fry
4122 Homer Rd
Eagle ID 83616

RE: APPLICATION FOR PERMIT

Dear Applicants:

Your recent application for permit to appropriate ground water for a consumptive use was received on 12/29/00. Processing of this 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, regardless of source. The moratorium was lifted in May 1995, but application processing was subsequently suspended until technical data was available from the Treasure Valley Hydrologic Study. This study has been completed, but the processing hold on water rights in the Treasure Valley will not be lifted until a plan has been developed to determine a prudent way to issue water rights.

This office will hold your application and will resume processing as soon as possible based on the above considerations. Applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of an application. You may circumvent this processing hold by submitting a mitigation plan for this application. If you choose to submit mitigation, I would recommend that you hire a consultant to put together the necessary elements of an acceptable mitigation plan.

Please contact me at 334-2190 if you have any questions.

Sincerely,

Lori Graves
Water Allocations

DRILLING PERMIT FEES

EXEMPTED DOMESTIC WELLS

FOR WR FILINGS

DRILLING PERMITS REQUIRED FOR ALL WELLS DRILLED ON OR AFTER 7/1/1987.

USE PRIOR FEE SCHEDULE TO DETERMINE DP FEE UPGRADE FOR EXEMPTED DOMESTIC WELL INVOLVED IN WATER RIGHT FILING (PERMIT, TRANSFER ETC.) WHERE \$200 DP REQUIRED.

REGIONAL OFFICE SHOULD SOLICIT DP FEE UPGRADE IN WR PROCESSING (OFFICE VISIT, TELEPHONE CALL OR LETTER OK).

APPLICANT NOT REQUIRED TO PAY UNTIL LATER IN PROCESS, REGION CANNOT VOID WR FILING BASED ON NONPAYMENT.

CONTINUE PROCESSING WR APPLICATION, DOCUMENT THE FILE AND LET STATE OFFICE RESOLVE THIS.

EXEMPTED DOMESTIC FEES:

7/1/1987 TO 6/30/1990 \$10 UPGRADE = $200 - 10 = \$190$

7/1/1990 TO 6/30/1996 \$35 UPGRADE = $200 - 35 = \$165$

ON/AFTER 7/1/1996 \$75 UPGRADE = $200 - 75 = \$125$

