

825000

OF ORIGINAL

Ident. No. _____

COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

See IRRIGATION
APPLICATION FOR
ORIGINAL DAW
3-27-01

1. Name of Applicant Edward C. Kershner Phone 208-385-0353

Mailing address 1911 N. 31st ; Boise, Id; 83703

2. Source of water supply X which is a tributary of _____

3. Location of point of diversion is Township 1N Range 1W Sec. 5, in the SW 1/4,
NE 1/4, _____ 1/4, Govt. Lot _____, B.M., X County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 69 cfs for irrigation purposes from 15 Mar to 15 Nov (both dates inclusive)
(cfs or acre-feet per annum)

Amount 04 cfs for stockwater purposes from 01 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)

Amount 04 cfs for domestic purposes from 01 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)

Amount 04 cfs for heating * purposes from 15 Nov to 15 Mar (both dates inclusive)
(cfs or acre-feet per annum)

Amount 04 cfs for cooling * purposes from 15 Mar to 15 Nov (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) 73 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 *

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is 12 inches; proposed depth of well is 300 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? No; Drilling firm Adams on

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is * 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. 40 head of cows or 200 sheep

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 01

e. Other; describe fully. _____

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.

[illegible]

Boise kuma? ?

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Edward C. Kershner
 b. Who owns the land to be irrigated or place of use? Edward C. Kershner
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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.


Signature of Applicant (and title, if applicable)

Received by LM Date 11-20-00 Time 4:33 Preliminary check by _____
 Fee \$ 250.00 Received by LM # W027171 Date 11-20-00
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

FOI # 202
1/96

RECEIVED

MAR 28 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident No. 63-3171

APPID # 68979

AMENDED

1. Name of Applicant Edward C. Kershner Phone 385.0353

Post Office address 1911 North 31st Street, Boise, Idaho 83703

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 1 N Range 1 W B.M. Ada County; additional points of
diversion of any: None

4. Water will be used for the following purposes:

Amount 0.69 cfs for Irrigation purposes from 03/15 to 11/15 (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) 0.69 and/or (b) _____
cubic-feet per second acre-feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Groundwater well equipped with submersible pump to irrigation
mainline (along east side of property) via pipeline extension/connection.

b. Height of storage dam n/a Feet; active reservoir capacity n/a Acre-feet; total
Reservoir capacity n/a acre-feet; period of year when water will be diverted to storage:
n/a to n/a Inclusive.

c. Proposed well diameter is 8-inches Inches; proposed depth of well is ~ 300-feet
(anticipated) feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? No; Drilling firm Adamson Pump & Drilling Co.

Well was drilled for (well owner) Edward C. Kershner

7. Time required for completion of works and application of water to proposed beneficial use is 1 1/2 Years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

Irrigation

a. Hydropower; show total feet of head and proposed capacity if 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	SE	SW	NE	NW	SW	SE	
1N	1W	5			Irr. 20.5												Irr. 14.0		

Total number to be irrigated 34.5

10. Describe any other water rights used for the same purposes as described above. Applicant possesses 28.1 shares of

Boise/Kuna Irrigation District canal water for agricultural crop irrigation purposes (not adequate to irrigate Applicant's property).

11. a. Who owns the property at the point of diversion? Edward C. Kershner (applicant)

b. Who owns the land to be irrigated or place of use? Applicant

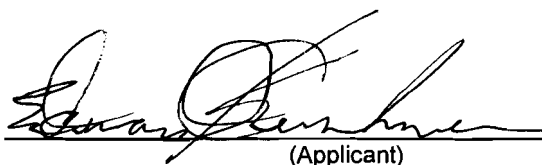
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: n/a

12. Remarks: Water bearing zone between 160 – 300 feet. It is the Applicant intend to apply for 0.69 cfs of groundwater

Irrigation IDWR water rights in order to make his land more productive and satisfy the demand of the agriculture crop land.

13. MAP OF PROPOSED PROJECT ATTACHED X Show clearly the proposed point of diversion, place of use, section number1, township and range number.

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.


(Applicant)

Edward C. Kershner

Received by DAN Date 3-28-01 Time 8:30 Preliminary check by DAN
 Fee \$ 150.00 / 1,000.00 Receipted by LM / DAN # 4627171 / Date 11-20-2000 / 3-28-2001
 Publication prepared by DB Date 9/10/2008 Published in IDAHO STATESMAN
 Publication approved DATE: Date SEPTEMBER 18 & 25, 2008

REQUEST TO PROCESS

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

Name of Applicant Edward C. Kershner
Mailing Address 1911 North 31st Street
Boise, ID 83703
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.

XX 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

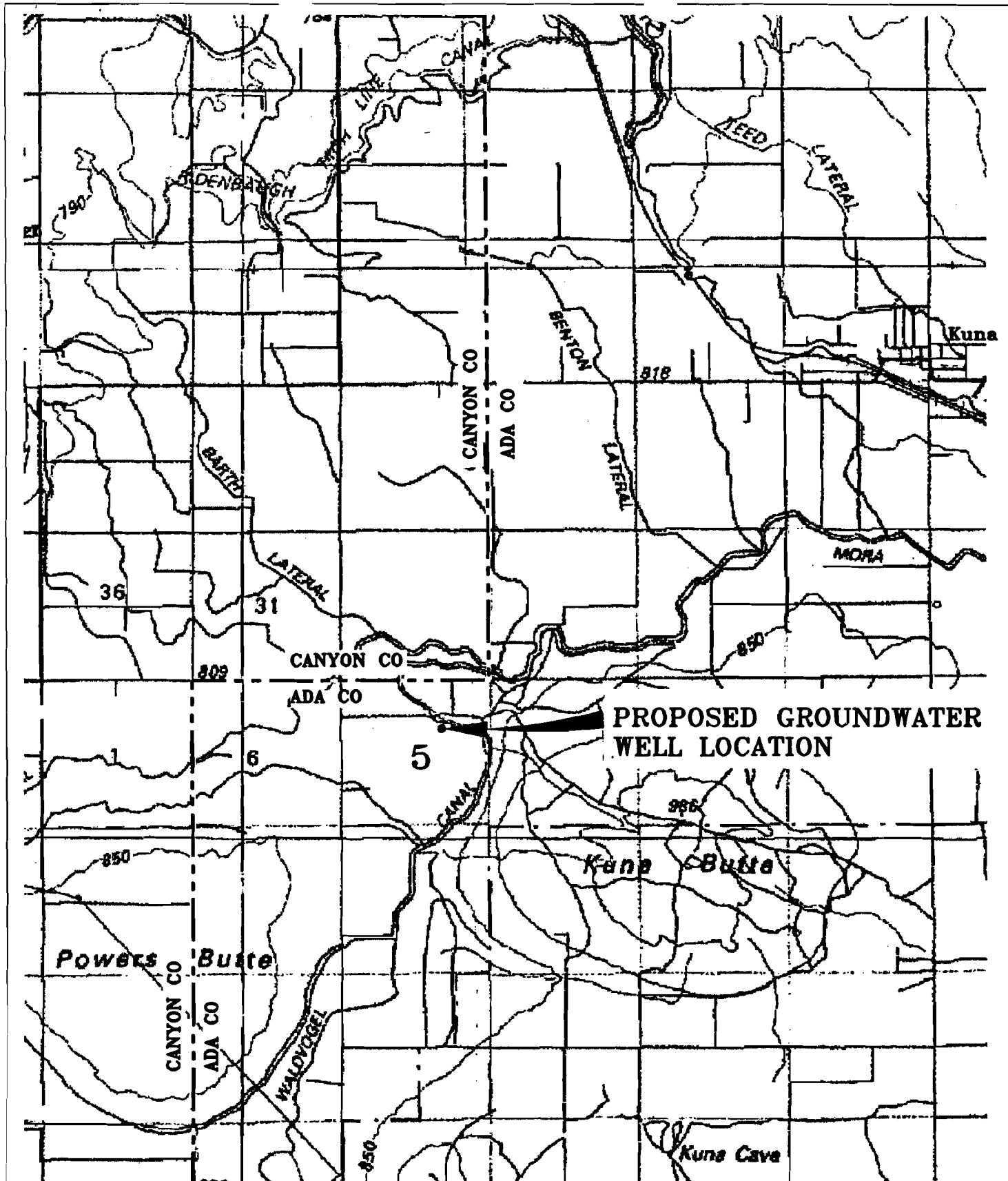


Date

March 27, 2001

Please return this form to:

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



DESIGNED BY: _____ CHECKED BY: DLU
 DRAWN BY: KK APPROVED BY: _____
 LAST EDIT: 3/22/01 PLOT DATE: 3/22/01

DATE	BY	REV	REVISION	CK'D/APPR



3130 S. Owyhee St.
 Boise, Idaho
 83705-4788
 (208)348-6400
 (208)348-6350 Fax
 info@whpacific.com

EDWARD C. KERSHNER
SECTION 5 (NE 1/4, SW 1/4, NE 1/4,) T. 1 N., R 1W.
I.D.W.R. APPLICATION FOR PERMIT

KUNA

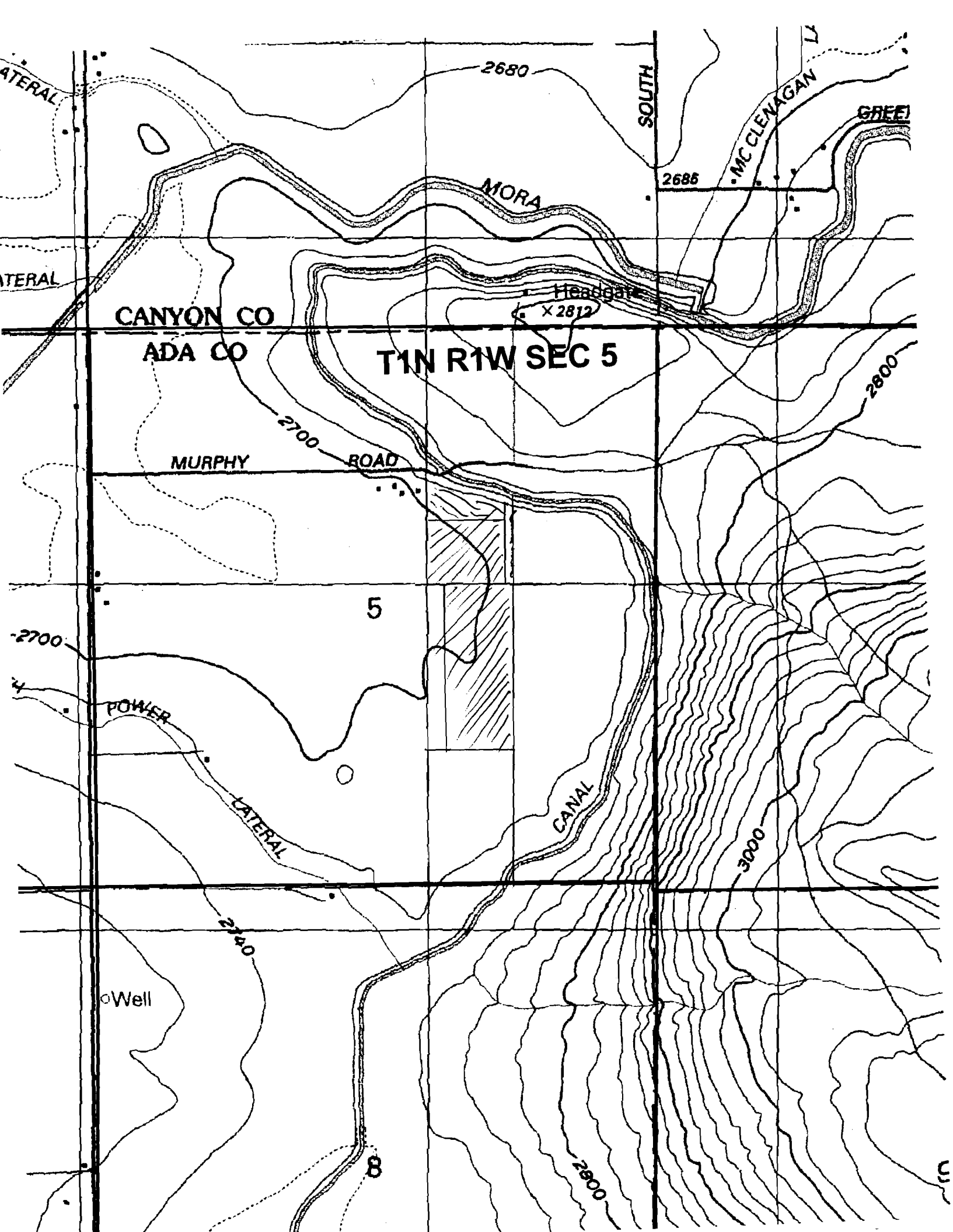
SCALE: NTS

PROJECT NO. XXX

DRAWING FILE NAME: EK_PERMIT.DWG

IDAHO

SHEET 1





This is a black and white aerial photograph of a rural landscape. A river flows from the top left towards the right side of the image. The land is divided into various fields and patches of vegetation. In the center-right, there is a small, light-colored rectangular area, possibly a building or a cleared field. To the right of this area, there are handwritten annotations in dark ink. The text 'T1N R1W SEC 31 SWNE' is printed in a bold, sans-serif font across the lower-middle portion of the image. Two white circular marks are visible at the top edge of the photograph.

Handwritten annotations on the right side of the image include:

- A small circle with a dot inside, located near the center-right.
- The letters 'PAC' written vertically.
- The letters 'PAC' written horizontally.

T1N R1W SEC 31 SWNE



TRANSMITTAL

To: Daniel Nelson
Senior Water Rights Agent
Company: State of Idaho
Department of Water Resources
Address 2735 Airport Way
City/State Boise, ID 83705-5082
Date: March 28, 2001
Project Number:
Project Name Edward C. Kershner Water Rights
Application for Irrigation Water
Re: Submittal of Application for Permit
Phone:
Fax:

From: Doug Unger
Phone: (208) 342-5400
Fax: (208) 342-5353

Confidentiality Notice: This facsimile is intended only for the use of the individual and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that the unauthorized dissemination, distribution or copying of this communication, or the talking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect). Thank you.

We are sending:

- ☒ Attached
☐ Facsimile

These Are Transmitted:

- ☒ For Your Info/File
☐ As Requested
☐ For Review & Comment

Copied To:

Edward Kershner

# Of Pages Including Cover	
Copies	Description
2	Edward C. Kershner - Permit Application for Groundwater Irrigation Water Rights; Ada County: Section 5, T1N., R.1W.

Comments:

Dear Mr. Nelson,

Per our meeting and discussion on Friday March 23, 2001, the attached application for Edward C. Kershner irrigation water rights is forwarded to IDWR for placement in subsequent water rights processing. Mr. Kershner has also attached a payment check in the amount of \$100.00 as the outstanding balance of his application fees (for two separate application submittals: domestic (formerly submitted), and irrigation (attached)). Please process the water rights application document at your earliest convenience and as allowed by administrative provisions. If you have any questions and/or comments, or desire additional information, please do not hesitate to call me at 342.5400.

Sincerely,
Doug Unger

Civil and Structural Engineering ♦ Landscape Architecture
Planning ♦ Surveying and Mapping

Washington ♦ Oregon ♦ Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

3/28/2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W & H PACIFIC
ATTN: DOUGLAS UNGER PE
3130 S OWYHEE ST
BOISE ID 83705

COPY

RE: APPLICATION FOR PERMIT FOR EDWARD C KERSHNER

Dear Mr. Unger:

When you gave me the irrigation application for permit for Edward C. Kershner, you gave 2 signed copies. I am returning one of those copies with this letter. I assume it is Mr. Kershner's copy. I date stamped this copy on the date that I received the application. I also included a copy of the delay letter that I sent to Mr. Kershner for your records. The water right number for the Domestic, Stockwater, Heating, and Cooling is 63-31190 and the water right number for the irrigation right is 63-31191. I have submitted copies of the profile reports for your records also. A profile report is a computer-generated copy of the applications.

When you delivered the irrigation right I told you that I would need a letter from you explaining that the domestic right would be re-injected into the same water bearing zone either through the same well or an second well. This will be for our records to show that the application is truly a non-consumptive use. You may have already faxed this letter to me. I just wanted to confirm that this letter was needed for your records.

If you have any questions please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read 'Daniel A. Nelson'.

Daniel A. Nelson
Sr. Water Right Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

3/28/2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

EDWARD C KERSHNER
1991 NORTH 31ST STREET
BOISE ID 83703

COPY

RE: APPLICATION FOR PERMIT NO. 63-31191

Dear Mr. and Ms. Anderson:

Your application for permit to appropriate ground water for a consumptive use was received on 3/28/2001. 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, 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 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.

Respectfully,

Daniel A. Nelson
Water Rights Agent



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

Edward C Kershner
1911 N 31st ST
Boise ID 83703

DAVID R. TUTHILL, JR.
Director

RE: Held Application for Permit #63-31191--Filed 11/20/00

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

RECEIVED

JUL 25 2008

WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: Edward C Kershner
Address: 1911 N 31st ST
Boise ID 83703

Application No: # 63-31191

(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
160 ft to 300 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 23 day of July 200 8

Applicant Signature 

Printed Applicant Name Edward C Kershner

Return Form to: J. Westra

Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705

Buffington, Denise

From: Buffington, Denise

Sent: Wednesday, September 10, 2008 3:01 PM

To: legals@idahostatesman.com

Subject: Legal Ads

Attachments: Ada County Ads - Cover Letter.RTF; 63-12254 Ad.RTF; 63-12592 Ad.RTF; 63-31191 Ad.RTF; 63-31592 Ad.RTF; 63-32602 Ad.RTF

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

9/10/2008

September 10, 2008

Legal Notice Department

IDAHO STATESMAN

PO BOX 40

BOISE ID 83707

RE: Application for Permit No. 63-12254, 63-12592, 63-31191, 63-31592 and 63-32602

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 10/06/2008. 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:

63-31191

EDWARD C KERSHNER
1911 N 31ST ST
BOISE ID 83703

Point(s) of Diversion NESWNE S5 T01N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.69 CFS

Total Diversion: 0.69 CFS

Date Filed: 03/28/2001

Place Of Use: IRRIGATION

T01N R01W S5 SWNE NWSE

Number of Acres 34.5

Remark: Water bearing zone to be appropriated is from 160 to 300 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 10/06/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on September 18th & 25th, 2008