

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**Applicant Shawn Mikelson Phone (208) 482-7218Address 20755 Rodeo LaneCity Wilder State ID Zip Code 83676**A. DESCRIPTION OF WATER SOUGHT FOR RENTAL**

1. Source of water ground water
which is tributary to NA
2. Maximum volume of water sought 20 AF.
3. Maximum rate of diversion 0.04 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Commercial
2. Location of point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21,
Township 4N, Range 5W, B.M. Canyon County.
3. Season of use: From 4/1/04 to 10/15/05
4. Description of diverting works:
Pump HP 10 Lift 200 (?) Pump type submersible
Canal name, if appropriate NA
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.
NA

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

Commercial use for truck washout and dust control.

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

NA

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

Applicant

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

Applicant

9. Are you seeking a rental for more than one (1) year? Yes

If so, how many years? 1.5

10. Remarks: _____

3/17/04

Date

Shu W

Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by MC Date 3/22/04 Time _____

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____



Development Services Department

1115 Albany Street Caldwell, Idaho 83605 (208) 454-7458 (208) 454-6633 Fax
DSDInfo@Canyoncounty.org

RECEIVED

MAR 22 2004

March 16, 2004

Shawn Mikelson
20755 Rodeo Ln.
Wilder, ID 83676

Department of Water Resources

RE: Case # CU2003-460

Dear Mr. Mikelson:

This letter is in response to a telephone request by Terry Scanlan of Scanlan Engineering for Development Services Department (DSD) to temporarily approve your use of rented water rights through Idaho Department of Water Resources' (IDWR) water supply bank. This temporary approval would serve the purpose of supplying water to an approved (Conditional Use Permit #CU2003-460) commercial car/truck wash facility during the period that you are attempting to gain approval for your surface water right transfer through IDWR or purchase well water rights from groundwater sources currently held by others.

I have personally spoken with Cynthia Clark of IDWR and she indicated this is a typical situation and action used by individuals awaiting their final decision on surface water rights transfers and/or purchase of ground water rights through IDWR. I hereby agree to extend your condition #5, which states:

"A water-right transfer of surface water rights to provide water for the facility in the summer, and/or a well with a purchased water right to provide water for the facility in the winter shall be completed prior to construction of any part of the proposed facility. Written documentation from the Idaho Department of Water Resources and the Wilder Irrigation District shall be submitted to Development Services demonstrating that adequate water is available to serve the proposed use and that the proper steps have been completed through both agencies."

This extension is conditioned on written documentation from IDWR that you have secured a legal right to rent water from IDWR's controlled water bank, the length of time the rental contract covers and proof that you are attempting to secure either a transfer of surface water rights or a purchase of well water rights. If this documentation is provided to DSD, then the extension will be for the period indicated on the IDWR water rental agreement but shall not exceed one year from the date of your CUP approval on October 16, 2003.

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of county ordinances

Shawn Mikelson
March 16, 2004
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If the rental agreement with IDWR indicates less than one year, then you shall continue to supply valid documentation of rental agreements with IDWR until October 16, 2004. Should you not secure permanent water rights within this time frame and you can demonstrate timely application to IDWR for transfer of surface water rights or proof of your attempts to purchase well water rights, an extension of time to use rented water from IDWR's water bank may be considered. Any extension must be upon written application to DSD, demonstration of a continued water rental through IDWR, and approval by the Director of DSD for additional time.

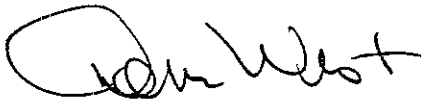
As well, a letter must be submitted to DSD from the Wilder Irrigation District demonstrating that you have worked with the Boise Project Board of Control to ensure that drainage and runoff from this property does not flow directly into Wilder irrigation canals and delivery systems and that water usage and placement for this operation has been addressed by Wilder Irrigation District personnel.

Further, you are reminded of your responsibility to submit to DSD of a copy of an Idaho State Department of Agriculture (ISDA) permit for a commercial livestock washing facility prior to the commencement of operations. To date, this office has not received a copy of your ISDA permit.

Once the conditions of the CUP have been met, you are free to begin operation of your truck wash facility. Prior to fulfilling your permit conditions, any operation of this facility will be a violation of your CUP and enforcement will be pursued through DSD.

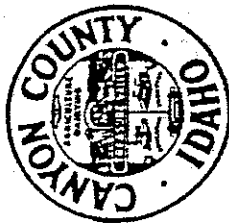
Please let me know if I can be of further assistance or if you have any questions concerning the necessary documentation discussed in this correspondence.

Sincerely,



Donna West, Director
Development Services Department

cc: CU-2003-460 File
DSD Correspondence File
Wilder Irrigation District
Idaho State Department of Agriculture/John Bilderback
Terry Scanlan/Scanlan Engineering



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458

CONDITIONAL USE PERMIT

This certifies that Shawn Mikelson received a Conditional Use Permit, granted by the Canyon County Planning and Zoning Commission, on October 16, 2003, to operate a truck wash facility on approximately one (1) acre of a ten (10) acre parcel.

The Conditional Use Permit was applied for, noticed, and approved as Case # CU2003-460.

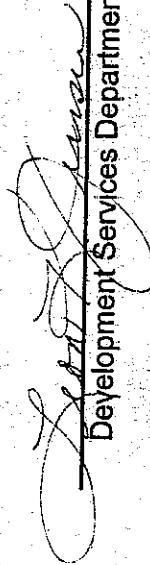
This permit was approved with the following conditions:

1. The development complies with all applicable federal, state, and county, laws, ordinances, rules and regulations that pertain to the property.
2. The development shall comply with all ISDA state permitting requirements for a commercial livestock truck wash facility per IDAPA 02.04.23 (Exhibit C.4). The applicant shall submit a copy to Development Services of the approved state permit prior to the commencement of operations.
3. A water-right transfer of surface water rights to provide water for the facility in the summer, and/or a well with a purchased water right to provide water for the facility in the winter shall be completed prior to construction of any part of the proposed facility. Written documentation from the Idaho Department of Water Resources and the Wilder Irrigation District shall be submitted to Development Services demonstrating that adequate water is available to serve the proposed use and that the proper steps have been completed through both agencies.
4. One hundred feet of Rodeo Lane, south of Peckham Road, shall be paved according to the Golden Gate Highway District standards for base construction and pavement width and type.

5. Rodeo Lane, south of the intersection of Peckham Road, shall be treated with Magnesium Chloride, or other dust control measure as approved by the Golden Gate Highway District, once a year to mitigate the dust generated by the truck traffic.
6. Solid or liquid waste from the facility shall not be land applied closer than 1,000 feet from any existing residence and will meet all rules and regulations of applicable federal and state agencies.
7. No harmful chemicals shall be placed in the water utilized to wash the trucks.
8. All lighting associated with the truck washing facility shall be directed downwards.
9. Operating hours shall be 7 days a week from 6 a.m. to 6 p.m.

This permit is for the following property: R36975-010

- ☒ This permit is for the land, is perpetual, and there is no expiration date.
☐ This permit is for the following individual, not the land:
☐ This permit is temporary and will expire on:


Development Services Department