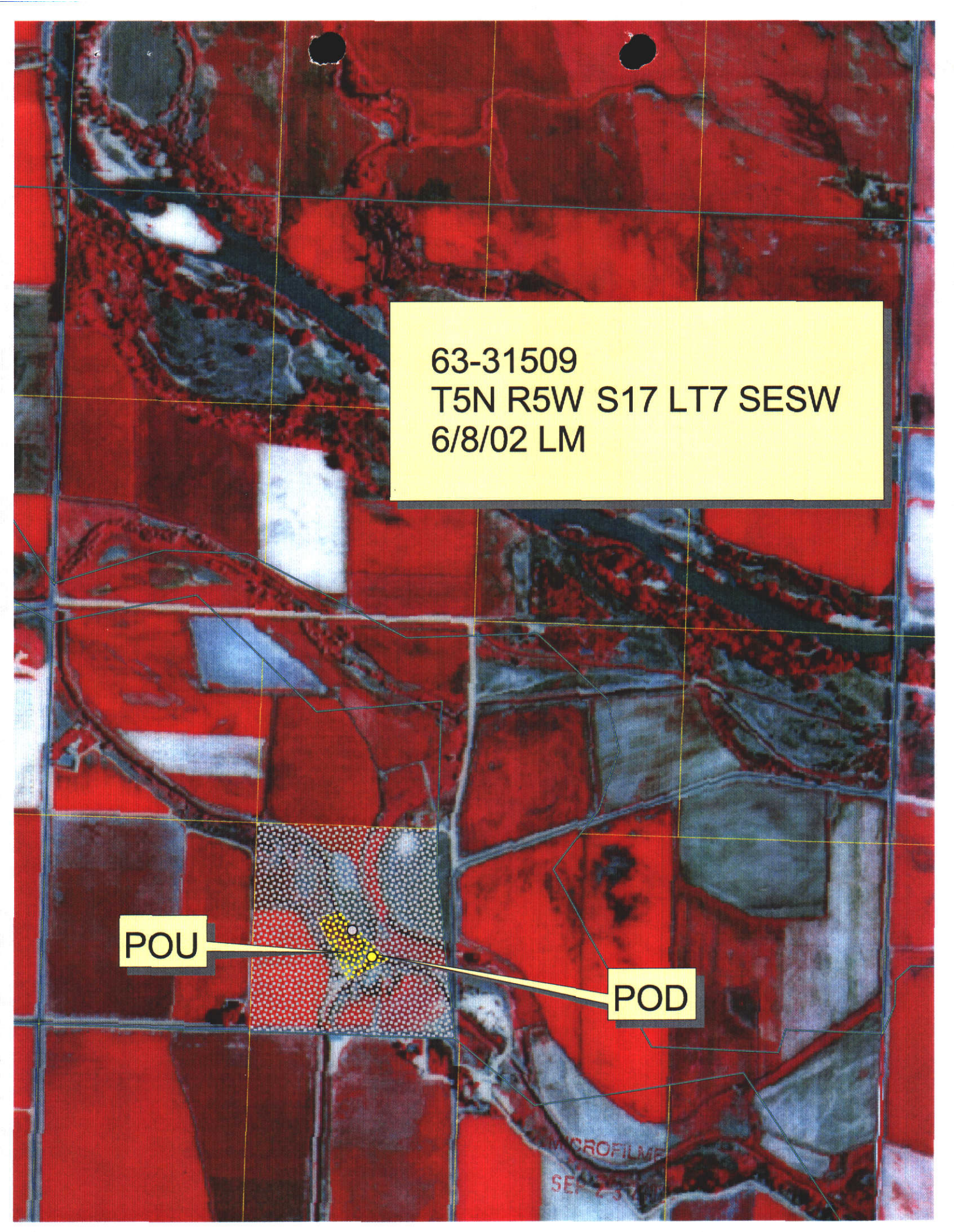






63-31509
T5N R5W S17 LT7 SESW
6/8/02 LM

POU

POD

MICROFILM
SEP 23 4 11

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31509

Priority: 04/01/2002

Maximum Diversion Rate: 0.02 CFS

This is to certify, that JOHN G CARPENTER
27130 WINGSETTER LN
PARMA ID 83660 has applied for a permit to appropriate water from:

Source: ROSS EAST END DRAIN **Tributary:** SOUTH BOISE DRAIN

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	0.02 CFS

LOCATION OF POINT OF DIVERSION:

ROSS EAST END DRAIN L7 SE 1/4 SW 1/4 Sec. 17, Twp 05N, Rge 05W, B.M., CANYON 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 05W 17																	1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2003**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

MICROFILMED

SEP 3 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31509

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of August, 2002.

K. J. Dreher
for **KARL J DREHER, Director**



MICROFILMED

SEP 29 2002

RECEIVED

AUG 22 2002

FORM 202

1/88

Department of Water Resources

Ident. No. 63-31509

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR - 1 2002

Department of Water Resources

1. Name of Applicant John G. Carpenter Phone (208) 722-7179
Post Office address 27130 Wingsetter Lane, Parma ID 83660
2. Source of water supply ROSS EAST END DRAIN which is a tributary of SOUTH BOISE DRAIN
3. Location of point of diversion is SW 1/4 of SE 1/4 of SW 1/4, Gov. Lot 7 ~~31509~~
Sec. 17 Township 5N Range 5W B.M. CANYON County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 CFS for IRRIGATION purposes from MARCH ^{15th Nov 15th JC} to SEP (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) 0.02 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Propose to pump out of drain
DITCH
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 _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
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 if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 1 household - WATER TO IRRIGATE PASTURE, garden
e. Other; describe fully. _____

MICROFILMED

SEP 23 2002

RECEIVED

APR 02 2002

WATER RESOURCES
WESTERN REGION

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	SW	17											X						0.02
5N	SW	17											1						1

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. request for water right
is for dry ground - no existing water right for this portion

11. a. Who owns the property at the point of diversion? John G. Carpenter

b. Who owns the land to be irrigated or place of use? John G. Carpenter

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, 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.

John G. Carpenter
(Applicant)

Received by Jm Date 7/1/02 Time 11:44 Preliminary check by _____
Fee \$ 1100.00 Receipted by Jm # 0061041 Date 7-1-02
Publication prepared by AT Date 7-11-02 Published in PRESS TRIBUNE
Publication approved _____ Date 7-19-02

MICROFILMED

SEP 23 2002

REQUEST TO PROCESS

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

Name of Applicant

John G Carpenter

Mailing Address

2735 W. Mysetter Lane
Parma ID

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.

X 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

John G Carpenter

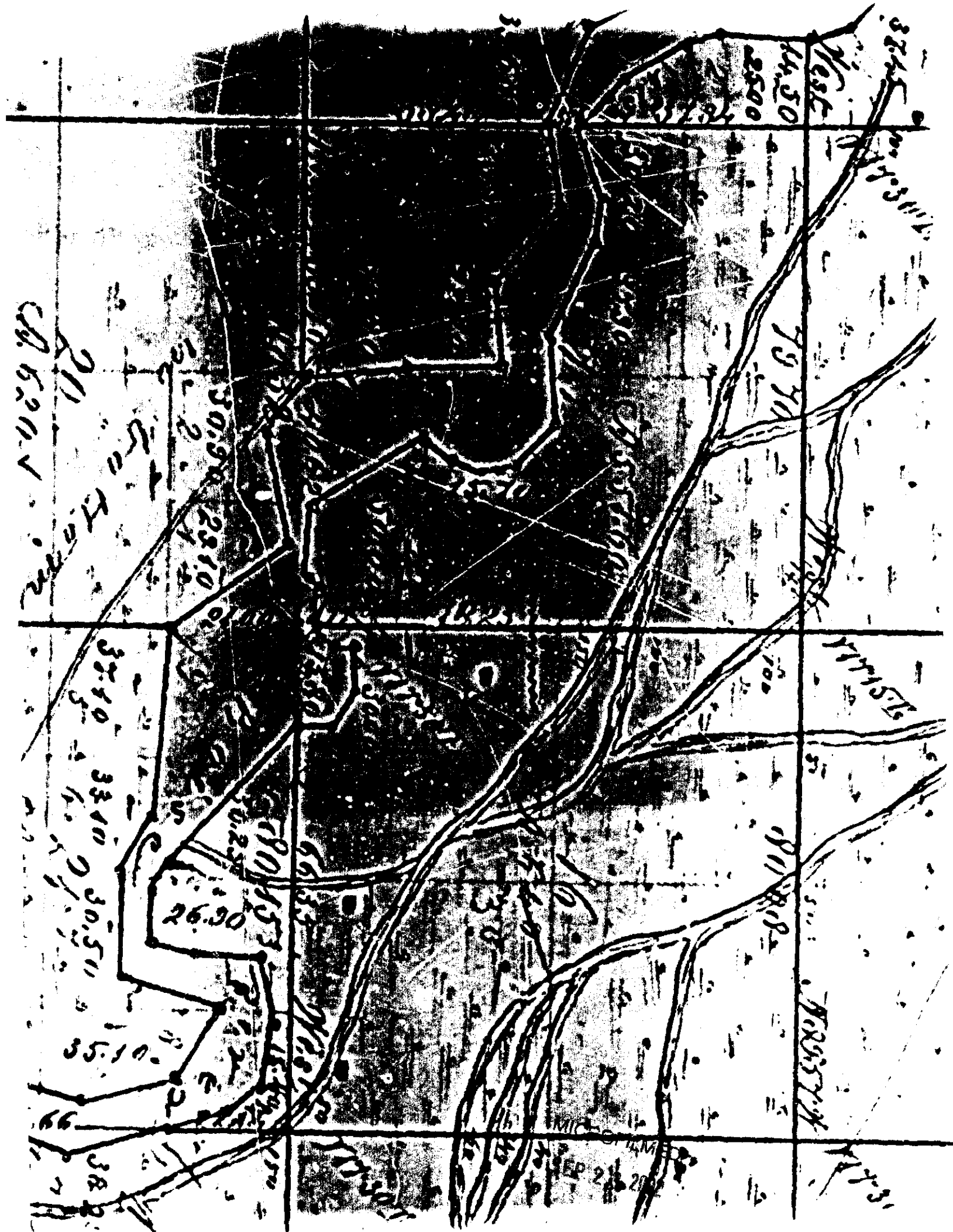
Date

05-15-02

Please return this form to:

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

MICROFILMED
SEP 28 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

JOHN G CARPENTER
27130 WINGSETTER LN
PARMA ID 83660

RE: Permit No. 63-31509

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

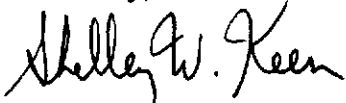
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED
SEP 23 2002

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

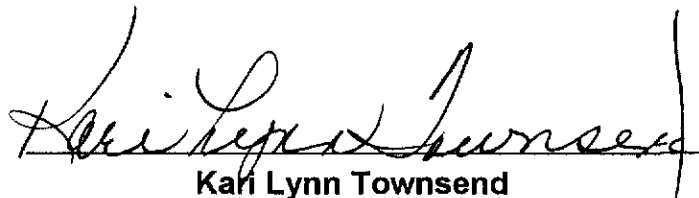
MICROFILMED
SEP 23 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31509

**JOHN G CARPENTER
27130 WINGSETTER LN
PARMA ID 83660**


**Kari Lynn Townsend
Secretary**

MICROFILMED
SEP 23 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: File 63-31509

FROM: KAY WALKER *KW*

RE: Approval of Application

Date: August 23, 2002

.....

I discussed Gary Spackman's remarks on the staff approval sheet with Sharla this morning to determine if I needed to do anything else with this application. Sharla relayed that the only hindrance would be that this application might be being processed out of order in light of all the surface water applications below Star bridge. We decided if Gary did not want this application processed, he would not have sent it over.

MICROFILMED

SEP 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 5-14 Application # 63-31509

RECEIVED

AUG 22 2002

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and/or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
yes P/D
yes P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page) River Side IRRIG DIST. WATER MAP
- ☒ Overlapping point of diversion OVERLAP. OTHER OVERLAPPING
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium EXEMPT - SURFACE WATER BELOW STAR BRIDGE RIGHTS SHOULD NOT BE SIGNIFICANT.
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☒ Immediate = acceptable plan required and submitted
- ☒ Future = open areas, acceptance of condition of approval is in file
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)
- ☒ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Need CORRECTION TO Application & REQUEST TO
PROCESS.

Date Requested 4-2-2002 Date Response Received 4-2-2002

PROCESSING

APPLICATION # 63-31509

YES NO

☒

☐

In form for advertising

☒

☒

Statewide advertising (> 10 cfs &/or 1000 af)

☒

☐

Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐

☒

I.D. Environmental Quality

☒

☒

I.D. District Health

☒

☐

I.D. Fish & Game

☐

☒

I.D. Lands

YES NO

☐

☒

US BLM

☐

☒

US Forest Service

☒

☐

Water Dist # 63

☒

☒

Water Planning Bureau

Other 

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒

☐

Affidavit of publication received

☒

☐

Application published correctly? If not, record action taken

☒

☐

Publication dates and paper recorded on application

☐

☐

Final date for protest 7-22-02

☒

☒

Protests received

☒

☒

Recommendations attached

☒

☒

Measuring device required - Waive requirement as per watermaster request

☒

☐

Water delivered by water master? District # 63, Boise River

Special conditions of approval or cover letter

**See Attached
List.**

121 -

because it is surface water

I've recommended this for approval - but the recommendation is so inconsistent with the corresponding continuing Basin 63 suspension of processing that it makes reason stare with great cynicism.

Recommended Date of Priority

4/1/02

Recommendation

☒

Approve

☐

Deny

by

Garys

Date

8/21/02

ADDITIONAL INFORMATION

☐ See Attachment(s) ... always include application proof report

MAILING LIST

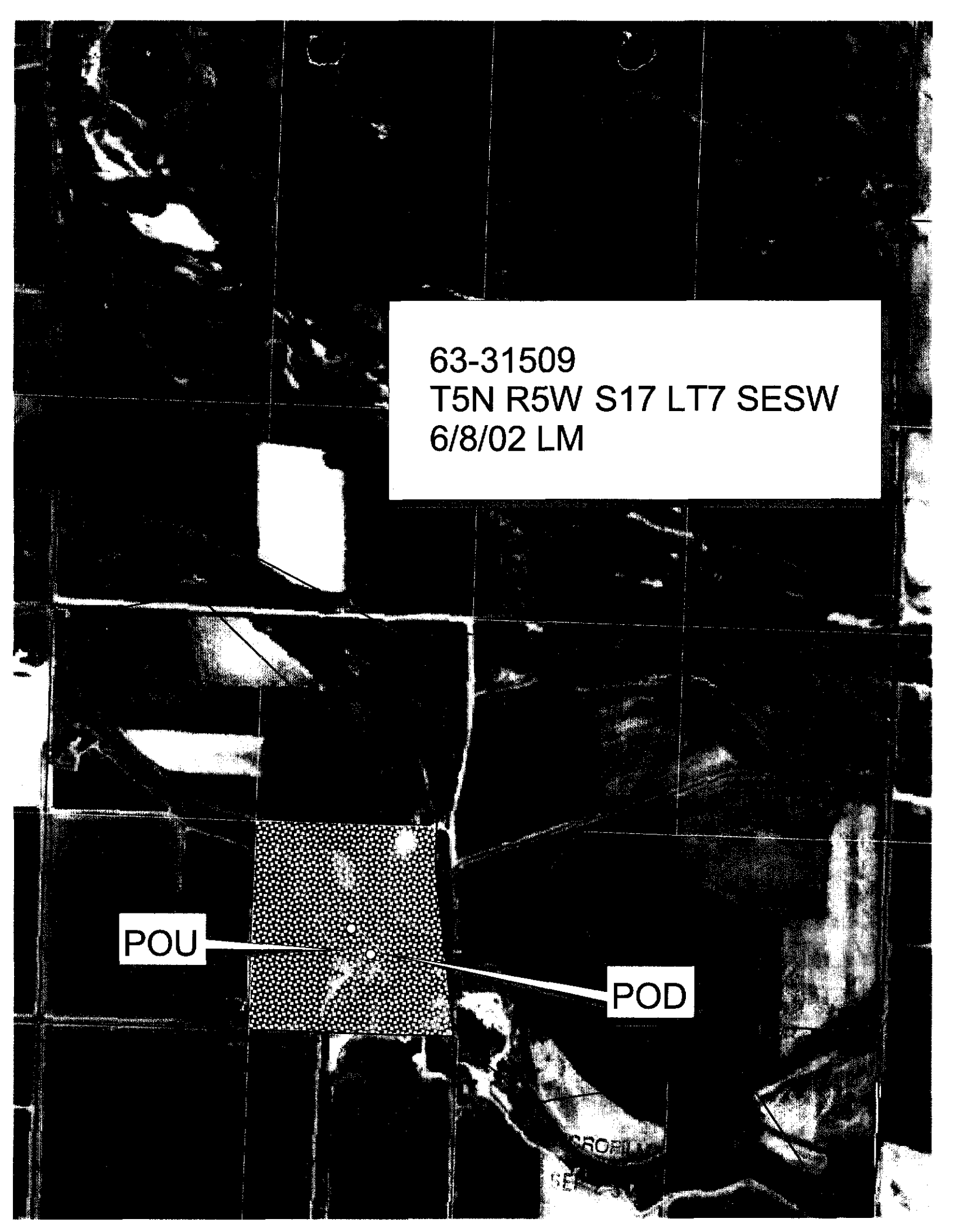
BUREAU OF RECLAMATION
REGULAR MAILING ADDRESS

RIVERSIDE IRRIGATION DISTRICT
25502 PET LANE
PARMA ID 83660

DOUGLAS M. MERGES
27205 WINGSETTER LANE
PARMA ID 83660

JOYCE AND WENDELL KAU
30327 HEXON ROAD
PARMA ID 83660

MICROFILMED
SEP 23 2002



63-31509
T5N R5W S17 LT7 SESW
6/8/02 LM

POU

POD

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTERApplication Number: 63-31509Applicant's Name: John Carpenter

Watermaster's Recommendation:

a) ☐ I do not oppose approval of this application.b) ☒ I do not oppose approval of this application if it is conditioned as follows:

Standard water master conditions, also
measuring device requirement could be
waived for this small amount of water.

c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comments:

Dated this 15 day ofAug2002Water District Number: 63

Watermaster's Signature

Lee Lister

State of Idaho
Department of Water Resources

RECEIVED

JUL 31 2002

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

IRRIG. DIST.

MAN

8-15-02

Application Number: 63-31509

Applicant's Name: John G. Carpenter

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

- c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comments: He must place pump so as not
to obstruct drainage ditch channel.

Dated this 25th day of July, 2002

Water District Number: 63 Watermaster's Signature: Sam Stang

CHAIRMAN Riverside Irrigation

MICROFILMED

Use back side of this page if you need more space

SEP 23 2002

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Traci L. Myers
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
07/04/2002, 07/11/2002

STATE OF IDAHO)
County of Canyon)

On the 11th day of July in the year of 2002
before me, a Notary Public, personally appeared.
Traci L. Myers,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Rebecca L. Thompson
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

e0100285 04508166
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-31509
JOHN G CARPENTER
27130 WINGSETTER LN
PARMA ID 83860
Point(s) of Diversion
L7 SESW
S17 T05N R05W
CANYON County
Source ROSS EAST END DRAIN
Tributary To SOUTH BOISE DRAIN
Use: IRRIGATION
03/01 To 11/15
0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 04/01/2002
Place Of Use: IRRIGATION
T05N R05W S17
SESW Lot 7
Number of Acres 1
Remark: Applicant agrees to mitigate consumptive use in the future as needed.
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 07/22/2002. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
July 4, 11, 2002 04508166

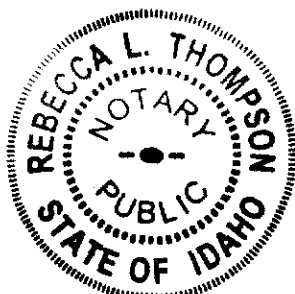
RECEIVED

JUL 12 2002

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 23 2002





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

July 2, 2002

DOUGLAS M MERGES
27205 WINGSETTER LN
PARMA ID 83660

Re: Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee, must be received in this office by July 22, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,

Daniel A. Nelson

DN:lm

Encl: Copy of Application

MICROFILMED

JUL 23 2002



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

July 2, 2002

RIVERSIDE IRRIGATION DIST
PO BOX 1080
PARMA ID 83660

Re: Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Daniel A. Nelson

DN:lm

Encl: Copy of Application

MICROFILMED

SEP 23 2002



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

July 2, 2002

E GAIL MCGARRY PN-3100
BUREAU OF RECLAMATION
1150 NO CURTIS RD STE 100
BOISE ID 83706-1234

Re: Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

Dear Ms. McGarry:

Enclosed is a copy of the above referenced application for transfer, which may be of interest to your agency. The proposed use of this application is from surface water. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee must be received in this office by July 22, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl. Copy of Application

MICROFILMED

SEP 23 2002



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

July 2, 2002

JOYCE & WENDELL KAU
30327 HEXON RD
PARMA ID 83660

Re: Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee, must be received in this office by July 22, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Daniel A. Nelson".

Daniel A. Nelson

DN:lm

Encl: Copy of Application

MICROFILMED

SEP 13 2002



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

July 2, 2002

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

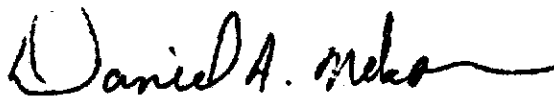
Dear Mr. Sisco:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl: Copy of Application

MICROFILMED

SEP 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 67-14320 in the Name of Jack &/or Lynette Wright.
Application for Water Right No. 67-14321 in the Name of Jack &/or Lynette Wright.
Application for Water Right No. 65-22691 in the Name of Charles &/or Shirley Perkins.
Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

Dear Sir or Madam:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval any of these applications, your written protest, along with the \$25.00 protest fee for each application protested, must be received in this office by July 22, 2002.

If you have any questions regarding the applications, please contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl: Copy of Applications

MICROFILMED

SEP 23 2002

From: John Carpenter [johnnc@pinnacle-engineers.com]
Sent: Thursday, June 27, 2002 10:09 AM
To: 'Nelson, Dan'
Subject: RE: Ponds and Domestic use

Dan,

Please grant me an extension for providing a letter from Riverside Irrigation regarding my use of drainage ditch water.

Thanks,

John G. Carpenter

MICROFILMED
JUN 28 2002

MEMORANDUM

TO: APPLICATION FOR PERMIT FILE

FROM: DANIEL A. NELSON

DATE: 6/19/02

SUBJECT: CONTINUE WITH PROCESSING

I received a telephone call today from John Carpenter concerning his application for permit. I explained my letter of May 29, 2002 to him and he stated that he had already spoken to the canal company and Bureau of Reclamation about the permit. He told me he would attain a letter as soon as possible, but to go ahead and process the application.

MICROFILMED

JUN 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 29, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN G CARPENTER
27130 WINGSETTER LANE
PARMA ID 83660

RE: APPLICATION FOR PERMIT

Dear Mr. Carpenter:

You recently filed a water right application with Idaho Dept. of Water Resources (IDWR), proposing the diversion of wastewater for irrigation from the Ross East End Drain. IDWR must question whether the water you wish to appropriate is wastewater or whether it is actually "live" water under control of an irrigation district. State law allows for appropriation of unappropriated wastewater, but IDWR is not authorized to issue a permit for use of irrigation district "live" water. Because of this distinction, it is necessary for IDWR to understand the nature of the water you are seeking to appropriate.

The term "wastewater" may be used in several different contexts. For instance, a water right holder may capture water "wasting" from the end of his fields and reapply the water to the lands from which the water right authorizing the use of water is appurtenant. The recapture of this water does not authorize application of the water to lands that are not described as a place of use under the water right authorizing the original use.

The term "wastewater" may also describe a source of water for appropriation. For purposes of appropriation, the source "wastewater" refers to water flowing in a waste way or channel (i.e. a waste drain or waste ditch). In order for the wastewater to be available for further appropriation, the original water user must have discontinued exercising control over the water. A water user receiving irrigation district live water acts as an agent for the use of district water while it is in the possession of the water user. If the water user continues to control the surface water before it leaves his property, or the water will be recaptured by the irrigation district for delivery to downstream water users, the water retains its original character as irrigation district live water.

Prior to further processing of your application, you must demonstrate that the water you seek to appropriate is flowing in a waste way or channel, has not commingled with other water in a natural stream, and that both you and the irrigation district have discontinued control of the water as live water. This can be accomplished by providing written approval from the associated irrigation district and/or irrigation company. Also, if you propose to divert from a waste channel owned and controlled by the irrigation district, you must also show you have a right of way to divert water from the channel.

MICROFILMED

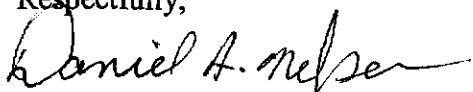
JUN 11 2002

Page 2

IDWR will hold your application from advertising until the above information is received. If the information cannot be obtained, IDWR can then refund your application fees. If you prefer that IDWR continue to process (advertise) your application while you seek the above information, please contact me immediately, but be aware that once the application has been submitted for advertising, the fees cannot be refunded.

Please submit the requested information within 30 days of the date of this letter. Failure to submit the information is cause for IDWR to void your application. Please contact me if you have any questions or delays.

Respectfully,

A handwritten signature in cursive script, appearing to read "Daniel A. Nelson".

Daniel A. Nelson

Sr. Water Resource Agent

MICROFILMED

SEP 23 2002



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

June 26, 2002

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Application for Permit No. 63-31509
 Application for Permit No. 63-31508
 Transfer No. 69980
 Water Right No(s). 2-10195

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find three legal notices 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 notices 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 07/22/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 23 2002

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

63-31509

JOHN G CARPENTER
27130 WINGSETTER LN
PARMA ID 83660

Point(s) of Diversion L7 SESW S17 T05N R05W CANYON County Source ROSS EAST END DRAIN
Tributary To SOUTH BOISE DRAIN

Use: IRRIGATION 03/01 To 11/15 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 04/01/2002

Place Of Use: IRRIGATION

T05N R05W S17 SESW Lot 7

Number of Acres 1

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

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 07/22/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on July 4 and 11, 2002.

MICROFILMED

SEP 23 2002