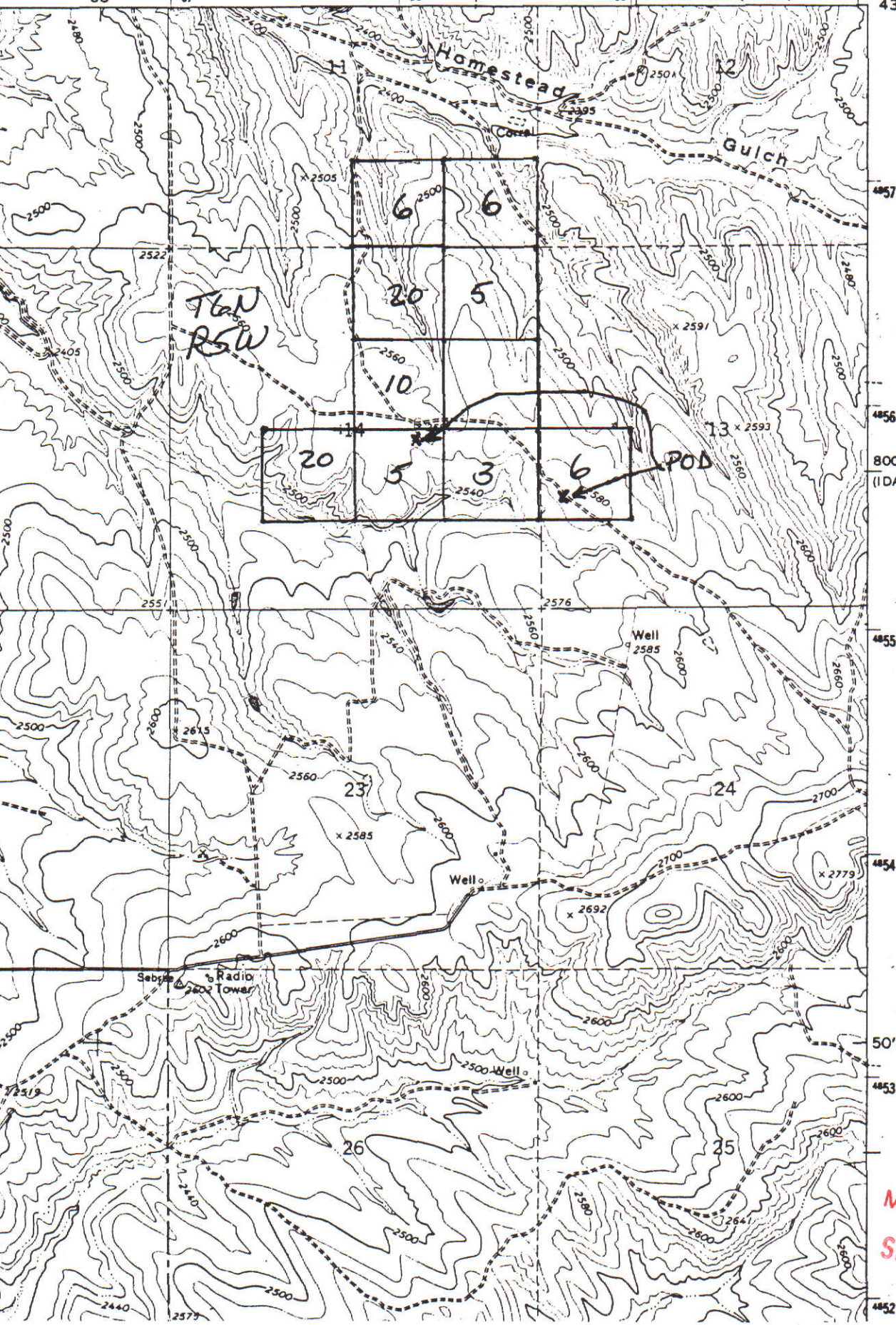


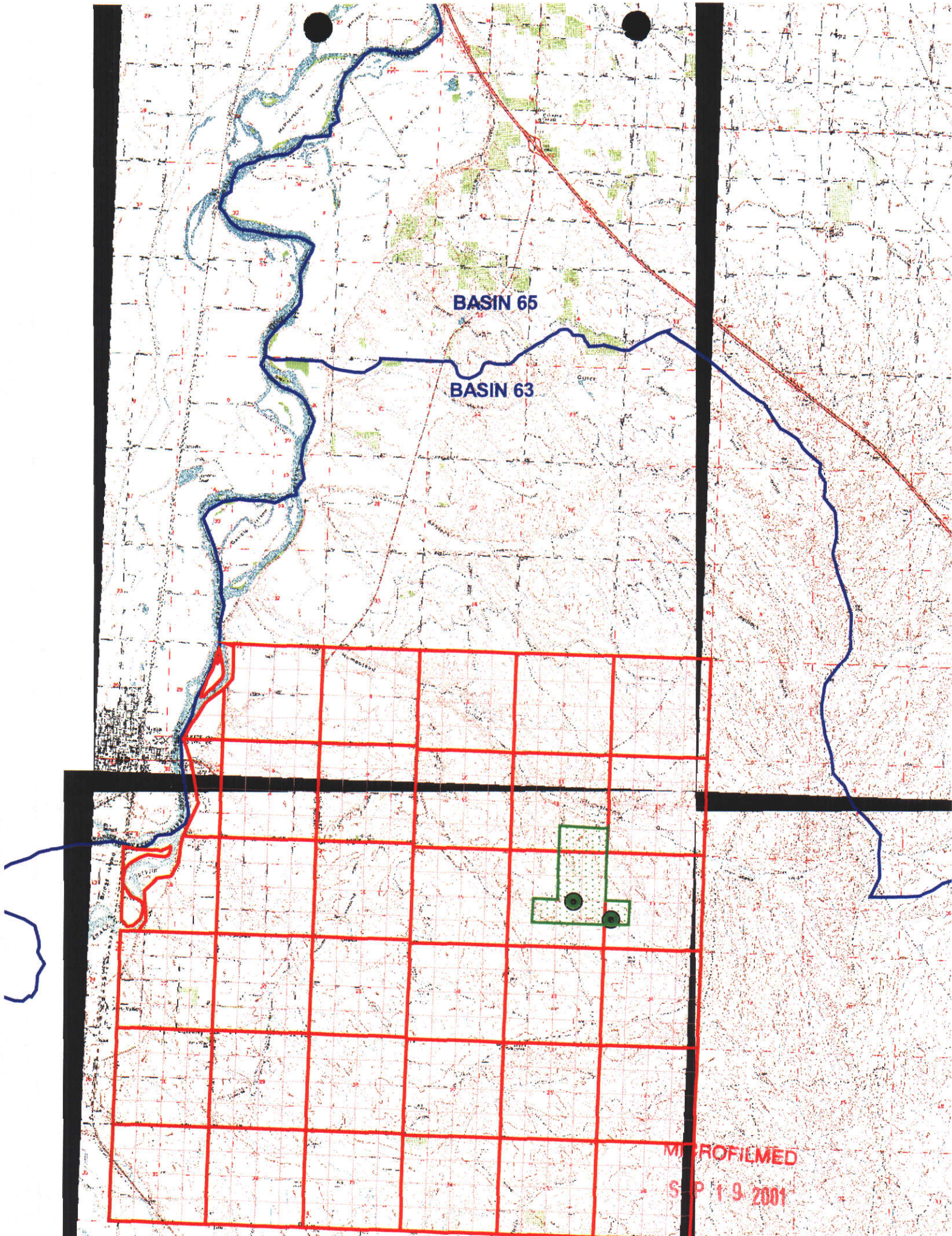
PARMA QUADRANGLE
IDAHO-OREGON
7.5 MINUTE SERIES (TOPOGRAPHIC)

2471 IV ME
(NEW PLYMOUTH)

55' 507 508 509 200 000 FEET (IDAHO) 116°52'30" 43°52'30"



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SEP 19 2001



BASIN 65

BASIN 63

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SEP 19 2001

R5W

R4W

R3W

R2W

Fruitland

Big Willow Cr.

New Plymouth

Payette

River

Letha

Bissel

T 7 N

PROPOSED POINTS
OF DIVERSION

Snake

Apple Valley

T 6 N

Parma

Boise

Roswell

Notus

(26)

River

T 5 N

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Major Roads

Interstate

State

U.S.

Cities

▲ 30,000 - 200,000

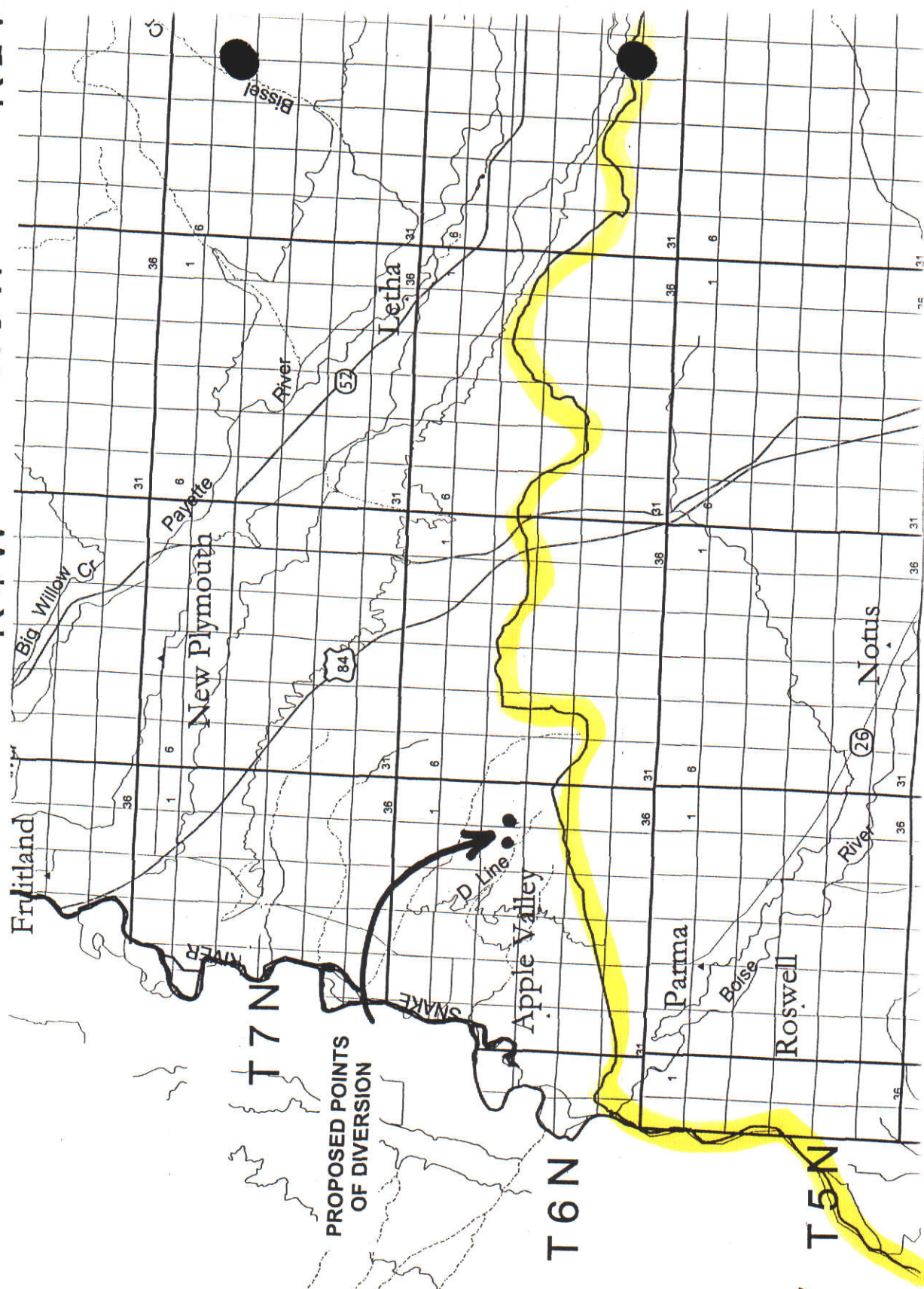
▲ 10,000 - 29,999

▲ 1,000 - 9,999

▲ 200 - 999

▲ 1 - 199

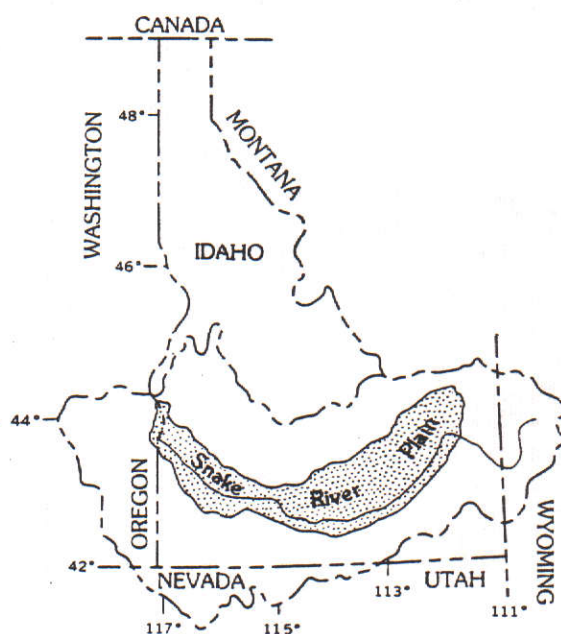
Treasure Valley Boundary



CONFIGURATION OF THE WATER TABLE AND DEPTH TO WATER, SPRING 1980, WATER-LEVEL FLUCTUATIONS, AND WATER MOVEMENT IN THE SNAKE RIVER PLAIN REGIONAL AQUIFER SYSTEM, IDAHO AND EASTERN OREGON

By G.F. Lindholm, S.P. Garabedian, G.D. Newton,
and R.L. Whitehead

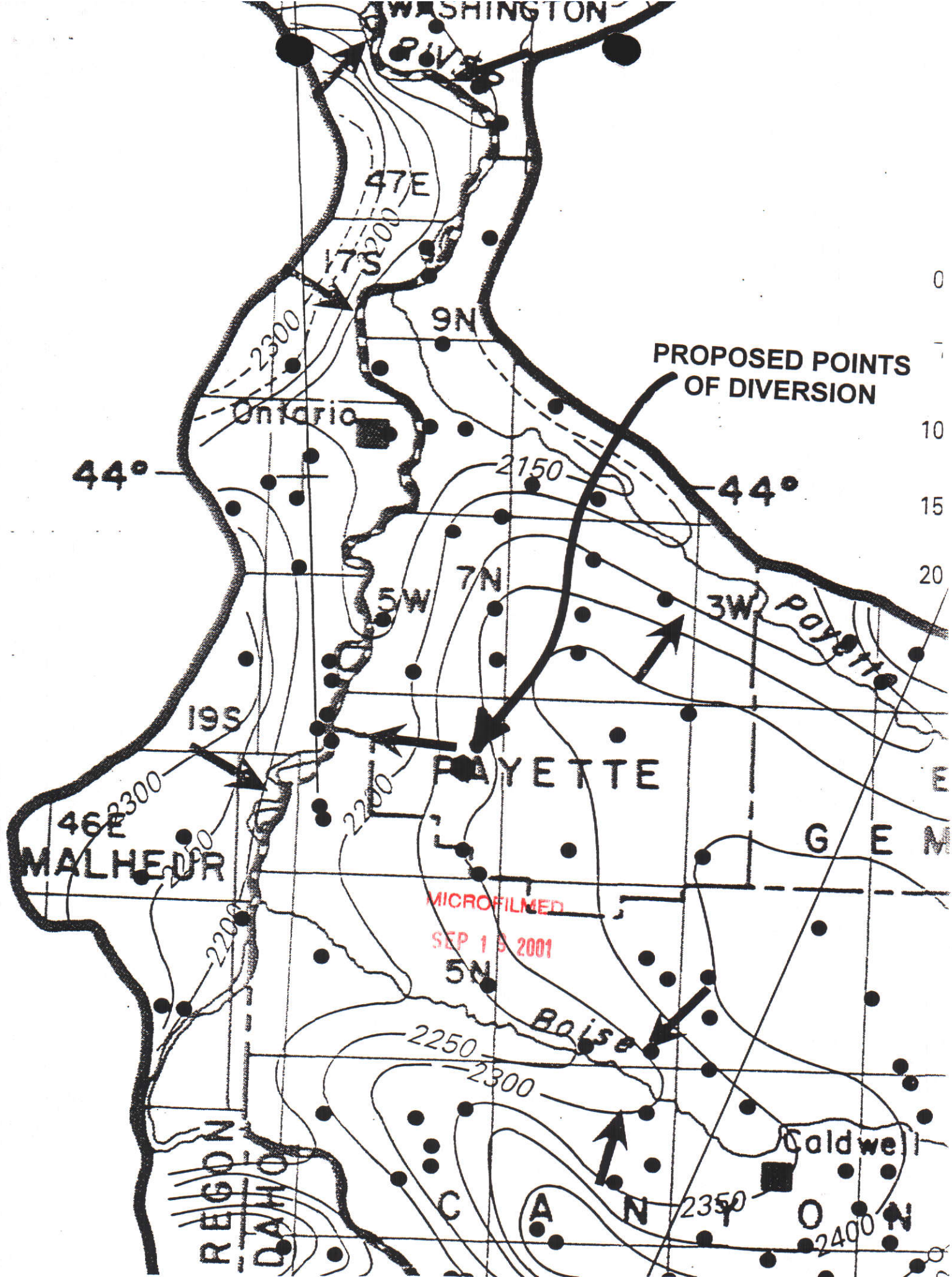
A contribution of the
REGIONAL AQUIFER-SYSTEM
ANALYSIS PROGRAM



LINDHOLM AND OTHERS—SPRING 1980, WATER LEVEL FLUCTUATIONS, AND MOVEMENT, SNAKE RIVER PLAIN, ID AND E. OR ATLAS HA-703

HYDROLOGIC INVESTIGATIONS
Published by the U.S. Geological Survey, [1987] 1988
W

MICROFILMED
SEP 19 2001



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31262

Priority: 06/06/2001

Maximum Diversion Rate: 1.62 CFS

This is to certify, that **BOISE VALLEY FEEDERS LLC**
2201 RIDGEWAY RD
PARMA ID 83660

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	1.62 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW 1/4 SW 1/4	Sec. 13, Twp 06N, Rge 05W, B.M.	PAYETTE County
GROUND WATER	NW 1/4 SE 1/4	Sec. 14, Twp 06N, Rge 05W, B.M.	PAYETTE 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	
06N 05W 11															6.0	6.0	12.0
06N 05W 13									6.0								6.0
06N 05W 14	5.0	20.0	10.0					20.0					3.0	5.0			63.0

Total Acres: 81

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. 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.

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SEP 13 2001

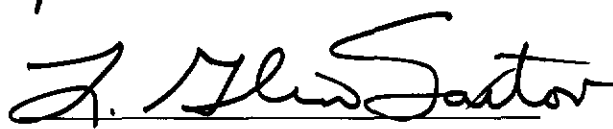
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31262

CONDITIONS OF APPROVAL

7. 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.
8. Water bearing zone to be appropriated is 300 to 500 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of September, 2001.


for **KARL J DREHER, Director**

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SEP 18 2001

RECEIVED

JUN 06 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. 63-31262

RECEIVED

AUG 24 2001

Department of Water Resources

1. Name of Applicant Boise Valley Feeders LLC Phone 208-722-8090
Mailing address 2201 Ridgeway Road, Parma, ID 83660
2. Source of water supply ground water which is a tributary of NA
3. Location of point of diversion is Township 6N Range 5W Sec. 13 in the 1/4
NW 1/4, SW 1/4, Govt. Lot , B.M., Payette County;
additional points of diversion if any: NW 1/4, SE 1/4, Sec 14, T6N, R5W
4. Water will be used for the following purposes:
Amount 1.62 for irrigation purposes from 3/15 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)
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) 1.62 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 two wells with electric pumps and pipelines to sprinkler irrigation system
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
 - c. ~~Proposed~~ well diameter is 16" & 14" inches; ~~proposed~~ depth of well is 387 & 500 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? ; Drilling firm 1963± by unknown, 1974± by Cope
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 5 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.

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SEP 19 2001

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	
6N	5W	11															6	6	12
		13										6							6
		14	5	20	10						20				3	5			63

Total number of acres to be irrigated 81

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? 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: _____

12. Remarks: Two wells proposed as diversion points also supply 63-03359 and 63-07874. Water will be co-mingled with water used for 63-03359 and 63-07874. Water bearing zone to be appropriated is 300 to 500 feet.

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.

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SEP 12 2001

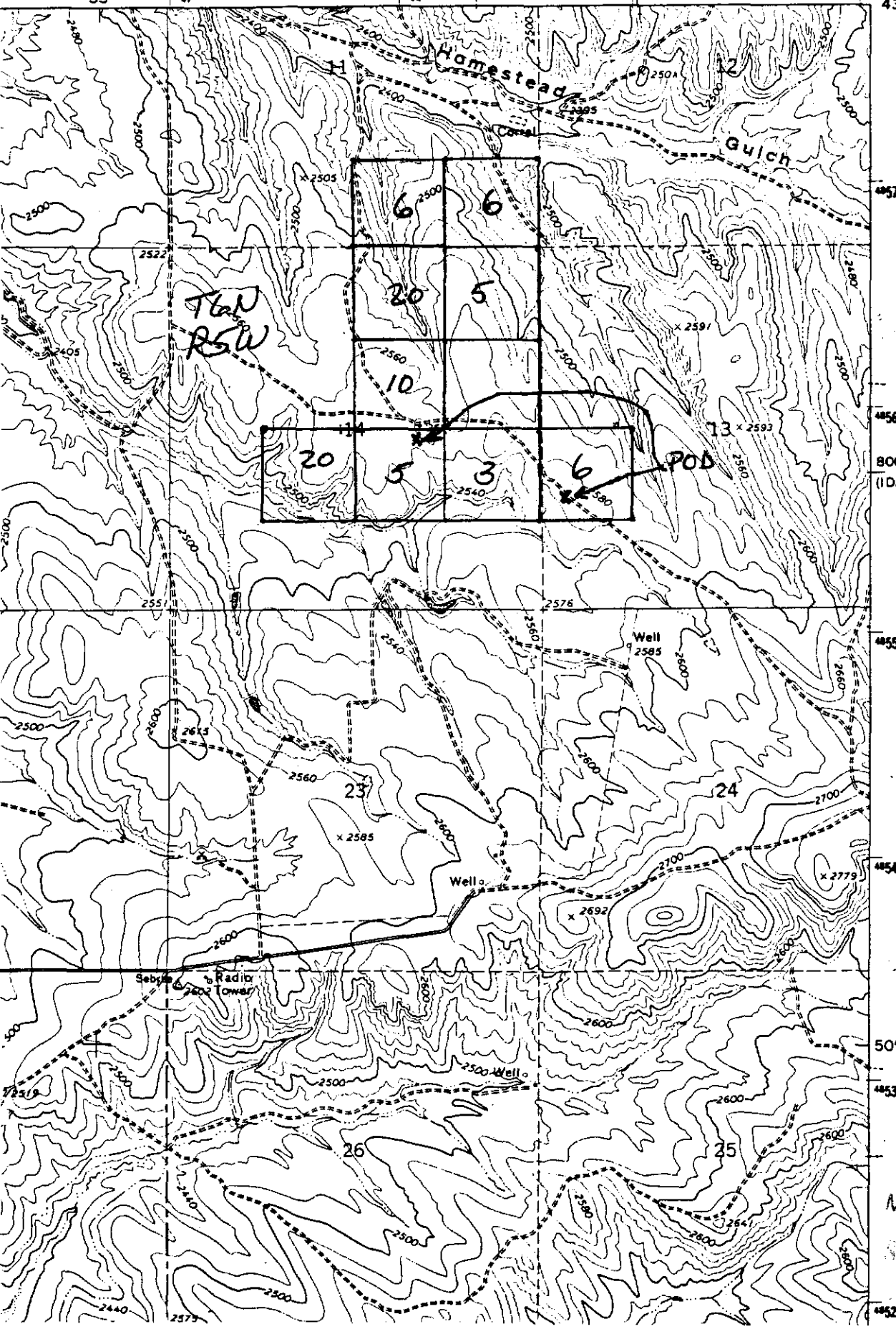
Signature of Applicant (and title, if applicable)
Jeff Johnson - Member

Received by Kb Date 6/6/01 Time 11:06 Preliminary check by W027873
Fee \$ 290.00 Received by Kb # W027873
Publication prepared by st Date 7-18-01 Published in INDEPENDENT ENTERPRISE
Publication approved st 8-20-01 8-14-8 Date 8-20-01

PARMA QUADRANGLE
IDAHO-OREGON
7.5 MINUTE SERIES (TOPOGRAPHIC)

2071 IV NW
(NEW PLYMOUTH)

55' 507 508 509 200 000 FEET (IDAHO) 116°52'30" 43°52'30"



MICROFILMED
SEP 15 1961

Nelson, Dan

From: TMSANLAN@aol.com
Sent: Friday, June 29, 2001 3:56 PM
To: dnelson@idwr.state.id.us
Subject: Re: BOISE VALLEY FEEDERS LLC APPLICATION FOR PERMIT

Dan -

Boise Valley Feeders LLC has the following members

Agri Beef Company - Box 6640, Boise, ID 83707
Dr. Edward Johnson - 24007 Hwy 20-26, Parma, ID 83660
Jeff Johnson - 23672 Walker Road, Parma, ID 83660

Let me know if this is sufficient. Thanks.

Terry

MICROFILMED

SEP 25 2001



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

September 18, 2001

BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY ROAD
PARMA ID 83660

RE: Permit No. 63-31262

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

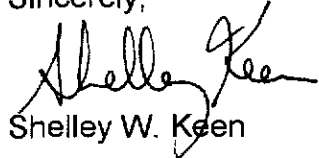
MICROFILMED

SEP 18 2001

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.

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klr

Enclosure(s)

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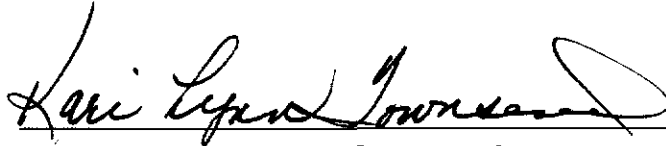
SEP 13 2006

CERTIFICATE OF MAILING

I hereby certify that on September 18, 2001 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. 63-31262

**BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY ROAD
PARMA ID 83660**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 18 2001

**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.

MICROFILMED

SEP 12 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 9/10/01

No. 63-31262 Name: BV Feeders Corp. Officers ✓ Ad ok Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp/irr (irr = only use) - 065-104
Supp/irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 10/01/2006

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB5
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS With bearing zone 300-500 ft.

COMMENTS

RECEIVED

AUG 24 2001

Department of Water Resources

MEMORANDUM

To: File no. 63-31262 in the name of Boise Valley Feeders LLC
From: Gary Spackman *Gay*
Date: August 23, 2001

Re: Forwarding Without Recommendation

Application for water right no. 63-31262 is being forwarded to the state office for consideration. The application proposes the diversion of ground water near Parma in an area where the ground water direction of flow is west towards the Snake River. Please see Terry Scanlan's discussion in documents attached to the application.

I believe we approved a similar application in the past couple of years. However, I cannot distinguish between this and any other application for water right in basin 63 for which we are requiring mitigation at the present time. I am, nonetheless, forwarding application for water right no. 63-31262 to the state office for consideration.

MICROFILMED

SEP 19 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 6-29-01 APPLICATION: 63-31262

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, 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 corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

RECEIVED

AUG 24 2001

Gov't. Lots:
NO P/D
NO P/U

IDAHO DEPARTMENT OF WATER RESOURCES

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: DOCUMENTATION SUPPLIED SHOWING GROUNDWATER IS TRIBUTARY TO SNAKE RIVER.
- ☒ 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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. _____

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. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

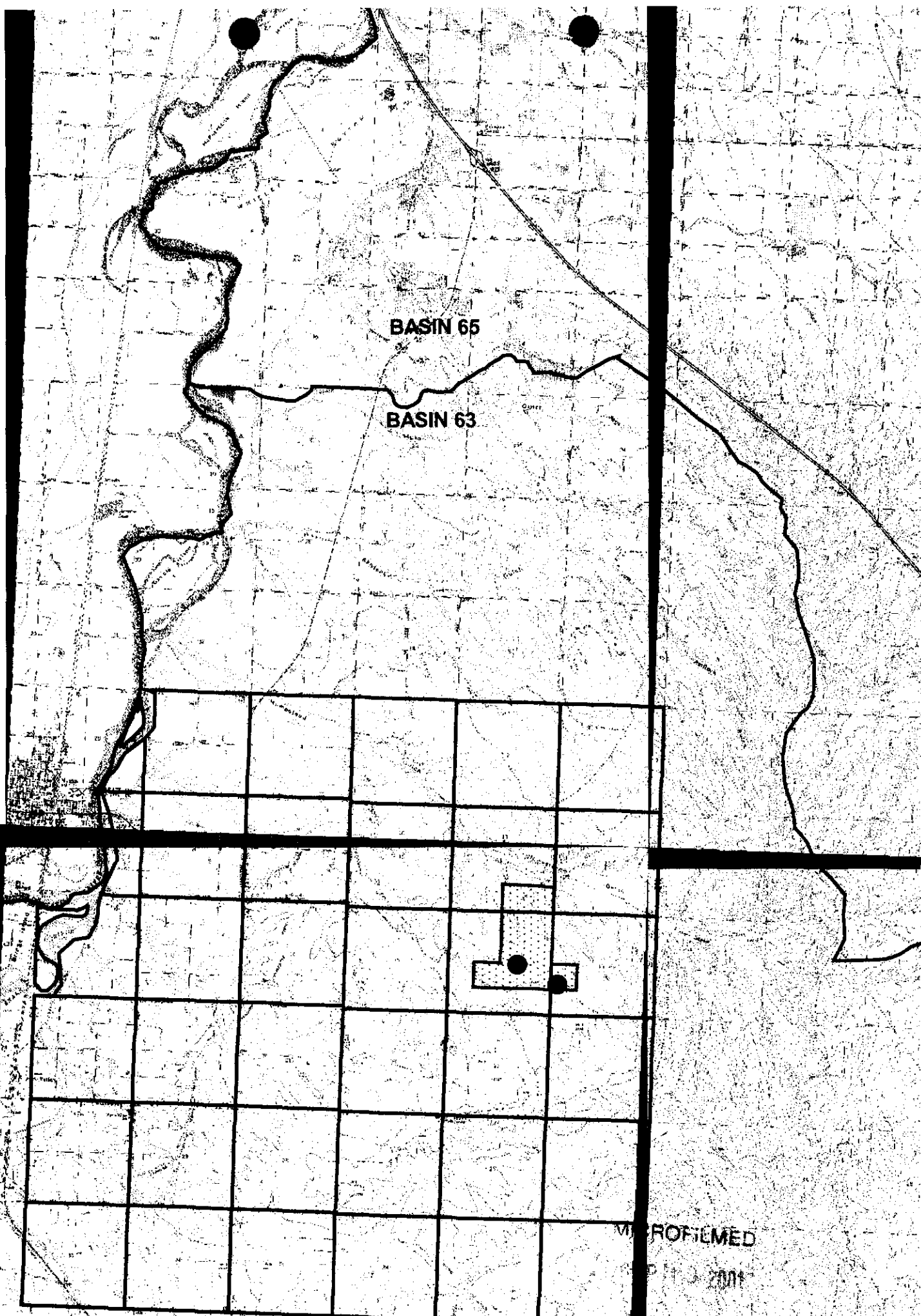
☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☐ ☒ Final date for protest 6-28-01
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☐ ☐ Special conditions of approval or cover letter: 046, 121

See below for additional information

Recommended Date or Priority 6/6/2001Recommended by: Gary S Date: 8/23/01ADDITIONAL INFORMATION:

63-3359, 63-7874, 63-28750 OVERLAPS
BOTH The POINT OF DIVERSION'S PLACE
OF USE. This application is FOR acres
NOT CURRENTLY described by a water
Right.



BASIN 65

BASIN 63

MICROFILMED

SEP 13 2001

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE,

ss.

Copy of Notice
(First Copy)

Application for Water Right
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resource
PLAINTIFF OR LEGAL AGENT

I Viola M Hawkins, being

duly sworn, deposes and says:

That She is the principal clerk of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Aug. 1, 2001, and ending with the issue of Aug. 8, 2001.

STATE OF IDAHO

COUNTY OF

On this 9th day of Aug in the year of 2001, before me, a Notary Public, personally appeared Viola Hawkins, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thine Kart
Notary Public for Idaho
Residing at Payette
My commission expires: 12-1-04
STATE OF IDAHO
NOTARY PUBLIC

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines

62 lines x 5 columns

Number of Insertions

(2) two

62 Lines @ 2.73 . . . \$ 169.26

62 Lines @ 2.34 . . . \$ 145.08

TOTAL COST
WILL BE

314.34

RECEIVED
AUG 13 2001
WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 13 2001

Nº 759

APPLICATION FOR WATER RIGHT

63-31262 ✓

**BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY ROAD
PARMA, ID 83660**

Point(s) of Diversion NWSW S13 T06N R05W PAYETTE County Source: GROUND WATER
Point(s) of Diversion NWSE S14 T06N R05W PAYETTE County Source: GROUND WATER
Use: IRRIGATION 03/15 to 11/15 1.62 CFS
Total Diversion: 1.62 CFS

Date Filed: 06/06/2001

Place Of Use: IRRIGATION
T06N R05W S11 SWSE SESE
T06N R05W S13 NWSW
T06N R05W S14 NENE NWNE SWNE NESW NESE NWSE
Number of Acres 81

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Water bearing zone to be appropriated is from 300 to 500 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 Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 8/20/01. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-31261

**DANIEL B. HANSEN
KAREN L. HANSEN
8393 CHERRY LANE
NAMPA, ID 83687**

Point(s) of Diversion NWSE S7 T06N R03W PAYETTE County Source GROUND WATER
Use: IRRIGATION 03/01 To 11/15 4 CFS
Total Diversion: 4 CFS

Date Filed: 06/05/2001
Place of Use: IRRIGATION
T06N R03W S18 NENW NWNW SWNW SENW
T06N R03W S6 SESE
T06N R03W S7 NENE SWNE SENE NWSE SWSE
Number of Acres 400

Remarks: Applicant agrees to mitigate consumptive use in the future as needed.
Water bearing zone to be appropriated is from 340 to 520 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 Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 08/06/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
No. 759

August 1, 8



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 10, 2001

Legal Notice Department

Independent Enterprise

PO Box 520

Payette ID 83661

RE: Application for Permit No. 63-31261 and 63-31262

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 08/06/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

MICROFILMED

SEP 19 2001

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

63-31262

BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY ROAD

PARMA ID 83660

Point(s) of Diversion NWSW S13 T06N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion NWSE S14 T06N R05W PAYETTE County Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 1.62 CFS

Total Diversion: 1.62 CFS

Date Filed: 06/06/2001

Place Of Use: IRRIGATION

T06N R05W S11 SWSE SESE

T06N R05W S13 NWSW

T06N R05W S14 NENE NWNE SWNE NESW NESE NWSE

Number of Acres 81

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Water bearing zone to be appropriated is from 300 to 500 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 08/06/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on ~~July 18 and 25~~, 2001.

8-1-8

*Wrong address + paper didn't receive until
7-18-01. will publish at later date*

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SEP 12 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

JUN 06 2001

WATER RESOURCES
WESTERN REGION

June 4, 2001

Mr. Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit in the Name of Boise Valley Feeders LLC

Dear Gary:

On behalf of my client, Boise Valley Feeders LLC, this letter requests an exemption from the administrative hold on processing of new applications for permit in Basin 63. Boise Valley Feeders's enclosed Application for Permit proposes appropriation of 1.62 cfs for irrigation of 81 acres from a groundwater source. A check for the \$290 filing fee is included.

Both groundwater and surface water at the point of diversion proposed by the Application for Permit are clearly tributary to the Snake River. As shown on the attached maps, the proposed point of diversion is located in western Payette County, approximately 5 miles south of the dividing line between Basin 63 and Basin 65. In this area, the basin boundary is the approximate location of the drainage divide between Big Whitley Gulch and Hurd Gulch, both of which are tributary to the Snake River (rather than the Boise or Payette Rivers). As such, appropriation of groundwater at this location should have no effect on groundwater or surface water in the Boise River drainage basin.

We understand that the primary purpose of the administrative hold in Basin 63 is to allow completion of the Treasure Valley Hydrologic Project. However, computer modeling conducted for the Treasure Valley Project does not extend into the area where the Application for Permit proposes to appropriate groundwater. The model boundary is located more than a mile to the south of the proposed points of diversion. Thus, we feel that this application should not be subject to the administrative hold because the Treasure Valley Hydrologic Project is unlikely to provide any significant data regarding groundwater conditions at this site.

In addition to the Application for Permit, a Notice of Change in Water Right Ownership is also enclosed for the Boise Valley Feeders property. Three water rights are included. Two of the water rights have pending SRBA claim. I understand that Change in Water Right Ownership filing fees are not required for water rights with pending claims. A partial decree has been issued for the third water right. A \$25 filing fee is enclosed for this water right.

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JUN 12 2001

Thank you for your consideration of this request. We look forward to your response.

Sincerely,

A handwritten signature in cursive script, reading "Terry M. Scanlan".

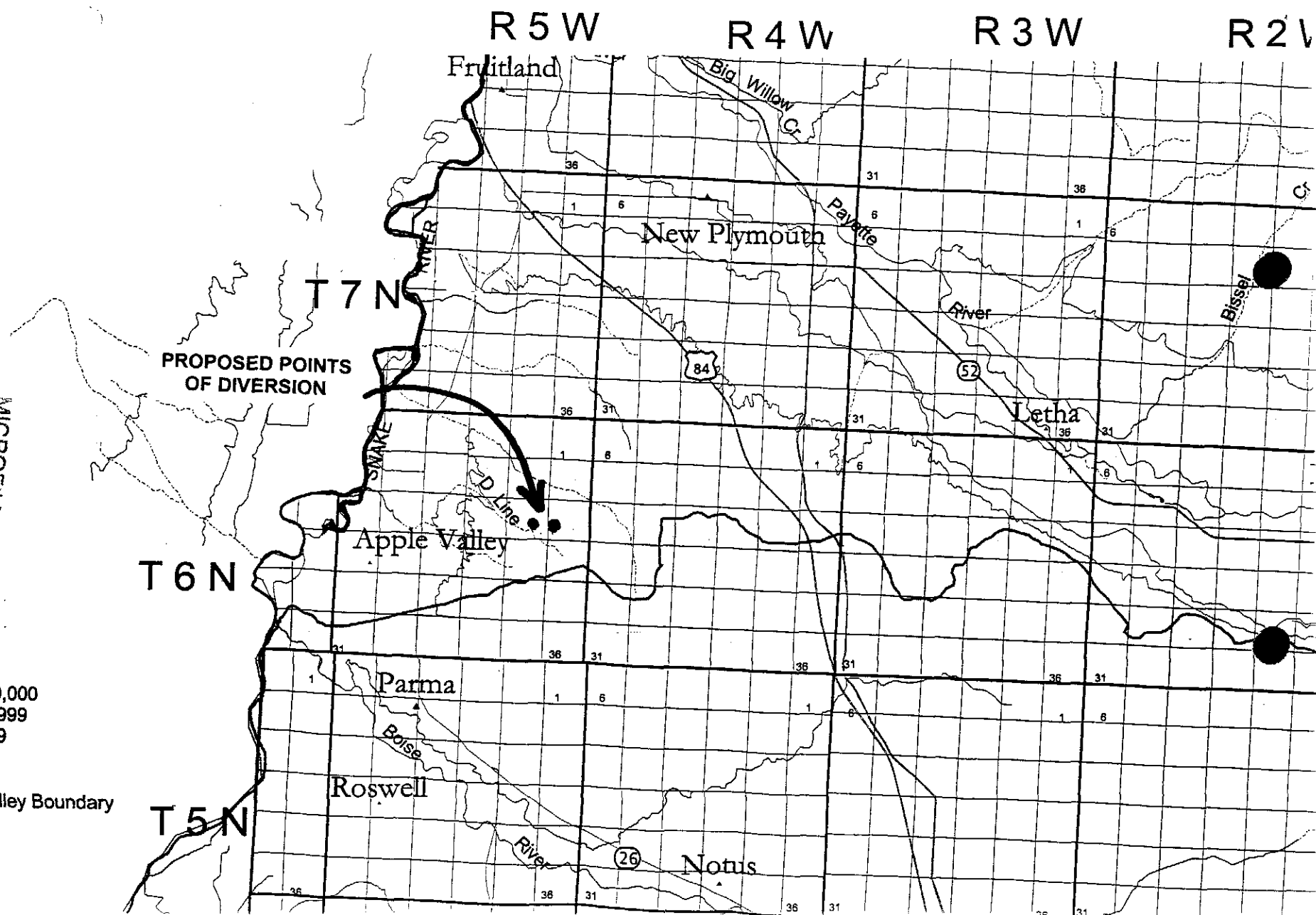
Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

Cc: Jeff Johnson
Shane Berquist

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SEP 19 2001

SEP 19 2001
MICROFILMED

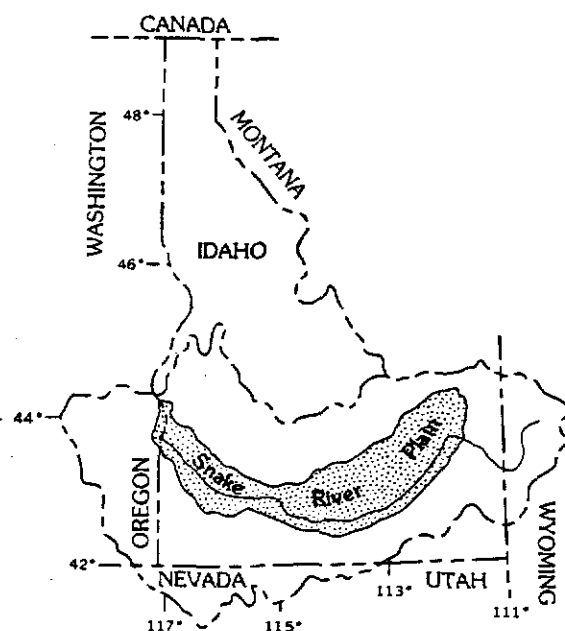
- Major Roads
- Interstate
 - State
 - U.S.
- Cities
- ▲ 30,000 - 200,000
 - ▲ 10,000 - 29,999
 - ▲ 1,000 - 9,999
 - 200 - 999
 - 1 - 199
- Treasure Valley Boundary



**CONFIGURATION OF THE WATER TABLE AND DEPTH TO WATER, SPRING 1980,
WATER-LEVEL FLUCTUATIONS, AND WATER MOVEMENT IN THE SNAKE RIVER
PLAIN REGIONAL AQUIFER SYSTEM, IDAHO AND EASTERN OREGON**

**By G.F. Lindholm, S.P. Garabedian, G.D. Newton,
and R.L. Whitehead**

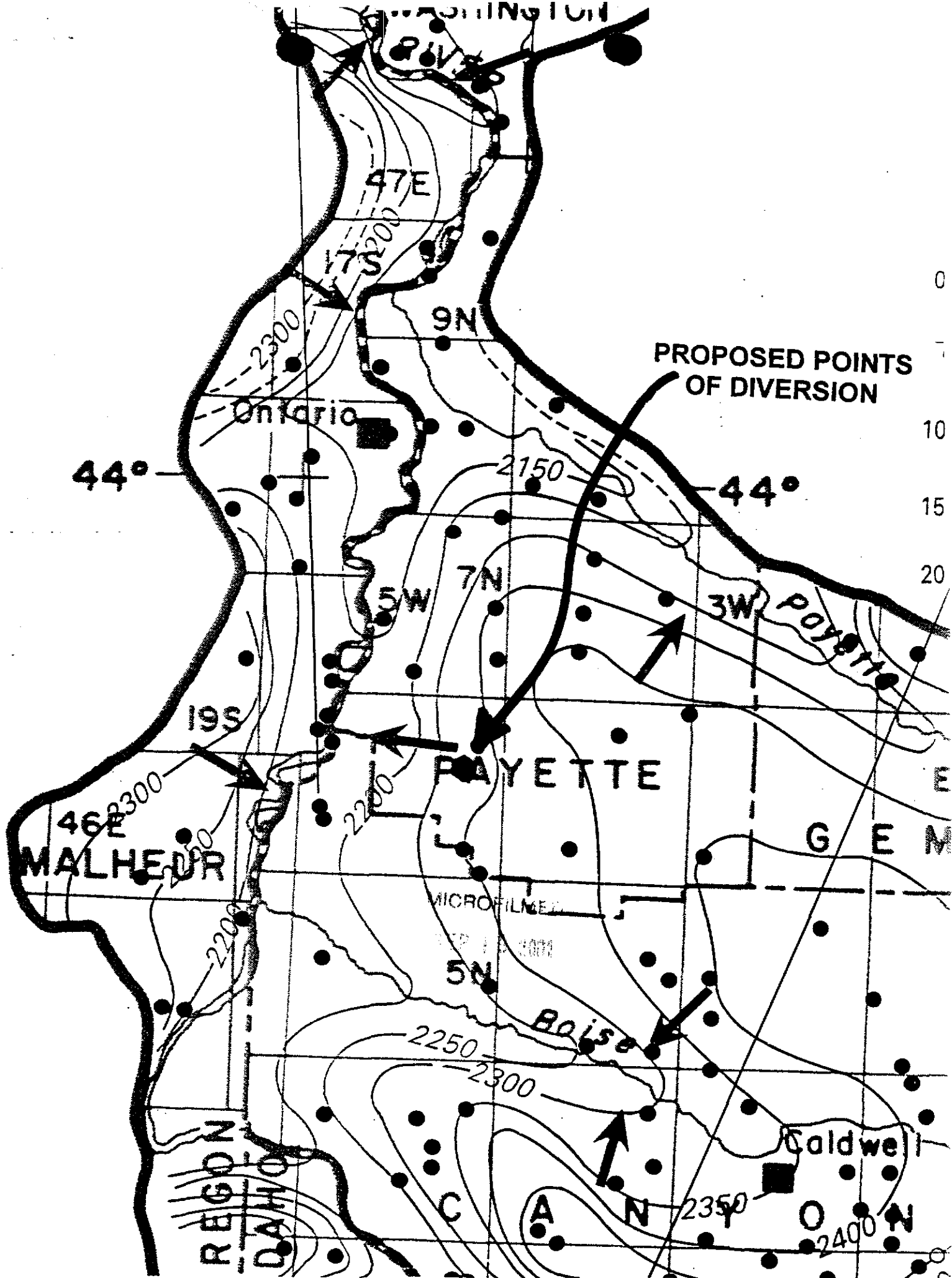
A contribution of the
REGIONAL AQUIFER-SYSTEM
ANALYSIS PROGRAM



HYDROLOGIC INVESTIGATIONS
Published by the U.S. Geological Survey, [1987] 1988
W

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SEP 18 2001



EXPLANATION



Area in which known local aquifer overlies the regional aquifer

—4000—

Water-table contour—Shows altitude of the regional water table, spring 1980. Dashed where inferred. Contour intervals 50, 100, and 200 feet. Datum is sea level. Contours are broken at the Snake River canyon between Milner and King Hill to indicate the discontinuity of the regional water table



General direction of ground-water flow

A — A'

Line of section



Control point

Note: In places, water is under semiconfined to confined conditions; however, variations in head with depth in wells used to construct this map are small, within the range of the contour interval



Control point for hydraulic flow section only



Boundary of Snake River Plain

200 100 50
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JUN 06 2001

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant Boise Valley Feeders LLC

Mailing Address 2201 Ridgeway Road

Parma, ID 83660

Application No(s).:

(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 to flows in the Snake River during the periods of anadromous fish migration.

☒ 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 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

Please return this form to:

Idaho Dept. of Water Resources
State Office
1301 N. Orchard Rd.
Boise ID 83706

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SEP 11 2001