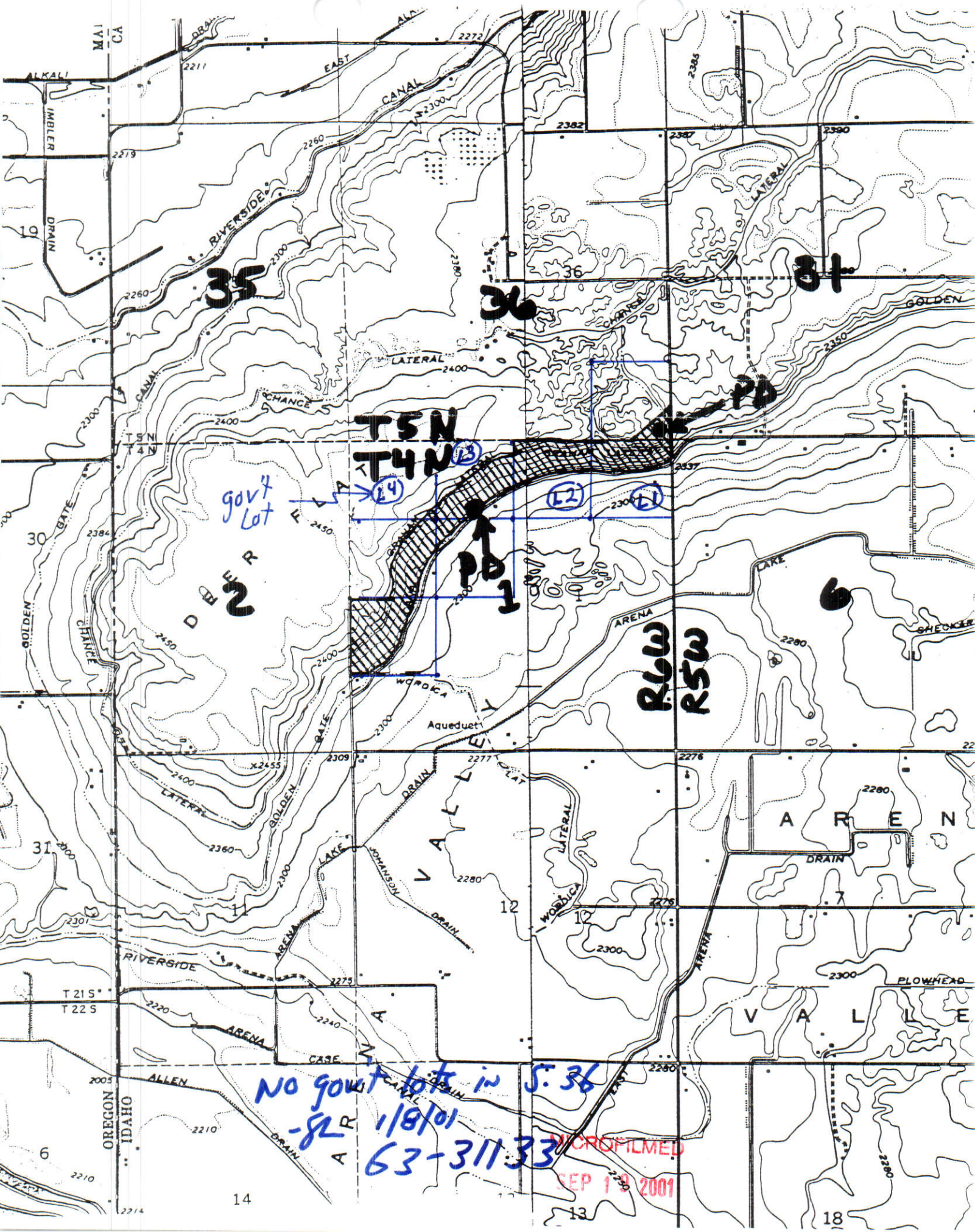
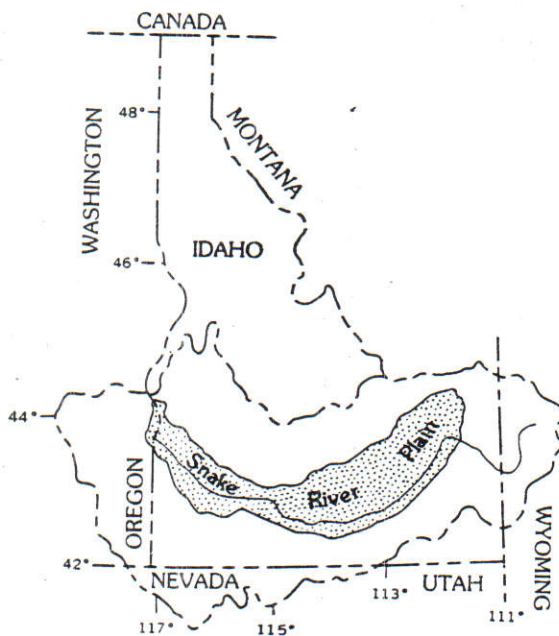




CONFIGURATION OF THE WATER TABLE AND DEPTH TO WATER, SPRING 1980,
WATER-LEVEL FLUCTUATIONS, AND WATER MOVEMENT IN THE SNAKE RIVER
PLAIN REGIONAL AQUIFER SYSTEM, IDAHO AND EASTERN OREGON

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

MICROFILMED

SEP 19 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

DANIEL J. JONES
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 and Caldwell,
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
the 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 two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

March 1, 8, 2001

STATE OF IDAHO)
County of Canyon)

On 8th day of March in the year of 2001 before
me a Notary Public, personally appeared. Daniel J. Jones,
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
acknowledge to me that she executed the same.

Notary Public for Idaho

Residing at Nampa

My Commission expires June 21st, 2003

MICROFILMED

SEP 19 2001

LEGAL NOTICE

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

63-31133

ARENA VALLEY VINEYARDS LLC

9304 BURNETT DR

BOISE ID 83709

Diversion Pt: NENW

Sec 1 T04N R06W in

CANYON County

Source: GROUNDWATER

SESESE Sec 36 T 05N R 06W

Use: COMMERCIAL

(01/01 To 12/31 0.2 CFS 0 AFA)

Use: IRRIGATION

(03/01 To 11/15 1 CFS 0 AFA)

Total Diversion: (1.2 CFS 3 AFA)

Date Filed: 12/19/2000

Place of Use: COMMERCIAL and

IRRIGATION

Twp 04N Rge 06W Sec 1

NENE NWNE NENW NWNW

SWNW SENW NWSW

Twp 05N Rge 06W Sec 36 SESE

Number of Acres 76

Applicant agrees to mitigate con-
sumptive use in the future as need-
ed for source thought to be tributary
to the Snake River instead of the
Boise River.

Water bearing zone to be appropri-
ated is from 200 to 400 feet.

Permits will be subject to all prior
water rights. Protests may be sub-
mitted based on the criteria of Sec
42-203A, Idaho Code. Any protest
against the approval of this applica-
tion must be filed with the Director,
Dept. of Water Resource, Western
Region, 2735 Airport Way, Boise,
Idaho 83705 together with a protest
fee of \$25.00 for each application on
or before 03/19/2001. The protestant
must also send a copy of the protest
to the applicant.

KARL J DREHER, Director

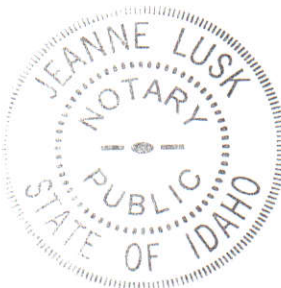
March 1, 8, 2001

2801

RECEIVED

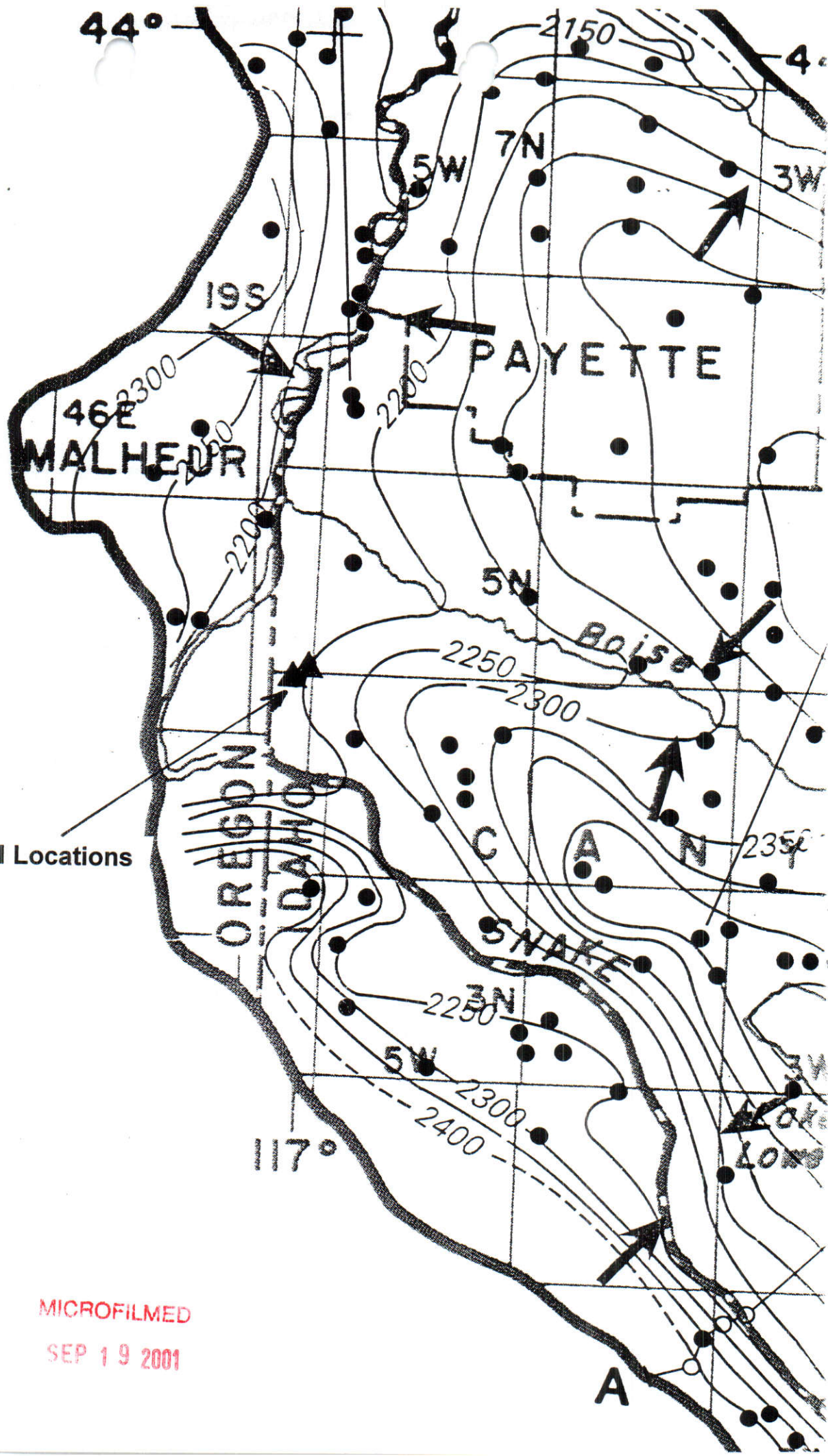
MAR 12 2001

WATER RESOURCES
WESTERN REGION



63-31133

Proposed Well Locations



MICROFILMED
SEP 19 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31133

Priority: 12/19/2000

Maximum Diversion Rate: 1.20 CFS

This is to certify, that ARENA VALLEY VINEYARDS LLC
9304 BURNETT DR
BOISE ID 83709

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>
COMMERCIAL	01/01 to 12/31	0.20 CFS
IRRIGATION	03/01 to 11/15	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Twp 04N, Rge 06W, B.M. CANYON County
GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp 05N, Rge 06W, 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	
04N 06W 1	12.0	13.0			14.0	1.0	13.0	2.0	19.0								74.0
	L1	L2			L3	L4											
05N 06W 36																2.0	2.0

Total Acres: 76

PLACE OF USE: COMMERCIAL, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 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. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

MICROFILMED

SEP 19 2001

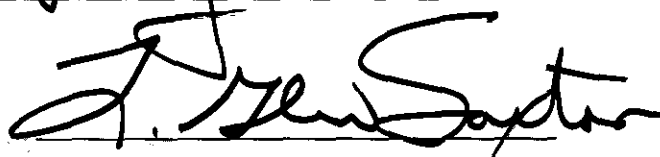
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31133

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. 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.
10. Commercial use is for a winery.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 2nd day of July, 2001.



KARL J DREHER, Director

for

MICROFILMED
SEP 19 2001

RECEIVED

FEB 05 2001

STATE OF IDAHO

Ident. No.

63-31133

RECEIVED

DEC 19 2000

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGIONDEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 20 2001

Department of Water Resources

1. Name of Applicant Arena Valley Vineyards, LLC Phone 208-362-8811
Mailing address 9304 Burnett Drive, Boise, ID 83709
2. Source of water supply groundwater which is a tributary of NA
3. Location of point of diversion is Township 5N Range 6W Sec. 36, in the SE 1/4, SE 1/4, SE 1/4, Govt. Lot —, B.M., Canyon County;
additional points of diversion if any: Lot 3 (NENW), Section 1, T4N, R6W
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>1.00</u> for <u>irrigation</u> purposes from <u>3/1</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>0.20</u> for <u>commercial</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 1.20 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, 8-inch casings with electric submersible pumps. Existing irrigation system and mainlines.
- b. Height of storage dam — feet; active reservoir capacity — acre-feet; total reservoir capacity — acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 400 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 —;
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. commercial use shall be in a winery (cleaning and rinsing of winemaking equipment))

MICROFILMED

Revisions approved by AD
initials

SEP 19 2001

2/1/01
date

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	6W	36																2	2
4N	6W	1	12	13			14 ~~23~~	1	13	2		19	~~29~~						74
			L.1	L.2			L.3	L.4											

COMMERCIAL USE = SAME AS IRRIGATION
PLACE OF USE

Total number of acres to be irrigated 76

10. Describe any other water rights used for the same purposes as described above. Wilder Irrigation District is utilized on 69.5 acres

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: This application seeks (1) supplemental irrigation water for 69.5 acres of vineyard, (2) primary irrigation water for 6.5 acres of vineyard, and (3) commercial water for use in a winery. Supplemental irrigation would be for early and late season if surface water supply (Wilder Irrigation District) is not available. Anticipated annual diversion volume is approximately 35 acre feet, including 17 acre feet for supplemental irrigation (0.25 ac-ft/ac), 13 acre feet for primary irrigation (1.75 ac-ft/ac), and 5 acre feet for commercial use in a winery. Anticipated annual consumptive use is 24 acre feet (30 acre feet diverted for irrigation at 80 percent irrigation efficiency). Winery use is anticipated to be non-consumptive. Two wells are contemplated. Water-bearing zone to be appropriated will range from 200 to 400 feet depth. Applicant seeks exemption from the administrative hold on new groundwater rights in the Boise River Basin because both groundwater and surface water at the site are tributary to the Snake River rather than to the Boise River.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.)

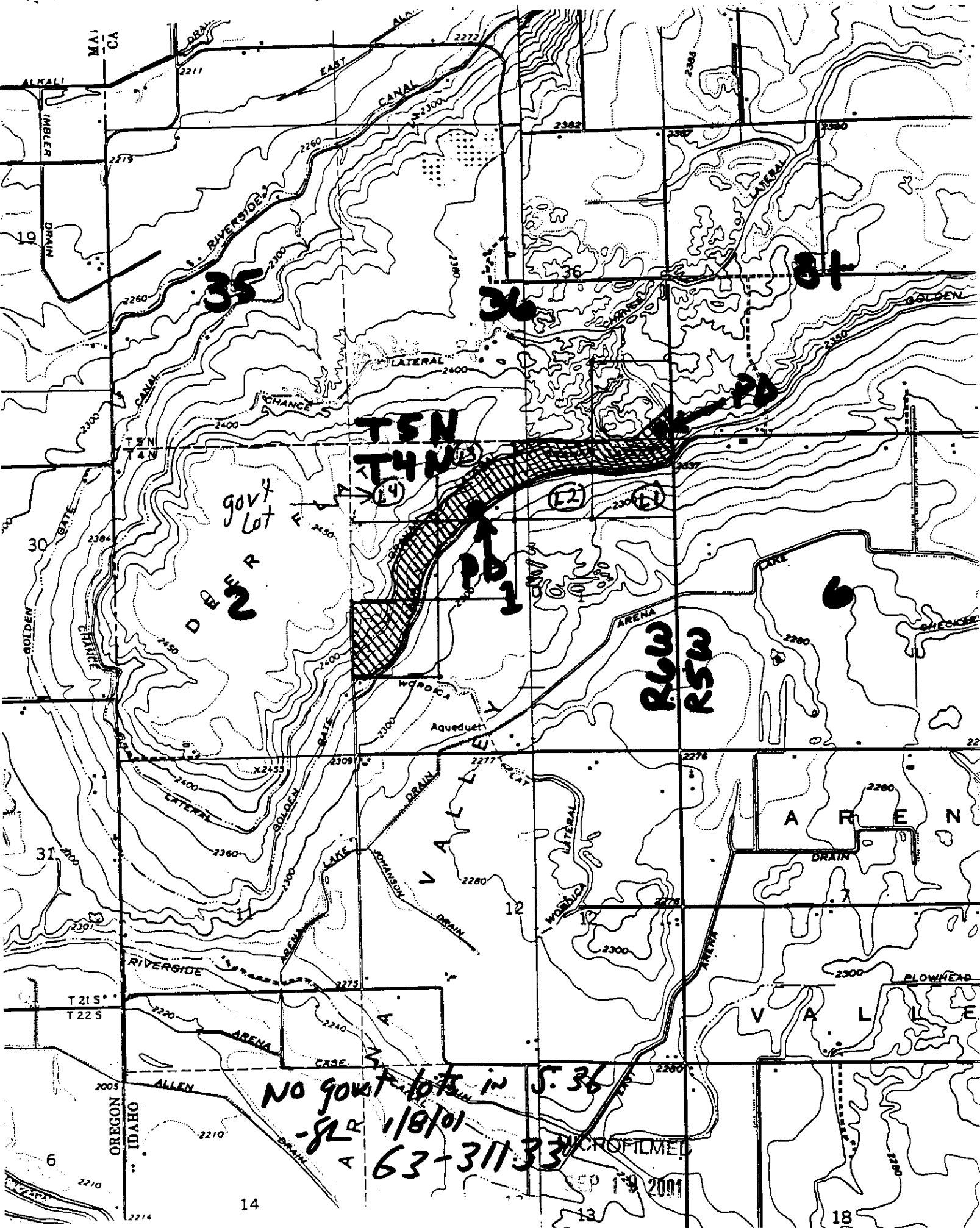
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

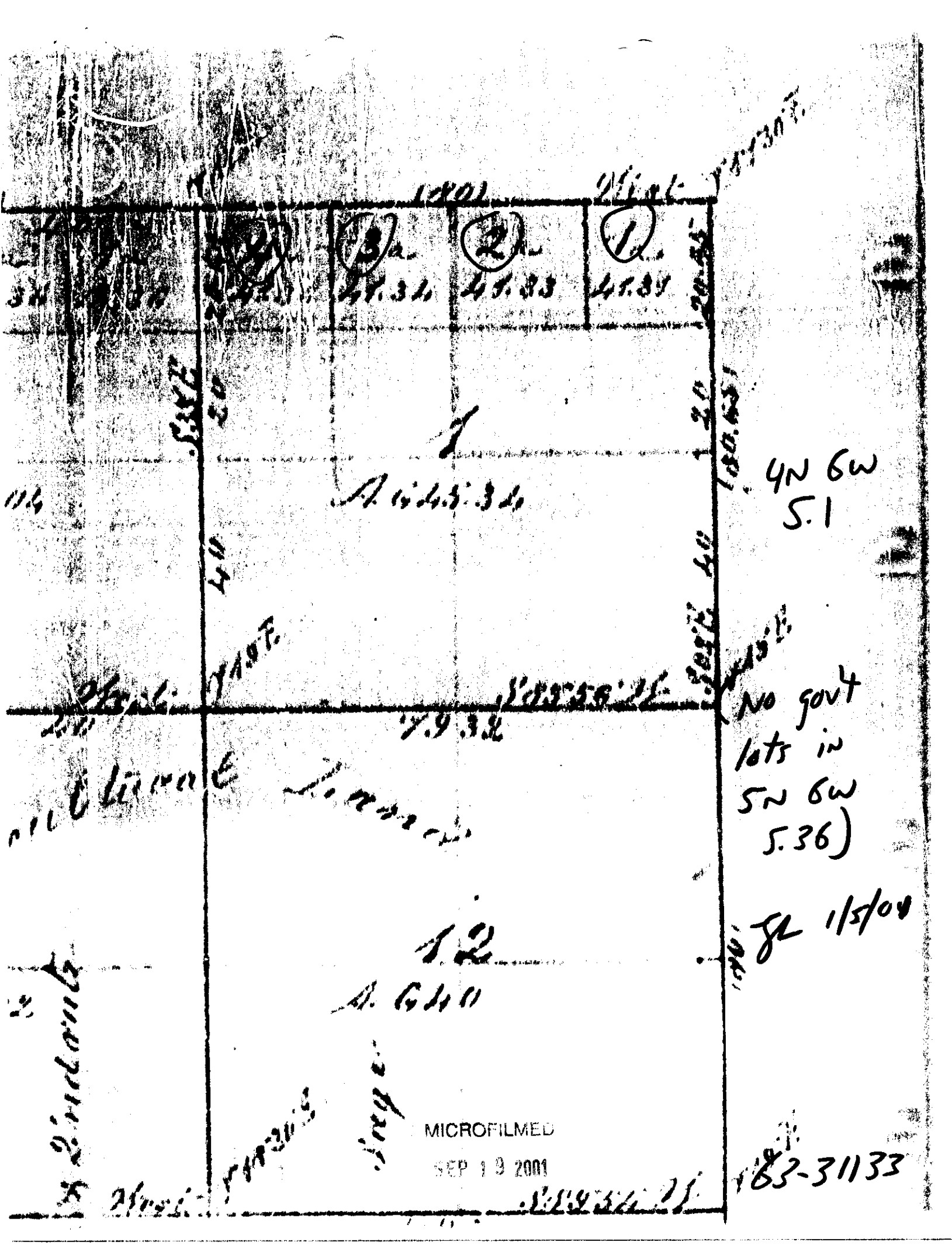
[Signature] 12/12/00
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 12/19/00 Time 9:59 Preliminary check by [Signature]
Fee \$ 290.00 Received by [Signature] # W 027230 Date 12/19/00
Publication prepared by [Signature] Date 3-18-01 Published in Press Pub
Publication approved [Signature] Date 3-15-01

MICROFILMED

SEP 19 2001





1001
2111
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

A. 64.5.31

4N 6W
5.1

No govt
lots in
5N 6W
5.36)

82 11/10

MICROFILMED

SEP 19 2001

63-31133



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

July 2, 2001

ARENA VALLEY VINEYARDS LLC
9304 BURNETT DR
BOISE ID 83709

RE: Permit No. 63-31133

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.

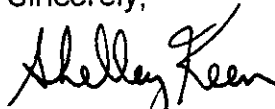
MICROFILMED

SEP 19 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,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

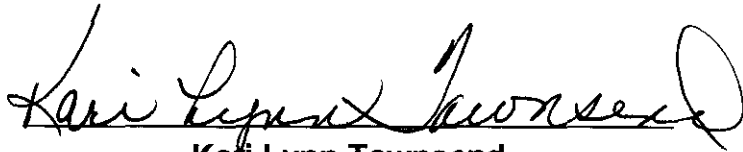
MICROFILMED
SEP 19 2001

CERTIFICATE OF MAILING

I hereby certify that on July 2, 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. 63-31133

**ARENA VALLEY VINEYARDS LLC
9304 BURNETT DR
BOISE ID 83709**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 19 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).

MICROFILMED
SEP 19 2001

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 6/29/01

No. 63-31133 Name: Arena Valley Corp. Officers ☒ Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes TVGW Moratorium Study area ~~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)
STOCK WATER - 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 (not under FERC)
or 17M (FERC regulated >25 cfs or 500hp)

BENEFICIAL USE DUE: 7/1/01 12006

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 - WB9

PLANNING REVIEW/RESPONSE

WD - 004 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

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

RIVER BASINS: (SW special considerations)

Snow R (01) - W22, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W22, 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 definition
i.e. D/convenience store)

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

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS C/winery

COMMENTS trib to Snake R. basin, not B. River basin.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 1/9/01 APPLICATION: 63-31133
(App. # 68828)

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

JUN 20 2001

Department of Water Resources

Gov't. Lots:
4 P/D
P/U

ADDITIONAL INFORMATION

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

N/A T FLAG CHANGED TO P FLAG

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: - Requests processing per source thought to be trib. 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.
☐ ☒ N/A immediate = acceptable plan required and submitted.
☐ ☒ future = open areas, acceptance of condition of approval is in file. - with app. on left side of 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

Other names/titles for LLC ← Provided by Terry Scanlon
(Consultant) office visit on 2/9

Date Requested

~~1/9/01~~ 1/9/01
(Tel. call to consultant)

Date Response Received

2/5/01 partial response

2/9/01 names/titles for LLC

PROCESSING

APP. NO. 3. 31133

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:

NO RESPONSE rec'd - OK ✓

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 3-19-01

☒ ☐ Protests received.

☐ ☐ Recommendations attached:

☒ ☐ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☐ ☒ Special conditions of approval or cover letter:

Retain surface use & use prior to groundwater, well construction conditions, allow 5 yrs., 200-400' water bearing zone, future mitigation possible

See below for additional informationRecommended Date or Priority 12-19-00Recommended by: Gay SDate: 6/18/00

No mitigation plan has been offered. Sent forward anyway based on tributary to Snake River.

ADDITIONAL INFORMATION:Overlap -

P/O - 5.1 M'well application 63-11649 n/a to project.

P/O - Surface water for most of proposal area, Wilder Inv. District.

Application Revising confirmed with 1/8/01 telecon with consultant. The

revising do not advance the priority since just clarify original ~~2~~ intent.

SEE consultant's 12/18/00 letter/maps & tributary info.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

WATER RIGHT NO. 63-31133

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARENA VALLEY VINEYARDS LLC 9304 BURNETT DR BOISE, ID 83709 (208)362-8811

Priority Date: 12/19/2000
 Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	11/15	1 CFS		
COMMERCIAL	01/01	12/31	0.2 CFS		
Total Diversion			1.2 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NENW Lt 3	Sec. 01	Township 04N	Range 06W	CANYON County
GROUND WATER	SESESE	Sec. 36	Township 05N	Range 06W	CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	06W	1	1	NENE	12	2	NWNE	13						
			3	NENW	14	4	NWNW	1		SWNW	13		SENE	2
				NWSW	19									
05N	06W	36		SESE	2									

Place of Use Legal Description: COMMERCIAL CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	06W	1	1	NENE		2	NWNE							
			3	NENW		4	NWNW			SWNW			SENE	
				NWSW										
05N	06W	36		SESE										

Total Acres: 76

Comments:

Author	Date	Subject	Comment
SLESTER	1/9/01	MORATORIUM	See application Remarks and consultant letter of 12-18-00 regarding ground water possibly tributary to Snake River. Processing occurs based on that information. Also, applicant agrees to seek Snake River mitigation water if immediate mitigation is needed.
SLESTER	1/9/01	COMMERCIAL USE	Commercial use is for a winery.

Dates:

Date Application Received: 12/19/2000
Date Application Denied:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date: 2/5/01
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W027230
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Application Type: New Appropriation

Applicant Remarks: Application seeks (1) supplemental water for 69.5 acres, (2) primary water for 6.5 acres, and (3) non-consumptive commercial use for a winery. Supplemental irrigation would be around margins of surface water delivery. Two wells are proposed. Anticipated annual diversion volume is about 35 af (30 for irrigation and 5 for commercial). Applicant seeks exemption from administrative processing hold because ground water and surface water at the site are tributary to the Snake River rather than the Boise River.

Other Water Rights: Wilder Irrigation District water is delivered to 69.5 acres via Golden Gate Canal.

Time to Complete Works: 5
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: True

FILE # 63- 31133
APPL. ID # 68828
DATE 1-8-01
STAFF JZ

SHAPE FILE NEEDED

ROUTING

ORIGINAL TO SL

☒ COPY IN APPLICATION FILE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

DANIEL J. JONES
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 and Caldwell,
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
the 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 two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

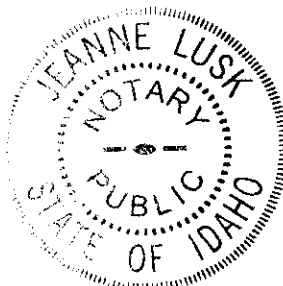
March 1, 8, 2001

STATE OF IDAHO)
County of Canyon)

On 8th day of March in the year of 2001 before
me a Notary Public, personally appeared. Daniel J. Jones,
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
acknowledge to me that she executed the same.

Jeanne Lusk
Notary Public for Idaho
Residing at Nampa

My Commission expires June 21st, 2003



MICROFILMED

SEP 13 2001

WATER RESOURCES
The following information has
been filed to appropriate the public
waters of the State of Idaho:

63-31133

ARENA VALLEY VINEYARDS LLC

9304 BURNETT DR

BOISE ID 83709

Diversion Pt: NENW

Sec 1 T04N R06W in

CANYON County

Source: GROUNDWATER

SESESE Sec 36 T 05N R 06W

Use: COMMERCIAL

(01/01 To 12/31 0.2 CFS 0 AFA)

Use: IRRIGATION

(03/01 To 11/15 1 CFS 0 AFA)

Total Diversion: (1.2 CFS 3 AFA)

Date Filed: 12/19/2000

Place of Use: COMMERCIAL and

IRRIGATION

Twp 04N Rge 06W Sec 1

NENE NWNE NENW NWNW

SWNW SENW NNSW

Twp 05N Rge 06W Sec 36 SESE

Number of Acres 76

Applicant agrees to mitigate con-
sumptive use in the future as need-
ed for source thought to be tributary
to the Snake River instead of the
Boise River.

Water bearing zone to be appropri-
ated is from 200 to 400 feet.

Permits will be subject to all prior
water rights. Protests may be sub-
mitted based on the criteria of Sec
42-203A, Idaho Code. Any protest
against the approval of this applica-
tion must be filed with the Director,
Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise,
Idaho 83705 together with a protest
fee of \$25.00 for each application on
or before 03/19/2001. The protestant
must also send a copy of the protest
to the applicant.

Director

RECEIVED

MAR 12 2001

WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ID DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Water Right No. 63-31128 in the Name of Golden Sunrise Mining Inc
Application for Water Right No. 63-31129 in the Name of Lansing Investment Inc
Application for Water Right No. 63-31133 in the Name of Arena Valley Vineyards LLC
Application for Water Right No. 79-07269 in the Name of Tom &/or Sue Lindsey

Dear Sir:

Enclosed are copies of the above-referenced applications, which may be of interest to your agency. 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 of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 5, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl.

MICROFILMED

SEP 19 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 9, 2001

TERRY SCANLAN
SCANLAN ENGINEERING
600 E RIVER PARK LN #105
BOISE ID 83706

Re: Application for Permit No. 63-31133, Arena Valley Vineyards LLC

Dear Terry:

Enclosed is the original application for your client's review. A few revisions were made to the original as we discussed yesterday, and the modifications are listed below.

- OK 2/5/01
- ✓ • Standard irrigation season for place of use (P/U) begins March 1 per current standards
 - ✓ • Irrigation P/U modified to include Sec. 1 NWNW and NWSW
 - ✓ • Commercial P/U matches irrigation P/U for maximum flexibility.

Also, please provide the names and titles of any other key people who comprise the partnership.

Incidentally, the newest "season of use and irrigation volume" map for the state is available at the Orchard Street office if you want a copy for future reference. Contact the Technical Services Bureau at 327-7900 to obtain a copy.

Your client can approve the application revisions by filling in the initials and date spaces at the bottom of the front page. Please return the original application form and the other information to me within thirty (30) days of the date of this letter. If the information is not timely submitted, the application will be removed from the records of this agency. Let me know if you need more information.

Thank you for your attention to these matters.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

SEP 19 2001

CONVERSATION MEMORANDUM

DATE 1/8/2001

FILE 63-31133

NAME OF PARTY Terry Scanlon for Arena Valley Vineyards, LLC

EMPLOYEE SL

RE: Revisions etc.

① P/M includes NSW + NSW 5.1? - yes ✓

② Mgr - see his cover letter ... is Scott DeSeelhorst ✓

Will id. other people w/ titles for LLC

③ NO existing irrig/comm. wells but existing irrig. lines from surface water for part of p/m ... golden gate canal delivery. ✓

④ OK to process & get Revisions approved while ad running. ✓

⑤ allow comm. use = irrig p/m. ✓

WR# : 63-31133

Appl. i.d. # : 68828

MICROFILMED

SEP 19 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

December 18, 2000

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

Subject: Application for Permit – Arena Valley Vineyards, LLC

Dear Gary:

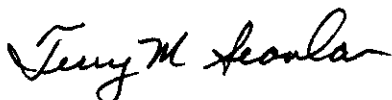
Enclosed please find an Application for Permit in the name of Arena Valley Vineyards, LLC. The application seeks 1.2 cfs of groundwater for irrigation and commercial purposes at a vineyard and winery located west of Wilder. A check for the \$290.00 application fee is also enclosed.

Arena Valley LLC requests an exemption from the administrative hold on processing of new Applications for Permit in the Boise River Basin. Both groundwater and surface water at the points of diversion proposed by this Application for Permit are clearly tributary to the Snake River. Groundwater flow direction is almost due west, according to the USGS Hydrologic Atlas HA-703 (copy enclosed). The diversion points are approximately 5 miles south of the mouth of the Boise River. As such, appropriation of groundwater at this location should have no effect on groundwater or surface water flows in the Boise River drainage basin.

Arena Valley has enclosed a completed "Request to Process" form that indicates that they will agree to mitigation in the future if necessary. Furthermore, if mitigation is required for processing this application, Arena Valley is willing to purchase and retire valid Snake River water rights to mitigate for the consumptive use associated with the proposed permit.

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

Sincerely,



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

Cc: Scott DeSeelhorst

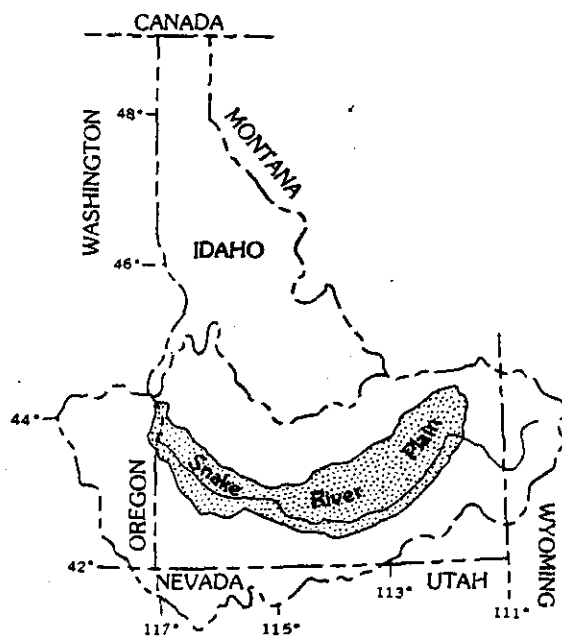
MICROFILMED

SEP 19 2001

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

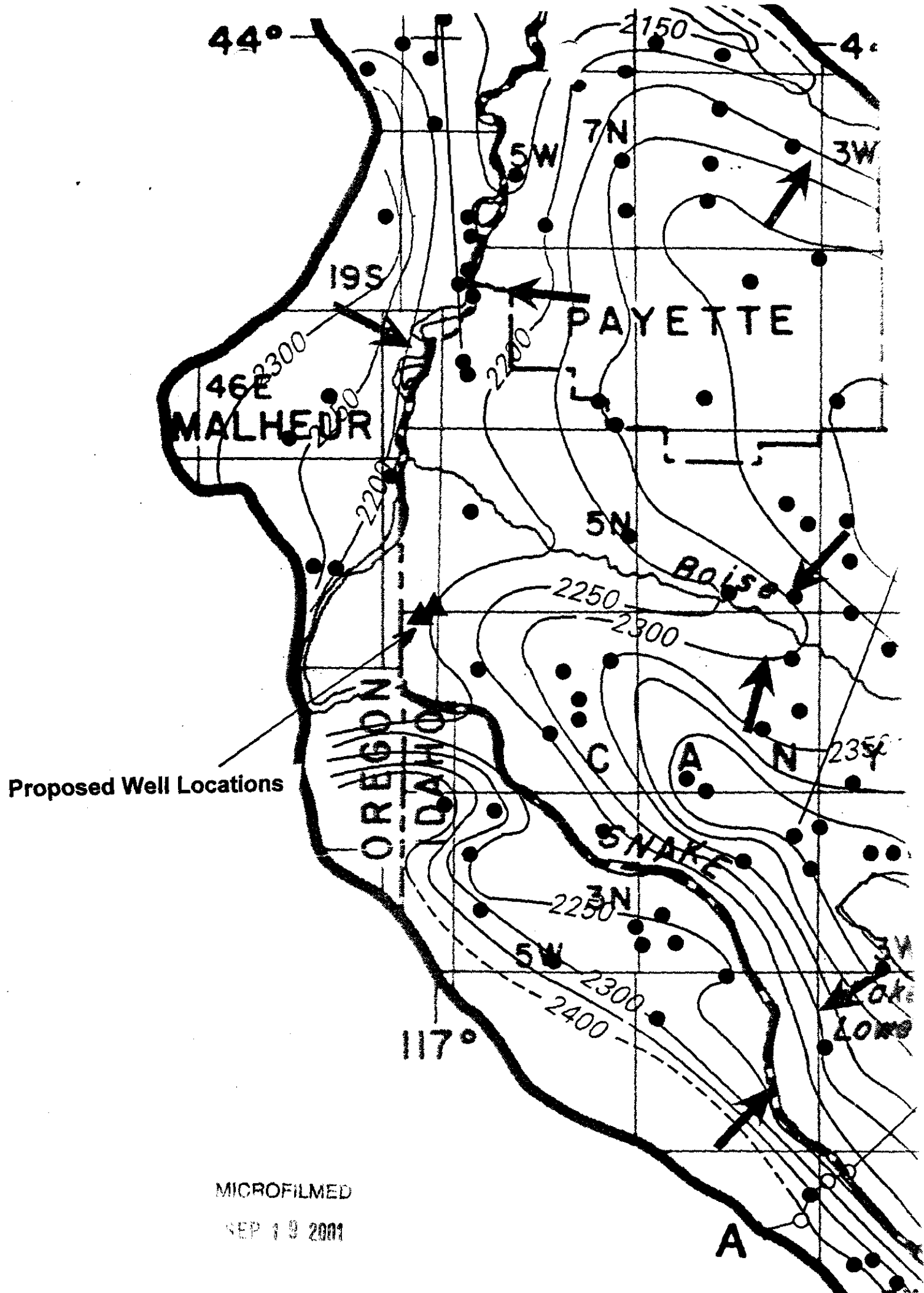
A contribution of the
REGIONAL AQUIFER-SYSTEM
ANALYSIS PROGRAM



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

MICROFILMED

SEP 19 2001



MICROFILMED

SEP 19 2001



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

01/10/2001

Press-Tribune
PO Box 9399
Nampa ID 83652

RE: Application for Permit No 63-31133

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 ~~February 5~~, 2001. Your cooperation is appreciated.

March 19

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Senior Secretary

Press trib. only adv. the top ad - not the 2 underneath - so had to change dates.

MICROFILMED

SEP 19 2001

MICROFILMED

SEP 19 2001

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-31133

ARENA VALLEY VINEYARDS LLC
9304 BURNETT DR
BOISE ID 83709

Diversion Pt: NENW Sec 1 T 04N R 06W in CANYON County Source: GROUNDWATER

SESESE Sec 36 T 05N R 06W

Use: COMMERCIAL (01/01 To 12/31 0.2 CFS 0 AFA)

Use: IRRIGATION (03/01 To 11/15 1 CFS 0 AFA)

Total Diversion: (1.2 CFS 3 AFA)

Date Filed: 12/19/2000

Place of Use: COMMERCIAL and IRRIGATION

Twp 04N Rge 06W Sec 1 NENE NWNE NENW NWNW SWNW SENW NWSW

Twp 05N Rge 06W Sec 36 SESE

Number of Acres 76

Applicant agrees to mitigate consumptive use in the future as needed for source thought to be tributary to the Snake River instead of the Boise River.

Water bearing zone to be appropriated is from 200 to 400 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, Idaho 83705 together with a protest fee of \$25.00 for each application on or before 02/06/2001. The protestant must also send a copy of the protest to the applicant.

03/19

March 1 + 8

KARL J DREHER,
Director

Published on ~~January 13 and 20~~, 2001.

MICROFILMED

SEP 19 2001

MICROFILMED

SEP 19 2001

REQUEST TO PROCESS

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

Name of Applicant Arena Valley Vineyards, LLC
Mailing Address 9304 Burnett Drive
Boise, ID 83709

Application No(s):
(if known)

63-31133

12/18/01

☐ **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

[Signature]

Date

12/4/00

Please return this form to:

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

MICROFILMED

SEP 19 2001