

BOISE CO
ADA CO

Gov't Lots in
Sections but none
in pld, plu tracts.
-SL 2/22/99

16

15

17

Spring Shores
Recreation Site

MOSES CREEK

RESERVOIR

20

21

22

LUCKY PEAK
NURSERY

1/4-1/4
Line

T3N R4E S:21
NESW

Exotic Wells
63-0233
63-310231

LUCKY
PEAK

T3N R4E S:28 NW1/4
T3N R4E S:29 NE1/4

MICROFILMED
JUN 09 1999

63-12507

29

28

29

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12507

Proposed Priority: January 22, 1999

Maximum Diversion Rate:

0.08 CFS

This is to certify, that **US DEPT OF AGRICULTURE**
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE ID 83706

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 21, Township 03N, Range 04E
ADA County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 04E 28
29

NWNW
NENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 2004.
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. Domestic use is for an office and bunkhouse for the emergency fire operations center at Lucky Peak nursery site.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
8. Water bearing zone to be appropriated is from 100 to 260 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

28 day of May, 1999.

MICROFILMED

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 21 1999

APPLICATION FOR PERMIT

JAN 22 1999

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1. Name of Applicant United States of America, Forest Service Phone (208) 387-0835
 Mailing address 380 E. Parkcenter, Suite 330 Boise, ID 83706

2. Source of water supply Groundwater which is a tributary of sinks *

3. Location of point of diversion is Township 03N Range 04E Sec. 21 in the 1/4,
NE 1/4, SW 1/4, Govt. Lot —, B.M., Ada County;
 additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount .08 cfs for Commercial Domestic purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount .04 cfs for Domestic purposes from 05/01 to 11/31 (both dates inclusive) *

Amount .02 cfs for Commercial purposes from 06/15 to 10/15 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)
 (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .08 cfs and/or (b) —
 cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source pump + pipelines, 3 *

existing wells
 b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
 reservoir capacity — acre-feet

c. Proposed well diameter is existing inches; proposed depth of well is — feet

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

e. If well is already drilled, when? 1961; Drilling firm unknown *

Well was drilled for (well owner) USDA Forest Service; Drilling Permit No. N/A

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. Interagency fire operations by Forest Service, BLM and State of Idaho
for the Boise Front. Facilities include an office, bunkhouse and helipads.

* Clarified per talk with Lisa Maloney of BNE office. MICROFILMED
 Domestic use .08 cfs, all year. 3 wells drilled before 1963, depths < 200-260 estimated.
 Clarified but not expanded use (no priority advancement). JUN 09 1999

-82 2/22/99

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	
03N	04E	29	D																
03N	04E	28					D												

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? USDA Forest Service

b. Who owns the land to be irrigated or place of use? USDA Forest Service

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: Existing 6" well (State No. 63-31020) already supplies domestic water to residences, crew facilities and warehouse for the Lucky Peak Nursery operations. Existing water delivery system will be extended to supply water to new fire operations facilities being relocated from the Boise Airport.

SEE D'BASE COMMENTS

Forest Service ID # 020417050112 37 03 0079

REMARKS

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

Received by AK Date 1/22/99 Time 10:57 Preliminary check by SL
 Fee \$ 10000 Received by AK # W084744 Date 1/22/99
 Publication prepared by AK Date 2-24-99 Published in Idaho Statesman 3-4-99
 Publication approved AK Date 4-6-99 MICROFILMED

* per note, pg. 1 of application.

-SL 2/22/99

JUN 09 1999

Comments: Date: 2/22/1999 User-ID: SLESTER

Subject: ADDITIONAL INFORMATION

APPLICANT'S: Need to move part of fire operations @ Boise airport to rural area. Facilities will include a new office, bunkhouse and helipads with minor (@ 1/2 acre or less) landscaping. Normal use will be @ .02 cfs all year with up to .08 cfs during fire season. New use will occur from existing wells drilled in early 1960's for 63-03231 and A63-31020.

FS ID# 020417050112 37 03 0079. Requests local moratorium waiver to serve the public interest.

IDWR'S: Water bearing zone estimated from well logs and 63-03231 file, an irrigation right from 2 wells for Lucky Peak Nursery. 3rd well serves A63-31020 for existing domestic use (SRBA # given to FS but claim not filed yet per Western SRBA staff). Drilling permits n/a to old wells. Since use will be essentially non-consumptive (just minor landscaping at most), "request to process form" n/a.

MICROFILMED

JUN 05 1999

BOISE CO.
ADA CO.

15

Spring Shores
Recreation Site

Z68

MORES CREEK

RESERVOIR

20

21

22

**LUCKY PEAK
NURSERY**

101a

1/4-1/4
Line

Exhibit Well
63-0323
12-31-63

PDD

T3N	R4E	S:21
NESW		

A hand-drawn sketch of a geological feature, possibly a peak or a fault line. The word "LUCKY" is written vertically along the left side of the sketch, and "PEAK" is written diagonally above it. There is a small rectangular box at the top left of the sketch containing the text "30731" and "30731".

MICROFILMED
JUN 09 1989

63-12507

T3N R4E S:28 NWNW
T3N R4E S:29 NENE

28

29



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 1, 1999

US DEPT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12507

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

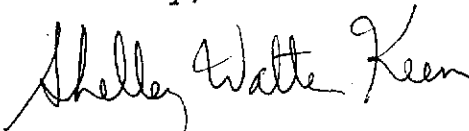
MICROFILMED

JUN 04 1999

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

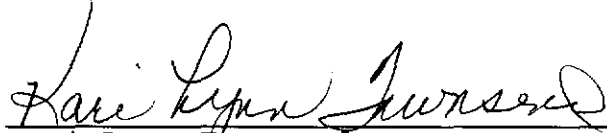
MICROFILMED
JUN 03 1992

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12507

US DEPT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE ID 83706



Kari Lynn Townsend
Secretary

MICROFILMED
JUN 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 6 9 1995

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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
JUN 09 1998
Page 2

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 63-12507 Name: USFS Date: 5/26/99 Ad OK? ☒ Gvmt Lts: ☒AREA OF CONCERN: - ~~Yes~~ Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED: - 06A P17

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

Supp. irr. use only

Supp. irr. + uses

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

> 0.20 cfs

≤ 0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

USE:

STORAGE (✓ 3 compo.)

IRR ≤ 5 acres

> 5 acres

STOCKWATER

MINING

FISH PROPAGATION

HEATING/COOLING

POWER

MUNICIPAL

In restricted area?

Irr., GW supp. to SW?

DOMESTIC

Surface water

> 1 in rest. area

FIRE PROTECTION

LOCATION:

BOISE FRONT LOGEO

MITIGATION

42-248 AREA

SWAN FALLS FLAG (✓ Code)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- ~~Yes~~ Yes: _____ Mor / _____ GWMA / Trust / Non-trust

- 020 (Protest Agreement) or *W19 (Order)

- 06A P17

OK to
Advertise

IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JR DATE: 2/22/99 APPLICATION: 63-12507

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 Refund in process for overpayment
- Gov't. Lots: N P/D P/U
- plat N/A

YES ADVERTISE REMARK(S) All
(Reviewer identify which remarks)

ADDITIONAL INFORMATION

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: seeks waiver to BS. 63 processing delay, see 1/20/99 letter
- ☒ ☒ 1992 moratorium:
- ☒ ☒ Surface water source, IDFG letter needed.
- ☒ ☒ Bull trout impact area, IDFG letter needed
- ☒ ☒ 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
- SEE BASE COMMENT -> N/A

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO.

63-12507

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

Public water supply

YES NO

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

FOR APPLICATION COPY -
 just need computer version
 w/ map

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 3-22-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: ~~none~~, Irrigation shall not exceed 1/2 acre under this right.

See below for additional information

Recommended Date or Priority 1-22-1999 -86

Recommended by: Gary S Date: 4/22/99

ADDITIONAL INFORMATION:

SEE 1/20/99 letter for background

Appears Bs. 63 "waiver" ok for minor mostly non-consumptive
 use re public interest. Applicant needs to move portion of
 fire ops now at Boise Airport to site outside of town.
 Use 3 old wells (2 irrig. 63-03231, 1 domestic
 63-31020) for new use.

NOTE drilling permits N/A for wells < 1987.

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$78.00

Account Number/Trans. #	Identification		
047628	NOTICE OF APPLICATION FOR WATER RIGHT		
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	MARCH 4, 11, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	3464

RECEIVED

MAR 22 1999

**WATER RESOURCES
WESTERN REGION**

JANICE HILDRETH

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly

☐ **single**

☐ consecutive daily

 odd skip

insertion(s) beginning with the issue of

MARCH 4

1999

and ending with the issue of

MARCH 11

1999

Grace Hildreth

STATE OF IDAHO)

\$5.

COUNTY OF ADA

On this 11TH day of MARCH in the year of
1999, before me, a Notary Public, personally appeared

JANICE HILDRETH

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 she executed the same.

Angela M Newland

Notary Public for Idaho

Residing at:

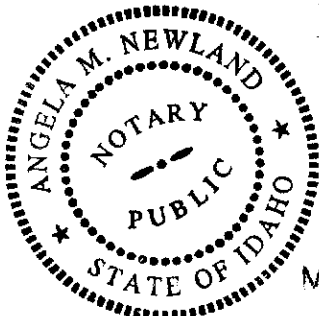
Boise, Idaho

My commission expires:

4112 105

MICROFILMED

MAY 9 1999



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

US DEPT OF AGRICULTURE FOREST SERVICE 380 E PARKCENTER STE 330 BOISE, ID 83706 Source: GROUNDWATER Division: PN Use: DOMESTIC	63-12507	✓	Sec 21 T 03N R 04E in ADA County. { 0.080 CFS) 0.080 CFS)
Date Filed: 1/22/1999 In: ADA County T03N R04E			
			S28 N6W1W S28 NENE
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 22, 1999.			
KARL J. DREHER, Director			
Pub. Mar. 4, 11, 1999			

3466



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

March 4, 1999

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 Permit No. 63-12507 in the Name of the US Forest Service

Dear Sir:

Enclosed is a copy of the above-referenced application for permit which may be of interest to your agency. 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(s), your written protest along with the \$25.00 protest fee must be received in this office by March 22, 1999.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 11 1999

MEMORANDUM

TO: DEBBIE ALLEN
FROM: STEVE LESTER *SL*
DATE: FEBRUARY 22, 1999

RE: REFUND

The Forest Service filed Application for Permit No. 63-12507 on 1-2-1999 and paid \$100, which was \$50 too much.

Please complete the following based on the above information. The receipt number is identified for your convenience. The check should be made out to USDA Forest Service but sent attention of Karen Morthland.

ACTION - Issue \$50 refund
REASON - Overpayment
RECEIPT - W024744
MAIL TO - ATTN Karen Morthland
Boise National Forest
1249 S. Vinell Wy, Ste. 200
Boise, ID 83709
(FS ID # 020417050112 37 03 0079)

c: Application File 63-12507

MICROFILMED

JUN 24 1999

CONVERSATION MEMORANDUM

DATE 2/22/99

FILE 63-12507

NAME OF PARTY LISA MALONEY BNF 373-4434

EMPLOYEE FL

RE: Processing Info - OK to proceed per this discussion:

1) USE probably > 42-111 so need to file.

2) "BASE USE" all yr. @ .02 cts,

w/ peak use in time season up to .08 cts,

OK to show Domestic .08 cts all yr.

3) Send \$50 refund ATR KAREN MORTON/and,

check payable to BNF.

4) 3 existing wells

{ 2 living = 63-03231 } SPRRA claims not

{ 1 dom. = (A)63-31020 } filed but will

↳ At # given by TRM since FS needs to prepare its records.

all < 1963.

only w/b zone info can find (logs + proof in

.3231) is ± 100-260'. OK per her, she'll

contact TRM if finds add'l info (doubtful though).

5) Landscaping* ~~the~~ VERY minor (≤ 1/2 acre) MICROFILMED

all so .08 cts can include this. JUN 09 1999

6) See 1/20/99 letter, requests processing.

* assume "Request to process" N/A since uses entirely or almost entirely "in-house" - should not need form for just minor landscaping.

NO
logs
found
for

S.21

POOR QUALITY

16
7-11-62

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G 29575

RECEIVED
MAR 9 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO AGRICULTURAL USE
and Completion of Works
DEPOSITION OF HOLDER

1. Name, residence, occupation and postoffice address: Roy Sprague
200 Circle 1, Boise, Idaho, Forester, Boise National Forest, 415 Idaho St., Boise, Id.

2. If acting in behalf of corporation, state its name, principal place of business, foreign corporation, give name of postoffice of statutory agent, your position, residence, and your authority for appearing in its behalf: Service, Ogden, Utah. Forester (Nurseryman) agent.

3. State number, approval date of permit, and date of priority, you propose to publish under the permit: G 29575, approved March 24, 1961 and first used May 1963, 17 1774

4. State source of water supply: Wells (2) near Boise River (Lucky Peak Reservoir) location of point of diversion, showing subdivision, section, township and range: SW, Sec. 21, T3N, R4E, B.M., Ada County.

5. Describe your works of diversion: 1 well with 50 h.p. deep well turbine pump and well with 5 h.p. submersible pump; state amount of water they are capable of con-

ing from point of diversion to place of use: 50 c.f.s.; Give name of canal or ditch work by which water is conducted to such place of use: 8" underground transits pl.

if a well, state both of well 200 ft. depth and size of casing 12" and 6"; depth to water 100 ft.; if pump is used,

state discharge of pump: 100 c.f.s.; tell how it was measured or determined: by measuring; if sprinkler irrigation, give number and size of nozzles and

operating pressure: Skinner system - 9 lines with 2" risers in each field, operating at 50 p.s.i.

Ques. 6. State for what purpose water is used: Irrigation of tree nursery. If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: SW, NW, 30 acres; SE, SW, 3 acres and NW, SW, 25 acres all in Sec. 21, T3N, R4E, B.M.

MICROFILMED

MAR 9 1965

7. State nature of all improvements which have been made as a direct result of said use: Construction of complete tree nursery facilities including irrigation facilities consisting

1000 lin. ft. underground transite pipe mains and laterals with overhead sprinkler lines lining of 13 fields with 3 overhead lines each, totaling 47,970 lin. ft. of overhead

29575

1. If this is a ground water permit, give name and address of person that drilled
Kenneth Witt drilled the 6" well and Russell Cove drilled the 12" well.

2. If for other than irrigation purposes, state purpose and how used:
for other than irrigation purposes.

3. What is the minimum amount of water required for the purpose specified above:

withdrawing of 200 acre feet. Rate of withdrawal: Idaho Miners inch or 450 g.p.m.

4. If you are not the person or representative of the corporation to whom above
issued permit was originally issued, please state how ownership was acquired by present

5. What amount of water was diverted under above mentioned permit
from 1961 to 1965. This used since first use:

6. Irrigation season 1961-1962, 1963-1964, 12" well brought into use in
falling season 1961.

7. Describe all other water rights appurtenant to same place of use:
27700 ft. pumping station in Lucky Peak Reservoir located in SW 1/4 Sec. 21,

NE 1/4, S. 8, E. 3, also a water right for 25 miners inches from January 1 to July 1. Decreed
under name of W. Badel (Badel vs. Percy et al.) Judge Carl A. Davis dated 3/2/12. This
water right does not furnish enough water for a long enough season.

(sign) W. Percy Praguer

I hereby certify that the foregoing testimony was read to the above subscribed,
its signing, that I believe him to be the person he represents himself to be,
and that said testimony was subscribed and sworn to before me, at my office in

Boise County of Ada

of I, who, on this 23rd day of February, A.D. 1965.



Franklin Jones
July 15 1966

MICROFILMED
JUN 09 1993

29575

POOR QUALITY

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

WELL OWNER

Name Lucy Peak Nursery Well
Address Basie Nat Forest
Owner's Permit No. _____

7. WATER LEVEL

Static water level 93 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
16	0	24	top soil to gravel		
	24	26	Black Basalt		
	26	45	" Broken		
	45	47	Hard Gray Basalt		
	47	57	"		
	57	65	"		
	65	82	"		
	82	97	"		
	97	105	Broken Black Basalt		
	105	112	Broken Rock last cutting		
	112	137	"		
	137	137	Gray Basalt		
12	137	145	"		
	145	177	Gravel & Gravel		
	177	190	Gravel & Limestone		
	190	210	"		
	210	222	"		
	222	240	White Sandstone Hard		
	240	254	Gray Basalt		
	254	260	Gravel & Sand		
	260	270	Sand		

METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

WELL CONSTRUCTION

Diameter of hole 12 inches Total depth 251 feet
Casing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

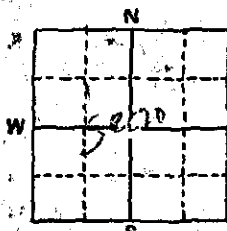
Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☐ Yes ☐ No To what depth _____ feet
Material used in seal ☐ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Adair County

NE 1/4 Sec. 20 T. 3 N. S. R. 4 E. W.

10.

Work started July 3 finished Sept 15 1970

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Elmer Wall Drilling
Driller's or Firm's Name _____ Number _____
Address Rt 3 Twin Falls Idaho
Signed By Elmer Wall Date Sept 15 1970

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

land surface

TELL OWNER
Name U.S. Forest Service
Address Lucky Peak
Owner's Permit No. _____

7. WATER LEVEL

Static water level _____ feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other 2

Discharge G.P.M.	Draw Down	Hours Pumped
		4

PROPOSED USE

☐ Domestic ☐ Irrigation ☒ Test

☐ Municipal ☐ Industrial ☐ Stock

9. LITHOLOGIC LOG

[illegible]

METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug, ☐ Other

WELL CONSTRUCTION

Diameter of hole 10^h
8ⁿ inches } Total depth 253 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>2.25</u> inches	<u>10</u> inches	<u>71.2</u> feet	<u>261</u> feet
_____ inches	<u>6</u> inches	<u>0</u> feet	<u>253</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☒ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☒ Factory ☐ Knife ☐ Torch

Size of perforation 1/8 inches by 3 inches

Number	From	To
_____ perforations	<u>220</u> feet	<u>253</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____

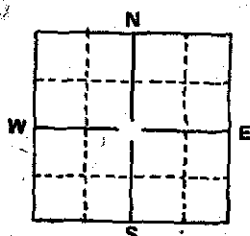
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 18 feet

Material used in seal ☒ Cement grout ☐ Puddling clay

LOCATION OF WELL
Sketch map location must agree with written location.

Sketch map location must agree with written location.



County Ada
 NW ¼ NW ¼ Sec. 17, T. 23 N. 2 R. 4 E. 4

10. Work started 6-1-59 finished 8-10-59

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Russell Cove Drilling 65
Boise, Idaho
Address
Signed By
Date



United States
Department of
Agriculture

Forest
Service

Boise
National
Forest

1249 S. Vinnell Way, Suite 200
Boise, ID 83709

File Code: 2540

Date: JAN 20 1999

SL
Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Lester:

This accompanies our application to appropriate the public waters of the State of Idaho for an Interagency Emergency Fire Operations Center to be located at the Forest Service Lucky Peak Nursery.

The Idaho Department of Lands (IDL), Bureau of Land Management (BLM), and the Forest Service have cooperatively operated an Interagency Fire Center for the Boise Front from the Boise Airport for many years. A BLM helicopter has been based at the airport since 1972. Recent developments require this operations center be relocated from the present location. Some factors entering into this decision include:

1. Public safety with respect to urban encroachment around the airport and initial attack flights over congested areas.
2. Public service and safety with respect to increased use and activity at the airport and at the National Interagency Fire Center (NIFC) adjacent to the airport.

Three years ago, it was determined that BLM and Forest Service helicopters dedicated for local fire emergencies would not operate from NIFC facilities. Work began to select a new location for Boise Front operations. The most cost effective and serviceable site for the fire center is available on land already owned by the Forest Service at Lucky Peak Nursery. The safety and social concerns associated with use at the airport are resolved. It is ideal for protecting the urban interface areas along the Boise Front and Ada County. It offers the best location from which to respond to most fires in high priority areas along the Front. In addition, initial attack response times are reduced.

The new center would be located in the undeveloped foothills immediately south of existing Forest Service nursery facilities. The site is immediately west of Lucky Peak Reservoir. The plan is to improve an access road; construct new facilities; and install utilities and services so the center can be operational for the 1999 fire season.



63-12507

Caring for the Land and Serving People

MICROFILMED

*Letter
Requests
processing*
JUN 2 1999
Printed on Recycled Paper



Steve,

1/22/99

If there are any glaring errors on this application, please give me a call - I'd like to help, rather than have this get held up.

Thanks!

Lisa Maloney

Boise NF

373-4434

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JUN 11 1999

Facilities would include an office, a warehouse, a bunkhouse, and helipads. Water would be supplied from a well already supplying domestic and commercial uses associated with the Lucky Peak Nursery operations. The existing pipeline would be extended from its terminus at an old house and run along the improved road to the fire center location. A 15,000 gallon storage tank would be located on a high point between the house and fire center.

Use and occupancy at the center is primarily for emergency fire operations by the interagency group during the summer. Year-round use is not planned, but may occur as emergency situations and facilities management dictate.

The IDL, BLM, and the Forest Service need an emergency fire operations center to serve the expanding populations and uses along the Boise Front, irrespective of land ownership or jurisdiction. Crews, equipment, supplies and other supporting activities for fire suppression will be staged from the fire center. The ability of the land management agencies to respond rapidly to fire emergencies will minimize damage to natural resources, private property and the public.

We believe establishment of an interagency emergency fire operation center for the Boise Front to be in the public interest. Ada County Commissioners and County Fire Departments express strong support for this proposal. Other helicopter operations conducted by Federal, State and local government entities and emergency and rescue operations will also benefit from having designed and constructed facilities available for incidental and emergency use. We request expedited processing and approval of this application so occupancy of the fire center is not delayed.

If you have any questions about this application, please contact Steven Spencer at 387-0835. If you have specific questions about the operations planned at the interagency fire center, please contact Guy Pence at 373-4176.

Sincerely,



DAVID D. RITTENHOUSE
Forest Supervisor

Enclosure

cc:
M. Beaulieu
S. Raddatz
S. Spencer, BAT

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JUN 08 1989



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

FEBRUARY 24, 1999

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 22, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

APPROXIMATED

1999

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

MICROFILMED

JUN 09 1999

63-12507

US DEPT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: NESW Sec 21 T 03N R 04E in ADA County.

Use: DOMESTIC	(	0.080 CFS)
Total Diversion:	(	0.080 CFS)

Date Filed: 1/22/1999

In: ADA County	
T03N R04E S28	NWNW
S29	NENE

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JUN 09 1999

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 22, 1999.

KARL J. DREHER, Director

Published: 3/ 4/1999 & 3/11/1999

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3/11/99