State of Idaho
Department of Water Resources

Water Right License

Water Right No. 2-10654

Priority: August 08, 2023

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.2 AF

It is hereby certified that:

HOOPER LIVING TRUST 10134 AIRPARK LOOP MELBA ID 83641-4202 AND/OR
LARRY HOOPER 10134 AIRPARK LOOP MELBA ID 83641 AND/OR
TERESA HOOPER 10134 AIRPARK LOOP MELBA ID 83641-4202

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 08, 2023, and has submitted Proof of Beneficial Use on November 15, 2023. An examination confirms water is diverted from:

Source : SNAKE RIVER **Tributary:** COLUMBIA RIVER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
INDUSTRIAL	03/15 to 11/15	0.02 CFS	0.2 AF

Location of Point(s) of Diversion
SNAKE RIVER L2(NW¼ SW¼), Sec. 16, Twp 01N, Rge 03W, B.M. OWYHEE County

Place of Use: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16										X							

Conditions of Approval

1. The point of diversion and place of use for this water right are unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
2. Industrial use is for dust abatement.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 20th day of February, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

2-10654

This map depicts the INDUSTRIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 400 800 Feet

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- State Outline

N

Form 42-217 Rev. 6/22

RECEIVED
NOV 15 2023
DEPARTMENT OF WATER RESOURCES

copy - missing signature, payment already sent

FOR OFFICE USE ONLY	
Amt. of Fee $	
Receipt No.	
Receipted By	
Date Receipted	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 2-10654 Name of Permit Holder(s) Larry & Teresa Hooper, Hooper Living Trust

Telephone No. 208-495-9811 Email thooper292@gmail.com

Mailing Address 10134 Airpark Loop City Melba State ID Zip 83641

2. Source of Water Snake If Ground Water (well), Date Drilled mo. _____ yr. _____

Drilling Permit/Tag No. _____ Drilling Company's Name _____

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) _____ Irrigation (No. acres) 0.8 Stockwater (No. and stock type) _____

Other industrial - dust abatement

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR 4.5 af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

1.5 HP pump on Snake river bank, 2" suction intake

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☐	Ground water level data, pumping information, or other diversion data
☐	☐	☐	Mitigation plan
☐	☐	☐	Lockable controlling works
☐	☐	☐	Measuring device
☐	☐	☐	Fish screen
☐	☐	☐	Other requirements of the water right permit _____
	☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $ 50.00 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Teresa Hooper or Larry Telephone No. 208-495-9811 Email thooper292@gmail

Mailing Address 10134 Airpark Loop City Melba State ID Zip 83641

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

SIGNATURE OF PERMIT HOLDER*	PRINTED NAME AND TITLE	DATE
	Teresa Hooper - owner	11/8/23

*Attach power of attorney if completing on behalf of permit holder.

Form 42-217 Rev. 9-22

RECEIVED
NOV 03 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	50.00
Receipt No.	C117274
Receipted By	KM
Date Receipted	11.3.23

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 2-10654 Name of Permit Holder(s) Larry, Teresa Hooper, Hooper Living Trust

Telephone No. 208-495-9811 Email thooper292@gmail.com

Mailing Address 10134 Airpark Loop City melba State ID Zip 83641

2. Source of Water Snake If Ground Water (well), Date Drilled mo. _____ yr. _____

Drilling Permit/Tag No. _____ Drilling Company's Name _____

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) _____ Irrigation (No. acres) 0.8 Stockwater (No. and stock type) _____

Other industrial - dust abatement

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR 4.5 af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

1.5 HP pump on Snake River Bank, 2 inch suction intake

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☒	Ground water level data, pumping information, or other diversion data
☐	☐	☒	Mitigation plan
☐	☐	☒	Lockable controlling works
☐	☐	☒	Measuring device
☐	☐	☒	Fish screen
☐	☐	☒	Other requirements of the water right permit _____
	☐	☒	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $ 50.00 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Larry Hooper Telephone No. 208-495-9811 Email thooper292@gmail.com

Mailing Address 10134 Airpark Loop City melba State ID Zip 83641

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

_____ _____ _____

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 2-10654

Priority: August 08, 2023 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

HOOPER LIVING TRUST 10134 AIRPARK LOOP MELBA ID 83641-4202 AND/OR
LARRY HOOPER 10134 AIRPARK LOOP MELBA ID 83641 AND/OR
TERESA HOOPER 10134 AIRPARK LOOP MELBA ID 83641-4202

has applied for a permit to appropriate water from:

Source : SNAKE RIVER **Tributary:** COLUMBIA RIVER

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

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	03/15 to 11/15	0.02 CFS
INDUSTRIAL	03/15 to 11/15	0.02 CFS

Location of Point(s) of Diversion

SNAKE RIVER L2 (NW¼ SW¼), Sec. 16, Twp 01N, Rge 03W, B.M. OWYHEE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16										0.8							0.8

Total Acres: 0.8

Place of Use: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16										X							

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2028.**
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. The point of diversion and place of use for this water right are unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
6. Industrial use is for dust abatement.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 2-10654

7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 18th day of October, 2023.

SCOTT STORMS
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

2-10654

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

N

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

2-10654

This map depicts the INDUSTRIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

N

RECEIVED

AUG 08 2023

WATER RESOURCES
WESTERN REGION

Print Single Sided Only

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 2-10654

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Larry Hooper, Teresa Hooper Hooper Living Trust Phone 208-495-9811
   Name connector (check one): ☐ and ☐ or ☒ and/or
   Mailing address 10134 Airpark Loop City Melba
   State ID ZIP 83641 Email lhooper651@gmail.com
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
      ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
      ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Snake River which is a tributary of Columbia
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
01N	03W	16	2	NW	SW		Owyhee	Snake	—

5. Water will be used for the following purposes:
   Amount 0.02 (cfs or acre-feet per year) for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
   Amount 0.02 (cfs or acre-feet per year) for industrial purposes from Mar 15 to Nov 15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. 1.5 HP Pump on River Bank 2" Suction intake
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85° F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____
      well was drilled for (well owner) _____ Drilling Permit No _____

For Department Use

Received by LE Date 8/8/2023 Time 4:30 pm Preliminary check by _____
Fee $ 100.00 Receipted by LE Receipt No. W051457 Date 8/8/2023

SCANNED

SEP 01 2023

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; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   e. Other; describe fully. Industrial - dust suppression on driveway, fire suppression

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	
01N	03W	16										0.8							0.8
01N	03W	16										I							

Total number of acres to be irrigated: 0.8

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?
we have water right for irrigation already. Industrial right is for acreage not covered by water right.

11. a. Who owns the property at the point of diversion? US - landowner
    b. Who owns the land to be irrigated or place of use? US - landowner
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Industrial permit is to water driveway and areas not covered by irrigation permit.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Larry S Hooper
Signature of Applicant

Larry S HOOPER
Print Name (and title, if applicable)

Teresa Hooper
Signature of Applicant

Teresa Hooper
Print Name (and title, if applicable)

SCANNED
SEP 01 2023

State of Idaho
Department of Water Resources

Water Right

2-7276G



0 0.035 0.07 0.14 Miles

[redacted] Boundary
Townships
PLS Sections
Quarter Quarters
[redacted] Point of Diversion

N

SCANNED
SEP 01 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 23, 2024

HOOPER LIVING TRUST
LARRY HOOPER
TERESA HOOPER
10134 AIRPARK LOOP
MELBA ID 83641

RE: License No. 2-10654

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Phill Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2024, I served a true and correct copy of Water Right License No. 2-10654 by U.S. Mail, postage prepaid, to the following:

LARRY HOOPER (Current Owner)
10134 AIRPARK LOOP
MELBA ID 83641

TERESA HOOPER (Current Owner)
10134 AIRPARK LOOP
MELBA ID 83641-4202

HOOPER LIVING TRUST (Current Owner)
10134 AIRPARK LOOP
MELBA ID 83641-4202

Debra Mansfield

Debra Mansfield
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

Howe, Bob

From: Storms, Scott
Sent: Thursday, February 8, 2024 9:25 AM
To: Howe, Bob
Subject: RE: Permit for 2-10654 and condition 01M

Hi Bob,

I do remember some unusual circumstances surrounding this application, mainly that his industrial use is not really just for dust abetment but he also sprays his house down during the summer time for a cooling effect from the evaporation. I can not remember if this was why we put 01M on this, but ultimately all it does is give more of a notice of what the Department has authority to do at any time regardless of the condition on the right. Since a measuring device was never required during development, I would say it could be dropped.

- Scott

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Thursday, February 8, 2024 9:12 AM
To: Storms, Scott <Scott.Storms@idwr.idaho.gov>
Subject: Permit for 2-10654 and condition 01M

Hi Scott,
I am working on an in-office exam for 2-10654, and I noticed that you worked on the permitting. I have read through the complaint and file docs, but I am not sure I understand why 01M was added. Does it need to remain on for licensing for any reason?
Thanks for any clarification you can provide.

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent
322 E Front St, PO Box 83720, Boise, ID 83720
(208) 287-4800 | www.idwr.idaho.gov

Permit No: 2-10654 Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Exam Date: 12/07/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? _X_Y ____N
   a. _X_ Irrigation of 5 acres or less
   b. ____ Storage of up to 14.6 AF for stockwater purposes only
   c. ____ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. _X__ Other INDUSTRIAL-DUST ABATEMENT

2. Current Owner: **HOOPER LIVING TRUST**
   Owner of Record Correct? _____N
   Address of Record Correct? _____N
   If No Explain:

3. Beneficial Use Fees have been paid: _X_Y ____N Receipt No: C117274

4. Source: **SNAKE RIVER** Tributary: **COLUMBIA RIVER**

Method of Determination: GIS imagery and taxlot data.
Change in Source: ____Y __X_N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _X_ No Overlap

Water Right No.	Source	Purpose of Use	Basis
2-7276G	SNAKE RIVER	IRRIGATION	LICENSE

Comments: Right 2-7276G is overlapping the permit place of use (POU) for irrigation. However, the irrigation beneficial use was removed for licensing, so there is no overlap with the Industrial POU licensed.

2. Other water rights with the same point of diversion: _X_ NO Overlap

Water Right No.	Source	Purpose of Use	Basis
2-7276G	SNAKE RIVER	IRRIGATION	LICENSE

Comments: Right 2-7276G shares the permit point of diversion (POD). However, the permit was licensed for Industrial use only, so there are no concerns regarding the system providing water for both uses.

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Snake River	2		NW	SW	16	01N	03W	B.M.	OWYHEE

Method of Determination: GIS and Taxlot data.

Change in POD? ___Y _X_N Amendment Required? ____Y _X_N

2. Place of Use: INDUSTRIAL

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16										X							
		Lot #																	
																Total Acres =			

Method of Determination: Owyhee County Maps, GIS, and TAXLOT DATA

Change in POU? ____Y __X_N Amendment Required? ____Y __X_N

_X_Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable:

_X_ Aerial Photo Attached (required for irrigation of 10+ acres).

___ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Intake in River	Unknown	1.5	Unknown	Unknown	Unknown

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1. Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE	NA	NA	NA	NA	NA	NA

2. Measurement Comments: The permit holder stated that the pump is 1.5 Hp. A maximum head of about 40 ft was estimated using the DRG map.

E. FLOW CALCULATIONS ___Additional Computation Sheets Attached

Measured Method:

A theoretical calculation and the adapted irrigation standard were used to determine a reasonable rate of diversion.

Q = (1.5Hp)(8.8)(0.80 efficiency)/(40 ft lift) + (2.31)*(45 psi) = 0.07cfs

Theoretical Calculation= 0.07cfs
Permit allowed = 0.04cfs
Recommendation= 0.02cfs for Industrial Use-Dust Abatement

Comments:

The permit holder provided details of the boundary of the Dust Abatement area, approximately 0.4 acre. Comprised of the driveway, approaches to the buildings and a graveled area used for parking and storage. The system used for this permit is the same system documented for enforcement investigation E2023-2944. The sprinkler system has been used to water the landscaped areas and for dust abatement. The total area watered within the parcel is approximately 1.2 acres total (0.8 acres via right 2-10654 and 0.4 acres of dust abatement). A theoretical calculation indicates the pump is capable of providing 0.07 cfs and the combined rate for both irrigation and industrial uses simultaneously is 0.04cfs. According to the permit holder, uses are achieved simultaneously and based on the theoretical calculation the rate permitted can be justified for industrial use. I am recommending a diversion rate of 0.02cfs for Industrial purposes on the license.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:
   NA

2. Volume Calculations for Industrial:
(0.02cfs)/0.00223= 9 GPM

9 GPM x [60mins (daily) x 3 (weekly) x 38 weeks]= 61,560 Gallons | 61,560 / 325,850 (Gal/AF)= 0.2 AF

Comments:

This permit was issued for irrigation and industrial use from a natural steam/river source. According to the IDAPA Beneficial Use Examination Rules 37.03.02.35. 01j.viii a diversion volume is not required for irrigation if water is diverted from a natural flowing stream/river or spring. There is no stated volume for dust abatement. However, the owner stated that the watering time averages about 3 hrs a week and is only done during the irrigation. Based on the yearly usage the calculated annual volume is 0.2 AF. I am recommending 0.2 AF annual volume on the license.

G. PURPOSE OF USE

Irrigation ____Y _X_N # Stock__NA_____ Domestic # of Homes _NA__

Change in Purpose of Use? ____Y _X_N

Method of Determination: Bonner County Maps, GIS, and Taxlot Data

H. NARRATIVE/REMARKS/COMMENTS

This permit for the irrigation of 0.8 acres and Industrial use for dust abatement qualifies for an in-office examination for license. The permit holder submitted the Proof of Beneficial Use, received by IDWR on November 15, 2023, stating in section #5 that the beneficial use was developed for 0.8 acres of irrigation and dust abatement. An overlap comparison found that right 2-7276G for the irritation of 0.8 acres is appurtenant to the 1.3-acre parcel the permit POU is within. A complaint was filed accusing the right holder of excessive watering resulting in the depletion of a neighboring well (E2023-2944). The investigation found that irrigation occurring was provided by a surface water right and concluded that it was not injuring the neighboring well. However, the use of water for dust abatement resulted in the right holder applying for permit 2-10654. The investigation into the complaint included photos of the system used for both the permit and right 2-7276G . Those photos were used as supporting documentation for this examination (see attached photos)

Aerial imagery as current as August of 2023 (see figures 1-3), did not indicate any increase to the area historically irrigated under right 2-7276G (0.8 acres), I contacted the permit holder on December 7, 2023, requesting additional information regarding the volume of water used for dust abatement and if there was any further irrigation developed that needed to be examined. The permit holder provided the requested volume information and stated that no enlargement of the irrigated area was developed. The permit holder stated that what they sought to fulfill via the permit was additional water to dampen the driveway and approaches to the buildings, for dust abatement, and in response to the complaint of over watering. After clarification the irrigation beneficial use was removed before licensing, and rate and volume calculations were made to determine reasonable allocation for the license.

I am recommending the license be issued with a rate of 0.02cfs, an annual volume of 0.2 AF, and conditions 931 & 103. Condition R69 was removed, as the irrigation beneficial use was removed before licensing. Condition 01M was removed at licensing, as it isn't necessary now that the right has been developed. Condition 121 was replaced by condition 103 at licensing, as per current guidance.

Have conditions of permit approval been met? _X_Yes ____No

I. RECOMMENDATIONS

1. Recommended Amounts:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	03/01 TO 11/15	0.02CFS	0.2 AF
	Totals:	0.02CFS	0.2 AF

2. Recommended Amendments:

___Change P.D. as reflected above ___Add P.D. as reflected above _X_None

___Change P.U. as reflected above ___Add P.U. as reflected above _X_None

Other: < >

J. AUTHENTICATION- Bob Howe- Water Resource Agent

Field Examiner's _____ Date 2/13/24

Reviewer _____ Date 2/13/24

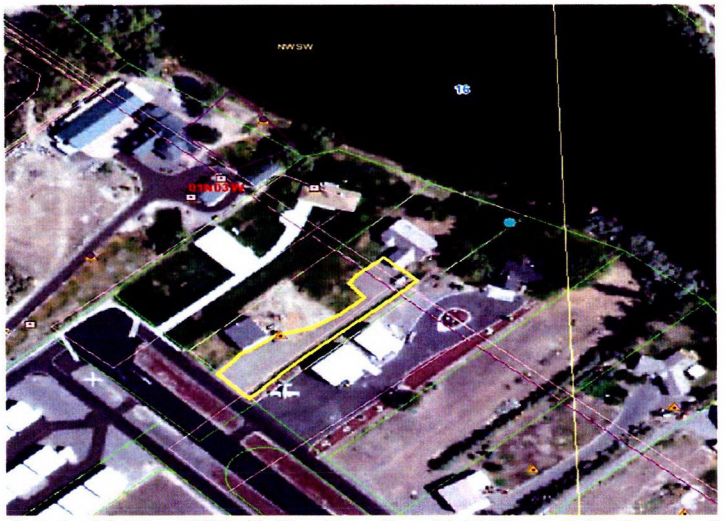


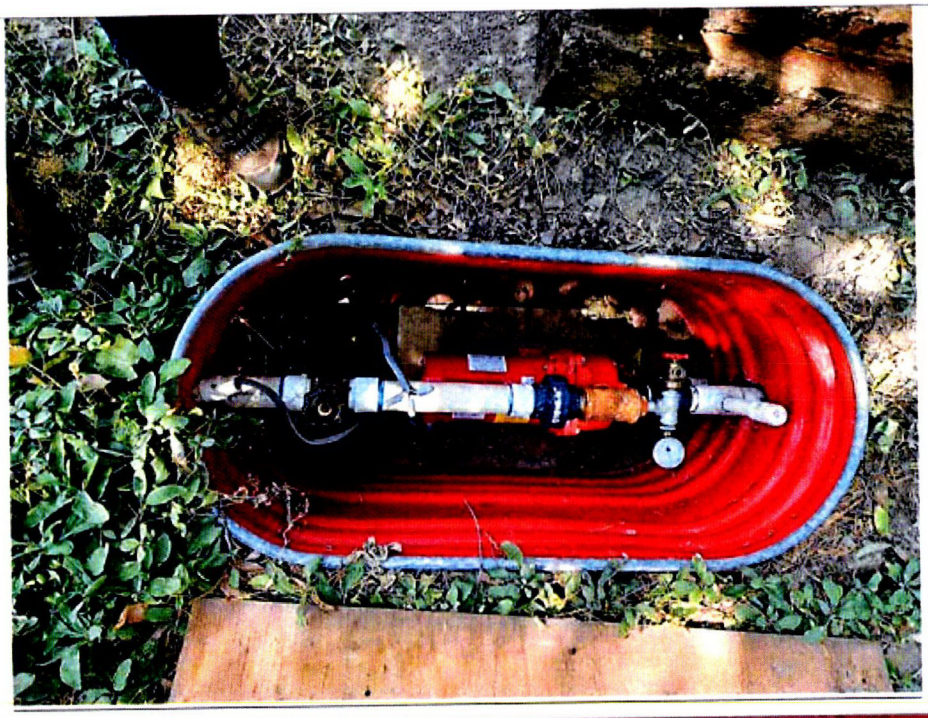
Figure 1- Industrial Use POU- Outlined in yellow. Light Blue point is the permit POD.



Figure 2- Google Earth-2018- Image of the permit POU.



Figure 3- Google Earth-August,2023 Image of the permit POU.

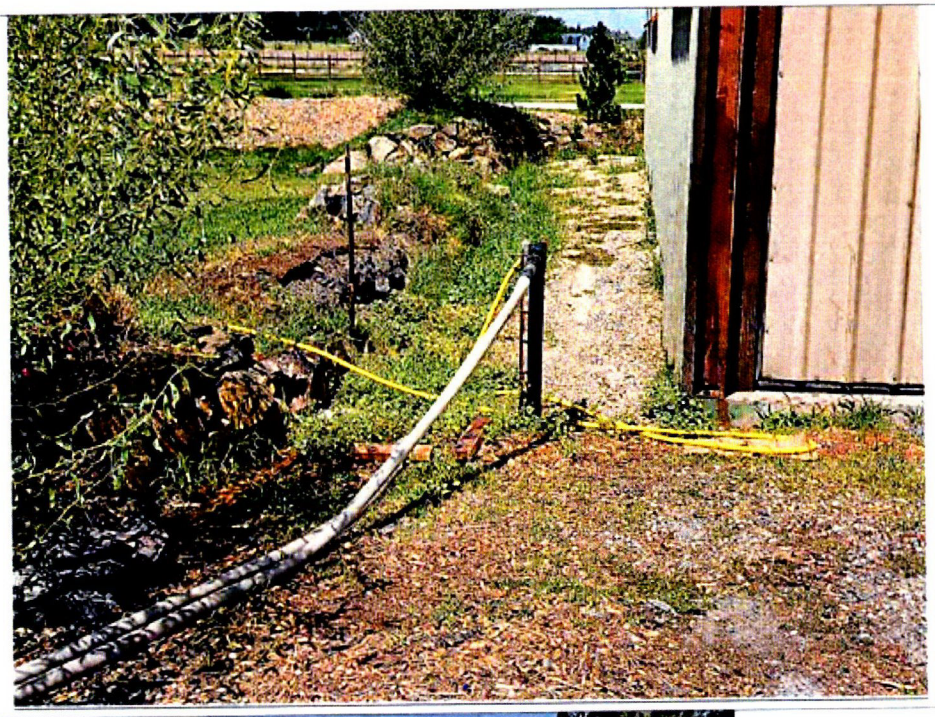


Pump located just off the bank of the Snake River in the southeast corner of the property. 2" intake to 1.5" pressurized line. Water line runs to the hose bibs throughout the property.

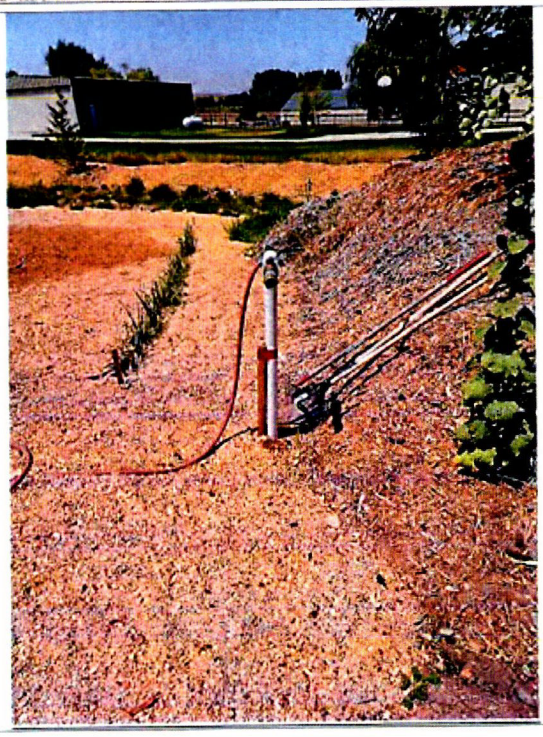


Pump was running about 41 psi when the field investigation was done.

Field Investigation Photos 1 & 2



Several hose bibs placed all over the property used to irrigate. There are a couple riser connections for a 2" fire hose to support fire protection.

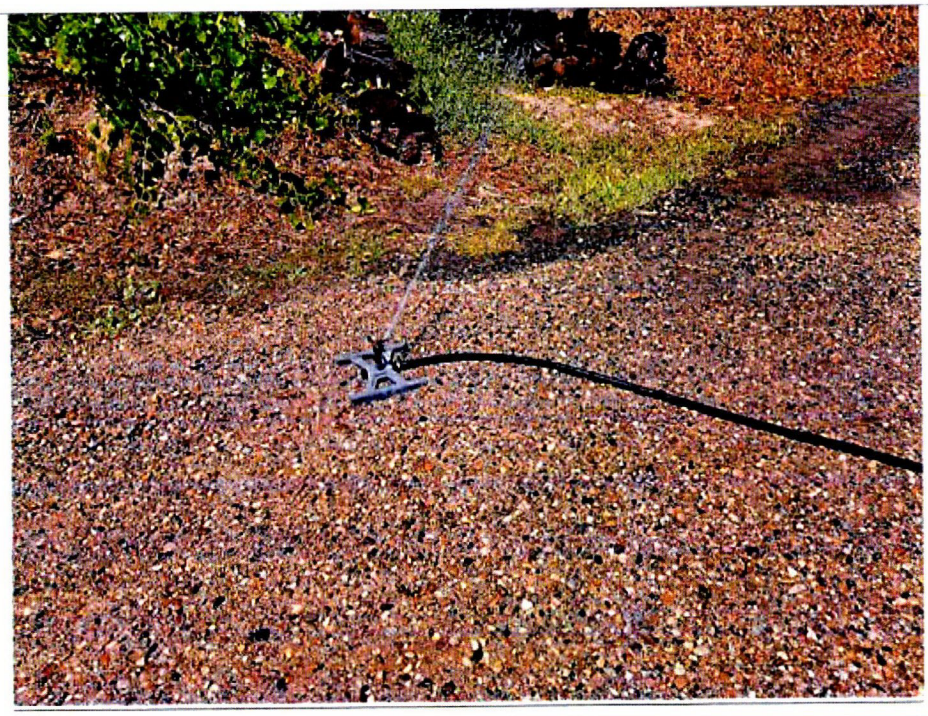


Hose bib and fire protection riser.

Field Investigation Photos 3 & 4.



Another hose bib and riser for fire protection.



Typical sprinkler used around the property to keep the driveway damp. The driveway is covered with mulch.

Field investigation Photos 5 & 6.

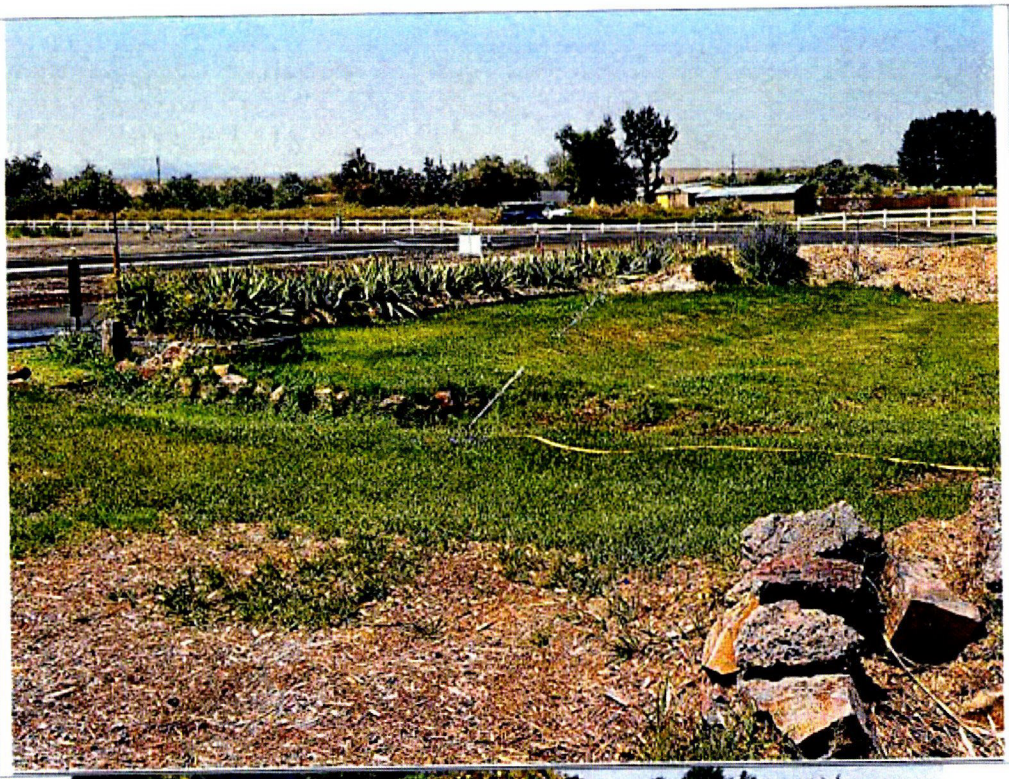


Better example of the mulch being watered with the sprinkler.

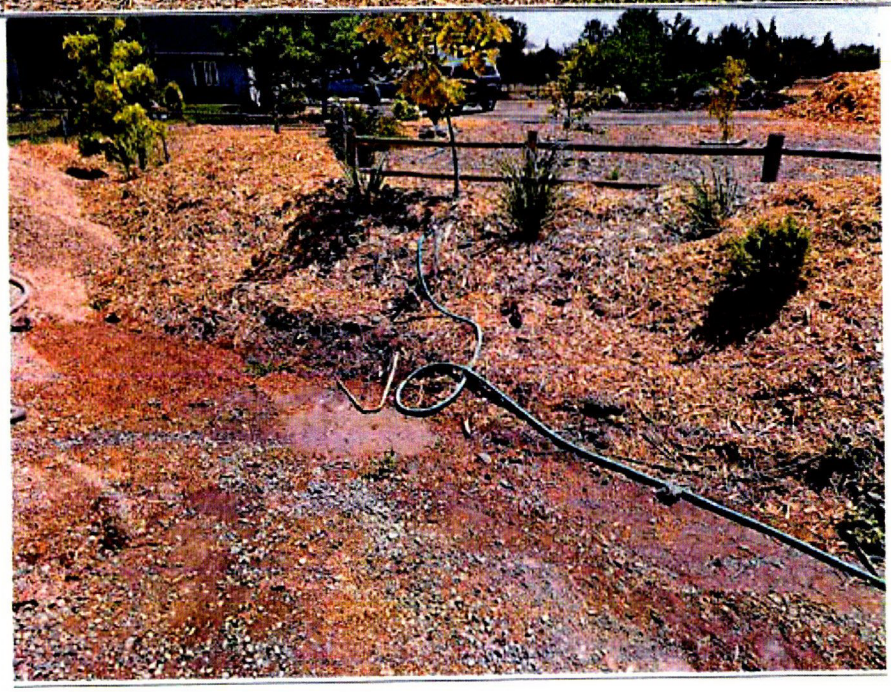


Sprinkler connected to one of the hose bibs watering the plants along the perimeter of the property.

Field investigation Photos 6 & 7.



Sprinkler west of the shop watering the grass and into the driveway of mulch.



Hose and sprinkler watering the plants along the property line.

Field investigation Photos 7 & 8..

Beneficial Use Proof Evaluation

Permit Number: 2-10654 Reviewer: AVeibell Review Date: 11/15/2023

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 11/15/2023
4) Proof Due Date: 11/1/2028
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -1813
8) Proof received timely? Yes

Analysis

1) Are the water uses correct? Yes
2) Are one of the following items required?
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
3) Are the required items installed? Yes
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
4) Is there a request to waive the required items? No
5) Drilling Permit Number:
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed?
8) Is proof accepted? Yes

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $50.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): $0.00

Receipt IDs

W051457

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.

Veibell, Amanda

From: Veibell, Amanda
Sent: Wednesday, November 8, 2023 11:53 AM
To: thooper292@gmail.com
Subject: Proof Deficiency Permit #2-10654
Attachments: 2-10654 proof.pdf

Dear Permit Holder(s):

The Department received the proof of beneficial use (proof) form submitted for the above referenced permit. The proof is not acceptable without the form signed by an authorized representative of the trust. A copy of the form is enclosed for your reference.

Please submit the signed proof at your earliest convenience before the proof due date of **November 01, 2028** to avoid the possibility of your permit lapsing. If you wish to submit the signed proof electronically, it must be sent to file@idwr.idaho.gov. If you have any questions concerning this matter, please contact me.

Amanda Veibell
Technical Records Specialist I

IDAHO DEPARTMENT OF WATER RESOURCES
PO Box 83720 Boise ID 83720-0098
208-287-4945

If you would like to submit documents electronically, they must be emailed to file@idwr.idaho.gov per IDAPA 37.01.01.053 in PDF form. Please note, the documents will not be considered complete until the required payment is received. The Department is not able to process payments over the phone or via the internet at this time.

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little Director Mathew Weaver

October 19, 2023

HOOPER LIVING TRUST
LARRY AND TERESA HOOPER
10134 AIRPARK LOOP
MELBA ID 83641-4202

RE: Permit No. 2-10654

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 605-4624.

Sincerely,

Lynne Evans

FOR Scott Storms
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2023, I served a true and correct copy of Permit to Appropriate Water No. 2-10654 by U.S. Mail, postage prepaid, to the following:

HOOPER LIVING TRUST
LARRY AND TERESA HOOPER
10134 AIRPARK LOOP
MELBA ID 83641-4202

Lynne Evans
Administrative Assistant I

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

The Owyhee Avalanche

P.O. Box 97 • Homedale, Idaho 83628

208 / 337-4681
EMAIL: OFFICE@OWYHEE.COM

RECEIVED
SEP 15 2023
WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

in Two
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):
September 6 and 13, 2023

SIGNED: J E Aman

STATE OF IDAHO)
)
COUNTY OF OWYHEE)

On this 13th day of September in the year 2023, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

M BYRD
Comm. No. 20204827
NOTARY PUBLIC
Expires: 12/04/2026
STATE OF IDAHO

M Byrd
Notary Public of Idaho

Residing at Homedale ID

My commission expires:
12/04/2026

SCANNED
SEP 26 2023

Public notices

NOTICE OF ELECTION

PLEASE TAKE NOTICE that pursuant to IDS 43-201 to 43-207, inclusive, the election of one Director from Division 3 for a term of three (2) years of the Gem Irrigation District, will be held on November 7, 2023 from the first of January 2024, and until their successors are elected and qualified.

Nomination for Director may be made by Petition, signed by at least (12) electors of the District qualified to vote for the candidate nominated and filed with the Secretary of the District not less than 40 days nor more than 60 days before the date od the election. Petitions may be obtained from Sherry Maxwell, Secretary of the District, 118 S. pt Street W., Homedale, Idaho. (Petition due date is September 28, 2023)

In the event more than one (1) candidate is nominated within a Division, notice of the time and place of election will be posted as is required by IDS 43-206.

Dated August 30, 2023

GEM IRRIGATION DISTRICT
Sherry Maxwell
Secretary
09/06,13/2023

NOTICE OF ELECTION OPALINE IRRIGATION DISTRICT

PLEASE TAKE NOTICE that pursuant to IDS 43-201 to 43-207, inclusive, the election of one Director from Division 1 and one director from Division 4 of the Opaline Irrigation District, will be held on November 7, 2023 to elect a director of the term of three (3) years from the first of January 2024 and until their successors are elected and qualified.

Nomination for Director may be made by Petition, signed at least five (5) electors of the district, qualified to vote for the candidate nominated and filed with the Secretary of the District, not less than 40 days nor more than 60 days before the date of election. Petitions may be obtained from Pam Howard, Secretary of the District, Ph. 208-880-9695. (Petition due date September 22, 2023.)

In the event more than one (1) candidate is nominated within a division, notice of the time and place of election will be posted as is required by IDS 43-206.

Dated: August 29,2023
Opaline Irrigation District
Pam Howard, Secretary
09/06,13/2023

NOTICE OF ELECTION GRAND VIEW IRRIGATION DISTRICT

PLEASE TAKE NOTICE that pursuant to IDS 43-201 to 43-207, inclusive, the election of one Director from Division 2 of the Grand View Irrigation District, will be held on November 07, 2023 to elect a Director of the term of three (3) years from the first of January 2024 and until their successors are elected and qualified.

Nomination for Director may be made by Petition, signed by at least six (6) electors of the District, qualified to vote for the candidate nominated and filed with the Secretary of the District, not less than 40 days nor more than 60 days before the date of election. Petitions may be obtained from Dixie McDaniel, Secretary of the District, 645 Idaho Street, Grand View, Idaho. (Petition due date September 28, 2023 by 3:30 p.m.).

ANNUAL APPROPRIATION ORDINANCE
CITY OF GRAND VIEW
ORDINANCE 1 - 2024

An ordinance entitled the annual appropriation ordinance for the fiscal year beginning October 1st, 2023, appropriating the sum of $3,067,652 to defray the expenses and liabilities of the city of Grand View for said fiscal year, authorizing a levy of a sufficient tax upon the taxable property and specifying the objects and purpose for which said appropriation is made.

Be it ordained by the Mayor and City Council of the City of Grand View, Owyhee County, Idaho

Section 1: That the sum of $3,067,652 be, and the same is appropriated to defray the necessary expenses and liabilities of the City of Grand View, Owyhee County, State of Idaho for the fiscal year beginning October 1st, 2023.

Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES

General Fund:	
Administration	$171,063
Total General Fund	$171,063
Special Funds:	
Streets &Roads	$109,484
Sewer	$248,215
Water	$358,890
Total Special funds	$2,180,000
Total Estimated Expenditures	**$3,067,652**

Section 3: That a general levy on all taxable property with the City of Grand View be levied in an amount allowed by law for general purpose for said City, for fiscal year beginning October 1st, 2023.

Section 4: All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 5: This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one issue of the Owyhee Avalanche, a newspaper of general circulation in the City of Grand View, and official newspaper of said City.

Passed under suspension of the rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Grand View, Idaho at a meeting of the City of Grand View City Council held on the 9th day of August 2023.

/s/:Jon Pennington
Jon Pennington, Mayor
/s/:Kathy Brown
Kathy Brown, City Clerk/Treasurer
09/06/2023

In the event more than one (1) candidate is nominated within a Division, notice of the time and place of election will be posted as is required by IDS 43-206.

Dated August 25 2023
Grand View Irrigation District
Dixie McDaniel, Secretary
08/30;09/06/2023

NOTICE OF TRUSTEE'S SALE
Trustee's Sale No. PLTS103649

NOTICE IS HEREBY GIVEN that, Pioneer Title Company of Ada County dba Pioneer Lender Trustee Services, the duly appointed Successor Trustee, will on 12/19/2023, at the hour of 11:00 AM, of said day, at Owyhee County Courthouse, In The Lobby, 20381 State Hwy 78, Murphy, ID, sell at public auction to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real and personal property (hereafter referred to collectively as the "Property"), situated in the County of Owyhee, State of Idaho, to-wit;

> Lot 12 of Block 1 of the Moler Addition to the City of Marsing, Owyhee County, Idaho.

The Trustee has no knowledge of a more particular description of the above-referenced Property but, for purposes of compliance with Section 60-113 of Idaho Code, the Trustee has been informed that the address of 917 Franklin Street, Marsing, ID 83639, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Curtis Batho and Destiny Batho, husband and wife, as Grantor, to Pioneer Title Company of Canyon County, as Trustee, for the benefit and security of Dennis Boyd, as Beneficiary, dated 11/22/2021, recorded 11/30/2021, under Instrument No. 310415, Mortgage records of Owyhee County, ID, the beneficial interest in which is presently held by Dennis Boyd.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which is sale is made is the failure to pay when due under the Deed of Trust Note dated 11/22/2021, FAILURE TO PAY THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 5/1/2023; PLUS LATE CHARGES, AND ADVANCES FOR DELINQUENT REAL ESTATE TAXES AND HAZARD INSURANCE AS SET FORTH; AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, PLUS LATE CHARGES, DELINQUENT REAL ESTATE TAXES, DELINQUENT INSURANCE PREMIUMS AND ALL FORECLOSURE COSTS AND FEES.

All delinquencies are now due, together with unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, costs and advances made to protect the security associated with this foreclosure. The principal balance is $149,723.70, together with interest thereon at 6% per annum from 4/3/2023, until paid.

The Beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: August 14, 2023.

Pioneer Title Company of Ada County dba Pioneer Lender Trustee Services Trustee
/s/:Deborrah Duncan
Assistant Secretary
Pioneer Lender Trustee Services
8151 W. Rifleman Street
Boise, ID 83704
08/23,30/09/06,13/2023

PUBLIC NOTICE

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

2-10654
HOOPER LIVING TRUST
LARRY HOOPER, TERESA HOOPER
10134 AIRPARK LOOP
MELBA, ID 83641-4202
Point of Diversion L2 (NWSW) S16 T01N R03W OWYHEE County
Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: INDUSTRIAL
03/15 to 11/15; 0.02 CFS
Use: IRRIGATION
03/15 to 11/15; 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-08-2023
Place Of Use: IRRIGATION, INDUSTRIAL
T01N R03W S16 NWSW
Total Acres: 0.8

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 9/25/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
09/06,13/2023

Michael G. Pierce
Attorney at Law
P. O. Box 1019
Cascade, Idaho 83611
Telephone: (208) 382-3929
Facsimile: (208) 382-3783
Idaho State Bar Number: 1470
Email: michael@michaelpiercelaw.com
Attorney for Estate of Robert Earl Harris

SUMMONS FOR PUBLICATION
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
Case No. CV37-23-00288

ROBERT FAY HARRIS and MICHAEL EARL HARRIS in their capacity as Co-Personal Representatives of the ESTATE OF ROBERT EARL HARRIS, deceased,
Plaintiff,
Vs.
The Heirs and Devisees of ART G. MOORE, a/k/a ARTHUR G. MOORE, deceased; The Heirs and Devisees of MARY M. MOORE, Deceased; and STATE OF IDAHO, Department of Health and Welfare, Division Of Medicaid – Estate Recovery (IDHW); and all other persons unknown claiming any right, title, estate, lien or interest in the real property described herein, adverse to Plaintiff's ownership or constituting any cloud upon Plaintiff's title,
Defendants.

TO: The heirs, devisees and successors in interest to Art G. Moore, deceased, and Mary M. Moore, deceased, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described herein adverse to Plaintiffs' ownership or constituting any cloud upon Plaintiff's title:

You have been sued by Robert Fay Harris and Michael Earl Harris in their capacity as Co-Personal Representatives of the Estate of Robert Earl Harris, deceased, in the District Court in and for Owyhee County, Idaho, Case No. CV37-23-00288.

The nature of the claim against you is to quiet title to the following described real property, namely:

Lot 24 of Block 61 of the Amended Townsite Plat of Homedale, Owyhee County, Idaho according to the official plat thereof on file and of record in the office of the Recorder of Owyhee County, Idaho, commonly known as 18 W. Idaho Street, Homedale, Idaho.

Any time after 21 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No. CV37-23-00288, and paid any required filing fee to the Clerk of the Court at mailing address: P.O. Box 128, Murphy, Idaho 83650; physical address: 20381 ID-78, Murphy, Idaho 83650; Telephone number of Clerk of Court: 208-495-2806 and served a copy of your response on the Plaintiffs' attorney, Michael G. Pierce, at P. O. Box 1019, Cascade, Idaho 83611, telephone: (208) 382-3929.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

ANGELA BARKELL
CLERK OF THE OWYHEE COUNTY DISTRICT COURT
By: Brittany Gonzalez
Deputy
09/06,13,20,27/2023

OK LE 9/26/23

SCANNED
SEP 26 2023

Sports

√ Marsing: Huskies take set vs. Nyssa, Ore., before non-conference loss

From Page 10

defensively," Chadez said. "Each day we play more and more like a cohesive team.

"We still have a long road ahead, but this is a great group of girls who are willing to put in the work to achieve our goals."

Thursday: Marsing def. Vision Charter, 3-0 — Raylynn Vanosdall and Lilly Thoene paced the offense with eight kills apiece.

Adyson Chadez added six kills and posted a .500 hitting percentage in the Huskies' 25-19, 25-23, 25-11 victory in Caldwell.

"Raylynn and Adyson had a great week hitting outside," Amy Chadez said. "It is exciting to see their development and the power behind their smaller statures.

"Lilly Thoene also found success in the middle position both in hitting percentage and blocking."

Thoene, Ashlyn Porter and Asia Carrillo served at 100 percent. Adyson Chadez and Brooklyn Roadenbaugh were better than 99 percent with six aces each.

Porter came through with 18 assists, and Chadez picked up two digs.

Bailey Daugherty blocked two kill attempts from the Golden Eagles.

Sept. 5: Marsing def. Payette, 3-2 — The Huskies rallied from the brink by winning two straight sets to kick off a tri-meet in the Pirates' gymnasium.

Thoene connected on all 18 of her serves, pulling off six aces in a 20-25, 25-22, 16-25, 25-12, 15-12 victory.

Vanosdall fired nine aces in a 26-for-29 performance.

Adyson Chadez logged seven kills and seven digs. Thoene added five kills and nine digs. Thoene also posted two blocks.

Porter had 16 assists.

Sept. 5: Nyssa, Ore., def. Marsing, 3-1 — Two servers were near perfect and the Huskies were hanging tough for two sets, but the Bulldogs pulled off an 18-25, 27-25, 25-19, 25-21 non-conference win.

Roadenbaugh went 11-for-11 from the service line with a pair of aces. Vanosdall went 19-for-21 on serves and put in six aces.

Thoene led the offense with eight kills, and Vanosdall chipped in seven.

Chadez, Daugherty and Roadenbaugh chimed in with six kills apiece. Daugherty also had three blocks.

Porter delivered 23 assists.

Chadez dug 13 balls, and Carrillo added 11.

Public notices

Michael G. Pierce
Attorney at Law
P. O. Box 1019
Cascade, Idaho 83611
Telephone: (208) 382-3929
Facsimile: (208) 382-3783
Idaho State Bar Number: 1470
Email: michael@michaelpiercelaw.com
Attorney for Estate of Robert Earl Harris

SUMMONS FOR PUBLICATION
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
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ROBERT FAY HARRIS and MICHAEL EARL HARRIS in their capacity as Co-Personal Representatives of the ESTATE OF ROBERT EARL HARRIS, deceased,
Plaintiff,
Vs.
The Heirs and Devisees of ART G. MOORE, a/k/a ARTHUR G. MOORE, deceased; The Heirs and Devisees of MARY M. MOORE, Deceased; and STATE OF IDAHO, Department of Health and Welfare, Division Of Medicaid – Estate Recovery (IDHW); and all other persons unknown claiming any right, title, estate, lien or interest in the real property described herein, adverse to Plaintiff's ownership or constituting any cloud upon Plaintiff's title,
Defendants.

TO: The heirs, devisees and successors in interest to Art G. Moore, deceased, and Mary M. Moore, deceased, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described herein adverse to Plaintiffs' ownership or constituting any cloud upon Plaintiff's title:

You have been sued by Robert Fay Harris and Michael Earl Harris in their capacity as Co-Personal Representatives of the Estate of Robert Earl Harris, deceased, in the District Court in and for Owyhee County, Idaho, Case No. CV37-23-00288.

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Any time after 21 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No. CV37-23-00288, and paid any required filing fee to the Clerk of the Court at mailing address: P.O. Box 128, Murphy, Idaho 83650; physical address: 20381 ID-78, Murphy, Idaho 83650; Telephone number of Clerk of Court: 208-495-2806 and served a copy of your response on the Plaintiffs' attorney, Michael G. Pierce, at P. O. Box 1019, Cascade, Idaho 83611, telephone: (208) 382-3929.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

ANGELA BARKELL
CLERK OF THE OWYHEE COUNTY DISTRICT COURT
By: Brittany Gonzalez
Deputy
09/06,13,20,27/2023

NOTICE OF ELECTION
OPALINE IRRIGATION DISTRICT

PLEASE TAKE NOTICE that pursuant to IDS 43-201 to 43-207, inclusive, the election of one Director from Division 1 and one director from Division 4 of the Opaline Irrigation District, will be held on November 7, 2023 to elect a director of the term of three (3) years from the first of January 2024 and until their successors are elected and qualified.

Nomination for Director may be made by Petition, signed at least five (5) electors of the district, qualified to vote for the candidate nominated and filed with the Secretary of the District, not less than 40 days nor more than 60 days before the date of election. Petitions may be obtained from Pam Howard, Secretary of the District, Ph. 208-880-9695. (Petition due date September 22, 2023.)

In the event more than one (1) candidate is nominated within a division, notice of the time and place of election will be posted as is required by IDS 43-206.

Dated: August 29,2023
Opaline Irrigation District
Pam Howard, Secretary
09/06,13/2023

NOTICE
OF TRUSTEE'S SALE
Trustee's Sale No.
PLTS103649

NOTICE IS HEREBY GIVEN that, Pioneer Title Company of Ada County dba Pioneer Lender Trustee Services, the duly appointed Successor Trustee, will on 12/19/2023, at the hour of 11:00 AM, of said day, at Owyhee County Courthouse, In The Lobby, 20381 State Hwy 78, Murphy, ID, sell at public auction to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real and personal property (hereafter referred to collectively as the "Property"), situated in the County of Owyhee, State of Idaho, to-wit;

Lot 12 of Block 1 of the Moler Addition to the City of Marsing, Owyhee County, Idaho.

The Trustee has no knowledge of a more particular description of the above-referenced Property but, for purposes of compliance with Section 60-113 of Idaho Code, the Trustee has been informed that the address of 917 Franklin Street, Marsing, ID 83639, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Curtis Batho and Destiny Batho, husband and wife, as Grantor, to Pioneer Title Company of Canyon County, as Trustee, for the benefit and security of Dennis Boyd, as Beneficiary, dated 11/22/2021, recorded 11/30/2021, under Instrument No. 310415, Mortgage records of Owyhee County, ID, the beneficial interest in which is presently held by Dennis Boyd.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which is sale is made is the failure to pay when due under the Deed of Trust Note dated 11/22/2021, FAILURE TO PAY THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 5/1/2023; PLUS LATE CHARGES, AND ADVANCES FOR DELINQUENT REAL ESTATE TAXES AND HAZARD INSURANCE AS SET FORTH; AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, PLUS LATE CHARGES, DELINQUENT REAL ESTATE TAXES, DELINQUENT INSURANCE PREMIUMS AND ALL FORECLOSURE COSTS AND FEES.

All delinquencies are now due, together with unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, costs and advances made to protect the security associated with this foreclosure. The principal balance is $149,723.70, together with interest thereon at 6% per annum from 4/3/2023, until paid.

The Beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: August 14, 2023.

Pioneer Title Company of Ada County dba Pioneer Lender Trustee Services Trustee
/s/:Deborrah Duncan
Assistant Secretary
Pioneer Lender Trustee Services
8151 W. Rifleman Street
Boise, ID 83704
08/23,30/09/06,13/2023

PUBLIC NOTICE

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

2-10654
HOOPER LIVING TRUST
LARRY HOOPER, TERESA HOOPER
10134 AIRPARK LOOP
MELBA, ID 83641-4202
Point of Diversion L2 (NWSW) S16 T01N R03W OWYHEE County
Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: INDUSTRIAL 03/15 to 11/15; 0.02 CFS
Use: IRRIGATION 03/15 to 11/15; 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-08-2023
Place Of Use: IRRIGATION, INDUSTRIAL T01N R03W S16 NWSW
Total Acres: 0.8

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 9/25/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
09/06,13/2023

OK LE 9/26/23

SCANNED
SEP 26 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 1, 2023

HOOPER LIVING TRUST
LARRY HOOPER AND TERESA HOOPER
10134 AIRPARK LOOP
MELBA ID 83641-4202

RE: Application for Permit No. 2-10654

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 9/6/2023 and 9/13/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED
SEP 01 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 1, 2023

DAVID HOFFMAN
10126 AIRPARK LOOP
MELBA ID 83641-4202

RE: Application for Permit No. 2-10654

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If you wish to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED
SEP 01 2023

Evans, Lynne

From: Evans, Lynne
Sent: Friday, September 1, 2023 4:33 PM
To: Whitney, Rob
Subject: Application for Permit No. 2-10654
Attachments: 2-10654 WM.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office by September 25, 2023.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by September 25, 2023, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
SEP 01 2023

State of Idaho

Department of Water Resources

RECOMMENDATION FORM

RE: Application for Permit No. 2-10654

New Appropriation Applicant's Name:

HOOPER LIVING TRUST
LARRY HOOPER AND TERESA HOOPER
10134 AIRPARK LOOP
MELBA, ID 83641-4202

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

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

d) _____ Additional comments:

Dated this _____ day of _____.

_____
Watermaster's Signature

SCANNED
SEP 01 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, August 31, 2023 4:08 PM
To: Jon Brown; office@owyhee.com
Subject: Legal Notice: Application for Permit No. 2-10654
Attachments: Legal Notice.docx

Please publish the enclosed legal notice 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 9/25/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
SEP 01 2023

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
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LARRY HOOPER, TERESA HOOPER
10134 AIRPARK LOOP
MELBA, ID 83641-4202
Point of Diversion L2 (NWSW) S16 T01N R03W OWYHEE County
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Place Of Use: IRRIGATION, INDUSTRIAL
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MATHEW WEAVER, Director

Published on 9/6/2023 and 9/13/2023

SCANNED
SEP 01 2023

REVIEW CHECKLIST -- APPLICATION FOR PERMIT

Application # 2-10654 REVIEWER Adamson DATE 8/9/2023

1. REQUIRED INFORMATION – COMPLETE & ACCURATE – INITIAL DE

- X Name (corporation or partnership, names & addresses for director, officers, &/or other partners must be included – Rule 35.03.b.i) _____ bus. entity #
- X Address
- X Source * (see USGS quad for source/trib names, comment for local name)
- X P/D (10 acres for spring, lot & block info for subdivisions)
- X County *
- ___ Quantity (flow & /or storage volume)
- ___ Period of use *
- ___ Nature of use (list details in app. item 8 if non-irrigation)
- ___ Municipal Checklist
- ___ Description of diverting works
- ___ Time required for beneficial use of water
- ___ P/U
- ___ Map (show T, R, Sect, POD & POU)
- ___ Signature (need title of signatory if applicable)
- ___ Correct fee paid
- ___ Fee amount, receipt number, receipt date, WR #, and reviewer initials recorded on app
- ___ Attach proof report & WR Layout Map
- ___ AdHoc, Application tab: Status = ACTIVE Draft = NO

Government Lots
_____P/D
_____P/U

*____ tributary, county &/or irrigation season corrected per dept. standards w/o amended appl. per AP Memo #9

_____ Log APPSLIST for Initial DE _____ and Log File Location _____

2. PRE-ADVERTISING ANALYSIS

YES	NO	
___	X	Bs 63 GW? Water bearing zone legal notice remark required
___	X	Bs 63 GW between Star & Lucky Peak? Consumptive uses must appropriate deeper than 200' or mitigate, except §42-111 uses
___	X	Bs 63 GW Above Lucky Peak? All GW of any depth is directly tributary to Boise River mitigation required for all consumptive uses, except §42-111 uses
___	X	Mitigation plan (consumptive use & POD closed area) – legal notice remark + mitigation checklist
___	X	Critical Ground Water Area – send letter if cannot process
___	X	Ground Water Mngt. Area – send letter if cannot process
___	X	Bs 77, 78, 79 – 42-111 D/S any source or community well, normal process; all others use Salmon/Clearwater Area Processing
___	___	W&S Rv – Bs 77 or 78 + legal notice remark, W&S Workflow application record
___	___	W&S Rv – Bs 51 or 55, attach Bs 51 - 55 W&S Watersheds checklist
___	___	Water Dist. 67 – send Bs 67 June 15 cutoff form letter to confirm BU. possible prior to 6/15
___	___	Waste Water – send form letter
___	___	Trust Water – send form letter (AdHoc/Reports tab) + legal notice remark + TW checklist
___	___	South Ada Co. GW Area of Concern – send form letter
___	___	South Canyon Co. GW Area of Concern – send form letter
___	___	Complaint or Enforcement action with significant nexus? Review Enforcement database for considerations and comment letters
___	___	US BLM is POD/POU Property Owner, Verify location with Applicant and check w/ BLM

ADD INFO Requested On: _____ Response Received: Y ____ N____
Extension Requested On: _____ Response Received: Y ____ N____

3. ADVERTISING

YES	NO	
___	X	*STATEWIDE ADVERTISING* (> 10 cfs or > 1000 af storage)
___	X	Legal Notice Remarks (WB Zone, Wild & Scenic, Subdivision Info, Mitigation, etc.) – See attached proof report

4. COMMENT LETTERS

YES	NO	
X		Water Dist # 2
	X	IDFG [SW "fish live-in" AP Memo #62, Bs 77-79, other] (____ reply in file)
		IDEQ [Bs 77-79, Land Application, Basin Recharge, Dairy, PWS, other] (____ reply in file)
		Western Dam Safety [Storage Dam (n/a excavated ponds); Complete checklist____]
		IDWR Planning Bureau [Min. Stream Flow Bs 77-79, Protected Stream, other]
		IDL [POD/POU Property Owner, other]
		US BLM [POD/POU Property Owner, other]
		US Forest Service [POD/POU Property Owner, other]
		Irrigation Entity [Overlap GW Irr, Waste water, other]: _____
X		Complainants – list here or see attached David Hoffman 10126 Airport Loop Melba, ID 83641
	X	Other [Previous Protestants in Area, ect.] – list here or see attached

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 9/25/23

YES	NO	
	✓	Protested — If Yes: Prepare protest checklist and complete
✓		Affidavit received/published correctly? If No, Re-advertise.

Re-Adv Protest Deadline _____

YES	NO	
		Protested
		Affidavit received/published correctly — If No: _____ Re-advertised & published correctly

Re-Adv Comment Letters To: _____

POST-ADVERTISING ANALYSIS

YES	NO	
✓		POD overlap – briefly explain 2-7276G, others in same QQ
✓		POU overlap – briefly explain 2-7276G (on same parcel), 2-2022 ~~Stitz~~ QQ doesn't cover ½ of parcel
	✓	Large diversion > 5 cfs, > 500 af storage or > 200 acres – attach large diversion checklist
	✓	Public Land Access – IDL, BLM, USFS owns POD/POU land, Rule 40.05.e info needed
	✓	BLM or USFS Stockwater Appl. – consider Joyce Livestock Decision – send form letter
	✓	Municipal – Review AP Memo #18 and/or AP Memo #74
✓	✓	Commercial, Heating/Cooling, Industrial, WQI, etc. – Rate request justified in file
	✓	Storage Use – AP Memo #76 complete for explanation/justification of volume request in file
	✓	Power residency affidavit – send power letter for other factors if needed
	✓	DP fee upgrade : ____ Paid ____WR & WC Files Documented ___ Not Paid = SO follow up

ADD INFO Requested On: _____ Response Received: Y ____ N____

Extension Requested On: _____ Response Received: Y ____ N____

DRAFT PERMIT

YES	NO	
	✓	W&S Rv – Bs 51, 55, 77 or 78 W&S Workflow/spreadsheet update for permit record
	✓	Memo To File Re: _____
✓		Draft approval created w/ Map (WRLayouts - 'Print Attachment Page') & saved to backfile