

RECEIVED

OCT 18 2022

WATER RESOURCES
WESTERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

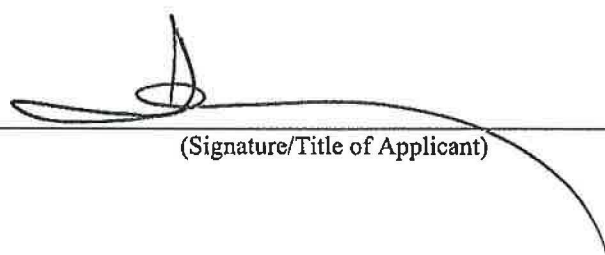
I/We, AB West Mountain Holdings LLC and Tommy Ahlquist,
(Applicant's Printed Name) (Applicant's Printed Name)

_____, and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 85420 of Water Right

No(s). 65-23928

Signed this _____ day of _____, 20 _____.



(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

Evans, Lynne

From: Evans, Lynne
Sent: Monday, May 22, 2023 11:29 AM
To: tommy@bvadev.com; Scanlan, Terry; gcammann@msn.com; John K. Simpson; dsmatus@yahoo.com; craigutter@payettelandtrust.org; Pete Fitzsimmons; dcromwell@frontier.com; nick@idahohoa.com; crp2@cox.net
Cc: Miller, Nick
Subject: Withdrawal of Application for Transfer No. 85420
Attachments: Withdrawn Application Letter 85420.pdf

Dear parties:

Please see the attached letter acknowledging the withdrawal of Application for Transfer No. 85420. This letter has also been sent by mail to all parties who have not requested service by email.

If you have any questions, please reach out to me or Nick Miller.

Regards,

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



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 Gary Spackman

May 22, 2023

AB WEST MOUNTAIN HOLDINGS LLC
2775 W NAVIGATOR DR STE 220
MERIDIAN, ID 83642-7592

RE: Withdrawal of Application for Transfer No. 85420

Dear Applicant(s):

The Department of Water Resources ("Department") has received your withdrawal of the above referenced application. A copy of the application and withdrawal are enclosed for your reference.

This action classifies the application as null, void, and of no further consideration to the Department. Additionally, the withdrawal of the application resolves the contested case created by protests against the application, and no further action regarding the contested case will be considered by the Department. A copy of this letter will be forwarded to the protestants to inform them of the withdrawal.

If you have any questions concerning the enclosed information, please contact our office at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosures

CC (without attachments):
See enclosed certificate of service.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22 day of May, 2023, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

AB WEST MOUNTAIN HOLDINGS LLC
2775 W NAVIGATOR DR STE 220
MERIDIAN, ID 83642-7592
(208) 616-1050
tommy@bvadev.com
Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

TERRY SCANLAN
HDR INC
412 E PARKCENTER BLVD STE 100
BOISE, ID 83706-6659
(208) 872-9530
terry.scanlan@hdrinc.com
Technical Representative for Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

TIM EUSTERMAN
7 LOST RIVER DR
MCCALL, ID 83638
(281) 381-2449
t.eusterman@yahoo.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

MICHAEL CAMMANN
6 BITTERROOT CT
MCCALL, ID 83638
(208) 860-2537
gcammann@msn.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

MARIETTA & CHARLES THOMPSON
C/O JOHN K. SIMPSON
MARTEN LAW LLP
PO BOX 2139
BOISE, ID 83701-2139
(208)-336-0700
jsimpson@martenlaw.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

DAWN MATUS & KEN ENOCHS
PO BOX 1841
MCCALL, ID 83638-1841
(208) 630-3537
dsmatus@yahoo.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

ATTN CRAIG UTTER
PAYETTE LAND TRUST INC
309 E LAKE ST
MCCALL, ID 83638-3810
(208) 634-4999
craigutter@payettelandtrust.org
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

PETER G. FITZSIMMONS
8 SAWTOOTH CT
MCCALL, ID 83638-5160
(208) 590-0650
fitzf15@gmail.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

DEAN CROMWELL
10 BITTERROOT CT
MCCALL, ID 83638-5051
(208) 830-6945
dcromwell@frontier.com
Protestant

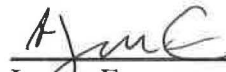
- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

BLACKHAWK RANCH PROPERTY
OWNERS ASSN
C/O BRIAN VANDENDRIES
IDAHO HOA MANAGEMENT
PO BOX 101
MCCALL, ID 83638-0101
(208) 315-8585
nick@idahohoa.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

ROBERT VOSSKUHLER
10 WHITE CLOUD CT
MCCALL, ID 83638-5052
(208) 630-4450
crp2@cox.net
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email



Lynne Evans
Administrative Assistant I



RECEIVED

OCT 18 2022

WATER RESOURCES
WESTERN REGION

October 17, 2022

Scott Storms
Western Region Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705
Hand delivery

Subject: AB West Mountain Holdings Water Right Applications

Dear Scott,

As a follow-up to our meeting on September 9, 2022, regarding pending water right applications for AB West Mountain Holdings, LLC, enclosed are the following documents:

1. Withdrawal of application for amendment to permit 65-23043 (shallow groundwater pond). In our meeting, we determined that the excess storage volume from permit 65-23043 was not needed to supplement storage in the pond proposed by amendment to permit 65-23120. Therefore, no changes are needed to permit 65-23043 and the application for amendment can be withdrawn.
2. Withdrawal of application for transfer 85420 (water right 65-23928, North Fork Payette River). The primary intent of transfer 85420 was to establish a new point of diversion for a pump on the North Fork Payette River and to use water from the pump for irrigation of lands outside the currently authorized place of use for 65-23928. This intent will now be accomplished through the application for permit described below. Therefore, no changes are needed to water right 65-23928 and the transfer can be withdrawn.
3. A new application for permit to pump North Fork Payette River water for irrigation of the area around the 65-23120 pond and the proposed half pivot. The place of use for this proposed permit will overlap with AB West Mountain water right 65-23422 (Duffner Creek), and the proposed place of use under pending application to amend AB West Mountain permit 65-23042. This proposed permit will fulfil the intent of Transfer 85420 that is now being withdrawn.
4. A new application for permit seeking to pump deep groundwater into the 65-23120 pond to offset seepage losses. The proposed pumping rate is 2.0 cfs, consistent with the proposed pumping rate for irrigation under permit 65-23042. The point of diversion proposed by this application for permit will be the deep well shared with permit 65-23042.

No changes are proposed for pending applications for amendments to permits 65-23042 (deep groundwater) and 65-23120 (shallow groundwater pond). We will work with the protestants to these applications to resolve any remaining concerns.

The enclosed documents are signed by J. Thomas Ahlquist, manager of Ahlquist Development LLC. Ahlquist Development LLC is manager of AB West Mountain Holdings, LLC.

The filing fee for the two new applications for permit are \$290 each. The \$580 fee is provided by p-card.

Please contact me with any questions or comments regarding these applications.

Sincerely,
HDR Engineering, Inc.

A handwritten signature in black ink that reads 'Terry M. Scanlan'.

Terry M. Scanlan, P.E., P.G.
Principal Engineer

Enclosures: Withdrawal of application to amend permit 65-23043
Withdrawal of application for transfer 85420
Application for permit (NF Payette River)
Application for permit (deep groundwater)

CC (by email): Aaron Olsen – IDWR
Nick Miller - IDWR
Neil Shippy – Water District 65
Tommy Ahlquist – AB West Mountain Holdings

Olson, Aaron

From: Miller, Nick
Sent: Wednesday, July 20, 2022 12:10 PM
To: Olson, Aaron
Subject: FW: Application for Transfer No. 85420, Amendment of Permit 65-23042, 65-23043 & 65-23120

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Monday, July 18, 2022 7:33 AM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>; Storms, Scott <Scott.Storms@idwr.idaho.gov>; Western Info <westerninfo@idwr.idaho.gov>
Subject: FW: Application for Transfer No. 85420, Amendment of Permit 65-23042, 65-23043 & 65-23120

The watermaster would like to meet with you on these applications. Please contact him.



Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

From: Neil Shippy <neil.waterdistrict65@gmail.com>
Sent: Tuesday, July 12, 2022 9:33 AM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: Application for Transfer No. 85420, Amendment of Permit 65-23042, 65-23043 & 65-23120

Good morning,

I would like to have time to inspect the site before commenting on the transfers. I would like to schedule a time to meet with personnel for IDWR on this site visit. The week of July 25th would work for me, please let me know what will work for you.

On Thu, Jun 30, 2022 at 9:35 AM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to the Western Region office by July 25, 2022.

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 past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by July 25, 2022, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact the Western Region office at (208) 334-2190 if you have any questions regarding the application.

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942



Neil Shippy
Watermaster
Water District #65
Cell 208-454-5678
Office 208-642-4465