RECEIVED

AUG 09 2021

IDWR/NORTH

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s) ☑ Add diversion point(s) ☐ Ownership change ☐ Ownership split

☑ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** BILL COWGER Phone 208-746-9592
2. **MAILING ADDRESS** 927 GUN CLUB RD City LEWISTON

State ID Zip 83501-9789 Email GGRAMA@CABLEONE.NET

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.

☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 85-15750, 85-15751

☑ Attach a copy of the water right(s) as recorded, available at *idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.08 CFS (diversion rate) cubic feet per second and/or N/A (storage volume) acre-feet per annum.

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources.*

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			NW	NW	4	35N	05W	NEZ PERCE	GROUNDWATER	D0005641
NO	GL4		NW	NW	4	35N	05W	NEZ PERCE	GROUNDWATER	OLD WELL - No Tag

Transfer No. 85196

6. **GENERAL INFORMATION**

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Each water right's single groundwater well POD and water system piping has been interconnected with a bypass valve, which allows each well to service both water rights system(s) in the event of an emergency.

b. Who owns the property at the point(s) of diversion? BILL COWGER and/or JOANN COWGER

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

N/A

c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently used in a mitigation plan limiting the use of water under the right(s), or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

N/A

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.

☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Bill Cowger	Bill Cowger	8/9/2021
Signature of applicant or authorized agent	Print name and title if applicable	Date
Joann Cowger	Joann Cowger	8/9/2021
Signature of applicant or authorized agent	Print name and title if applicable	Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at *www.idwr.idaho.gov, Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 250.00 Date 8-9-21 Receipted by NS Receipt # N637253

$450 total

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

BILL COVINGER TRANSFER APP MAP

0 0.02 0.04 0.08 Miles

Legend

- Township/Range
- Sections
- QQ

N

IDAHO DEPARTMENT OF WATER RESOURCES 7/22/2021

Proof Report

Water Right 85-15750

Owner Type	**Name and Address**
Current Owner	BILL COWGER 927 GUN CLUB RD LEWISTON, ID 83501-9789 (208) 746-9594

Priority Date: 7/7/2008
Basis: License
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	02/15	11/30	0.020 CFS	2.8 AF
DOMESTIC	01/01	12/31	0.040 CFS	5.4 AF
	Total Diversion		0.050 CFS	8.2 AF

Source and Point(s) of Diversion

GROUND WATER L4(NWNW) Sec. 4, Twp 35N, Rge 05W, NEZ PERCE County

Place Of Use

IRRIGATION within NEZ PERCE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
35N	05W	4					0.1 L3	0.6 L4											0.7

POU Total Acres: 0.7

DOMESTIC within NEZ PERCE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
35N	05W	4						X L4											

Conditions of Approval:

1. R68 This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.8 afa for irrigation of the lands above.
2. 132 Domestic use is for 9 homes. Irrigation of lawn, garden and landscaping associated with 4 homes is authorized under the irrigation component of this right. The 4 homes are specifically located at 927 Gun Club Rd., and Cowger Additions 6-8.
3. 132 Irrigation of lawn, garden and landscaping associated with the 5 remaining homes is authorized under right 85-15751.

Comments:

1. cpalmer 1/29/2013 Split Permit
Permit 85-7658 split into pieces 85-15750 and 85-15751. Two systems found during the FE that fall within permit 85-7658.

2. cpalmer 1/29/2013 POD
Updated Shape

3. cpalmer 1/29/2013 POU
Updated Shape

Dates and Other Information
Licensed Date: 2/1/2013
Water District Number: NWD
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

IDAHO DEPARTMENT OF WATER RESOURCES 7/22/2021

Proof Report

Water Right 85-15751

Owner Type	**Name and Address**
Current Owner	BILL COWGER 927 GUN CLUB RD LEWISTON, ID 83501-9789 (208) 746-9594

Priority Date: 7/7/2008
Basis: License
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	02/15	11/30	0.030 CFS	4.0 AF
DOMESTIC	01/01	12/31	0.010 CFS	0.1 AF
	Total Diversion		0.030 CFS	4.1 AF

Source and Point(s) of Diversion

GROUND WATER L4(NWNW) Sec. 4, Twp 35N, Rge 05W, NEZ PERCE County

Place Of Use

IRRIGATION within NEZ PERCE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
35N	05W	4						1.0 L4											1.0

POU Total Acres: 1.0

DOMESTIC within NEZ PERCE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
35N	05W	4						X L4											

Conditions of Approval:

1. X01 Domestic use is for 1 shop.
2. X60 Place of use for the irrigation component is located within Cowger Additions 1-5.
3. R68 This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 4.0 afa for irrigation of the lands above.

Comments:

1. cpalmer 1/29/2013 split permit

Permit 85-7658 split into pieces 85-15750 and 85-15751. Two systems found during the FE that fall within permit 85-7658.

2.	cpalmer	1/29/2013	POD
Updated Shape			
3.	cpalmer	1/29/2013	POU
Updated Shape			

Dates and Other Information
Licensed Date: 2/4/2013
Water District Number: NWD
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

From:	Alleman, Tammy
To:	"Sujata.Connell@deq.idaho.gov"
Subject:	Request for Comments Transfer #85196
Date:	Friday, August 27, 2021 3:13:00 PM
Attachments:	85196 Application for Transfer.pdf image001.png

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at:
http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is September 20, 2021.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

Tammy

Tammy Alleman | Administrative Assistant

Idaho Department of Water Resources

Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

August 24, 2021

BILL COWGER
JOANN COWGER
927 GUN CLUB RD
LEWISTON, ID 83501-9789

RE: Application for Permit No. 85-15827 and
Transfer No. 85196 Water Right No(s). 85-15750, 85-15751

Dear Applicants:

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

A legal notice of the application has been prepared and is scheduled for publication in the LEWISTON TRIBUNE on 9/2/2021 and 9/9/2021. 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, August 24, 2021 11:57 AM
To: 'legals@lmtribune.com'
Subject: Legal Notice
Attachments: Legal Notice for 85-15827 & Transfer 85196.docx

Please publish the enclosed legal notice in the **Lewiston Tribune** on the dates indicated **September 2nd & September 9th, 2021** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

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 **September 20, 2021.** Your cooperation is appreciated.

Thank you,

Tammy

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85196

BILL COWGER, 927 GUN CLUB RD, LEWISTON, ID 83501-9789 has filed Application No. 85196 for changes to the following water rights within NEZ PERCE County(s): Right No(s). 85-15750, 85-15751; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:

THIS TRANSFER PROPOSES TO ADD AN EXISTING WELL TO EACH OF THE APPLICANT'S EXISTING WATER RIGHTS 85-15750 & 85-15751.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 9/20/2021. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
85-15827
BILL COWGER
JOANN COWGER
927 GUN CLUB RD
LEWISTON, ID 83501-9789
Point of Diversion L4(NWNW)
S4 T35N R05W
NEZ PERCE County
Source LINDSAY CREEK
Tributary CLEARWATER RIVER
Use: IRRIGATION
02/15 to 11/30
Total Diversion: 0.06 CFS
Date Filed: 08-09-2021
Place Of Use: IRRIGATION
T35N R05W S4
L3(NENW),L4(NWNW)
Total Acres: 2

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; 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, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 9/20/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/2/2021 and 9/9/2021

MEMORANDUM

Date: August 10, 2021

To: Transfer 85196

From: Luke Bates LSB

Re: Legal Notice Remarks

This transfer proposes to add an existing well to each of the applicant's existing water rights 85-15750 & 85-15751 in the NW¼NW¼, Government Lot 4, Section 4, Twp 35N, Rge 05W.