

RECEIVED

AUG 03 2020

WITHDRAWN

FORM 202 Rev. 09/16

DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO

Ident. No.

01-10692

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Arthur A & Deborah J Fetzer Phone (208) 431-9048  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 2131 16th St Dr City Heyburn  
 State ID ZIP 83336 Email debbfetzer@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 River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
10S	23E	16			SE	NW	Minidoka	Snake River	

5. Water will be used for the following purposes:

Amount 0.02 cfs for Domestic\* purposes from 03/15 to 11/15 (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.02 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. Pump in the Snake River on southwest end of the property.  
 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 DM Date 8.3.2020 Time 12:30 PM Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Receipted by SG Receipt No. 5038063 Date 8/3/20

WITHDRAWN

SCANNED  
AUG 14 2020

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
  - Domestic; show number of households Exterior Domestic use for irrigation of lawn, garden & landscaping only
  - Other; describe fully. \_\_\_\_\_
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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	
10S	23E	16								X									
										GL 5									
10S	23E	16			X														
					GL 6														

Total number of acres to be irrigated: 0.5

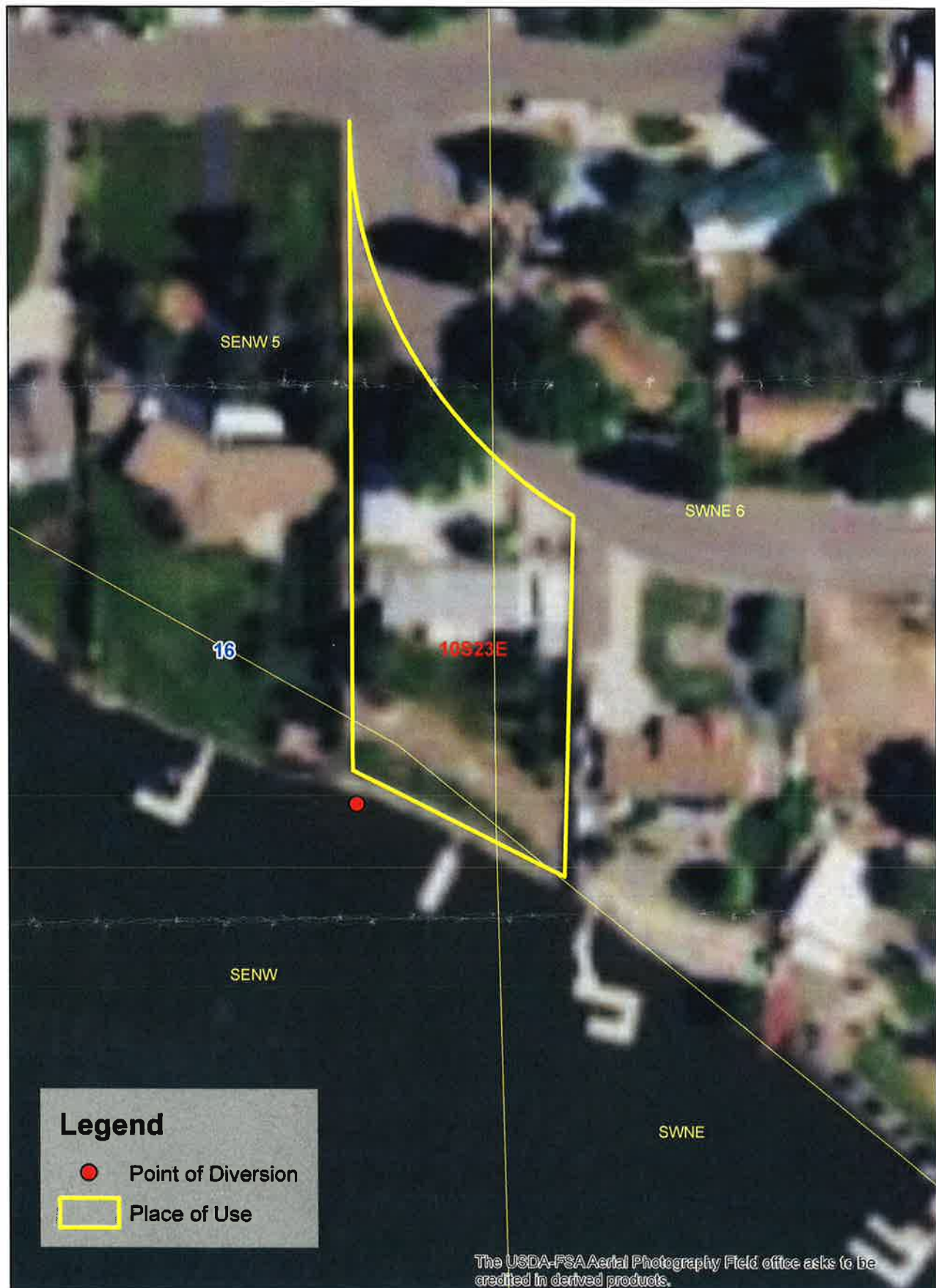
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? \_\_\_\_\_
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. \*Exterior domestic use only to provide up to 1/2 acre for the irrigation of lawn, garden & landscaping only. Point of diversion is a pump in the Snake River. Water use shall not exceed 13,000 gallons per day.
13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

Arthur Fetzner 8-1-20  
Signature of Applicant  
Art Hur Fetzner 8-1-20  
Print Name (and title, if applicable)

Deborah J Fetzner 8-1-20  
Signature of Applicant  
Deborah J Fetzner 8-1-20  
Print Name (and title, if applicable)

# Proposed Domestic Irrigation Place of Use



01-10692



# Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 104922

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	148.68
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	148.68
Fax			
Section	Legals	Start/End Dates	08/20/2020 - 08/27/2020
SubSection		Insertions	2
Category	50 Legal	Size	96
Ad Key	104922-1	Salesperson(s)	Jenny Green - Legals
Keywords	Transer No. 84222 Water Right 36-16186, 36-	Taken By	Sherri Davis
Notes			

**Ad Proof**

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

**1-10692**  
**ARTHUR A FETZER**  
**DEBORAH J FETZER**  
 2131 16TH ST  
 HEYBURN, ID 83336-9664  
 Point of Diversion SENW S16 T10S R23E MINIDOKA County  
 Source SNAKE RIVER Tributary COLUMBIA RIVER  
 Use: DOMESTIC 03/15 to 11/15 0.02 cfs  
 Total Diversion: 0.02 cfs  
 Date Filed: 08-03-2020  
 Place Of Use: DOMESTIC  
 T10S R23E S16 L5(SENW), L6(SWNE)  
 Application proposes to divert up to 0.02 cfs from the Snake River for domestic use, intended to provide up to 0.5 acre for the irrigation of lawn, garden & landscaping only. Proposed place of use and point of diversion are located at 2131 16th St Dr in Heyburn.

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84222

BLUE SAGE PROPERTIES LLC, 3394 N 2600 E, TWIN FALLS, ID 83301-0248 has filed Application No. 84222 for changes to the following water rights within GOODING County(s): Right No(s). 36-16186, 36-16188. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.1 cfs and the irrigation of 5.3 acres to an existing well on the applicant's property. The current authorized point of diversion is located approximately 2.0 miles south and 5.0 miles west of the city of Jerome. The proposed new location of the existing well and the 5.3 acres of irrigation is located approximately 2.9 miles south and 5.3 miles west of the city of Jerome. Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://re-search.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before September 8, 2020. The protestant must also send a copy of the protest to the applicant.  
 GARY SPACKMAN, Director  
**Published:** on August 20th & 27th, 2020

✓ DM  
 Proof of legal notice  
 received from  
 Times News 8/14/2020

## Maline, Denise

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**From:** Olenichak, Tony  
**Sent:** Friday, August 14, 2020 2:36 PM  
**To:** Maline, Denise  
**Subject:** RE: Comment Letter for 01-10692 (Fetzer)

Denise,

Thanks for the notice. I don't have any objections or recommendations towards permit application 01-10692 for the small domestic pump. We'll add it to the Water District #1 billing and list of diversions if approved.

Tony Olenichak  
Watermaster  
Water District #1

**From:** Maline, Denise  
**Sent:** Friday, August 14, 2020 12:31 PM  
**To:** Olenichak, Tony <Tony.Olenichak@idwr.idaho.gov>  
**Subject:** Comment Letter for 01-10692 (Fetzer)

Hi Tony,

Attached is an application for permit currently being processed at Southern. Please review the information and provide any necessary comments within 21 days.

Please feel free to contact Bill Mills at Southern, if you have any questions.

Thank you in advance,

Denise @ Southern

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)

## Maline, Denise

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**From:** Bassista, Tom <thomas.bassista@idfg.idaho.gov>  
**Sent:** Friday, August 14, 2020 1:13 PM  
**To:** Maline, Denise; Peterson, Mike  
**Subject:** Re: Comment Letter for Application #01-10692 (Fetzer)

Thank you Denise.

IDFG has no comments or concerns with this water right application.

Sincerely,

Tom Bassista  
Technical Assistance Program Coordinator Idaho Department of Fish and Game Headquarters Office PO Box 25  
600 South Walnut  
Boise, ID 83706  
208-287-2773<tel:208-287-2773> office  
208-610-4032<tel:208-610-4032> cell

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From: Maline, Denise <Denise.Maline@idwr.idaho.gov>  
Date: August 14, 2020 at 12:26:23 PM MDT  
To: Peterson, Mike <mike.peterson@idfg.idaho.gov>, Bassista, Tom <thomas.bassista@idfg.idaho.gov>  
Subject: Comment Letter for Application #01-10692 (Fetzer)

Good afternoon,

Attached is an application for permit currently being processed by Dept of Water Resources. Please review the information, complete the attached recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can also be found on our website.

Please feel free to contact this office if you have any questions.

Thank you in advance,

Denise Maline, IDWR Twin Falls

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
denise.maline@idwr.idaho.gov<mailto:denise.maline@idwr.idaho.gov>

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Friday, August 14, 2020 12:26 PM  
**To:** 'mike.peterson@idfg.idaho.gov'; Tom Bassista (IDFG)  
**Subject:** Comment Letter for Application #01-10692 (Fetzer)  
**Attachments:** Comment Letter to F&G for 01-10692.docx; 01-10692 Fetzer.pdf

Good afternoon,

Attached is an application for permit currently being processed by Dept of Water Resources. Please review the information, complete the attached recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can also be found on our website.

Please feel free to contact this office if you have any questions.

Thank you in advance,

Denise Maline, IDWR Twin Falls

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



Brad Little  
Governor

State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Gary Spackman  
Director

August 14, 2020

IDAHO DEPT OF FISH & GAME  
TOM BASSISTA OR MIKE PETERSON  
324 S 417 E STE 1  
JEROME ID 83338-6206

RE: Application for Permit No(s). 01-10692 (Arthur & Deborah Fetzer)

Dear Fish & Game:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires 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 after final publication (**on or before September 8, 2020**).

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

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)



**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Friday, August 14, 2020 12:31 PM  
**To:** Olenichak, Tony  
**Subject:** Comment Letter for 01-10692 (Fetzer)  
**Attachments:** Comment Letter to WD01 for 01-10692.docx; 01-10692 Fetzer.pdf

Hi Tony,

Attached is an application for permit currently being processed at Southern. Please review the information and provide any necessary comments within 21 days.

Please feel free to contact Bill Mills at Southern, if you have any questions.

Thank you in advance,

Denise @ Southern

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

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Brad Little  
Governor

Gary Spackman  
Director

August 14, 2020

WATER DISTRICT 01  
TONY OLENICHAK  
900 N SKYLINE DR, STE A  
IDAHO FALLS ID 83402

RE: Application for Permit No. 01-10692 (Arthur & Deborah Fetzer)

Dear Tony:

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 this office within 21 days of the date of this letter.

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 within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

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Brad Little  
Governor

Gary Spackman  
Director

August 13, 2020

ARTHUR A FETZER  
DEBORAH J FETZER  
2131 16TH ST  
HEYBURN, ID 83336-9664

RE: Application for Permit No. 1-10692

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 **TIMES NEWS on 8/20/2020 and 8/27/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **September 8, 2020**.

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,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Thursday, August 13, 2020 12:52 PM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on August 20<sup>th</sup> & 27<sup>th</sup>, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 13, 2020

**LEGAL NOTICE DEPARTMENT**  
**TIMES NEWS**  
PO BOX 548  
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 1-10692

RE: Transfer No. 84222  
Water Right No(s). 36-16186, 36-16188

Dear Legal Notice Department:

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 September 8, 2020. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)



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

**1-10692**

ARTHUR A FETZER

DEBORAH J FETZER

2131 16TH ST

HEYBURN, ID 83336-9664

Point of Diversion SENW S16 T10S R23E MINIDOKA County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 08-03-2020

Place Of Use: DOMESTIC

T10S R23E S16 L5(SENW), L6(SWNE)

Application proposes to divert up to 0.02 cfs from the Snake River for domestic use, intended to provide up to 0.5 acre for the irrigation of lawn, garden & landscaping only. Proposed place of use and point of diversion are located at 2131 16th St Dr in Heyburn.

### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

#### **TRANSFER NO. 84222**

BLUE SAGE PROPERTIES LLC, 3394 N 2600 E, TWIN FALLS, ID 83301-0248 has filed Application No. 84222 for changes to the following water rights within GOODING County(s): Right No(s). 36-16186, 36-16188. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.1 cfs and the irrigation of 5.3 acres to an existing well on the applicant's property. The current authorized point of diversion is located approximately 2.0 miles south and 5.0 miles west of the city of Jerome. The proposed new location of the existing well and the 5.3 acres of irrigation is located approximately 2.9 miles south and 5.3 miles west of the city of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 8, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 20<sup>th</sup> & 27<sup>th</sup>, 2020