

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 § 42-221.0.8](#) Attach an explanation and any supporting documentation

1. APPLICANT(S) MIKE RUFFNER Phone 208-871-9090
2. MAILING ADDRESS 30 PILE CREEK ROAD City GARDEN VALLEY
State IN Zip 83622 Email MJRUFFNE@ASU.EDU

- ☐ 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 fees 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) 65-23807

- ☒ 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 .01 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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*.

[illegible]

RECEIVED

FEB 10 2020

DEPARTMENT OF
WATER RESOURCES

RECEIVED

FEB 12 2020

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 20 2020

WATER RESOURCES
WESTERN REGION

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:

1.5 HP 256GPM SS PUMP & 2 WIRE MOTOR
NO ACCUMULATION TANK - TIMER CONTROLLED

- b. Who owns the property at the point(s) of diversion? RUFFNER
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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:

- 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 1/4 1/4 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.

Mike Ruffner MIKE RUFFNER 2/6/20
Signature of applicant or authorized agent Print name and title if applicable Date

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 5 pages of attachments. Received by KM Date 2-10-2020
Fee paid \$50 Date 2-10-2020 Received by KM Receipt # C108295
Preliminary review by KT Date 2/10/2020 Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☒ Name on W-9 KT W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 - confidential information is held by fiscal only)


[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

1/31/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 65-23807

Owner Type	Name and Address
Current Owner	AMANDA G RUFFNER
Current Owner	MICHAEL J RUFFNER
	1326 E PRAIRIE VIEW DR
	EAGLE, ID 83616-7026
	2088719090
Original Owner	DARIUS T BAILEY
	2619 S MC DERMOTT
	NAMPA, ID 83687
	2084662054

Priority Date: 05/28/1951

Basis: Decreed

Status: Active

Source	Tributary
MIDDLE FORK PAYETTE RIVER	PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.01 CFS	
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

PAYETTE RIVER|SWNE|Sec. 34|Township 10N|Range 04E|BOISE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04E	34		NENE	1.3									

Total Acres: 1.3

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- PROPERTY IS ALSO KNOWN AS LOT 13, BLOCK 2, MIDDLE FORK MEADOWS SUBDIVISION.

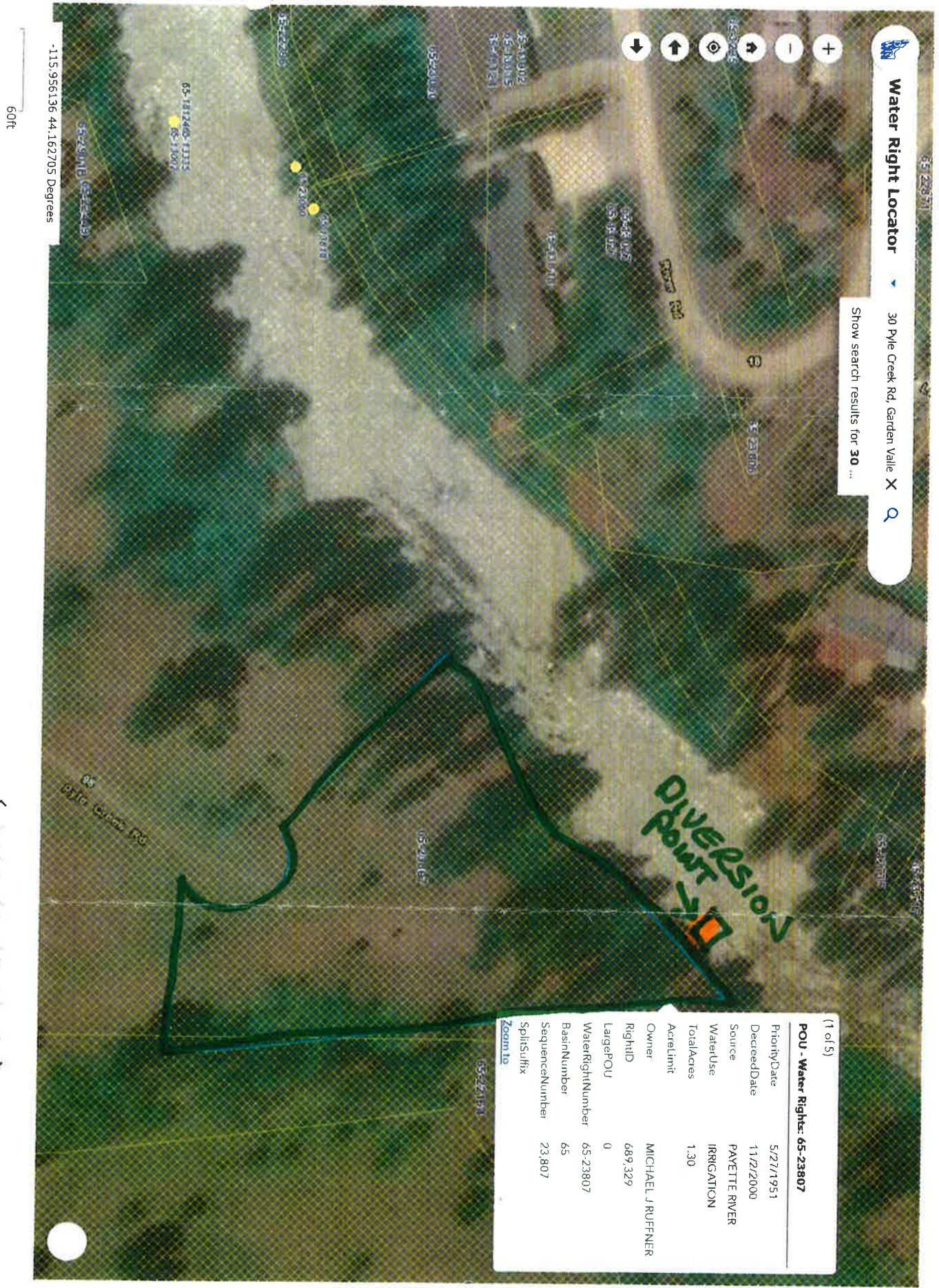
Dates:

Licensed Date:

Decreed Date: 11/03/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:





Custom Pump Services
P.O. Box 281
Emmett, ID 83617
208-369-0859

Date	Estimate #
6/18/2019	317

Name / Address

Mike Ruffner

Job Location

Pyle Creek

Description	Rate	Total
8 4.2 GPM SPRINKLER HEAD 80' DIA	22.60	180.80
600 1" GREEN POLY PIPE 100 PSI	0.45	270.00
8 QUICK TAP 1/2"	2.95	23.60
8 COUPLINGS 1/2"	0.94	7.52
8 1/2" X 4' SCH NIPPLE	2.01	16.08
2 1" ANGLE STYLE SOLNOID VALVE	35.75	71.50
1 6 STATION ZONE TIMER	144.69	144.69
1 WI-FI MODULE	139.13	139.13
100 1-1/4" 100PSI GREEN POLY	1.18	118.00
1 1.5 HP 25GPM SS PUMP AND 2WIRE MOTOR	2,089.00	2,089.00
1 PUMP START RELAY 2 POLE	105.00	105.00
1 1-1/4" FULL PORT BALL VALVE	57.02	57.02
1 1-1/4" LAY FLAT HOSE ASSEMBLY WITH FIRE HOSE NOZZEL. ESTIMATE ONLY,	300.00	300.00
1 WAITING ON PRICING (JUST A GUESS)		
1 MICS SUPPLIES, FITTINGS, T POSTS, ETC. ESTIMATE ONLY	250.00	250.00
1 SALES TAX	226.34	226.34
10 LABOR TO INSTALL PUMP, LAY PIPE, INSTALL SPRINKLERS AND T POSTS.	125.00	1,250.00
TRENCHING AND ELECTRIC NOT INCLUDED		
Sales Tax	0.00%	0.00

Terms: 50% deposit due in advance. Remaining 50% due immediately upon completion. By signing this estimate you agree to payment terms & making this a work order. Estimate valid for 30 days.

Total

\$5,248.68

Signature

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, May 01, 2020 9:48 AM
To: 'waterdist65@srvinet.com'
Subject: Application for Transfer No. 84026, Application for Amendment of 65-23706
Attachments: RecommendationForm Transfer2.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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office by 05/26/2020.

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 05/26/2020, 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.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 1, 2020

MIKE RUFFNER
AMANDA G RUFFNER
1326 E PRAIRIE VIEW DR
EAGLE, ID 83616-7026

**RE: Transfer No. 84026
Water Right No(s). 65-23807**

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 5/6/2020 and 5/13/2020. 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 approval document.

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

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, May 01, 2020 9:16 AM
To: 'Idaho World Editor'
Subject: Boise Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 05/06/2020 and 05/13/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

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Brad Little
Governor

Gary Spackman
Director

May 1, 2020

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Transfer No. 84026
Water Right No(s). 65-23807

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 5/26/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84026**

AMANDA G RUFFNER, 1326 E PRAIRIE VIEW DR, EAGLE, ID 83616-7026; MIKE RUFFNER, 30 PYLE CREEK RD, GARDEN VALLEY, ID 83622 has filed **Application No. 84026** for changes to the following water rights within BOISE County(s): Right No(s). 65-23807; 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 change the point of diversion for water right 65-23807 which currently irrigates a 1.4 acre parcel from the Middle Fork Payette River. The new point of diversion will use a 1.5 hp motor pumping directly from the river. Water will be used at the current place of use approximately 3.5 miles north of Crouch, Idaho in Boise County near the end of Pyle Creek Road.

For additional information concerning the property location, contact Western Region office at (208)334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/6/2020 and 5/13/2020

MEMORANDUM

Date: April 28, 2020
To: Transfer 84026
From: Allen Bradbury
Re: Legal Notice Remarks

This transfer proposes to move the point of diversion approximately 0.5 miles upstream on the Middle Fork Payette River. The new point of diversion will continue to pump directly from the river irrigating 1.4 acres. Water will be used at the current place of use approximately 3.5 miles north of Crouch, Idaho in Boise County near the end of Pyle Creek Road.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 23, 2020

MICHAEL J RUFFNER
1326 E PRAIRIE VIEW DR
EAGLE, ID 83616-7026

COPY

Re: Water Right Application Incomplete for Michael J Ruffner - Returned

Dear Mr. Ruffner:

This office received your application for transfer on February 21, 2020. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

Department staff are not allowed to make these changes, therefore I would like to suggest the following changes to ensure that the application accurately describes your project. Enclosed is a copy of your original application for you to amend. Changes to your application should be made by writing in the new values, and adding the date and your initials next to the changes.

Item 5. Point of Diversion.

- The $\frac{1}{4}$ $\frac{1}{4}$ description of your point of diversion was not included in the table under item 5. According to the provided map, the proposed point of diversion is likely located in the NE NE $\frac{1}{4}$ $\frac{1}{4}$. Please provide the correct legal location for the 40 acre tract in the POD table.

Fee: Insufficient payment of the fee. A fee of \$50 was submitted to the Department with your application. Your transfer proposes a new point of diversion for 0.01 cfs of water, which requires a \$200 fee. Please send the additional \$150 needed to process your application. I will enclose the transfer fee list to show how we determine the required fees.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next **thirty (30) days**. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure:

Original Application
Fee Schedule