

RECEIVED

APR 15 2020

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

IDWR/NORTH

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)** Christopher James Varela Phone 208-929-2507
 2. **MAILING ADDRESS** 5803 West Riverview Drive City Coeur D'Alene
 State Idaho Zip 83814 Email cvarela@settlerscreek.com

- ☐ 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) 95-17513, 95-17793, 95-4706

- ☒ 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 .15 CFS cubic feet per second and/or 0 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]

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:
Well to be drilled with an electric pump installed. Installation shall accommodate a measuring device and lockable controls if required.

- b. Who owns the property at the point(s) of diversion? Applicant
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 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.



Signature of applicant or authorized agent

Christopher J. Varela

Print name and title if applicable

04/15/2020

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 _____ pages of attachments. Received by _____ Date _____

Fee paid \$2000 Date 4-15-2020 Received by NS Receipt # N030015

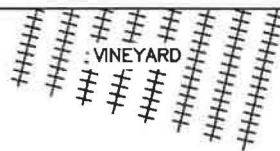
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

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)

PLS 4564
N04°08'58"E
172.02'
171.97' (R2)

	LENGTH	RADIUS	DELTA
C1	176.85'	242.57'	41°43'34"
	CHORD DIST.	CHORD BRG.	
	172.78'	N36°45'52"W	
R1	176.88'	242.57'	41°46'48" 172.99'



+/- 12.81'

50' O/S LINE FROM RW
50'

APPROX. WELL LOCATION (55' O/S)

5.00'

N57°55'51"W

387.13'

387.13' (R1, R2)

CL W. RIVERVIEW DRIVE

CL SEASONAL CREEK

50' O/S LINE FROM RW
50'

N60°46'46"W 172.73'
172.73' (R1, R2)

SURVEYOR'S CERTIFICATE

I, MATTHEW D. WILSON, PROFESSIONAL LAND SURVEYOR No. 15685 IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION FOR CHRIS VARELA.

MDL

MATTHEW D. WILSON, PLS 15685

5/28/2019

DATE



LEGEND

- FOUND AN IRON ROD, 1/2 INCH DIAMETER, WITH A YELLOW PLASTIC CAP, AS NOTED
- SET A WOOD HUB AND LATH
- CALC POINT, NOTHING FOUND OR SET
- (R#) PRIOR SURVEYS

VEG. LINE VEGETATION LINE / BRUSH LINE

RW RIGHT OF WAY

O/S OFFSET

OTHERS AS NOTED

PURPOSE OF SURVEY

THIS SURVEY WAS PERFORMED TO LOCATE THE NORTHERLY RW LINE OF W. RIVERVIEW DRIVE AND TO ESTABLISH A LINE 50 FOOT OFFSET FROM SAID RW LINE TO FACILITATE A WELL LOCATION.

SURVEYS OF RECORD

- | | |
|------------------|------------------|
| R1) J. MECKEL | PLS 3451 |
| JULY 1981 | BOOK 3, PAGE 85 |
| R2) R. SCHROEDER | PLS 4564 |
| AUG. 1986 | BOOK 4, PAGE 396 |

NOTES

- ① FOUND CLIENT PROVIDED "WELL SITE" LATH
- ② FOUND 2 INCH GRAY PIPE (ELEC)
- ③ FOUND 2 INCH BLACK PIPE (WATER)



MW SURVEYING

HAYDEN, IDAHO, 83835
(410) 708 4589

NO CAP

Options	Details	Recommendation	95	4706			Beneficial Use	Active	03/15/1961	0.09	GROUND WATER	IRRIGATION	VARELA, CHRIS
More Options													
Options	Details	Recommendation	95	17513			Beneficial Use	Active	05/21/1981	0.06	GROUND WATER	DOMESTIC	VARELA, CHRIS
More Options													
Options	Details	Recommendation	95	17793			Beneficial Use	Active	07/01/1959	0.06	GROUND WATER	COMMERCIAL	VARELA, CHRIS
More Options													
Options	Details	Claim	95	4706			Statutory Claim	Active	01/01/1961	0.2	GROUND WATER	IRRIGATION	VARELA, CHRIS
More Options													
Options	Details	Claim	95	17513			Beneficial Use	Active	05/21/1978	0.06	GROUND WATER	DOMESTIC	VARELA, CHRIS
More Options													
Options	Details	Claim	95	17793			Beneficial Use	Active	07/01/1959	0.06	GROUND WATER	COMMERCIAL	VARELA, CHRIS
More Options													

Export Results to Excel

Clear All Items

Start Search

>



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 27, 2020

CHRIS VARELA
5803 WEST RIVERVIEW DR
COEUR D ALENE, ID 83814

RE: Transfer No. 84012
Water Right No(s). 95-17513, 95-17793, 95-4706

Dear Applicant:

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 COEUR D ALENE PRESS on 5/7/2020 and 5/14/2020. 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, April 27, 2020 4:53 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments on Transfer 84012

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also 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, 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 application is May 26, 2020.

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

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, April 27, 2020 4:50 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice Transfer 84012, WR 95-17944 & 95-179450.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **May 7th & May 14th, 2020** (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 **May 26th, 2020**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84012

CHRIS VARELA

5803 WEST RIVERVIEW DR

COEUR D'ALENE, ID 83814 has filed Application No. 84012 for changes to the following water rights within KOOTENAI County(s): Right No(s): 95-17513, 95-17793, 95-4706; 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 move the point of diversion for the applicants existing groundwater rights to the SW1/4SW1/4 of Section 9, Twp 50N, Rge 04W.

THE FOLLOWING APPLICATION(S) HAVE BEEN FILED TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO:
95-17944

BLR MATERIALS, LLC

3420 N TSCHIRLEY RD STE 1

SPOKANE VLY, WA 99216-1735

Point of Diversion SWSE

S36 T51N R06W

KOOTENAI County

Source GROUND WATER

Point of Diversion SWSE

S36 T51N R06W

KOOTENAI County

Source GROUND WATER

Use: FIRE PROTECTION

01/01 to 12/31 1.11 CFS

Total Diversion: 1.11 CFS

Date Filed: 04-09-2020

Place Of Use: FIRE PROTECTION

T51N R06W S36

NWSE,SWSE

95-17945

BLR MATERIALS, LLC

3420 N TSCHIRLEY RD STE 1

SPOKANE VLY, WA 99216-1735

Point of Diversion SWSE

S36 T51N R06W

KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.16 CFS

Use: IRRIGATION

03/15 to 11/15 0.12 CFS

Total Diversion: 0.28 CFS

Date Filed: 04-09-2020

Place Of Use: DOMESTIC,IRRIGATION

T51N R06W S36

NWSE,SWSE

Total Acres: 6

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/WRAApplicationResults/>. 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 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020

MEMORANDUM

Date: April 20, 2020
To: Transfer 84012
From: Adam Frederick Af
Re: Legal Notice Remarks

This transfer proposes to move the point of diversion for the applicants existing groundwater rights to the SW1/4SW1/4 of Section 9, Twp 50N, Rge 04W.

MEMORANDUM

Date: April 20, 2020
To: Transfer 84012
From: Adam Frederick Af
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
4/20/2020

Authority to File:

The applicant is listed as the current owner of the rights being transferred according to IDWR records.

Water Right Validity:

The water rights are valid and have been recommended in the CSRBA.

Injury to Other Water Rights:

There are some domestic recommendations in the general area of new wells location. Because of the proximity, this transfer will be advertised for the public's consideration.

Enlargement of Use:

None anticipated.

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area:

New well will insure an adequate and safe water source for the applicant.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.