

83543
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 20 2019

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

DEPARTMENT OF
WATER RESOURCES

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) Jarred & Jessica Holz Phone 208-615-6277

2. MAILING ADDRESS 501 S Wickham Fen Way City Boise

State ID Zip 83709 Email jarred.holz@gmail.com
jessicarholz@gmail.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) 85-4214, 85-2118A, 85-1599 & 85-15800

Div 11/6/19 O/C completed split

- ☐ 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 .44 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.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
yes		NW	NW		13	36N	1W	Nez Perce	Little Canyon Creek	Little Canyon Creek

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 85-15799

Current Owner: JESSICA R HOLZ
JARRED M HOLZ
Priority Date: 2/14/1957
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE CANYON CREEK

Tributary

CANYON CREEK

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.06 CFS

0.06 CFS

Annual Volume

Location of Point(s) of Diversion

LITTLE CANYON CREEK
NEZ PERCE County

NE1/4NE1/4 Sec. 14, Twp 36N, Rge 01W B.M.

Place of Use

IRRIGATION Within NEZ PERCE County

T36N R01W S12	SWSW	1.00	T36N R01W S13	NWNW	11.00
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Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. 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.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. E55 USE OF THIS RIGHT WITH RIGHT NO. 85-15800 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 85-15800

Current Owner: JESSICA R HOLZ
JARRED M HOLZ
Priority Date: 6/1/1959
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE CANYON CREEK

Tributary

BIG CANYON CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.19 CFS

0.19 CFS

Annual Volume

Location of Point(s) of Diversion

LITTLE CANYON CREEK

NEZ PERCE County

NE1/4NE1/4

Sec. 14, Twp 36N, Rge 01W B.M.

Place of Use

IRRIGATION Within NEZ PERCE County

T36N R01W S12

SWSW

1.00

T36N R01W S13

NWNW

11.00

Conditions of Approval:

1. 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 85-15799 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.

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:

High pressure, low volume pump, point of discharge to a storage pond from point of diversion

- b. Who owns the property at the point(s) of diversion? Jarred & Jessica Holz

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)?

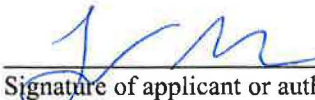
If yes, describe:

- 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.


Signature of applicant or authorized agent

Jarred Holz
Print name and title if applicable

5/20/19
Date


Signature of applicant or authorized agent

Jessica Holz
Print name and title if applicable

5/20/19
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 K Raut Date 5/20/19

Fee paid \$500.00 Date 5/20/19 Received by K Raut Receipt # C106959

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 ☐

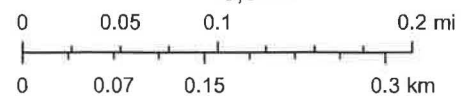
(Do NOT scan the W-9 – confidential information is held by fiscal only)

Holz POD



5/13/2019, 10:23:38 AM

1:9,028



- Override 1
- Township/Range
- Counties
- Idaho Outline
- Quarter Quarter
- Section
- Idaho Mask

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water

Idaho Department of Water Resources

USDA FSA DigitalGlobe, GeoEye, CNES/Airbus DS | Created by NRCS from 1:24,000 scale USGS topographic maps | Idaho Department of Water Resources | USDA Natural Resources

State of Idaho
Department of Water Resources
Attachment to Transfer 83543
Water Right License 85-15800

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01W



-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0375 0.075 0.15 Miles



Tax parcel information provided by Nez Perce County.

State of Idaho
Department of Water Resources
Attachment to Transfer 83543
Water Right License 85-15799

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0375 0.075 0.15 Miles



Tax parcel information provided by Nez Perce County.

MEMORANDUM

Date: August 19, 2019
To: Transfer 83543
From: Shaun Maxey
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
8/19/2019

The overall intent of this Transfer is to add a new Point Of Diversion (POD) that is upstream on Little Canyon Creek and closer to the Applicant's irrigation Place Of Use (POU) than the existing POD was used for parent Water Rights 85-4214 and 85-2118A. The Applicants intend to stop use of the existing POD if the Transfer is approved.

Authority to File: Idaho Department of Water Resources (IDWR) records indicate the Applicants are the current owners of the Water Right License involved in the Transfer.

Water Right Validity: (IDWR) records indicate that Water Rights 85-15799 and 85-17800 are in Active Status and no portion has been forfeited for non-use in the last five years.

Injury to Other Water Rights: The proposed Transfer utilizes a new POD on the Applicant's property as the proposed source. The new Point of Diversion (POD) is not close to PODs used by other parties or other Water Rights. Adverse impact to any existing Rights is unlikely.

Enlargement of Use: No enlargement of use is proposed.

Local Public Interest: No damage to the local public interest is likely to occur if the Transfer is approved. The POD will be reviewed as part of the Transfer review process by Idaho Department of Environmental Quality.

Beneficial Use/Conservation of Water Resources: The Transfer does not propose an increase in use that would adversely affect conservation objectives. The Idaho Water Resource Board will be notified of the Transfer Application because the Board holds Minimum Streamflow Right 85-15602 on Little Canyon Creek.

Effect on Economy of the Local Area: No net negative effect on the local economy is likely from the action proposed in the Transfer. The improvements to the water system indicated in the Transfer may improve the local economy by improving the value of the Applicants property.

Effect on Agricultural Base of the Local Area: The proposed action does not involve an increase in use of water for irrigation or other agriculture use and is not likely to negatively affect the agriculture base of the area.

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.

MEMORANDUM

Date: November 6, 2019
To: Transfer 83543
From: Shaun Maxey
Re: Legal Notice Remarks

TRANSFER PROPOSES TO MOVE POINT OF DIVERSION ON LITTLE CANYON CREEK UPSTREAM FROM NENE SECTION 14 TO NWNW SECTION 13 T36N01W.

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, November 15, 2019 8:57 AM
To: 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'; Skoro, Emily; Golden, Kala
Subject: Request for Comments for Transfer 83543
Attachments: Transfer 83543 for WR#85-15799 & 85-15800.pdf; Transfer 83543 Legal Notice.pdf

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 December 9, 2019.**

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
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*



State of 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

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 14, 2019

JARRED M HOLZ
JESSICA R HOLZ
501 S WICKHAM FEN WAY
BOISE, ID 83709-0185

RE: Transfer No. 83543
Water Right No(s). 85-15799, 85-15800

Dear Applicants:

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 LEWISTON TRIBUNE on 11/21/2019 and 11/28/2019. 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: Thursday, November 14, 2019 4:30 PM
To: 'Legals@lmtribune.com'
Subject: Legal Notice
Attachments: 83543 Legal Notice.doc

Please publish the enclosed legal notice in the **Lewiston Tribune** on the dates indicated **November 21st and November 28th, 2019** (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 **December 9, 2019**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83543

JARRED M HOLZ and JESSICA R HOLZ, 501 S WICKHAM FEN WAY, BOISE, ID 83709-0185; has filed Application No. 83543 for changes to the following water rights within NEZ PERCE County(s): Right No(s). 85-15799, 85-15800; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

TRANSFER PROPOSES TO MOVE POINT OF DIVERSION ON LITTLE CANYON CREEK UPSTREAM FROM NENE SECTION 14 TO NWNW SECTION 13 T36N01W.

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 12/9/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/21/2019 and 11/28/2019