

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 18 2019

WATER RESOURCES
DIVISION REGION

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)** John E. Hofferd Family Trust Phone 541-410-9798
 2. **MAILING ADDRESS** 1376 NW Remarkable Dr. City Bend
 State OR Zip 97703-5511 Email _____

- ☐ 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)** 63-31891

- ☒ 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.
 (and 3,620 acre-feet diversion volume)

4. **TOTAL AMOUNT OF WATER** transferred is 5.0 cubic feet per second and/or 65 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Y	1		SE	NE	36	5N	5W	Canyon	Unnamed Drain	
N	1		NE	NE	6	4N	4W	Canyon	Unnamed Drain	

Path: S:\PROJECTS\IE thru H\Projects\IG Projects\Givens Purley_3970380 Hofferd-Harper Ditch Dispute\PROJECT\GIS\Map\Projects\XFER map.mxd





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WATER RIGHT REPORT

5/15/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 63-31891

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E HOFFERD FAMILY TRUST 1376 NW REMARKABLE DR BEND, OR 97703-5511 5414109798
Original Owner	CAROL L GLENN
Original Owner	R JERRELL GLENN 24520 BOISE RIVER RD PARMA, ID 83660 2084592838

Priority Date: 04/02/2004

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE	01/01	12/31	5 CFS	3620 AFA
WILDLIFE STORAGE	01/01	12/31		65 AFA
DIVERSION TO STORAGE	01/01	12/31	5 CFS	
Total Diversion			5 CFS	

Location of Point(s) of Diversion:

UNNAMED DRAIN|NENE Lt 1|Sec. 06|Township 04N|Range 04W|CANYON County

Place(s) of use:

Place of Use Legal Description: WILDLIFE CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	05W	36		NENE			NWNE		2	NWNE			SWNE	
				SENE		1	SENE							
				NESE										

Place of Use Legal Description: WILDLIFE STORAGE CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	05W	36		NESE										

Conditions of Approval:

1. 220 The pond established by the storage of water under this right shall not exceed a total capacity of 35.2 acre-feet or a total surface area of 17.6 acres.
2. 219 Right 63-31891 authorizes total annual storage volume of 65.0 acre-feet, 35.2 acre-feet to be used for the initial filling or carryover storage of the pond and 29.8 acre-feet for the replacement of losses caused by seepage and evaporation.
3. After specific notification by the Department, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
4. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Dates:

Licensed Date: 07/25/2018

Decreed Date:

Permit Proof Due Date: 7/1/2007

Permit Proof Made Date: 7/9/2007

Permit Approved Date: 7/8/2004

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 03/25/2004

Protest Deadline Date: 06/07/2004

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

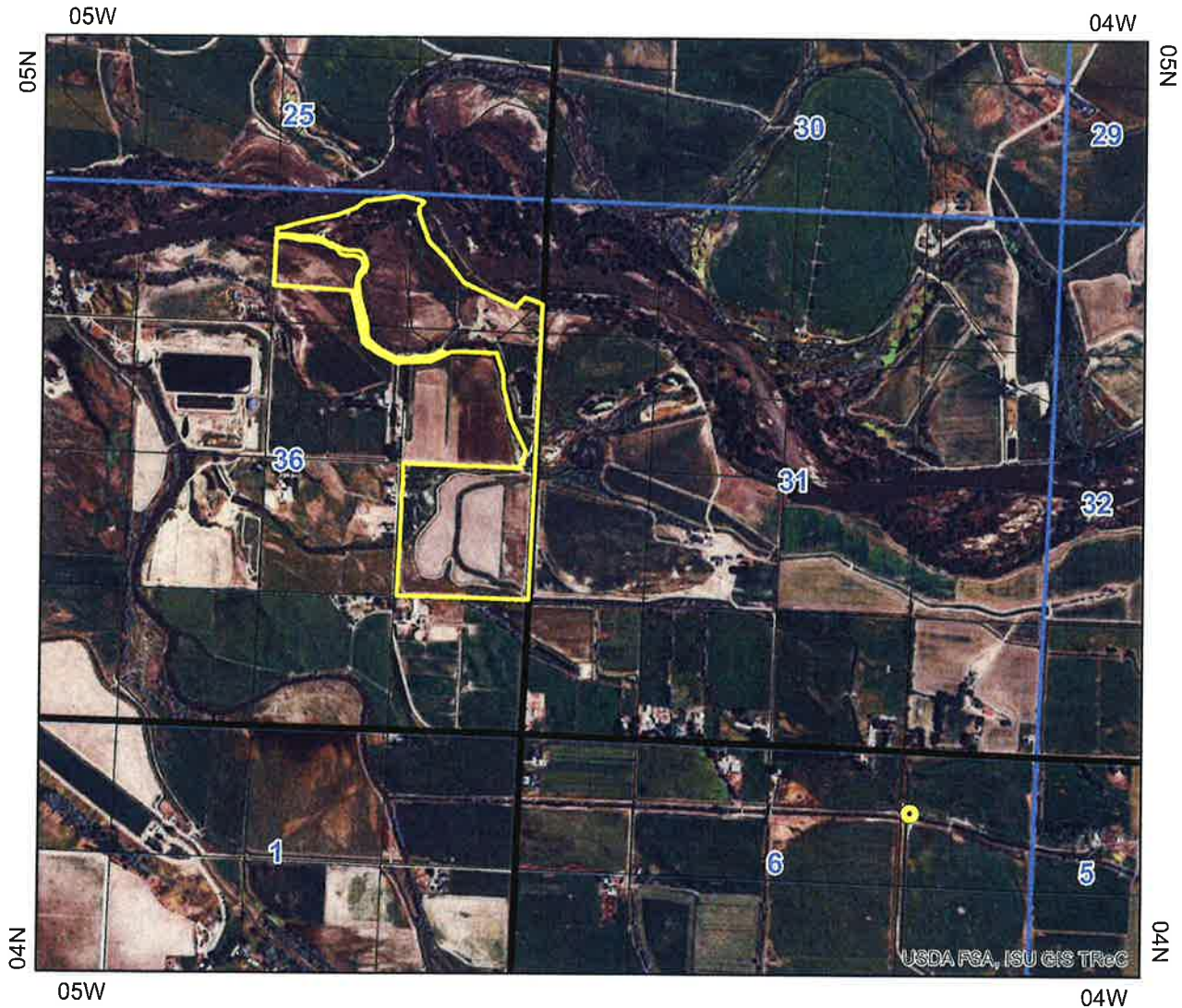
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
63-31891

WILDLIFE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.2 0.4 0.8 Miles



State of Idaho
Department of Water Resources

Water Right
63-31891

WILDLIFE STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, July 25, 2019 11:04 AM
To: 'waterdistrict63@qwestoffice.net'; 'mikemeyerswd63@gmail.com'
Subject: Application for Permit Nos: 63-34722, 63-34755, 63-34756 & Transfer No: 83392
Attachments: Watermaster Recommendation Form.docx; 63-34722.pdf; 63-34755.pdf; 63-34756.pdf; 83392.pdf

July 25, 2019

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Permit Nos: 63-34722, 63-34755, 63-34756 & Application for Transfer No: 83392

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **August 19, 2019**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



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

July 25, 2019

JOHN E HOFFERD FAMILY TRUST
1376 NW REMARKABLE DR
BEND, OR 97703

RE: Application for Transfer No. 83392

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 PRESS TRIBUNE on 8/1/2019 and 8/8/2019. 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,

Anna Kaiser
Administrative Assistant

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, July 24, 2019 4:33 PM
To: 'IDAHO PRESS TRIBUNE'
Subject: RE: CANYON Legal Ad
Attachments: CORRECTED Cover Letter.docx; CORRECTED Legal Notice.docx

Good Afternoon Legal Clerk,

Please disregard my last email and see the attached ad for publication on 8/1/2019 & 8/8/2019.

Please confirm these are okay to publish as shown.

Thank you,
Anna

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

From: Kaiser, Anna
Sent: Wednesday, July 24, 2019 3:40 PM
To: 'IDAHO PRESS TRIBUNE' <legals@idahopress.com>
Subject: CANYON Legal Ad

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 8/1/2019 & 8/8/2019

Please confirm these are okay to publish as shown.

Thank You,
Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

July 24, 2019

LEGAL NOTICE DEPARTMENT

PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

**RE: Application For Permit Nos: 63-34755, 63-34756, 63-34758, 63-34759
Application for Transfer No. 83392**

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 8/19/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34755

TARA FIELDER

CHRIS FIELDER

20777 UPPER PLEASANT RIDGE RD

CALDWELL, ID 83607-9049

Point of Diversion NWNW S34 T04N R04W CANYON County Source LOWER EMBANKMENT DRAIN Tributary DIXIE SLOUGH

Use: IRRIGATION 03/01 to 11/15 0.16 CFS

Total Diversion: 0.16 CFS

Date Filed: 6/20/2019

Place Of Use: IRRIGATION

T04N R04W S34 NWNW

Total Acres: 7.9

63-34756

BLACK SWAN DEVELOPMENT LLC

209 E CURLING DR

BOISE, ID 83702-1628

Point of Diversion SENE S22 T04N R04W CANYON County Source GROUND WATER

Use: FIRE PROTECTION FROM STORAGE 01/01 to 12/31 1 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 1.3 AF

Total Diversion: 1.3 AF

Date Filed: 7/10/2019

Place Of Use: FIRE PROTECTION STORAGE, FIRE PROTECTION FROM STORAGE

T04N R04W S22 SENE

Water bearing zone to be appropriated is from 0 to 15 feet.

63-34758

CARSON RANCHES LLC

1004 7TH ST S

NAMPA, ID 83651-4124

(2) Points of Diversion NESW S17 T02N R02W CANYON County Source GROUND WATER

Point of Diversion NWSE S17 T02N R02W CANYON County Source GROUND WATER

Point of Diversion NWSW S17 T02N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 1.6 CFS

Total Diversion: 1.6 CFS

Date Filed: 7/12/2019

Place Of Use: IRRIGATION

T02N R02W S17 NESW NWSW SWSW SESW

Total Acres: 80

Water bearing zone to be appropriated is from 42 to 130 feet.

63-34759

LAKE SHORE DRIVE LLC

82911 EGGLESON LN

ENTERPRISE, OR 97828-3023

Point of Diversion NWSW S15 T02N R02W CANYON County Source GROUND WATER

Use: FIRE PROTECTION 01/01 to 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 7/10/2019

Place Of Use: FIRE PROTECTION

T02N R02W S15 NWSW

Water bearing zone to be appropriated is from 38 to 150 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83392

JOHN E HOFFERD FAMILY TRUST, 1376 NW REMARKABLE DR, BEND, OR 97703; has filed Application No. 83392 for changes to the following water rights within CANYON County(s): Right No(s). 63-31891; 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: NO LEGAL REMARKS 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.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 8/19/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/1/2019 and 8/8/2019