

Grimm, Angie

From: Grimm, Angie
Sent: Thursday, June 21, 2018 11:10 AM
To: Marston, Sascha
Subject: Refund Request
Attachments: 20180621110802.pdf

Sascha,

Good morning! Please see the attached refund request memo. Let me know if you have any questions or need any additional information to process this request.

Thanks,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

MEMORANDUM

TO: Sascha Marston

FROM: Angie Grimm 

DATE: June 21, 2018

RE: Refund Request

Phillip and Susan Warner paid \$200 for an application for permit and partial well drilling permit upgrade on April 19, 2018. On June 21, 2018, the applicant requested the Department not move forward with processing of a filing at this time and requested we refund the \$200 paid. A full refund should be issued.

Please issue a \$200 refund as follows:

TO

PHILLIP AND SUSAN WARNER
7582 RIVER FRONT DR
MARSING ID 83639

TEL. 303-478-2774

RECEIPT

Receipt no. W046251

Copy: WR 2-10258 File

Grimm, Angie

From: Grimm, Angie
Sent: Thursday, June 21, 2018 10:59 AM
To: 'Susan WARNER'
Subject: RE: Return of permit fee \$200-Warner

Susan,

Good morning! Thank you for your correspondence to formalize this request based on our previous conversations. I will request issuance of a full refund. If I can help with any future filings, please do not hesitate to contact me.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

From: Susan WARNER [mailto:shwarner11@msn.com]
Sent: Thursday, June 21, 2018 10:33 AM
To: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>
Subject: Return of permit fee \$200-Warner

Dear Angie,

I am writing to advise that we will not pursue obtaining an additional water right for well irrigation at this time.

Also, please return our \$200 payment that was submitted for the permit. Our address is 7582 River Front Drive, Marsing, Idaho, 83639.

Should you have any questions, please do not hesitate to contact me on 208-606-6276. We greatly appreciate all of your help and clarity throughout this process.

Regards,
Susan Warner



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 14, 2018

PHILLIP M AND/OR SUSAN H WARNER
7582 RIVERFRONT DR
MARSING ID 83639

Re: Incomplete Water Permit Application – Return Transfer Application – Request Abandonment

Dear Mr. and Mrs. Warner:

The Idaho Department of Water Resources (IDWR) received your water permit application and water right transfer application. The applications are being returned (enclosed) as they are incomplete and/or do not describe the proposed project in an approvable manner. Based on my conversation with Mrs. Warner last week, IDWR requests the following actions be taken with regard to your irrigation with ground water as the primary source proposal:

- Permit application
 - A draft permit application is enclosed for your review and consideration. A map outlining the place of use is attached to the draft application. Please place a dot on the map where the well you intend to use for irrigation is located and label the dot "POD" (point of diversion). Please carefully review all other application items to be sure it accurately reflects your project. Please make any necessary changes, sign and date the form, and return the original signature document to IDWR for processing.
- Abandonment of water right 2-10258
 - A partially completed Notice of Abandonment of Water Right form is enclosed. IDWR policy states surface water must be used as the primary source for irrigation when available. To avoid having to use Snake River water for irrigation before using ground water, Mrs. Warner indicated a willingness to abandon the Snake River water right 2-10258. This action is desirable if you do not propose to use this water right in the future. Please complete this form (both Mr. and Mrs. Warner sign in front of a notary) and return it along with the permit application.
- Partial refund will not be issued – well permit upgrade fee needed
 - The permit application requires a \$100 filing fee. A fee of \$200 was received with the original permit and transfer applications. During my phone conversation with Mrs. Warner, I indicated a refund of \$100 would be issued. However, I mistakenly did not consider a well permit fee upgrade is required for your proposed project. According to IDWR records, the well you propose to use for irrigation was drilled in 1999 under a \$75 domestic well permit. The well permit for an irrigation well is \$200. Per Well Construction Standards (IDAPA 37.03.09.045.05.b), IDWR must collect the unpaid

Warner
May 14, 2018
Page 2 of 2

balance of \$125. Therefore, no refund will be issued and IDWR requests you submit an additional \$25 for the unpaid balance.

Please review the permit application form, and return it with a completed map, the abandonment form, and \$25 well permit fee to IDWR within thirty (30) days. **If the complete application form is not received within thirty (30) days, IDWR will issue a refund of the filing fee.** If you have any questions, please don't hesitate to call me at (208) 334-2190.

Regards,

A handwritten signature in black ink, appearing to read "Angela M. Grimm". The signature is fluid and cursive, with a large loop at the end.

Angela M. Grimm
Water Rights Supervisor

Enclosures: Permit application form (partially completed), Notice of Abandonment form (partially completed), original permit application form received 4/19/18, and original transfer application form received 4/19/18.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Phillip M. Warner and/or Susan H. Warner Phone (303) 478-2774
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 7582 Riverfront Dr City Marsing
 State ID ZIP 83639 Email shwarner11@msn.com or pwarner11@msn.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 Ground Water which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
02N	04W	23	3		NE	SW	Owyhee	Ground Water	D0009208

5. Water will be used for the following purposes:

Amount 0.06 cfs for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (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) 0.10 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. Existing well, pump and pipelines
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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 6 inches; proposed depth of well is 165 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 3/3/1999; drilling firm Domestic Pump & Drill
 well was drilled for (well owner) Phil Nelson (previous owner); Drilling Permit No. 57-99-W-0015-000

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 * Fee \$ 100.00 Received by CJ Receipt No. W046251 Date 4/19/18

* FEE RECEIVED WITH TRANSFER APPLICATION (RETURNED) APPLIED TO THIS PERMIT APPLICATION.

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 One home & one apartment
 - 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	
02N	04W	23									0.3								0.3
											1.7								1.7
											L3								

Total number of acres to be irrigated: 2.0

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? 2-10258 Snake River water right for irrigation of same parcel will be abandoned to replace with primary ground water permit sought by this application. No other water rights associated with this parcel.
11. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Lot 4, Block 1 Hidden Valley Estates. This is an existing system (we are the new owners), which has been established for 100% well (ground) water irrigation. The property has been landscaped 25% with lawn - the remaining ~1 acre is irrigated by sprinkler system (in ground) for weed inhibitor and to secure against soil erosion. It is not viable, feasible or economically/environmentally reasonable to establish a new method for irrigation.
13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

Signature of Applicant
Phillip M. Warner
 Print Name (and title, if applicable)

Signature of Applicant
Susan H. Warner
 Print Name (and title, if applicable)

Warner Ground Water Permit Application Map



Legend

-  Irrigation and Domestic POU
-  Township/Range
-  Sections
-  QQ
-  Taxlots

0 0.0175 0.035 0.07 0.105 0.14 0.175 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

94924

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____
☒ Air ☐ Flowing Artesian

1. WELL TAG NO. D 000 9208
DRILLING PERMIT NO. 57-99-W-0015-000
Other IDWR No. _____

2. OWNER: Phil Nelson
Name _____
Address 11552 W Arden
City Boise State ID Zip 83713

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W ☒ E
S
Twp. 2 North ☒ or South ☐
Rge. 4 East ☐ or West ☒
Sec. 23 1/4 NW 1/4 SW 1/4
Gov't Lot _____ County Owyhee
Lat: _____ Long: _____
Address of Well Site Riverfront Drive
City Marsing

(Give at least name of road + Distance to Road or Landmark)
Lt. 4 Bldg. 1 Sub. Name Hidden Valley
Estates

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
Dry Gran Bent + Well Cuttings	0	18	350 lb		Overbore

Was drive shoe used? ☒ Yes ☐ No Shoe Depth(s) 120
Was drive shoe seal tested? ☐ Yes ☒ No How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	120	1/4	Steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

1 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: Sanitary Well Cap

11. WELL TESTS:

☐ Pump ☐ Baller ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
50+	NA	100'	15 Min

Water Temp. 60 Bottom hole temp. NA
Water Quality test or comments: Clear Light Sulphur odor

Depth first Water Encounter 126

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	0	4	Sandy Soil		K
10	4	18	Sandy Clay		K
6	18	22	Sandy Clay		K
6	22	25	Gravel		K
6	25	28	Brn Clay		K
6	28	126	Layered Hard + Soft Blu Clay		K
6	126	135	Blu Clay with thin Blue Shale	X	
6	135	142	Blu Clay		K
6	142	165	Blu Clay + Thin Blu Shale	K	

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MAR 30 1999

Department of Water Resources

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED

JUN 08 1999

Completed Depth 165 (Measurable)
Date: Started 3/3/99 Completed 3/3/99

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Domestic Pump & Drill Firm No. 483

Firm Official _____ Date _____
and _____
Driller or Operator [Signature] Date 3/24/99
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Phillip M. Warner and Susan H. Warner

Mailing Address: 7582 Riverfront Dr Marsing, ID 83639

Phone: (208) 896-4340

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or _____ part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 2-10258.

I hereby abandon X all, or _____ part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

N/A

Signature of Water Right Owner(s) or Authorized Representative

Date

Phillip M. Warner and Susan H. Warner

Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

State of _____)
County of _____) ss

On this _____ day of _____, 20____, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL

Notary Public

My commission expires: _____

not sure whether this form and/or Transfer form needed to change from river to well irrigation.

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APR 19 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. Water Right No. 2-10258

cell 303-478-2774

Phone ~~208-890-4340~~

1. WATER RESOURCES
WESTERN REGION

Phillip M. and Susan H. Warner

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 7588 Riverfront Drive, Marsing City Marsing
State ID Zip 83639 Email: shwarner11@msn.com or pwarner11@msn.com

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>2N</u>	<u>AW</u>	<u>23</u>	<u>3</u>				<u>Dwyer</u>	<u>Lot 4 block 1</u>	<u>Well permit #</u>
								<u>NESW</u>	<u>721060</u>

4. Water will be used for the following purposes:

Amount .05-01 for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)

Amount .03 for Domestic purposes from 1/1 to 12/31 (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)

5. Total quantity to be appropriated is (a) .08 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. existing well, pump and pipelines

b. Height of storage dam 120 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 11.

For dams 10 feet or more in height OR reservoirs with a total 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. Actual Proposed well diameter is 6 inches; actual proposed depth of well is 120 - 165 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 3/3/1999; drilling firm Domestic Pump & Drill #483
Well was drilled for (well owner) Phil Nelson (previous owner); Drilling Permit No. 57-99-W-0015-000

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. #721060 & 108 #009208

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households One

e. Other; describe fully. irrigation of 1.2 - 1.5 acres

(mitigated Snake River Water right 2-10258)
from

8. 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	
2N	4W	23									1.5								1.5
											D								

Total number of acres to be irrigated: 1.5

9. 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? 2-10258 - use well for home \$ irrigation - mitigate Snake River Water right for ↑

10. a. Who owns the property at the point of diversion? Applicants
b. Who owns the land to be irrigated or place of use? Applicants
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: —

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Lot 4, Block 2 - Hidden Valley Estates. This is an existing system. We are the new owners, which has been established for 100% well water (ground) irrigation. The property has been landscaped 25% with lawn - the remaining 1 acre is irrigated by sprinkler system (in ground) - weed inhibitor and to secure against soil erosion. It is not viable, feasible or economically/environmentally reasonable to establish a new method for irrigation of additional 1/2 - 1 acre only.
12. Time required for completion of works and application of water to proposed beneficial use is 0 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Phillip M. Warner
Signature of Applicant
Phillip M. Warner
Print Name (and title, if applicable)

Susan H. Warner
Signature of Applicant
Susan H. Warner
Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Receipted by _____ Receipt No. _____ Date _____

RECEIVED

APR 19 2018

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. _____

Water Right No. 2-10257

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A

* Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/watermanagement/waterknowledge/waterknowledge/transfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

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Rev. 07/11

Page

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APR 19 2018

STATE OF IDAHO
WATER RESOURCES
WESTERN REGION

Transfer No.

part 1
pg 1 of 3

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant(s) Phillip M. and Susan H. Warner Phone 303-478-2774
208-896-4340
 Mailing address 7588 Riverfront Drive, Marsing, 83639 Email shwarner11@msn.com
75827

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ 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.
- ☐ 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 providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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.

PM Warner
Signature of Applicant or Authorized Representative

Phillip M. Warner
Print Name and Title if applicable

4/11/18
Date

Susan H. Warner
Signature of Applicant or Authorized Representative

Susan H. Warner
Print Name and Title if applicable

4/11/18
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. permit # 721060, number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. We wish to irrigate from well drilled by permit # 57-99-W-0015 in addition to home use. Irrigation of 1.5 ac for Govt. lot 3, 2N-4W-23, Lot 4-Block 1 (1.90 acres w/building and paved driveway/parking on 4 acres). Well tag #009208 (original owner - Phil Nelson). We wish to mitigate using Snake River water right # 2-10258. Ownership change request enclosed. Susan done

part 1
pg 2 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All of Part	2-10258	.11 cfs/	irrigation & home	March - November April - October yearly	Permanent - well
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights .08 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed .11 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
	4				2N	4W	23	Douglas	well	009208

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	4W	23					1.5				1.5								1.5

★ property location address - 7582 Riverfront Drive, Marsing, ID
 $50 \text{ gals./min} \div 448.8 = \text{cfs } .11$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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: Divert water from domestic well for use in irrigation (in addition to home use.)

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: no

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

mitigate use of well with Snake River water right - number 2-10258.

- f. 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 leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: we wish to put in place a mitigation plan
Snake River to Ground Water use

part 2

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

Insert Part 2A reports into the application following Part 1.

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ _____ / , Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

[illegible][illegible]

Total Acres (for irrigation use) _____

4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-10258

WATER RIGHT NUMBER: 2-10258

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VANCE VAN HALL 5552 WILLOW LN NAMPA, ID 83687-8424 (208)461-2575
Original Owner	ESTATE OF ESTHER F ASHE C/O JACK HURT 4470 VEGAS VALLEY #108 LAS VEGAS, NV 89121 (702)457-3477
Previous Owner	SANWAN LLC 3652 S MC CORMICK WAY BOISE, ID 83709 (208)861-8884
Current Owner	PHILLIP M WARNER 7582 7548 RIVERFRONT DR MARSING, ID 83639 (208)896-4340
Current Owner	SUSAN H WARNER 7582 7548 RIVERFRONT DR MARSING, ID 83639 (208)896-4340

Priority Date: 01/19/1949

Basis: Decreed

Status: Active

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.040 CFS

Annual Volume

8.60 AF

Total Diversion:

0.040 CFS

8.60 AF

Location of Point(s) of Diversion

SNAKE RIVER

L3 (NW1/4SW1/4)

Sec. 23, Twp 02N, Rge 04W, B.M.

OWYHEE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	23									1.9								1.9
											L 3								

Total Acres: 1.9

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-10258

Conditions of Approval:

1. P21 This right is a split from former right 2-10245.
2. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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.
5. X60 Point of diversion and place of use are located within Lot 4, Blk. 1, Hidden Valley Estates Subdivision.

Remarks:

Comments:

1. pskaggs 2/23/2005 8:21:54 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 71510

Dates and Other Information:

Licensed Date:
Decreed Date: 6/15/2009
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Idaho Department of Water Resources Receipt

Receipt ID: W040663

Payment Amount	\$25.00	Date Received	10/22/2012 11:10 AM	Region	WESTERN
Payment Type	Check	Check Number	382		
Payer	WARNER, PHILLIP M/SUSAN H				
Comments	NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP FOR PHILLIP M WARNER 2-10258				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

JA

Signature Line (Department Representative)

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

- Transfer contains _____ pages and _____ attachments.
- Received by CJ Date 4/19/18 Prelim. Check by _____ Date _____
- Fee Paid \$200.00 Date 4/19/18 Received by CJ Receipt # W046251
- Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

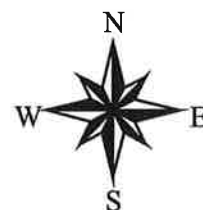
Idaho Department of Water Resources

1987 NAAPP Photo



Claim Number: 02-10258
Legal: T02N, R04W, S23
Reviewed By: SJR 4/21/05

- ⊙ Point of Diversion
Place of Use
- Section Lines
- Quarter Quarter Lines



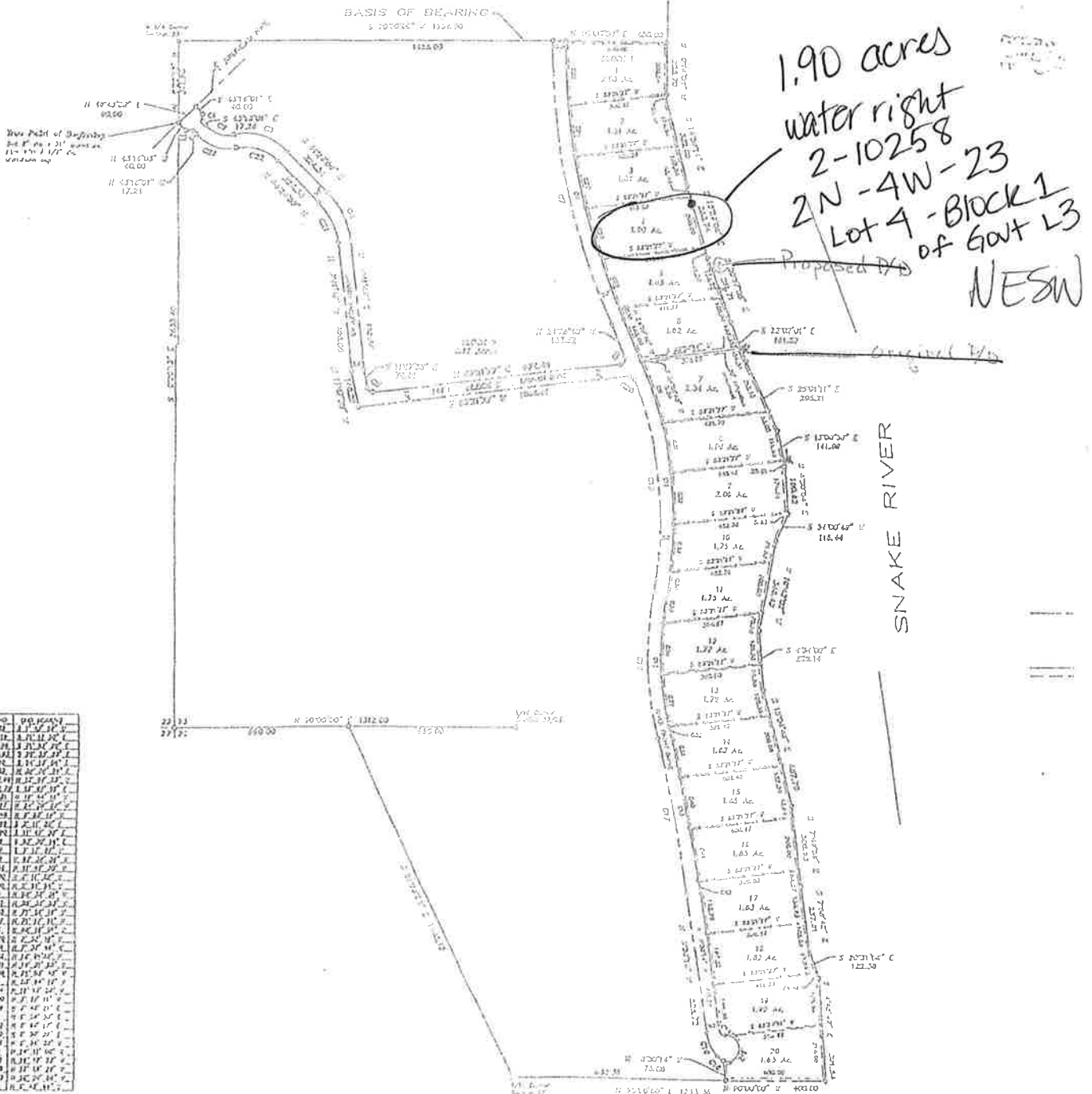
part 3A

Attachment 7a
part 3A

STRICTLY
LOCATING
SURVEY
REPORT
THE LAND SHOWN
HEREON

HIDDEN VALLEY ESTATES

PORTION OF GOV'T. LOTS 3&4 AND THE SW1/4SW1/4 OF SECTION 23
ALSO GOV'T. LOT 1 OF SECTION 26
TOWNSHIP 2 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OXYNEE COUNTY, IDAHO
1995



Phil/Susan
Warner -Shed-water right for
irrigation from Snake
for 7582 River Front Dr.[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

Attachment 2a

6/30/2014

WATER RIGHT NO. 2-10258

Owner Type Name and Address

Current Owner PHILLIP M WARNER

Current Owner SUSAN H WARNER

SAW 7582-7548 RIVERFRONT DR
MARSING, ID 83639
(208)896-4340 303-478-2774Original Owner VANCE VAN HALL
5552 WILLOW LN
NAMPA, ID 83687-8424
(208)461-2575Original Owner ESTATE OF ESTHER F ASHE
C/O JACK HURT
4470 VEGAS VALLEY #108
LAS VEGAS, NV 89121
(702)457-3477

Priority Date: 01/19/1949

Basis: Decreed

Status: Active

Source Tributary

SNAKE RIVER COLUMBIA RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 03/01 11/15 0.04 CFS 8.6 AFA

Total Diversion 0.04 CFS

Location of Point(s) of Diversion:

SNAKE RIVER NWSW Lt 3 Sec. 23 Township 02N Range 04W OWYHEE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE 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>
02N	04W	23	3	NESW	1.9									

Total Acres: 1.9

Conditions of Approval:

- 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.
1. C18
 2. P21 This right is a split from former right 2-10245.
 3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 4. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
 5. X60 Point of diversion and place of use are located within Lot 4, Blk. 1, Hidden Valley Estates Subdivision.

Dates:

Licensed Date:

Decreed Date: 06/15/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre: 0.03
Generic Max Volume per Acre: 4.5
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
Close

MEMORANDUM

TO: Sascha Marston
FROM: Angie Grimm
DATE: May 14, 2018
RE: Receipt Change Request

Phillip & Susan Warner paid \$200 for an application for transfer on April 19, 2018. The application was returned and the fee should be applied to an application for water right permit (\$100) and well drilling permit upgrade fee (\$100) since a water right permit application is the appropriate filing for the circumstances. Please amend the receipt as follows:

\$100 Permits PCA 62103 with comment APPLICATION FOR PERMIT FOR PHILLIP M &/ SUSAN H WARNER

0.10 cfs

02N 04W 23 NESW GOV'T LOT 3 – LOT 4 BLK 1 HIDDEN VALLEY ESTATES

\$100 Drilling Permits PCA 62134 with comment WELL UPGRADE FEE FOR PHILLIP M WARNER &/ SUSAN H WARNER FOR D0009208

RECEIPT

Receipt no. W046251

Copy: Phillip M. and/or Susan H. Warner Application for Water Right Permit

Idaho Department of Water Resources Receipt

Receipt ID: W046251

Payment Amount \$200.00 Date Received 4/19/2018 1:50 PM Region WESTERN

Payment Type Check Check Number 374

Payer WARNER, PHILLIP & SUSAN

Comments APPLICATION FOR TRANSFER FOR PHILLIP & SUSAN WARNER
2-10258
0.11 CFS
02N 04W S23 LOT 4 NESW

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$200.00	TRANSFERS	62105	0229	21		1155



Signature Line (Department Representative)

16 April 2018

Ms. Angie Grimm
Senior Water Resource Agent - Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED
APR 19 2018
WATER RESOURCES
WESTERN REGION

Re: IDWR Application for Transfer of Water Right & IDWR Application for Permit
Phillip and Susan Warner
7582 River Front Drive
Marsing, ID 83639
Hidden Valley Estates Lot 4-Block 1 02N 04W 23 3 NESW 1.9 acres
Water Right No. 2-10258
Well Tag #009208 - Permit #721060 or 57-99-W-0015-000

Dear Ms. Grimm:

Enclosed please find our Application for Transfer of Water Right and Application for Permit (with \$200 fee). We wish to mitigate the use of our current Snake River Water Right 2-10258 for a permit to irrigate directly from our current domestic well (Tag Number and Permits shown above).

We are the current owners of 7582 River Front Drive and the former owners of 7548 River Front Drive (Lot 3, Block 1, next door). A number of years ago we worked with Steve Lester and Vicky Music to obtain the permit that was issued for our former property (7548) - which was approved for well irrigation under Water Right No. 57-11714 (property now owned by John and Kathleen Purvis).

In conjunction with the instructions on the IDWR website, I copied the language used in our application for our former property at 7548 River Front Drive, as originally directed by Steve Lester. I hope I have completed the proper forms in a clear manner...?

If I may answer any questions or need to revise/complete additional forms or information, please do not hesitate to contact me at shwarner11@msn.com or 303-478-2774 or 208-606-6276. I appreciate your coaching and assistance greatly!

Best Regards,



Susan Warner
7582 River Front Drive
Marsing, ID 83639
shwarner11@msn.com
303-478-2774
208-606-6276