

Sommer, Rachel

From: Dan Beus <danielbeus@gmail.com>
Sent: Monday, May 07, 2018 8:42 AM
To: Sommer, Rachel
Subject: Re: 82163 - Application for Transfer

Rachel

I am withdrawing my application to change point of diversion for my water right.

Thanks

Dan

42-222 POD - 09/14

RECEIVED

FEB 16 2018

ADDITIONAL RESOURCES

Check all that apply:

- ☒
- Change diversion point(s)
- ☒
- Add diversion point(s)
- ☐
- Ownership change
- ☐
- Ownership split

State 10 Zip 83686 Email danielbeus@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) 63-33767

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is .12 cubic feet per second and/or 41.9 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 www.idwr.idaho.gov, *Water Right Transfers, Online 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:

REMOVE CURRENT POOLS LISTED ON RIGHT. ADD ONE NEW POOL (WELL) TO PROPERTY TO IRRIGATE.
Will comply w/ measuring devices once or if ADVISED.

- 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:

SEE ATTACHED DOCUMENT.

- 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 $\frac{1}{4}$ $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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

DAN BEUS
Print name and title if applicable

2-16-18
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 2 3 pages of attachments. Received by PS Date 2-16-18
Fee paid 200 Date 2-16-18 Receipted by PS Receipt # W016053
Preliminary review by PS Date 3-23-16 Active in the Water Supply Bank? Yes ☐ No ☒
W-9 received? Yes ☐ No ☒ Name on W-9 X W-9 forwarded to fiscal? Yes ☐ No ☒
(Do NOT scan the W-9 - confidential information is held by fiscal only)



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/16/2018

Water Right 63-33767

Owner Type **Name and Address**
Current Owner DANIEL S BEUS
9238 CHAPARRAL RANCH RD
NAMPA, ID 83686
(208) 461-3525

Current Owner EDEN E BEUS
9238 CHAPARRAL RANCH RD
NAMPA, ID 83686
(208) 461-3525

Priority Date: 3/22/1967

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.120 CFS	41.9 AF
	<u>Total Diversion</u>		0.120 CFS	41.9 AF

Source and Point(s) of Diversion

GROUND WATER	NWSW	Sec. 11, Twp 02N, Rge 03W, CANYON County
GROUND WATER	SESW	Sec. 14, Twp 02N, Rge 03W, CANYON County

Place Of Use

IRRIGATION within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14												9.3					9.3

POU Total Acres: 9.3

Conditions of Approval:

1. X36 Right 63-32633, 63-32634 and 63-33767 are also diverted through the point(s) of diversion described above.
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. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Combined Use Limits: N/A

SubCase: N/A

Water Supply Bank: N/A

I purchased this property in Sept of 2013 and have tried for 4 years to work with the owner of the well (HOA) to access water thru their mainline. They will not allow me access, so I would like to have my own well.

Tom Ben



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. "BLTCH" OTTER
Governor

GARY SPACKMAN
Director

May 8, 2018

DAN BEUS
9238 CHAPARRAL RANCH RD
NAMPA ID 83686

Re: Withdrawal of Application for Transfer No. 82163

Dear Applicants:

The Department has received your recent withdrawal of the above referenced application. For your convenience a copy of the withdrawal and application are enclosed.

In addition, a refund request in the amount of \$200.00 has also been submitted for processing. Upon approval, it will be sent to you under separate cover.

Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Neely'.

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Sommer, Rachel

From: Sommer, Rachel
Sent: Monday, May 07, 2018 10:35 AM
To: Marston, Sascha
Subject: Refund: Beus

TO: Sascha Marston
FROM: Rachel Sommer
DATE: May 7, 2018
RECORD: Application for Transfer
RE: Refund
RECEIPT: W046053

On February 16, 2018 Dan Beus submitted an Application for Transfer. On May 7, 2018 the applicant withdrew his application. The transfer was not advertised, therefore a refund is being requested.

Please issue a refund of \$200 to:

DAN BEUS
9238 CHAPARRAL RANCH RD
NAMPA ID 83686

Sommer, Rachel

From: Sommer, Rachel
Sent: Monday, April 30, 2018 8:33 AM
To: 'danielbeus@gmail.com'
Subject: 82163 - Application for Transfer
Attachments: 82163 - Application for Transfer.pdf; Withdrawal of Application for Transfer.pdf

Dan,

I spoke with you on March 28, 2018 regarding the above referenced application. You stated you may no longer have any interest in changing the diversion point listed on water right 63-33767 and that you may withdraw your application. To date the application has not been withdrawn.

Please complete the attached Withdrawal of Application for Transfer form and return to me, or submit the documentation I requested in my March 27, 2018 email to you. If I do not have a response from you by **May 7, 2018** the application will be voided and a refund will not be issued to you.

Sincerely,

Rachel Sommer | Water Resource Agent, Senior
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

From: Sommer, Rachel
Sent: Tuesday, March 27, 2018 1:17 PM
To: 'danielbeus@gmail.com' <danielbeus@gmail.com>
Subject: FW: 82163 - Application for Transfer

Dan,

Have you sent the signed form in yet? If I received it by tomorrow I can get the application into advertising, otherwise it will be pushed out for two more weeks.

Please let me know.

Rachel Sommer

From: Sommer, Rachel
Sent: Thursday, March 22, 2018 2:54 PM
To: 'danielbeus@gmail.com' <danielbeus@gmail.com>
Subject: 82163 - Application for Transfer

Good Afternoon Dan,

Please have Eden sign page two of the application and then mail me the original signed form.

Thank you and have a great weekend.

Sincerely,

Rachel Sommer | Water Resource Agent, Senior
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705