

AMENDED  
3-28-18.STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of IdahoIdent. No. 63-34495

RECEIVED

JAN 29 2018

WATER RESOURCES  
WESTERN REGION

1. Name of applicant(s) Richard G Wertz Phone 530-355-9801  
 Name connector (check one): ☒ and ☐ or ☐ and/or  
 Mailing address 2303 E. Elm Grove Dr. City Nampa  
 State ID ZIP 83686 Email midlifeduo3@att.net

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 Groundwater which is a tributary of \_\_\_\_\_

4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County | Source      | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|--------|-------------|---------------------|
| 03N | 04W | 25  |          |     | NE  | SE  | Canyon | Groundwater |                     |
|     |     |     |          |     |     |     |        |             |                     |
|     |     |     |          |     |     |     |        |             |                     |
|     |     |     |          |     |     |     |        |             |                     |

5. Water will be used for the following purposes:

Amount 0.11 for Irrigation purposes from 03/01 to 11/15 (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount .04 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) 0.15 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. Proposed well, stationary sprinklers to irrigate  
 b. Height of storage dam \_\_\_\_\_ 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 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 240-350 feet.  
 d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No  
 e. If well is already drilled, when? NA; drilling firm NA;  
 well was drilled for (well owner) NA; Drilling Permit No. NA

## For Department Use

Received by BS Date 1/29/18 Time \_\_\_\_\_ Preliminary check by PS  
 Fee \$ 100.- Receipt by (BEE) Receipt No. W046006 Date 1/29/2018

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 \_\_\_\_\_
  - 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 |        |
| 03N | 04W | 25  |    |    |    |    |    |    |    |    |    |    |    |    | 3.5 |    |    |    | 3.5    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    | D   |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |        |

Total number of acres to be irrigated: 3.5

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? No other rights, no access to surface water shares at this time AND ARE NO LONGER AVAILABLE.

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Proposed well to irrigate ~3.5 acres land and provide domestic water for a home (42-111 exemption)

WBZ-124'-350'

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.

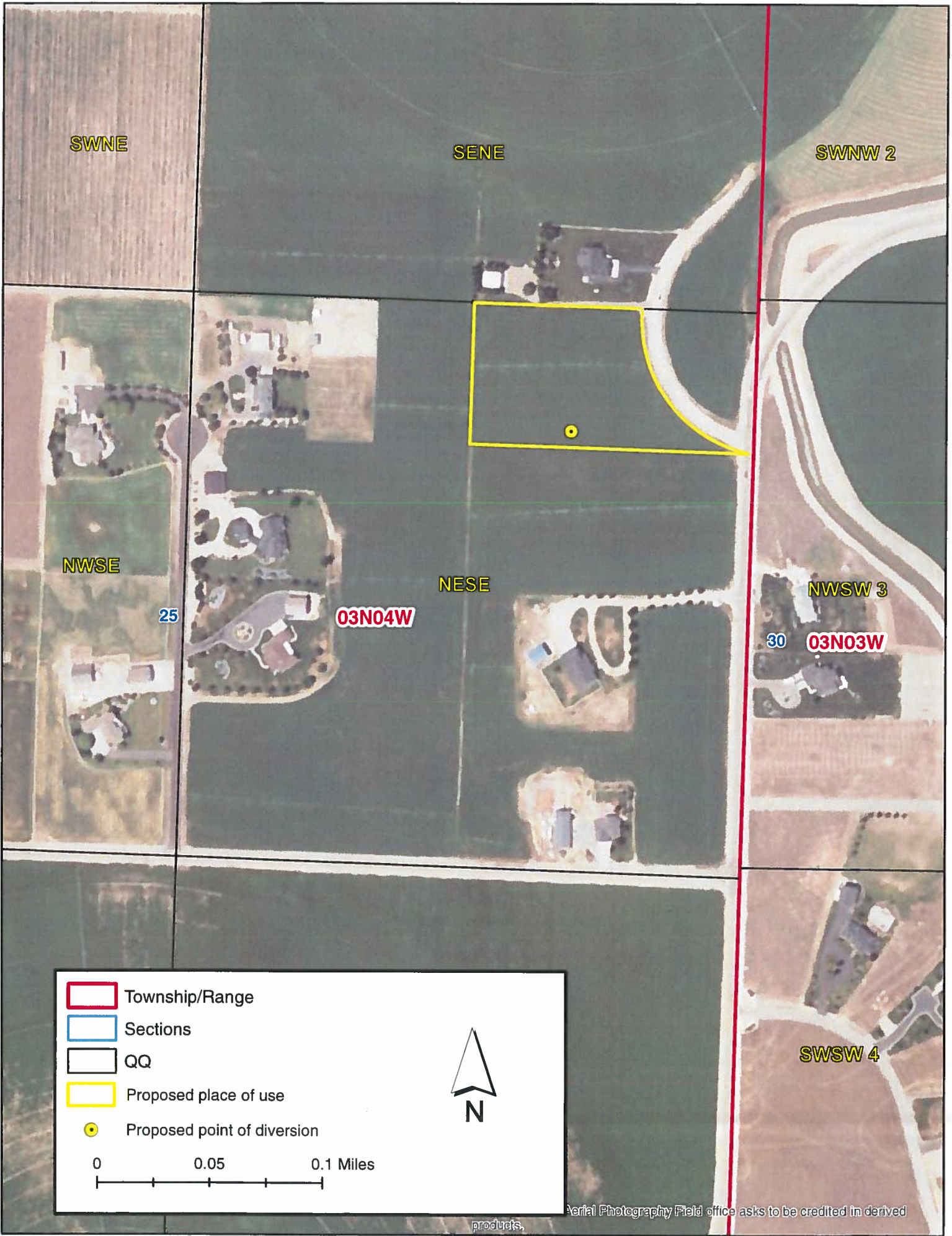
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Richard G. WERTZ  
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)





Order Number: 17294101

### Warranty Deed

For value received,

Pacific Northwest Profit Sharing Plan Trust Exclusively for the Benefit of Columbus Candies

the grantor, does hereby grant, bargain, sell, and convey unto

Richard G. Wertz and Cynthia M. Wertz, husband and wife

whose current address is 13455 Riverside Rd Caldwell, ID 83607

the grantee, the following described premises, in Canyon County, Idaho, to wit:

Parcel I

That portion of the North half of the Northeast quarter of the Northeast quarter of the Southeast quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, Parcel 15-B, Record of Survey, Instrument No. 200505791, filed February 3, 2005, and more particularly described as follows:

Commencing at the Northeast corner of the Southeast quarter of Section 25; thence along the Northerly boundary of Southeast quarter

North 89°59'28" West 264.08 feet to the Point of Beginning; thence along a non-tangent curve to the left, having a radius of 315.00 feet, tangents of 262.69 feet, a delta of 79°39'04" and a long chord which bears South 36°33'31" East 403.49 feet; thence

South 75°00'52" East 21.76 feet; thence

South 89°59'08" West 655.55 feet; thence

North 00°07'58" West 329.95 feet to the Northerly boundary of the Southeast quarter of Section 25; thence along said boundary

South 89°59'28" East 394.97 feet to the Point of Beginning.

Parcel II

A right of ingress and egress to Riverside Road for residential purposes from the road depicted on the Record of Survey, Instrument No. 200505791, filed February 3, 2005, located within Parcel 14-A and 15-A, to be known as "Hockberger Ranch Road," provided grantee follows and meets all standards of construction and use required by Canyon County Highway District No. 4 regardless of whether the road is dedicated or not to public use, excepting and reserving the right to install, modify, and maintain a gate system restricting access to such road to grantee and other grantees or licensees of grantor, his successors, or assigns.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: July 20, 2017

ELECTRONICALLY RECORDED  
STAMPED FIRST PAGE NOW  
INCORPORATED AS PART OF  
THE ORIGINAL DOCUMENT.

**2017-032747**

RECORDED

**08/03/2017 12:31 PM**

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=2 LBERG

\$15.00

TYPE DEED

TITLEONE BOISE

ELECTRONICALLY RECORDED

Pacific Northwest Profit Sharing Plan Trust Exclusively for the Benefit of Columbus Candies

Columbus Candies

Columbus Candies, Trustee

State of Washington, County of Lewis, ss.

On this 2nd day of August in the year of 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Columbus Candies known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of the Pacific Northwest Profit Sharing Trust and acknowledged to me he executed the same as trustee.

Eileen M. Rogers

Notary Public

Residing In: Centralia, Washington

My Commission Expires:

(seal)

12/19/2017





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 29, 2018

RICHARD G WERTZ  
2303 E ELM GROVE DR  
NAMPA, ID 83686

Application for Permit No. 63-34495

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 4/5/2018 and 4/12/2018. 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 permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely  
Administrative Assistant

**Neely, Rachel**

---

**From:** Neely, Rachel  
**Sent:** Thursday, March 29, 2018 9:46 AM  
**To:** 'IDAHO PRESS TRIBUNE'  
**Subject:** Canyon Legal Ad  
**Attachments:** Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 4/5/2018 & 4/12/2018.

Please confirm these are okay to publish as shown.

Thank you,

---

***Rachel Neely***

Administrative Assistant I  
IDWR-Western Region  
2735 Airport Way Boise, ID 83705  
[Rachel.Neely@idwr.idaho.gov](mailto:Rachel.Neely@idwr.idaho.gov)

March 29, 2018

LEGAL NOTICE DEPARTMENT  
PRESS TRIBUNE  
PO BOX 9399  
NAMPA, ID 83652

RE: Application for Permit No. 63-34495

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 4/23/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely  
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

**63-34495**

RICHARD G WERTZ  
2303 E ELM GROVE DR  
NAMPA, ID 83686

Point of Diversion NESE S25 T03N R04W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.11 CFS

Total Diversion: 0.15 CFS

Date Filed: 1/29/2018

Places of Use: DOMESTIC, IRRIGATION

T03N R04W S25 NESE

Total Acres: 3.5

Water bearing zone to be appropriated is from 124 to 350 feet.

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), please see [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Protests may be submitted based on the criteria of Idaho Code § 42-203A. 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 4/23/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/5/2018 and 4/12/2018