

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 05 2016

DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 67-206 (one right per application)
☐ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, Water Right Transfers, Step 1, or by contacting any Department office.
2. Applicant Leonard & Sandra Mason Phone 530-598-9855
3. Are you the current water right holder of record? Yes ☐ No ☒
☐ If no, provide documentation of your authority to sign on behalf of the right holder - OR - attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.
4. Mailing address ☐ Same as water right record - OR - complete the following information:
Address 7432 Quartz Vly Rd. City Ardenwood
State CA Zip code 91032 Email none
5. Give the last date water was beneficially used _____
6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
plan on using water right

The information contained in this application is true to the best of my knowledge.

<u>[Signature]</u> Signature of applicant or authorized agent	<u>Leonard Mason</u> Print name (and title, if applicable)	<u>4-21-14</u> Date
<u>S. Mason</u> Signature of applicant or authorized agent	<u>Sandra Mason</u> Print name (and title, if applicable)	<u>4-21-16</u> Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before _____

Signed this _____ day of _____, 20_____. Title: _____

Stamped received ☒ Fee received by 9/16 Date 5/5/16 Receipt # C101978

* APPROVED - SEE MEMO DATED 10-25-17.

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MEMORANDUM

TO: 67-15155
FROM: Rachel Sommer
DATE: October 25, 2017
RE: Application for Extension of Time to Avoid Forfeiture of a Water Right

An Application for Extension of Time to Avoid Forfeiture of a Water Right and a Notice of Change in Water Right Ownership for Water Right No. 67-206 were received by the Department on May 5, 2016 in the names of Leonard and Sandra Mason. Water Right No. 67-206 was split creating Water Right No. 67-15155 to represent the new owner's portion of the right. The Extension of time was processed for Water Right No. 67-15155. For more information please refer to memo dated December 5, 2016 in the file documents.

The Application for Extension of Time to Avoid Forfeiture of a Water Right was approved, however, the approval document was inadvertently not saved to the file. The right holder shall resume beneficial use of water on or before **December 31, 2020** as described in the approval cover letter dated February 3, 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 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

02/3/17

LEONARD MASON
SANDRA MASON
7432 QUARTZ VALLEY ROAD
FORT JONES CA 96032

RE: Water Right No. 67-15155

Dear Water Right Holder:

Enclosed is a copy of an approved application for extension of time to avoid forfeiture for the above referenced water right. Please note that resumption of beneficial use for this right must occur on or before 12/31/2020. Please notify the Department as soon as you resume use of water under this right. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a resumption of use notice by certified mail.

When reviewing the history of the water right an error was discovered in the way the parent water right (no. 67-206) was divided when you submitted a notice in change in water right ownership on 05/05/2016. The right was incorrectly split giving you all of the authorized acres and associated rate within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 32, township 16N, range 04W but the deed indicates you only own the property north of Mill Creek Road and west of Brownlee Road (also called State Highway 71). The correct division should have allocated 0.9 acres to you and the rest of the acres in that QQ (2.7) should have remained on water right no. 67-206 as indicated in the enclosed map and split tree. This error has been fixed and a copy of the corrected water right is also enclosed with this letter.

If you have and questions or concerns regarding this error correction please contract this office at 208-334-2190 if you have any questions concerning this matter.

Sincerely,

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

RECEIVED
JAN 03 2017
WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

67-15157

RUSSELL WILKERSON
3265 HWY 95

CAMBRIDGE, ID 83610

Points of Diversion NENW NESW S10 T14N R02W WASHINGTON County Source GROUND WATER

Point of Diversion SWSE S9 T14N R02W WASHINGTON County Source GROUND WATER
Use: IRRIGATION 03/15 to 10/31 1.62 CFS

Total Diversion: 1.62 CFS

Date Filed: 5/9/2016

Place of Use: IRRIGATION

T14N R02W S9 SESW SWSE SESE

T14N R02W S10 SWSW

T14N R02W S16 NWNE

Total Acres: 82

✓ OK RN 1/4/17

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Leonard and Sandra Mason of 7432 Quartz Valley Road Fort Jones, California 96032 filed an application on 05/05/2016 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 67-15155 with a 06/1/1891 priority from Pine Creek totaling 0.18 cfs. The right holder proposes nonuse of the right due to recent purchase of the property. The irrigation right was last used in 2009. The right serves property located about 20 kilometers Northwest of Cambridge, Idaho along Pine Creek west of Brownlee Road (State Highway 71) and north of Mill Creek Road (National Forest Development Rd 008).

✓ OK RN 1/4/17

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 extension(s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. 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 1/2/2017. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published in the Upper Country News-Reporter on December 14, 2016 • December 21, 2016

RECEIVED

JAN 03 2017

STATE OF IDAHO)

) SS

COUNTY OF WASHINGTON)

WATER RESOURCES
WESTERN REGION

Chelsea L Coon being duly sworn, deposes and says that she is the Principle Clerk of the Upper Country News-Reporter, a weekly newspaper printed and published at Cambridge, Washington County, State of Idaho and having a general circulation therein and which said newspaper has been published continuously and uninterrupted in said County for a period of seventy-eight (78) consecutive weeks prior to the first publication of the advertisement, a copy of which is attached thereto: that advertisement was published in the regular edition of The Upper Country News-Reporter for two (2) insertions beginning with the Issue of December 14, 2016 and ending with the Issue of December 21, 2016.

Chelsea Coon

On this 14th day of December, 2016, before me, a Notary Public, personally appeared Chelsea L Coon, known or identified to me to be the person whose name subscribed to the written instrument, and being by me first and duly sworn, declared that the statements therein are true and acknowledged to me that she executed the same.

ASHLEY SCOTT
Notary Public
State of Idaho

Ashley Scott
Notary Public of Idaho

Residing at Council, ID

My Commission Expires 11/24/2020

To: IDWR

Subject: 67-15157 WILKERSON

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 08, 2016 11:34 AM
To: 'Brandi Horton - Bonner'
Subject: Application for Extension of Time to Avoid Forfeiture No. 67-15155
Attachments: Watermaster Recommendation For1.docx; Application for Extension of Time to Avoid Forfeiture 67-15155.pdf

December 8, 2016

BRANDI BONNER
WATER DISTRICT #67
2297 SNAPP LN
MIDVALE ID 83645

RE: Application for Extension of Time to Avoid Forfeiture No. 67-15155

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of January 2, 2017.

If you desire to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline..

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

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@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 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 8, 2016

LEONARD MASON
SANDRA MASON
7432 QUARTZ VALLEY RD
FORT JONES CA 96032

Application for Extension of Time to Avoid Forfeiture of Water Right No. 67-15155

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 UPPER COUNTRY NEWS REPORTER on 12/15/2016 and 12/22/2016. 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, December 08, 2016 2:00 PM
To: 'REPORTER@CTCWEB.NET'
Subject: Washington Legal Ads
Attachments: Washington Cover Letter.docx; Washington Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 12/15/2016 & 12/22/2016.

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

December 8, 2016

LEGAL NOTICE DEPARTMENT
UPPER COUNTRY NEWS REPORTER
PO BOX 9
CAMBRIDGE, ID 83601-0009

RE: Application for Permit No. 67-15157
Application for Extension of Time to Avoid Forfeiture of Water Right No. 67-15155

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 1/2/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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3265 HWY 95

CAMBRIDGE, ID 83610

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Point of Diversion SWSE S9 T14N R02W WASHINGTON County Source GROUND WATER

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Total Diversion: 1.62 CFS

Date Filed: 5/9/2016

Place of Use: IRRIGATION

T14N R02W S9 SESW SWSE SESE

T14N R02W S10 SWSW

T14N R02W S16 NWNE

Total Acres: 82

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

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www.idwr.idaho.gov/WaterManagement/WaterRights. 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 1/2/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/15/2016 and 12/22/2016

Thiel, Sandra

From: Brandi Horton [watermaster67@hotmail.com]
Sent: Monday, May 23, 2016 10:42 AM
To: Thiel, Sandra
Subject: RE: Right 67-15155 extension of time to avoid forfeiture

Good Morning Sandra,

I found this email along with the previous one you sent me in my junk mail...no idea why, but I've added you to my contacts so that hopefully that doesn't happen again. I looked up water rights 67-15155 and 67-206. Looks like 67-206 is for the Gibson place, at least a portion of which has been rented out for the last few years. So far as I know, the renters have only made use of a stock water right from Little Pine Creek...I don't believe anyone has used 67-206 in several years. At any rate, I've not seen irrigation taking place in that location. I think that filing the extension was a wise decision on the current owner's part.

I hope this helps...if you need anything else, let me know!

Have a Great Day!

Brandi Horton
Watermaster-Dist.67
2297 Snapp Lane
Midvale, ID 83645
(208) 550-0313

Sent from [Mail](#) for Windows 10

From: [Thiel, Sandra](#)
Sent: Thursday, May 19, 2016 9:09 AM
To: WATERMASTER67@HOTMAIL.COM
Subject: RE: Right 67-15155 extension of time to avoid forfeiture

Good morning, Are you familiar with water right 67-15155 from Pine Creek?

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: Thiel, Sandra
Sent: Friday, May 06, 2016 1:28 PM
To: 'WATERMASTER67@HOTMAIL.COM'
Subject: Right 67-15155 extension of time to avoid forfeiture

Hello Brandi, I received an extension of time to avoid forfeiture from the current owners of right 67-15155. Recently there was a change of ownership and a split that resulted in 67-15155 and 67-206. The new owners Leonard and Sandra Mason submitted an Extension of Time to Avoid Forfeiture for new right 67-15155. I called and talked to Sandra about

what they intend to do with the right. She said that there is no diversion works in Pine Creek to supply irrigation water. She wasn't sure when the right was last used since she filed the change in ownership a few days ago.

Do you know anything about the history of this right? If she doesn't have to have the extension of time, because the right was used last year for instance, I would recommend that she not file the extension at this time. They live in California don't plan to use the water in the immediate future. I would like to make sure they are protected if it is necessary; but I would postpone the extension if it isn't necessary. Thanks for any information you can provide.

Sandra Beer Thiel

Idaho Department of Water Resources

322 East Front Street

Boise, Idaho 83720-0098

(208)287-4881

sandra.thiel@idwr.idaho.gov