

AUG 03 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN 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

1. **APPLICANT(S)** Ronnie Joe and Mindy Sue Pruitt Phone 208-284-0854

2. **MAILING ADDRESS** 10357 Canyon Creek Road City Mountain Home

State ID Zip 83647 Email Ronnie Pruitt <ronnie.pruitt@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)** 61-252B, 61-10146

- ☒ 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 *0.05 cubic feet per second and/or _____ 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*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
yes			NE	NE	26	2S	6E	Elmore	Canyon Creek	

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:

Pump

- 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. 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:

- 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 1/4 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

Ronnie J. Pruitt

Print name and title if applicable

27 Jul 2017

Date



Signature of applicant or authorized agent

MINDY S. PRUITT

Print name and title if applicable

27 Jul 17

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 17 pages of attachments.

Received by RN

Date 8/3/17

Fee paid 400.00 Date 8/3/17

Received by RN

Receipt # W045552

Preliminary review by CP

Date 09-18-17

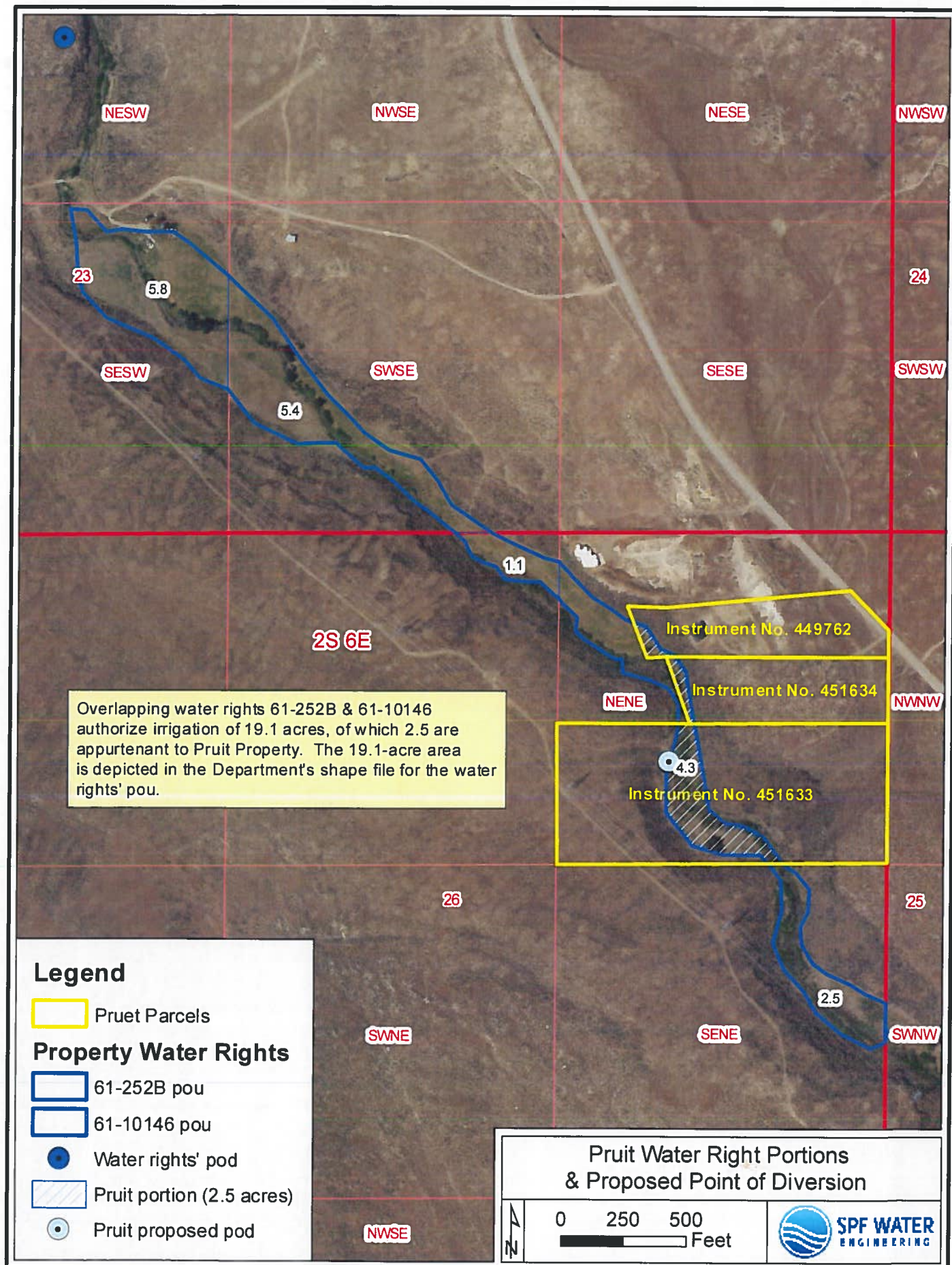
Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒

Name on W-9 NA

W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 - confidential information is held by fiscal only)



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/24/2017

WATER RIGHT NO. 61-252B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBORA M HANSEN
Current Owner	LLOYD M HANSEN 3701 CRESCENT RIM DR BOISE, ID 83706 2089398734
Original Owner	THOMAS G BOARDMAN

Priority Date: 07/27/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.2 CFS	76.4 AFA
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

CANYON CREEK|NESW|Sec. 23|Township 02S|Range 06E|ELMORE County

IRRIGATION Use:
Acre Limit: 19.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE 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>
02S	06E	23		NWNE	19.9		SWNE	18.7						
				NENW	22		SENE	10						
				NESW	4		SESW	5.8						
				NWSE	24		SWSE	5.4						
		26		NENE	4.3									

Total Acres: 114.1

Conditions of Approval:

1. E53 USE OF THIS RIGHT WITH RIGHT NO. 61-10146 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 76.4 AF AT THE FIELD HEADGATE.
2. RIGHT NO. 61-10146 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. E55 USE OF THIS RIGHT WITH RIGHT NO. 61-10146 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 19.1 ACRES IN A SINGLE IRRIGATION SEASON.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. 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.

Dates:

Licensed Date:

Decreed Date: 10/11/2001

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: OR

Water District Number: 61A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 19.1

Combined Volume Limit: 76.4

Combined Rate Limit:

Civil Case Number:

Old Case Number:

* added to file following split of 61-252B
processed prior to transfer

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/22/2017

Water Right 61-12321

Owner Type **Name and Address**
Current Owner MINDY SUE PRUIT
10357 CANYON CREEK RD
MOUNTAIN HOME, ID 83647
(208) 284-0854

Current Owner RONNIE JOE PRUIT
10357 CANYON CREEK RD
MOUNTAIN HOME, ID 83647
(208) 284-0854

Priority Date: 7/27/1887
Basis: Decreed
Status: Active

Source **Tributary**
CANYON CREEK SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.030 CFS	10.0 AF
	Total Diversion		0.030 CFS	10.0 AF

Source and Point(s) of Diversion
CANYON CREEK NESW Sec. 23, Twp 02S, Rge 06E, ELMORE County

Place Of Use
IRRIGATION within ELMORE 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	
02S	06E	26	2.5																2.5

POU Total Acres: 2.5

- Conditions of Approval:**
1. 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.
 2. E55 USE OF THIS RIGHT WITH RIGHT NO. 61-12320 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON.
 3. RIGHT NO. 61-10146 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
 4. E53 USE OF THIS RIGHT WITH RIGHT NO. 61-12320 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10.0 AF AT THE FIELD HEADGATE.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/22/2017

- | | | | |
|----|---------------|-----------|-----|
| 1. | cparker | 8/21/2017 | POU |
| | Updated Shape | | |
| 2. | cparker | 8/21/2017 | POD |
| | Updated Shape | | |

Dates and Other Information

Decreed Date: 10/11/2001

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: And

Water District Number: 61A

Generic Max Rate Per Acre: 0.030

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

10.0

2.5

61-12320 ,61-12321

SubCase:

N/A

Water Supply Bank:

N/A

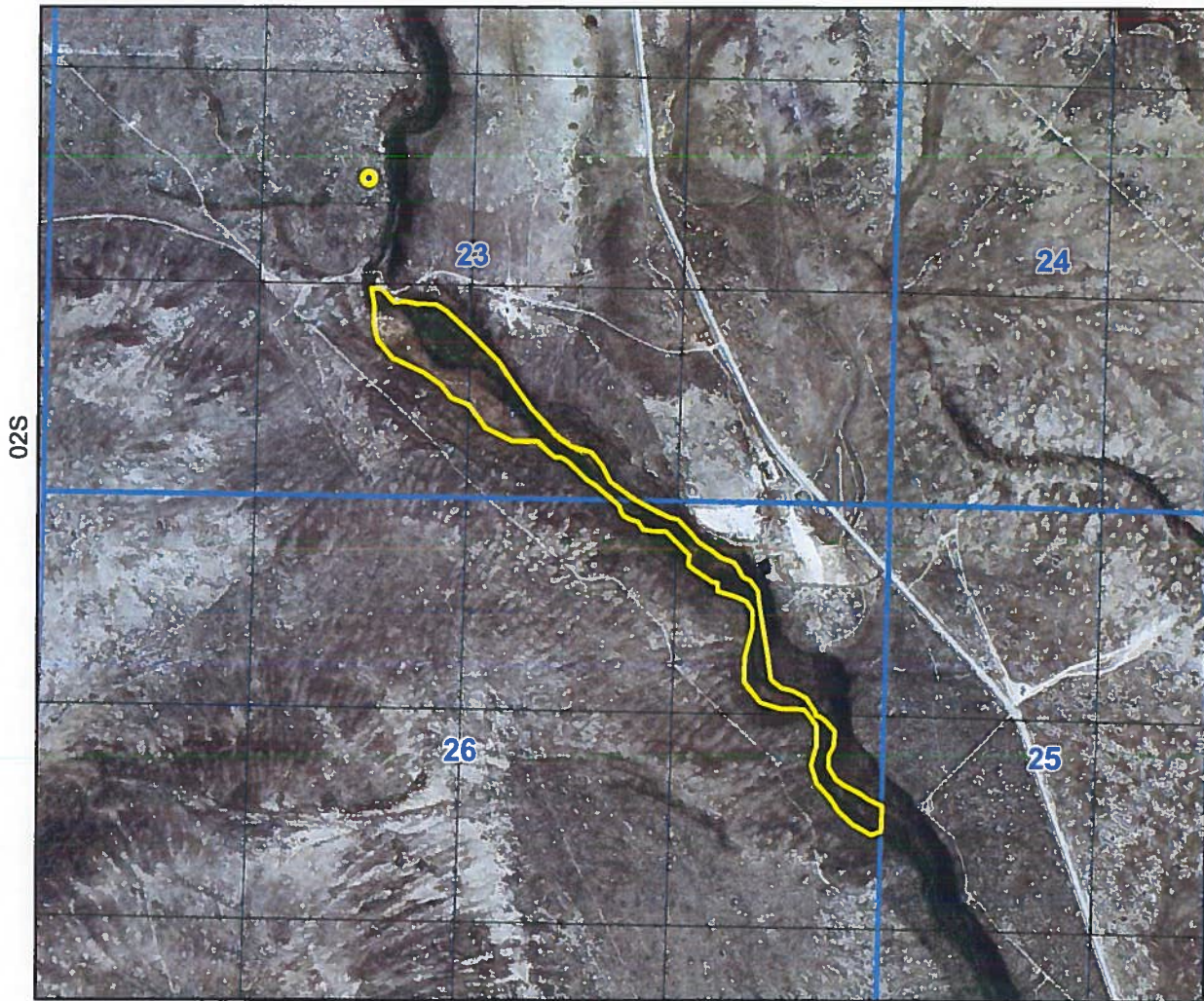
State of Idaho
Department of Water Resources

Water Right
61-252B

IRRIGATION

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.

06E



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

0 0.125 0.25 0.5 Miles



Map produced on July 24, 2017

81843

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/24/2017

WATER RIGHT NO. 61-10146

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBORA M HANSEN
Current Owner	LLOYD M HANSEN
	3701 CRESCENT RIM DR
	BOISE, ID 83706
	2089398734

Priority Date: 04/30/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.18 CFS	76.4 AFA
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

CANYON CREEK|NESW|Sec. 23|Township 02S|Range 06E|ELMORE County

IRRIGATION Use:

Acre Limit: 19.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	06E	23		NWNE	19.9		SWNE	18.7						
				NENW	22		SENE	10						
				NESW	4		SESW	5.8						
				NWSE	24		SWSE	5.4						
		26		NENE	4.3									

Total Acres: 114.1

Conditions of Approval:

1. 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.
2. RIGHT NO. 61-00252B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. E55 USE OF THIS RIGHT WITH RIGHT NO. 61-252B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 19.1 ACRES IN A SINGLE IRRIGATION SEASON.
5. E53 USE OF THIS RIGHT WITH RIGHT NO. 61-252B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 76.4 AF AT THE FIELD HEADGATE.

Dates:

Licensed Date:

Decreed Date: 10/11/2001

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: Or

Water District Number: 61A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 19.1

Combined Volume Limit: 76.4

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

* added to file following split of right 01-10146
processed prior to transfer

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/22/2017

Water Right 61-12320

Owner Type **Name and Address**
Current Owner MINDY SUE PRUIT
10357 CANYON CREEK RD
MOUNTAIN HOME, ID 83647
(208) 284-0854

Current Owner RONNIE JOE PRUIT
10357 CANYON CREEK RD
MOUNTAIN HOME, ID 83647
(208) 284-0854

Priority Date: 4/30/1968

Basis: Decreed

Status: Active

Source
CANYON CREEK

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.020 CFS	10.0 AF
	Total Diversion		0.020 CFS	10.0 AF

Source and Point(s) of Diversion

CANYON CREEK NESW Sec. 23, Twp 02S, Rge 06E, ELMORE County

Place Of Use

IRRIGATION within ELMORE 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	
02S	06E	26	2.5																2.5

POU Total Acres: 2.5

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 61-12321 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON.
2. E53 USE OF THIS RIGHT WITH RIGHT NO. 61-12321 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10.0 AF AT THE FIELD HEADGATE.
3. RIGHT NO. 61-00252B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/22/2017

Comments:

1. carker Updated Shape	8/21/2017	POU
2. carker Updated Shape	8/21/2017	POD

Dates and Other Information

Decreed Date: 10/11/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 61A
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
61-12320 ,61-12321	10.0	2.5

SubCase:

N/A

Water Supply Bank:

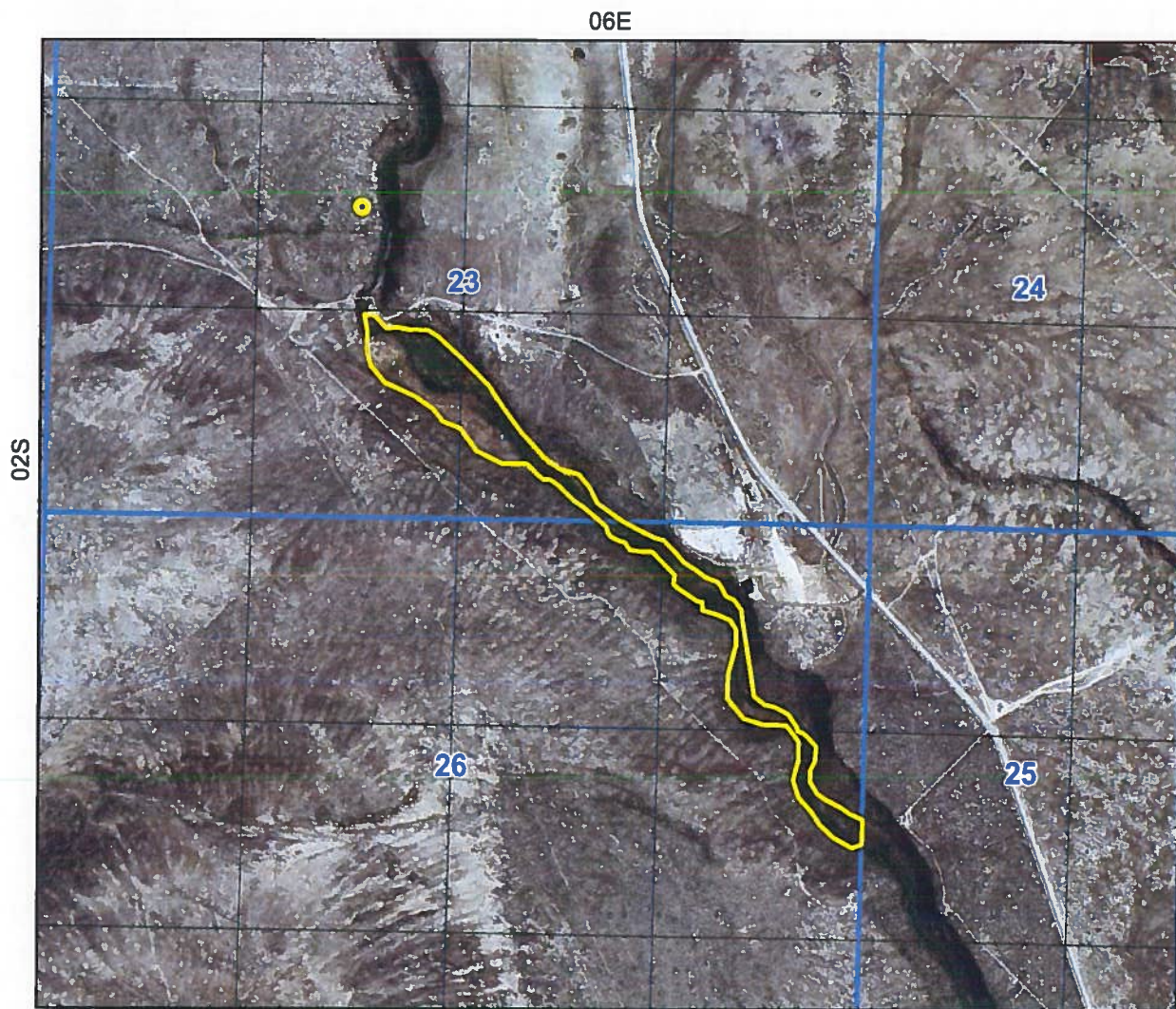
N/A

State of Idaho
Department of Water Resources

Water Right
61-10146

IRRIGATION

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



Map produced on July 24, 2017

81843



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

October 13, 2017

RONNIE JOE PRUIT
MINDY SUE PRUIT
10357 CANYON CREEK RD
MOUNTAIN HOME, ID 83647

RE: Transfer No. 81843
Water Right No(s). 61-12320, 61-12321

Dear Applicant(s):

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 MOUNTAIN HOME NEWS on 10/18/2017 and 10/25/2017. 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,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Friday, October 13, 2017 8:48 AM
To: Swenson, Stacy
Subject: Elmore Legal Ads
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 10/18/2017 & 10/25/2017.

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

October 13, 2017

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Application for Permit No. 2-10535
 Application for Permit No. 61-12314
 Application for Permit No. 63-34348
 Application for Transfer No. 81843

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 11/6/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

2-10535

ELMORE COUNTY BOARD OF COMMISSIONERS
ELMORE COUNTY COURTHOUSE

150 S 4TH E STE 3

MOUNTAIN HOME, ID 83647

Point of Diversion L4(SWSW) S22 T05S R04E ELMORE County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 20 CFS

Use: IRRIGATION 03/15 to 11/15 20 CFS

Use: MUNICIPAL 01/01 to 12/31 20 CFS

Total Diversion: 20 CFS

Date Filed: 3/3/2017

The proposed place of use for municipal purposes is within the City of Mountain Home Municipal Service Area boundary and the proposed boundary for the irrigation place of use is the Mountain Home Irrigation District service area. The proposed groundwater recharge place of use is within Mountain Home Reservoir, Fraser Reservoir, gravel pits located in sections 2, 10 and 11 of township 03S, range 06E and within the creek bed of Canyon Creek starting in the NWNW of section 36, township 02S, range 06E and continuing down until the confluence with Fraser Reservoir.

61-12314

ELMORE COUNTY BOARD OF COMMISSIONERS
ELMORE COUNTY COURTHOUSE

150 S 4TH E STE 3

MOUNTAIN HOME, ID 83647

Point of Diversion SWNE S14 T03S R05E ELMORE County Source CANYON CREEK Tributary SNAKE RIVER

Point of Diversion NWNW S29 T03S R05E ELMORE County Source CANYON CREEK Tributary SNAKE RIVER

Point of Diversion NESW S7 T03S R06E ELMORE County Source CANYON CREEK Tributary SNAKE RIVER

Point of Diversion NENE S9 T03S R06E ELMORE County Source CANYON CREEK Tributary SNAKE RIVER

Point of Diversion NENE S10 T03S R06E ELMORE County Source CANYON CREEK Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 200 CFS

Total Diversion: 200 CFS

Date Filed: 3/3/2017

The proposed place of use is within gravel pits located in sections 2, 10, and 11 of township 03S, and range 06E, seepage from Fraser Reservoir and from 5 diversion points along Canyon Creek as follows: SWNE of section 14 and NWNW of section 29 of township 03S and range 05E, the NESW of section 7, NENE of section 9, and the NENE of section 10 of township 03S and range 06E.

63-34348

ELMORE COUNTY BOARD OF COMMISSIONERS
ELMORE COUNTY COURTHOUSE

150 S 4TH E STE 3

MOUNTAIN HOME, ID 83647

Point of Diversion L1(NWNW) S7 T01S R09E ELMORE County Source SOUTH FORK BOISE RIVER Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 200 CFS

Use: GROUND WATER RECHARGE 01/01 to 12/31 200 CFS

Use: GROUND WATER RECHARGE FROM STORAGE 01/01 to 12/31 10000 AF

Use: GROUND WATER RECHARGE STORAGE 01/01 to 12/31 10000 AF

Use: IRRIGATION 03/15 to 11/15 200 CFS

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 10000 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 10000 AF

Total Diversion: 200 CFS

Date Filed: 3/3/2017

The irrigation storage and groundwater recharge storage place of use proposed is the Little Camas Reservoir. The proposed place of use for irrigation and irrigation from storage uses is the Mountain Home Irrigation District service area. The groundwater recharge from storage and groundwater recharge places of use are to take place in the Mountain Home Reservoir, gravel pits within sections 2, 10, and 11 of township 03S, range 06E, and also within creek beds starting in the East Fork Long Tom Creek within the SWSW of section 22, township 01S, range 08E and continuing down through Canyon Creek until the confluence with the Snake River.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81843**

RONNIE JOE PRUIT and MINDY SUE PRUIT, 10357 CANYON CREEK RD, MOUNTAIN HOME, ID 83647; has filed Application No. 81843 for changes to the following water rights within ELMORE County(s): Right No(s). 61-12320, 61-12321. The purpose of this transfer is to change the point of diversion for rights 61-12320 and 61-12321 to a location on the applicants' property approximately 0.7 miles southeast of the original location. Water will be used at the current place of use approximately 6.7 miles north of Mountain Home, Idaho.

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 11/6/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/18/2017 and 10/25/2017



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 13, 2017

USDI BLM
1387 S VINNELL WAY
BOISE ID 83709

LLOYD HANSEN
DEBORA HANSEN
3701 CRESCENT RIM DR
BOISE ID 83706

Re: Application for Transfer No. 81843

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Mountain Home News* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **November 6, 2017**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Neely, Rachel

From: Neely, Rachel
Sent: Friday, October 13, 2017 8:54 AM
To: 'Bassista, Tom'
Subject: Applications for Transfer Nos. 81805 & 81843, Applications for Permit Nos. 63-34348, 61-12314, & 2-10535
Attachments: IDFG Recommendation Form.docx; Application for Transfer No. 81805.pdf; Application for Transfer No. 81843.pdf; Application for Permit No. 61-12314.pdf; Application for Permit No. 2-10535.pdf; Application for Permit No. 63-34348.pdf

October 13, 2017

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: THOMAS BASSISTA
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Applications for Transfer Nos. 81805 & 81843, Applications for Permit Nos. 63-34348, 61-12314, & 2-10535

Dear Mr. Bassista:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are 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 November 6, 2017.

If your agency desires 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 your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. 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

MEMORANDUM

TO: Transfer No. 81843 File
FROM: Cody Parker
RE: Evaluation of Sufficiency of Information Submitted
DATE: September 18, 2017

Transfer No. 81843 proposes to move the diversion from Canyon Creek for two water rights. The point of diversion is to be move 0.7 miles southeast of the original point to the NENE of Section 26, Township 02 South, Range 06 East, B.M. in Elmore County. The rights to be changed are right nos. 61-12320 and 61-12321. The first was split from 61-10146 following an ownership change that was submitted with the transfer application. Likewise, right 61-12321 was split from right 61-252B. The ownership changes were processed prior to transfer processing, so the new water right numbers are used in the transfer data entry. No amendment is required of the applicants. The remaining portions of the original rights are unaffected by this transfer.

Summary of Information Submitted

Authority to File:

The applicants submitted a Change of Ownership for both of the rights included in this transfer. The rights were originally in the names of Debora and Lloyd Hansen. The warranty deeds submitted with the ownership change show the conveyance of property from the Hansens to the applicants (Pruit) for three parcels. The applicants claimed only the parts of the rights appurtenant to the land they purchased. The transfer application was submitted by the new land owners, Ronnie Joe and Mindy Sue Pruit. Therefore, the applicants have the authority to file the transfer application.

Evaluation of Water Right Validity:

Both of the rights included in the transfer were decreed in 2001. Aerial imagery shown in Google Earth, captured on May 2015, shows the place of use as considerably greener than the surrounding landscape. Absent any information to the contrary, the right is presumed valid.

Injury to Other Water Rights:

The proposed POD is 0.7 miles downstream of the original point on Canyon Creek. There is one other point of diversion (no. 61-11261) authorized to divert from the reach between the original location, and the proposed location. 61-11261 is owned by the BLM and authorizes the use of 0.02 cfs from Canyon Creek for stockwater. Its POD is ~0.2 miles (streamwise) upstream of the proposed location. 61-11261 has a priority date of 06/28/1934. One of the two rights included in this transfer (no. 61-12321) are senior to right 61-11261.

Prior to approval of the transfer, the BLM could call water past the original diversion for right 61-12320, but they were junior to 61-12321. If the transfer is approved, they would be able to use the water before it reached the new diversion for 61-12320 and the transfer applicant still has seniority for right 61-12321. No injury is anticipated in this scenario. In addition, there is no

anticipated injury resulting from a change in return flows from irrigated lands because the acreage irrigated under rights 61-12320 and 61-12321 has not been moved and is downstream of the BLM's POD. The return from irrigation of these lands was never available to the POD for 61-11261.

Enlargement of Use:

None anticipated. The two rights are limited to the same number of irrigated acres, and diversion rate and annual volume upon approval of the transfer.

Local Public Interest:

No issues identified. The application will be published due to the potential for water disputes on small creeks such as this one. The Department will solicit comment from the watermaster for WD 61A (Canyon Creek).

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I.C. §42-222 and should be processed.

Overlap: There does not appear to be any overlap for the irrigation at these places of use. A PPU for right 61-12140 describes this area on the right, but that right is limited to 10.4 acres in a 114.1 acre PPU. The owner of that right does not own any land within the same QQ so likely no overlap. No other uses of the POD as it has not been developed prior to this transfer.



RECEIVED
SEP 14 2017
WATER RESOURCES
WESTERN REGION

September 14, 2017

Cody Parker
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

Re: Ownership of Water Rights 61-252B and 61-10146;
Application for Transfer No. 81843

Dear Cody,

This is a response to your letter dated September 12, 2017, and our previous telephone conversation concerning ownership of the portion of water rights 61-252B and 61-10146 appurtenant to land purchased by Ronnie and Mindy Pruitt from Richard Hansen. I have spoken with Mr. Pruitt and confirmed the land sale included appurtenant water rights. It is our understanding that IDWR's recent processing of the Pruitt's *Notice of Change in Water Right Ownership* is correct as to these rights.

Please proceed with processing of the Pruitt's *Application for Transfer* No. 81843.

Best Regards,

A handwritten signature in blue ink that reads "Roxanne Brown". The signature is fluid and cursive, with the first and last names being clearly legible.

Roxanne Brown
Sr. Water Rights Specialist

CC: Ronnie and Mindy Pruitt

Enclosures

SPF Job No. 1361.0010



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

September 12, 2017

RONNIE JOE PRUIT And
MINDY SUE PRUIT
10357 CANYON CREEK ROAD
MTN HOME ID 83647

RE: Application for Transfer No. 81843

Dear applicants,

I am writing today in regard to the application referenced above. The application proposes to change the point of diversion for your portion of water rights 61-252B and 61-10146. The application was received by our Department on August 3, 2017. My purpose for writing is to clarify your intention for this application moving forward.

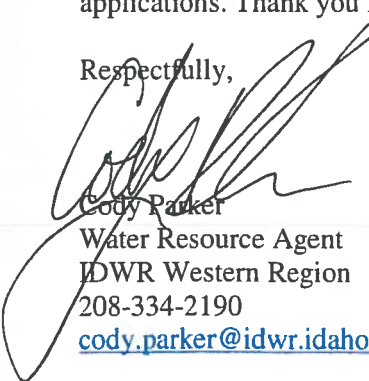
As part of this transfer application, you are claiming ownership of your portion of the two rights referenced above. In support of your claim, you submitted the appropriate warranty deeds as evidence of your ownership. The split portions of the original rights were assigned to you in our database on August 21, 2017, and are numbered rights 61-12320 and 61-12321. The change in ownership provided sufficient evidence that you have the authority to file the transfer application and make changes to your water rights.

On August 23, 2017 IDWR was contacted by Richard Hansen, the previous owner of the land, who explained that the water rights were intended to be withheld in the sale of the land. Later correspondence with Mr. Hansen suggested that all parties agree that the water rights were never intended to be transferred in the sale.

If you agree that the water rights were not sold with the land, or if you are in the process of quit-claiming the water rights back to Mr. Hansen, then the transfer application is no longer necessary. If that is the case please complete and return the enclosed Withdrawal of Application for Transfer form. You should also include a letter with that form requesting refund of your \$200 transfer application fee (minus the fee for processing the ownership change.) However, if you wish to continue pursuit of this transfer please respond in writing confirming your intentions.

IDWR forms and other information can be found online at www.idwr.idaho.gov. Please contact me if you have any questions or concerns regarding the content of this letter. I look forward to your reply within thirty (30) days of the date of this letter. The application will be voided without a timely written reply. Refunds are not issued for voided applications. Thank you for your time and for your attention to these matters.

Respectfully,



Cody Parker
Water Resource Agent
IDWR Western Region
208-334-2190
cody.parker@idwr.idaho.gov

Enclosed: Withdrawal Form
CC: SPF Water Engineering

Parker, Cody

From: Buyer, Remington
Sent: Thursday, August 31, 2017 2:19 PM
To: 'richardhansen911turbo@yahoo.com'
Cc: Parker, Cody
Subject: RE: Water Rights

Mr. Hansen,

Thanks for the call this afternoon. I understand that you and Mindy Sue and Ronnie Joe Pruitt agree that your water rights 61-10146 and 61-252B were never intended to be split and portions transferred when you sold portions of your real property to the Pruitts. IDWR can update our records and put the split water rights back into your name once one of two actions occur:

- 1) A new title transfer instrument is registered with Elmore county, updating the original instrument with a corrected quitclaim and title transfer document that specifies water rights 61-10146 and 61-252B were excluded from the sale of the property and retained in ownership by you, or,
- 2) A new quitclaim is filed in which the Pruitts quitclaim over and grant back to you ownership of water rights 61-12320 and 61-12321.

A quitclaim document should be signed by the Pruitts and notarized prior to being submitted for consideration by IDWR. A template quitclaim document is [available online here](#). A new ownership change application form may be required to update the ownership records. Cody Parker of IDWR's Western Region processed the recent ownership change documentation from the Pruitts and may be able to confirm whether new ownership change forms and payments are necessary.

Remington
287-4918

From: Buyer, Remington
Sent: Wednesday, August 23, 2017 4:09 PM
To: 'richardhansen911turbo@yahoo.com' <richardhansen911turbo@yahoo.com>
Cc: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: Water Rights

Mr. Hansen,

The following are active water rights either currently held by Canyon Creek Ranch, or appurtenant to or adjacent your residential property 10185 Canyon Creek Road:

Water Right	Water Use	Status	Source	Right Owner	Div. Rate	Div. Vol	Acres
61-10147	Stock watering	Active	Ground Water	Deb & Lloyd Hansen	0.05 cfs	Not Stated	N/A
61-12140	Irrigation	Active	Ground Water	Canyon Creek Ranch	0.20 cfs	41.5 af	10.4 ac
61-12141	Irrigation	Active	Ground Water	Idaho Power	1.63 cfs	338.5 af	84.6 ac
61-12320	Irrigation	Draft Active	Canyon Creek	Mindy Sue & Ronnie Joe Pruitt	0.02 cfs	10.0 af	2.5 ac

61-12321	Irrigation	<i>Draft Active</i>	Canyon Creek	Mindy Sue & Ronnie Joe Pruitt	0.03 cfs	10.0 af	2.5 ac
61-10146	Irrigation		Canyon Creek	Deb & Lloyd Hansen	0.16 cfs	66.4 af	16.6 ac
61-252B	Irrigation		Canyon Creek	Deb & Lloyd Hansen	0.17 cfs	66.4 af	16.6 ac

The first three water rights are active. The fourth and fifth water rights are in the process of being created by IDWR, pursuant to a record of land sale (inclusive of appurtenant water rights). The water right elements of the sixth and seventh rights (61-10146 and 61-252B) reflect what would be the remaining balance for these rights, following the split and creation of rights 12320 and 12321.

Per our phone conversation today, you indicated that it was not your intention to sell portions of water rights 61-10146 and 61-252B when the land was sold to the Pruitts. If that is correct, IDWR will need to receive from you a copy of the title transfer or quit claim deed for the property sold to the Pruitts, which evidences that the water rights were not conveyed with transfer of title to the land. Note, I'm cc'ing on this email Cody Parker, a Water Resource Agent with our Western Regional Office, as Cody is familiar with the draft water rights for the Pruitts.

Please feel free to respond by email or phone, or by in-person visit to one of IDWR's Boise offices if further assistance is required in this matter.

Regards,

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700



July 31, 2017

RECEIVED

AUG 03 2017

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Transfer Application

Dear Angie,

Enclosed on behalf of Ronnie Joe and Mindy Sue Pruitt, is an *Application for Transfer* proposing a new point of diversion for their portion of overlapping water rights 61-252B and 61-10146.

Check No. 1069 for \$400 is enclosed for the filing fee; \$200 for the transfer application and \$200 to split the rights and change ownership. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves", is written over a light blue horizontal line.

Lori Graves
Water Rights Specialist

Cc: Ronnie Pruitt

Enclosures

SPF file number: 1361.0010