

RECEIVED
MAY 12 2017
IDWR/NORTHERN

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, ROSS POINT WATER DISTRICT and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. N/A of Water Right

No(s). 95 - 4088 (TRANSFER FEES TO TRANSFER # 81573)

Signed this 12 day of MAY, 20 17.

Dan Elden

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 27 2017
IDWR/NORTH
ON

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)** Ross Point Water District Phone 208.773.1120

2. MAILING ADDRESS PO Box 70 City Post Falls

State ID Zip 83877 Email danselden@hotmail.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) 95-4088

- ☒ 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 1.0 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*.

[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:

This water right is diverted via multiple wells, all with totalizing flow meters installed between the well and the distribution system

- b. Who owns the property at the point(s) of diversion? John Colwell

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Ross Point Water District has an exclusive easement for the well, access, and appurtenances

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

Dan Celdin
Signature of applicant or authorized agent

Dan Selden
Print name and title if applicable

3-27-17
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 _____ pages of attachments. Received by _____ Date _____

Fee paid \$500.00 Date 3/27/17 Received by db Receipt # W032463

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

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

Legend

 ESPA

 GCDB Township/Range

 GCDB Section

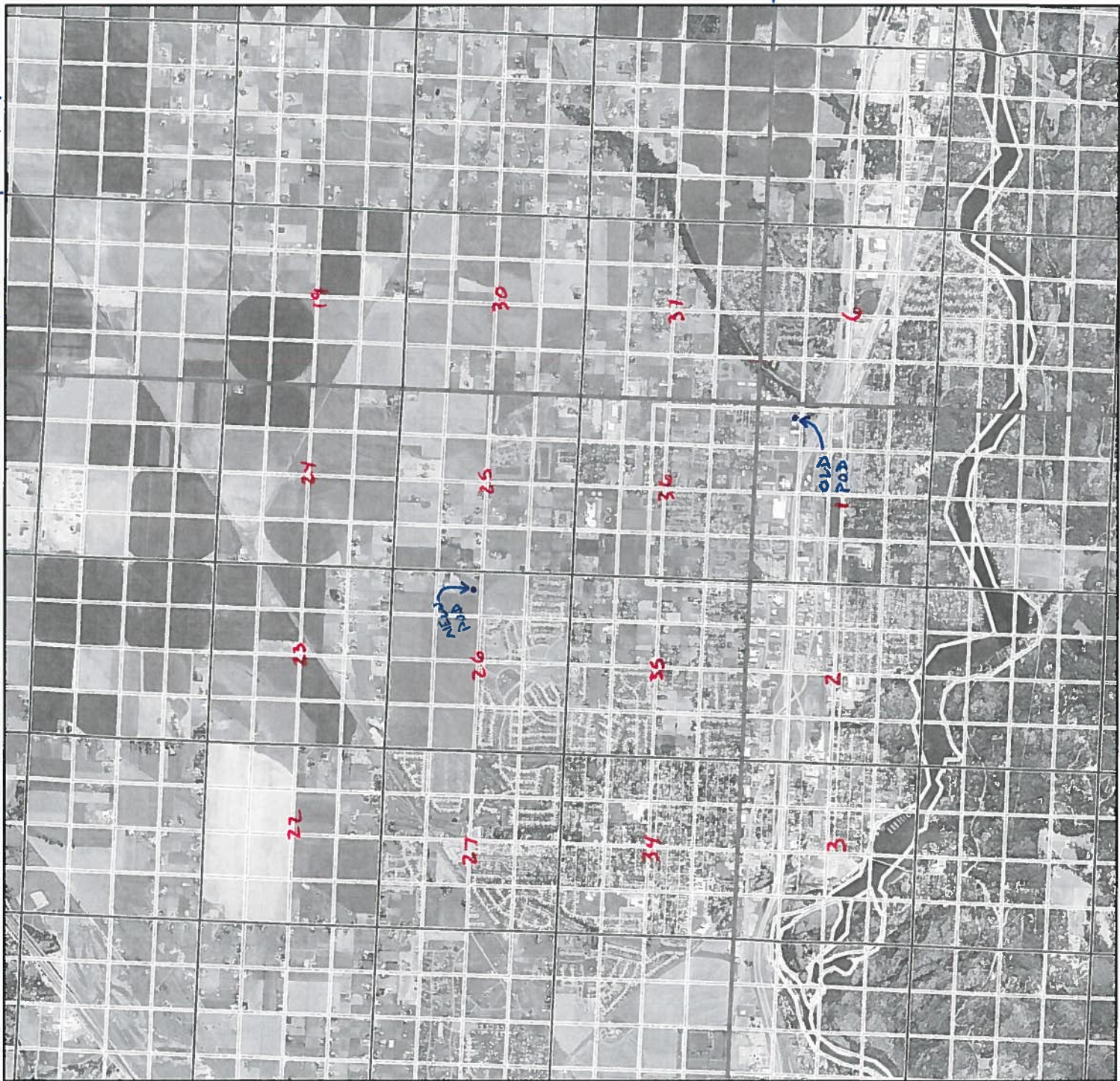
 GCDB Quarter-Quarter

 Counties

WATER RIGHT # 95-4088

TSIN

TSOL





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 19, 2017

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877

Re: Withdrawal of Application for Transfer of Water Right No. 95-4088

Dear Applicant:

The Department of Water Resources acknowledges receipt of your withdrawal of the application for transfer referenced above. The withdrawal removes your application from any further consideration or action by the Department. The filing fees will be applied to Application for Transfer No. 81573.

If you have any questions regarding this matter, please feel free to contact our office at (208) 762-2800.

Sincerely,

Morgan Case
Northern Regional Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 7, 2017

Time Sensitive Response Required

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877

RE: Application for Transfer of Water Right No. 95-4088

Dear Applicant:

The Idaho Department of Water Resources (Department) has received your *Application for Transfer* to add an additional point of diversion to Water Right No. 95-4088. When a water right is in the process of being confirmed in an adjudication, the Department's recommendation to the court is considered to be the most current record. Water Right No. 95-4088 is currently recommended to be disallowed. This calls into question the validity of the water right.

The Department cannot proceed with the transfer until you have a draft recommendation that supports the validity of the water right. **Please submit additional evidence, as requested in the attached letter, within the next 30 days.** If the evidence is sufficient to support the claim, the Department will proceed with transfer processing. If the evidence is not sufficient to support the claim, or if no response is received, the Department will return the transfer application and issue a refund. If you require additional time to resolve the recommendation, please submit a request in writing.

Please contact me at (208) 762-2800 if you have any questions or concerns.

Sincerely,

Morgan Case
Northern Regional Manager

Enclosure: August 30, 2016 letter to Ross Point Water District re: Evidence of priority for Claim No. 95-4088