

WITHDRAWAL

OF

APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, James E. Bowers and Kathryn L. Bowers,
(Applicant's Printed Name) (Applicant's Printed Name)

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

hereby withdraw our Application for Transfer No. 80510 of Water Right

No(s). 163-3522

Signed this 7 day of April, 20 16

James E. Bowers
(Signature/Title of Applicant)

Kathryn L. Bowers
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

Please Refund the
\$100⁰⁰ transfer fee.

Thanks

Kathy

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:
well pump to line sprinklers

- b. Who owns the property at the point(s) of diversion? James E and Kathryn L Bowers
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:

New well in October 1998, screen placed and capped, has not been used to present

- 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.

James E Bowers
Signature of applicant or authorized agent

James E Bowers

Print name and title if applicable

10/28/2015

Date

Kathryn L Bowers
Signature of applicant or authorized agent

Kathryn L Bowers

Print name and title if applicable

10/28/2015

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 5 pages of attachments.

Received by CS

Date 10/30/15

Fee paid \$200⁰⁰ Date 10/30/15

Received by CS

Receipt # W043638

Preliminary review by PJ

Date 3/18/16

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)

State of Idaho
Department of Water Resources

Water Right
63-3522

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.

03W



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

0 0.035 0.07 0.14 Miles



100	NA	260	10M%
50	VR	160	15M%
25	NA	120	15M%

Water Temp. 59° Bottom hole temp. NA
Water Quality test or comments: Clear 18 Gr's head

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E S
 Twp. 3
 Rge. 3
 Sec. 7
 Gov't Lot _____
 Lat: _____
 Long: _____
 Address of Well Site Sage Lane 1/4
 City Calwell
 LL. _____ Bkt. _____ Sub. _____ Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Dry Gran Bark	0	18	250 LB	Overbore
+ Well Cuttings				

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 220

Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	1/2	220	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 11 Length of Tailpipe 0

9. PERFORATIONS/SCREENS

Perforations

Method

Screens

Screen Type **SS Wire**

From	To	Slot Size	Number	Diameter	Material	Casing	Inner
222	227	16		5"	SS	Screen	

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

102 ft. below ground Artesian pressure lb.

Depth flow encountered _____ ft. Describe access port or
control devices: Sanitary Well Cap

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Domestic Pump & Drill Firm No. 483

Firm Official _____ Date _____
and _____
Driver or Operator *S. J. [Signature]* Date 10/28/97

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/27/2015

WATER RIGHT NO. 63-3522

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL PAUL MUNSON
Current Owner	EDITH E MUNSON 16658 SAGE ACRE LN CALDWELL, ID 83605 (208)459-4085
Original Owner	D L HARRIS
Original Owner	MARIE O HARRIS RT 6 CALDWELL, ID 83605

Priority Date: 06/21/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.15 CFS	54.6 AFA
DOMESTIC	01/01	12/31	0.04 CFS	0.6 AFA
Total Diversion			0.15 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSENE|Sec. 07|Township 03N|Range 03W|CANYON County

Attachment P03- Print Report Transfer No 80310

DOMESTIC Use:
Number of homes: 1

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03W	7		SENE	12									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 12

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. | X01 | Domestic use is for 1 home. |
| 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. |

Dates:

Licensed Date:

Decreed Date: 02/06/2009

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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

Attachments pg4 - Proof Report Transfer No 80510

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

April 18, 2016

KATHRYN BOWERS
JAMES BOWERS
402 KING RD
KELSO WA 98626

Re: Withdrawal of Application for Transfer No. 80510

Dear Applicants:

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

In addition, a refund request in the amount of \$200 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 dark ink, appearing to read 'Rachel Neely', is written over a horizontal line.

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

MEMORANDUM

TO: Sascha Marston
FROM: Phillip Hummer
DATE: 4/13/2016
RE : **Refund**

James and Kathryn Bowers paid \$300.00 for a transfer application and ownership change on date 10/30/2015. The transfer application was withdrawn on 4/7/2016 but the applicant wanted the ownership change to be processed. A partial refund should be issued.

Please issue a \$200.00 refund as follows:

TO

KATHRYN BOWERS
402 KING ROAD
KELSO WA 98626

TEL. 360-431-1499
EMAIL kathyb@cni.net

RECEIPT

W043638, copy attached

Copy: Transfer Application No. 80510
Notice of Change in Water Right Ownership

Grimm, Angie

From: Kathy Bowers [kathyb@cni.net]
Sent: Thursday, April 07, 2016 4:20 PM
To: Grimm, Angie
Subject: Re: FW: Ownership Change and Transfer No. 80510 for portion of 63-3522
Attachments: Water transfer cancel 4 7 2016.bmp

Hi Angie,

I have filled out the form and have scanned and attached. Please refund the \$200 transfer fee. Do let me know if there's any problem with opening the attachment.

Thanks for all your help.

Kathy

On Thu, 7 Apr 2016 15:32:39 +0000

"Grimm, Angie" <Angie.Grimm@idwr.idaho.gov> wrote:

> Kathy,

>

> Here is the Withdrawal form I neglected to attach to my first email, I apologize. Once we receive this completed form we will request a refund be issued to you and complete the ownership change to place a portion of the irrigation use under water right 63-3522 into your name. Please don't hesitate to call or email if I can be of further assistance.

>

> Regards,

> Angie

>

>

> Angela M. Grimm, P.G.

> Water Rights Supervisor

> IDWR - Western Region

> 2735 Airport Way

> Boise, ID 83705-5082

> (208) 334-2190 phone

> (208) 334-2348 fax

>

> From: Grimm, Angie

> Sent: Friday, March 25, 2016 4:20 PM

> To: 'kathyb@cni.net'

> Cc: Hummer, Phill

> Subject: Ownership Change and Transfer No. 80510 for portion of
> 63-3522

>

> Kathy,

>

> Good afternoon! Per your request during our phone conversation early this afternoon, I offer the following thoughts relative to your ownership change and transfer application for a portion of water right 63-3522:

> 1. The ownership change filed (w/ \$100 filing fee) may be processed to place a 6.8 acre portion of the irrigation use under water right 63-3522 in the name of James

E and Kathryn L Bowers. No portion of the domestic use listed on water right 63-3522 will be placed in your name (Bowers) considering the historic domestic use occurring under this water right is associated with the house located on the neighbors lot. The well drilled on your lot in 1998 may be used for domestic use (as defined in Idaho Code § 42-111) WITHOUT a water right per Idaho Code § 42-227.

> 2. The transfer application (no. 80510 - w/ \$200 filing fee) proposes to change the point of diversion for the 6.8 acre portion of water right 63-3522 from the neighbors well (historic point of diversion) to a well drilled for your lot in 1998 (new point of diversion). In order to continue processing of the transfer application, an additional \$125.00 must be paid for the well permit fee. Wells used only for domestic purposes as defined by Idaho Code § 42-111 require a \$75 well permit fee, which was paid in 1998 when the well was constructed. Wells proposed for uses in excess of domestic use (which require water rights such as irrigation) require a \$200 well permit fee. The difference in fee must be paid per IDAPA 37.03.09.045.05.b.

> 3. Every transfer application approved includes a standard condition requiring the changes approved by the transfer be accomplished within one year. In your case, the change proposed is to use the well on your lot for irrigation of 6.8 acres. Considering you're in the process of selling the property, it's possible you may not be able to accomplish this change within one year of transfer approval. Therefore, I recommend you withdraw your transfer application by completing the attached Withdrawal of Application for Transfer of Water Right(s) form and request a refund of your transfer filing fee (\$200 - PLEASE WRITE A NOTE OF THE WITHDRAWAL FORM YOU REQUEST A REFUND). Should the property be sold, the new owner may file the transfer application in advance of the irrigation season within which the new owner plans to use the well on your lot. Until then, the property may be irrigated using the well on the neighbor's lot if the land owners/parties involved agree.

> 4. Something to keep in mind, the water right MUST BE
> put to beneficial use at least once every 5 years or it may be subject to forfeiture. Water right validity (has forfeiture occurred?) is something reviewed whenever a transfer application is processed. In other words, it's recommended whomever is irrigating the land currently (currently irrigated per 2015 aerial imagery) continue to do so at least one irrigation season every 5 years. Otherwise, when a transfer application is submitted in the future the right may be found forfeit. Alternatively, assuming you sell the property within the next 4 years (prior to 2020 = 5 years after 2015 irrigation season), the new owner may file an Extension of Time to Avoid Forfeiture OR lease the right into the Water Supply Bank to protect the right from forfeiture. We did not discuss this item during our conversation, but I feel it's important for you and your potential buyer(s) to be aware. If you have any additional questions about this item OR your realtor does, please feel free to give me a call and I can discuss the options with you.

>
> Bottom line, with your intentions to sell the property, I do not
> believe it's in your best interest to file the transfer application considering the change (new well used for irrigation) will likely not be accomplished within one year of transfer approval. The ownership change you filed is sufficient to change the portion of water right 63-3522 appurtenant to your lot into your name, which may aid your realtor in selling the property. I've enclosed a form for your use should you decide to withdraw the transfer application. Alternatively, should you decide to proceed with the transfer application, please remit an additional \$125.00 for the well permit upgrade fee to allow for further processing of the transfer application. Please let myself or Phill know which avenue you wish to pursue within the next thirty (30) days. Without a written reply, we will assume you do not wish to proceed with the transfer application (based on our discussion today) and the Department will issue a preliminary order rejecting the transfer application. A refund of the filing fees is not possible if the Department has to issue a preliminary order to reject the application. Either way, whether you withdraw the transfer application or we issue a preliminary order rejecting it, the ownership change will be processed.

>

> I hope this email documenting your options and our discussion is helpful. Please feel free to give me a call back if you have any questions or I can help with any more information. Have a great weekend!

>

> Regards,

> Angie

>

> Angela M. Grimm, P.G.

> Water Rights Supervisor

> IDWR - Western Region

> 2735 Airport Way

> Boise, ID 83705-5082

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Director

3/21/2016

JAMES BOWERS
KATHRYN BOWERS
402 KING RD
KELSO WA 98626

Re: Application for Transfer No. 80510 Additional Information Required

Dear Applicant:

Your recent application for transfer proposing to split water right no. 63-3522 and add a new point of diversion is being processed but cannot be processed further until the following items are clarified:

- **The Fee**

The required processing fee is based on the total amount of water to be transferred. The fee is based on either the cubic feet per second rate or the acre-feet per year volume, whichever is greater. The appropriate fee for transferring 0.09 cfs is \$200.00 but the correct fee for 31.0 acre-feet per year is \$500.00. A separate fee is required when filing a change of ownership that involves splitting a water right, that fee is \$100.00. The total required fee for processing this application for transfer is \$600.00, of which you have already paid \$300.00 (see enclosed receipt). Please submit a check for the remaining amount for application processing to continue.

Additionally, the application indicated the proposed point of diversion is the well with tag no. D0007854. According to our records your well was drilled in 1998 under a \$75.00 domestic well drilling permit. A \$75.00 drilling permit covers a well that does not require water approval from IDWR, typically a single-family domestic well. Your transfer application proposes to use water from that well for irrigation which does require water right approval and your transfer application seeks that approval. The well drilling fee for a well requiring a water right is \$200.00 instead of \$75.00. Per Well Construction Standards Rules (IDAPA 37.03.09.045.05.b), IDWR must collect the unpaid balance of \$125.00.

Please remit \$425.00 for the correct processing fee and to upgrade your well drilling permit. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

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

10/28/2015

We have placed our 16748 Sage Acre Lane property up for sale and find that we need to have the water rights adjusted. We are applying for the water right ownership and transfer of water right - point(s) of diversion, applications are enclosed.

We are headed to Arizona for the winter and will not be at our residence in Washington State to receive mail. We will only be available by phone or email from November 1st to the first week in February. 360-431-1499 or kathyb@cni.net I hope this doesn't cause any delays in the process.

Thank you,



Kathy Bowers

\$1	
100	Transfer
200	Ownership
300	