

28 2012

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 63-33724

Name of applicant(s) John and Cheryl Northrup Phone 208-870-8060

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 9951 W. Rolling Hills City Star

State Idaho Zip 83669 Email: john@bushpilot.com

2. Source of water supply well which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4N	1W	5		NE	SE		Ada	Existing well-ground source	

4. Water will be used for the following purposes:

Amount .18 cfs for irrigation purposes from 3/1 to 11/15 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .18 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. replace existing pump with variable speed. Add a 3" line to use for pressurized lines.

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 11.

For dams 10 feet or more in height OR reservoirs with a total 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 existing 8 inches; proposed depth of well is existing 152 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 8/4/84; drilling firm Bairs Drilling;
Well was drilled for (well owner) Dianne Dow; Drilling Permit No. 63-83-C-0063-000

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
4N	1W	5													9				9 acres

Total number of acres to be irrigated: 9 acres

9. 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? _____

10. a. Who owns the property at the point of diversion? John and Cheryl Northrup
- b. Who owns the land to be irrigated or place of use? John and Cheryl Northrup
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. I wish to irrigate 9 acres of pasture.

12. Time required for completion of works and application of water to proposed beneficial use is 12 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

John Northrup
Signature of Applicant
John Northrup
Print Name (and title, if applicable)

Cheryl Northrup
Signature of Applicant
Cheryl Northrup
Print Name (and title, if applicable)

For Department Use:

Received by JA Date 12/29/12 Time 12:30 Preliminary check by RC
Fee \$ 100.00 Received by JA Receipt No. W040723 Date 12/29/12

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2
BOISE IDAHO 10/14/2011 11:27 AM
DEPUTY Nikola Olson
Simplify Electronic Recording
RECORDED-REQUEST OF
FIRST AMERICAN TITLE AND ESCRO 111083284



1872 S Eagle Road
Meridian, Idaho 83642

Escrow No: 323593 JCP
REO No: L100BM9

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

1749258-JB

SPECIAL WARRANTY DEED

This Deed is from Fannie Mae A/K/A Federal National Mortgage Association, a corporation organized and existing under the laws of the United States, having its principal office in the City of Washington DC (Grantor) to John A. Northrup, an unmarried man, and Cheryl R. Loepp, an unmarried woman (Grantee)

whose current address is 9951 W. Rolling Hills Drive, Star, ID, 83669, and to the Grantee's heirs and assigns.

For value received, Grantor hereby grants, remises, aliens and conveys unto Grantee and to Grantee's heirs and assigns forever, but without recourse, representation or warranty, except as expressed herein, all of Grantor's right, title and interest in and to that certain tract or parcel of land situated in the County of Ada, State of Idaho, described as follows (the premises): Commonly known as: 9951 W. Rolling Hills Drive, Star, ID 83669

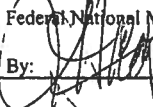
SEE ATTACHED HERETO AND MADE A PART HEREOF

The Grantor, for itself and for its successors does covenant and agree, to and with Grantee, Grantee's heirs and assigns, that Grantor has not done or suffered to be done anything whereby the Premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited: and that Grantor will warranty and forever defend title to the Premises, against all persons lawfully claiming or who may claim the same, by, through or under Grantor but not otherwise.

Grantor is exempt from all taxation imposed by any state, county, municipality, or local taxing authority, except for real property taxes. Thus, Grantor is exempt from any and all transfer taxes. Sec. 12 USC 1723a (c) (2).

Dated: October 12, 2011

Federal National Mortgage Association

By: 

JENNIFER HAGGERTY
ASST. VICE PRESIDENT



STATE OF TEXAS, County of Dallas, ss.

On this 15th day of October, in the year of 2011, before me the undersigned, a notary public, personally appeared JENNIFER HAGGERTY known or identified to me to be the ASST. VICE PRESIDENT of the corporation that executed the instrument or the person/persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


Notary Public of Texas
Residing at:
Commission expires:

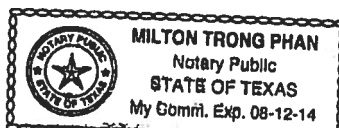


EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described as follows:

Lot 1 of Record of Survey recorded September 7, 1982, as Inst. No. 8237397 and described as follows:

A tract of land situated in the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

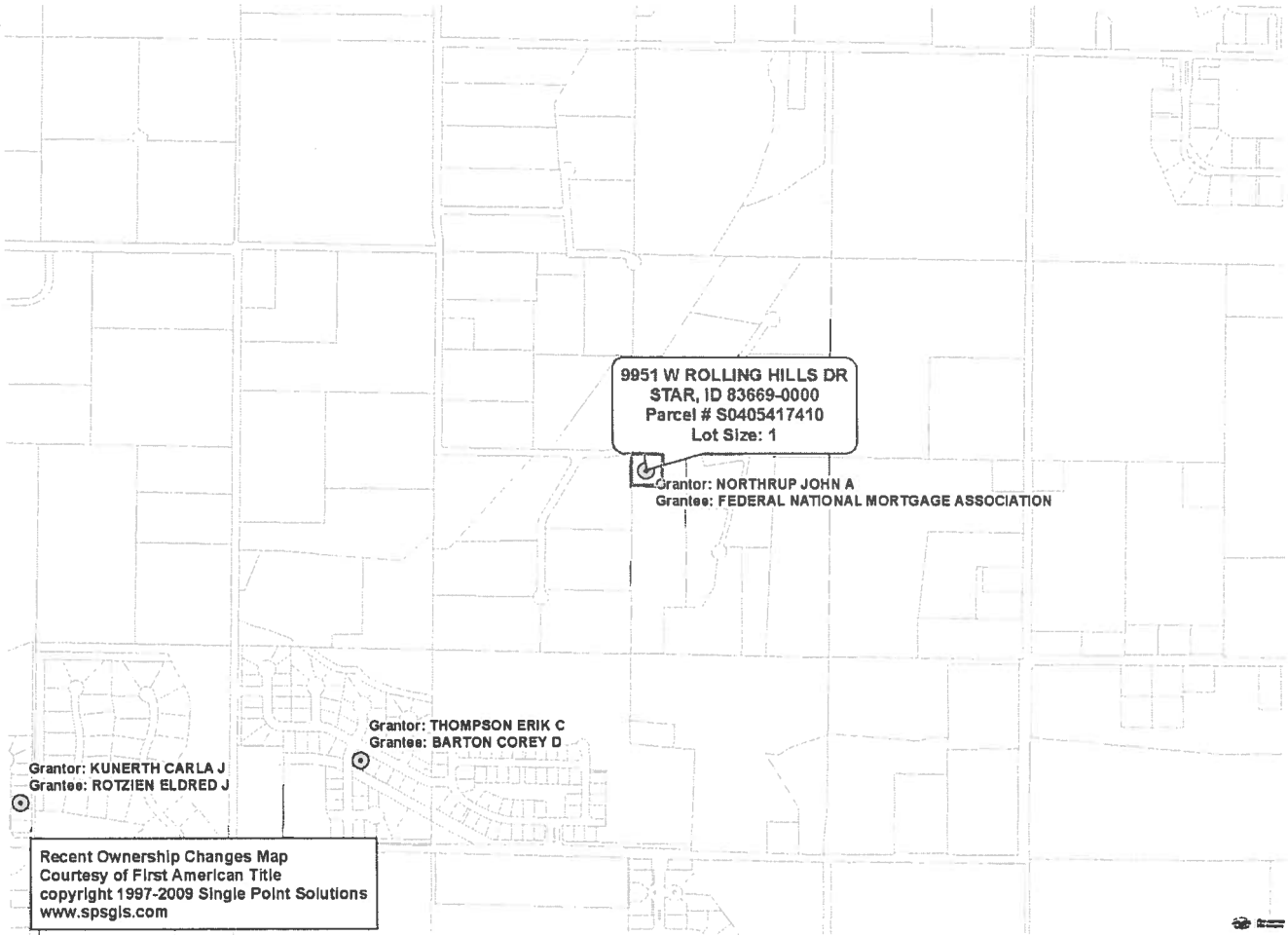
Commencing at the East quarter section corner of Section 5, Township 4 North, Range 1 West, Boise Meridian, marked by a found 1-1/2" iron rod; thence along the East-West mid section line

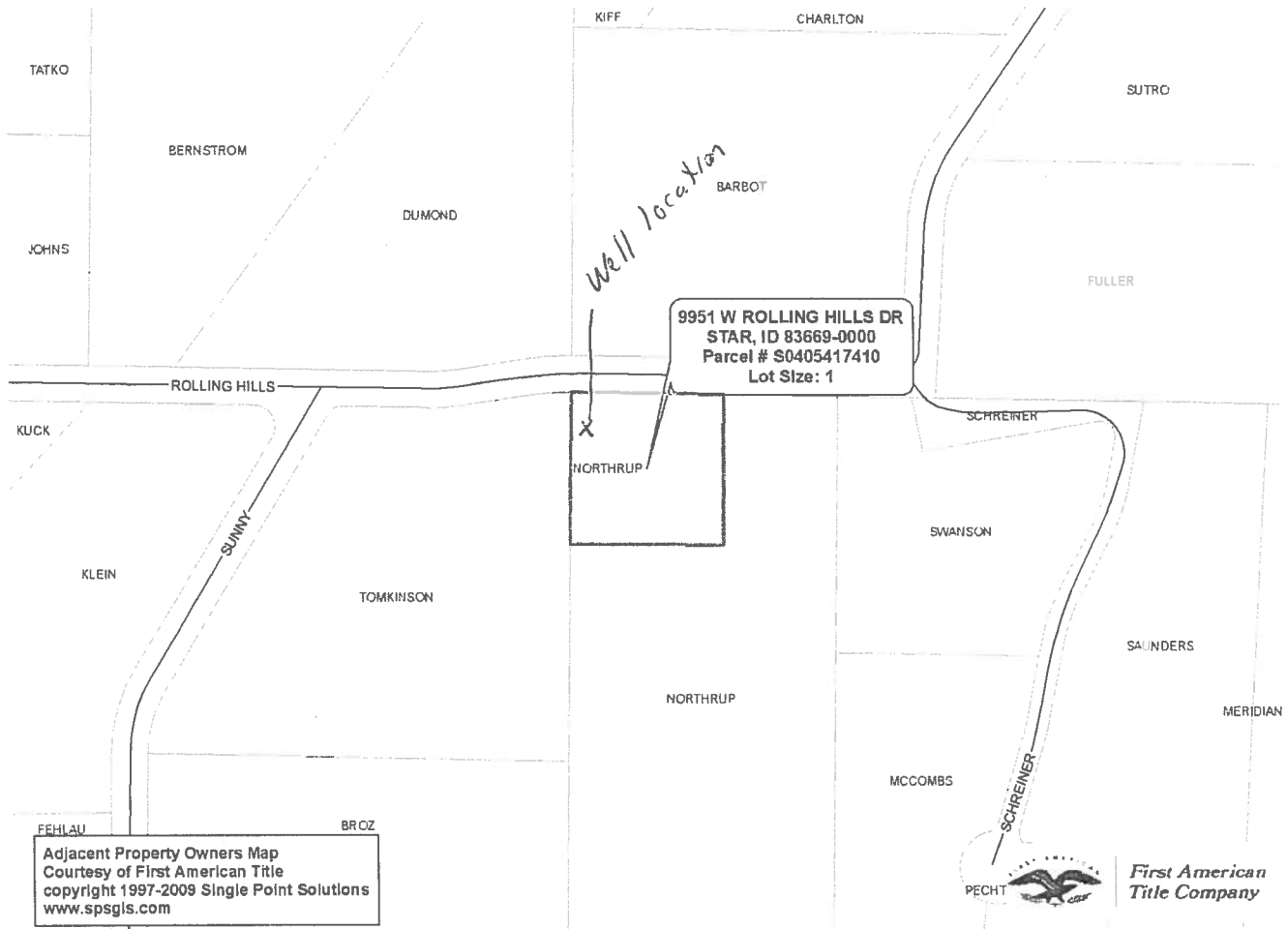
North 89 degrees 43'18" West, 1,111.49 feet to a point, said point lying on the Southerly right of way line of Rolling Hills Drive and being the Northeast property corner of Lot 1, marked by a set 1/2" iron pin, L.S. 874, the REAL POINT OF BEGINNING; thence

South 00 degrees 10'13" West, 208.71 feet to a set 1/2" iron pin L.S. 874; thence North 89 degrees 43'18" West, 208.71 feet to a point, said point lying on the East boundary of Star Acres Subdivision, marked by a set 1/2" iron pin, L.S. 874; thence along said boundary line

North 00 degrees 10'13" East, 208.71 feet to a point, said point lying on the Southerly right of way line of Rolling Hills Drive, said point being the C-E 1/16 corner of said section, marked by a round 1/2" Rebar, L.S. 874; thence along said right of way line, being also the East-West mid-section line;

South 89 degrees 43'18" East, 208.71 feet to the REAL POINT OF BEGINNING.





Location Corrected by IDWR To:

T04N R01W Sec. 5 SESWNE

By: mciscell 2012-12-21

State law requires that this report be filed with the Director, Department of
within 30 days after the completion or abandonment of the work.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

Sommer, Rachel

From: Sommer, Rachel
Sent: Friday, April 12, 2013 9:03 AM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Janice Hildreth,

Please see the attached ad for publication on 4/18/2013 & 4/25/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

April 11, 2013

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No's: 63-33724 and 63-33721
Transfer No's: 78338 and 78257

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 5/6/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

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

63-33724

JOHN NORTHRUP

CHERYL NORTHRUP

9951 W ROLLING HILLS

STAR, ID 83669

Point of Diversion NESE S5 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 12/28/2012

Place Of Use: IRRIGATION

T04N R01W S5 NESE

Total Acres: 8.7

Water bearing zone to be appropriated is between 151 and 161 feet.

63-33721

HOOT NANNEY FARMS INC

C/O MICHAEL L DIXON

RT 1 BOX 8542 FLOATING FEATHER RD

EAGLE, ID 83616

(2)Points of Diversion L4(NWNW) S3 T04N R01W ADA County Source GROUND WATER

Point of Diversion NWSW S3 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.4 CFS

Total Diversion: 2.4 CFS

Date Filed: 12/13/2012

Place Of Use: IRRIGATION

T04N R01W S3 L4(NWNW) SWNW NWSW

T04N R01W S4 L1(NENE) SENE NESE

Total Acres: 240

Seeks increased rate but not more volume for same land irrigated under Transfer Application 78338. Add 1 new well to provide enough water for about 80 acres pivot. Balance of water to be used at 2 existing wells. Water bearing zone to be appropriated is from 4 to 450 feet. Irrigation limited to 240 acres under all rights, no new lands.

PROPOSED CHANGE OF WATER RIGHTS

Hoot Nanney Farms C/O Michael Dixon, 8542 Floating Feather RD, Eagle ID 83616 filed Application No. **78338** to transfer two water rights with 1953 and 1976 priority dates from ground water totaling 2.40 cfs to irrigate 240 acres. The purpose of the transfer is to add a new well at south end of the property. The new well will be limited to 0.80 cfs for 80 of the 240 acres. Balance of the rights will be diverted from 2 existing wells in northeast end of the site. The site is southeast of Hwy 16 and Beacon Light Road. Same wells are included in Application 63-33721 for the same acres.

The City of Boise Public Works Department of 150 N Capitol Blvd. Boise, ID 83701 filed Application No. **78257** to transfer one water right with a 1979 priority date from low temperature geothermal ground water totaling 0.80 cfs. The transfer proposes to split the right and move 0.04 cfs to a low temperature geothermal ground water well for municipal use at the Boise Police Department Firearm Training Range. The unchanged portion of the municipal right will continue to be diverted from a low temperature geothermal well in Hulls Gulch, northeast Boise.

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 rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this 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 5/6/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/18/2013 and 4/25/2013

Collingwood, Rick

From: Northrup, John [jnorthrup@firstam.com]
Sent: Monday, April 01, 2013 3:11 PM
To: Collingwood, Rick
Subject: FW: Water Right Application No. 63-33724

Hi Rick,

As a follow-up to my earlier email, I wasn't sure if you needed anything further. But I did call the gentleman that will be putting in the new pump once we have the approval and he said that with it being a cased well to 152 feet and the slotted pipe set between 151 and 161 ft that the water bearing zone would be between the 151 and 161 feet.

Let me know what else you need.

Take care,

John



John Northrup
Idaho and Montana State Agency Manager



First American Title Insurance Company
251 E Front Street, Ste 310, Boise, Idaho 83702
www.firstam.com | NYSE: FAF

Direct: 208-321-5180
Mobile: 208-870-8060
Fax: 866-926-8670
Tollfree: 800-321-7311
Email: jnorthrup@firstam.com

From: Northrup, John
Sent: Monday, April 01, 2013 10:42 AM
To: 'Collingwood, Rick'
Subject: RE: Water Right Application No. 63-33724

Rick,

I just spoke with the Widow of Charles Bair from Bairs Drilling who passed away two years ago and she has no information on the business or ability to get information from when the well was placed. I have had my pump guy on hold until I was able to get the water rights. I didn't want to go through the expense to have him install the larger pump until we were granted the right. I am happy to have him come out if needed, is there a test that he can perform that will satisfy the requirement?

Also, Star Acres and Schreiner Subdivisions are the adjacent entities that have told me the ditches are currently full at the head gates that lead into them and cannot support any additional water and that there isn't an easement in place

through them to my property. John Tomkinson former head of Ada County Highway District shared with me that Mr. Aikens, ditch manager, said that there is not surface water available to my property.

John



John Northrup
Idaho and Montana State Agency Manager



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Direct: 208-321-5180
Mobile: 208-870-8060
Fax: 866-926-8670
Tollfree: 800-321-7311
Email: jnorthrup@firstam.com

From: Collingwood, Rick [<mailto:Rick.Collingwood@idwr.idaho.gov>]
Sent: Monday, April 01, 2013 10:15 AM
To: Northrup, John
Subject: RE: Water Right Application No. 63-33724

John,

The well driller's report does not provide the water bearing zone. The well driller should be able to determine and provide the water bearing zone.

With regards to the surface water, please provide the irrigation entity along with your description on why you do not have access to surface water for irrigation.

I will attach your document, either a letter or e-mail, indicating the water bearing zone of the existing well and the inaccessibility to surface water from the irrigation provider.

Thanks,
Rick

From: Northrup, John [<mailto:jnorthrup@firstam.com>]
Sent: Monday, April 01, 2013 9:26 AM
To: Collingwood, Rick
Subject: RE: Water Right Application No. 63-33724

Rick,
Thank you for the email.
Is the information you need in the well drillers report attached? If not, I will reach out to Bairs Drilling for more information. As to the surface water, I have discussed with the two subdivisions that surround my property and they both told me they is no way to get irrigation to my property through them.
Let me know if you need further information.
Thanks,
John



John Northrup
Idaho and Montana State Agency Manager



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www.firstam.com | NYSE: FAF

Direct: 208-321-5180
Mobile: 208-870-8060
Fax: 866-926-8670
Tollfree: 800-321-7311
Email: jnorthrup@firstam.com

From: Collingwood, Rick [<mailto:Rick.Collingwood@idwr.idaho.gov>]
Sent: Monday, April 01, 2013 9:14 AM
To: Northrup, John
Subject: FW: Water Right Application No. 63-33724

John,

Here you go. I will use this e-mail address for all future correspondence. As soon as I receive the requested information and data, I will complete my review and submit your application for advertising.

Call me if you have any questions.

Thanks,
Rick

From: Collingwood, Rick
Sent: Tuesday, March 12, 2013 1:29 PM
To: 'john@bushpilot.com'
Subject: Water Right Application No. 63-33724

John,

I need a little more information for your application:

1. Water Bearing Zone – Aquifer or water zone in which well diverts water. Usually a range (100-150 feet). If the well driller is still in business, they could provide this information to you. Otherwise, since you are going to replace the existing pump, or if you have already done so, the pump installer should have the information.
2. You indicated that you do not have access to surface water. We need to include an explanation (Item No.9 on the application) on why you are within the Middleton Irrigation Association but do not have access to surface water. If I am not mistaken, you indicated that subdivision developments terminated surface water access, or something like that. If I am incorrect on a subdivision as being the cause, topography, no conveyance system available, no access through adjacent property owners, etc.

You can either send me an e-mail or letter as a response, whichever is more convenient.

Thanks,

Rick Collingwood, P.E.
Water Resource Agent, Sr.
IDWR Western Region
(208) 334-2190

This message may contain confidential or proprietary information intended only for the use of the addressee(s) named above or may contain information that is legally privileged. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message and any copies immediately thereafter.

If you received this email as a commercial message and would like to opt out of future commercial messages, please let us know and we will remove you from our distribution list.

Thank you.~

FAFLD