

RECEIVED

MAY 08 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 37-22744

77921

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

DEPT. OF WATER RESOURCES

SOUTHERN REGION

1. Name of applicant(s) Lita West Phone 208-481-1411Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: P.O. Box 100 City CareyState ID Zip 83320 Email: _____2. Source of water supply Groundwater which is a tributary of NA

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
1S	21E	19		SE	NE	NE	Blaine	Groundwater	

4. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.14 cfs for Stockwater purposes from 1/1 to 12/31 (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) 0.18 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. Historical hand dug well serving existing home, pump, motor, and piping

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 ☐ Noc. Proposed well diameter is 12 inches; proposed depth of well is 50 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? 1890; drilling firm NAWell was drilled for (well owner) NA; Drilling Permit No. NA

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. 100 cattle, 20 horses, 200 sheep

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

d. Domestic; show number of households Single Residence

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	
1S	21E	19	D,S																

Total number of acres to be irrigated: _____

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? No existing right, but hand dug well has served domestic residence and livestock for long period of time. Total diversion volume limited to 13,000 gal/day.
10. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- 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. This permit application seeks a water right for a historical hand dug well on applicant's property. Well has served domestic residence for long period of time, but was not claimed in the SRBA because of the domestic exemption.
12. Time required for completion of works and application of water to proposed beneficial use is 1 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.

Charles E. Brackway
Signature of Applicant

Signature of Applicant

Charles E. Brackway - power of attorney
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by DM Date 5.8.2012 Time 9:45 AM Preliminary check by B. Walker
Fee \$ 100.00 Received by B. Walker Receipt No. 5032549 Date 5/10/12



0 250 500 1,000 1,500 Feet

LITA WEST
APPLICATION FOR PERMIT - DOMESTIC/STOCKWATER RIGHT
TOWNSHIP 1 SOUTH, RANGE 21 EAST, SECTION 19
NAIP 2011 AERIAL

Legend

	Township/Range
	Sections
	QQ
	Proposed POD

BROCKWAY ENGINEERING, PLLC.
GEP - MAY 7, 2012

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Lita West, hereby nominate and appoint Charles E. Brockway as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all applications, transfers, and stipulations associated water rights on the West Ranch in Dry Creek Canyon, Carey Idaho before the Idaho Department of Water Resources.

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 22 day of November 2004.

Lita West

Signature

Signature

State of Idaho)

County of Twin Falls)

ss.

On this 22nd Day of November, 2004, before me, a Notary Public in and for said County and State, personally appeared Lita West, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

S
E
A
L



Jill Davidson
Notary Public
In and for said State and County

11-18-2010
My Commission Expires



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

June 15, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

LITA WEST
PO BOX 100
CAREY, ID 83320

Re: Application For Permit No. 37-22744

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 **IDAHO MOUNTAIN EXPRESS** on **6/20/2012** and **6/27/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**July 9, 2012**).

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,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Friday, June 15, 2012 9:03 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express Cover Letter.docx; Idaho Mountain Express Ad.docx

Attached please find (1) legal notice being submitted for publication on June 20th & 27th, 2012. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

June 15, 2012

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Application For Permit No.(s): 37-22744

RE: Transfer No. 77954
Water Right No(s): 37-2578

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 July 9, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-22744

LITA WEST

PO BOX 100

CAREY, ID 83320

Point of Diversion SENENE S19 T01S R21E BLAINE County Source GROUNDWATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: STOCKWATER 01/01 to 12/31 0.14 CFS

Total Diversion: 0.18 CFS

Date Filed: 5/8/2012

Place Of Use: DOMESTIC & STOCKWATER

T01S R21E S19 NENE

Application for permit proposes to divert 0.18 cfs from ground water, for domestic and stockwater use from an existing well associated with a home, located approximately 1.3 miles north and 2.6 miles west of Carey.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

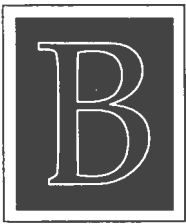
TRANSFER NO. 77954

BARBARA J CARNEY and GARY CARNEY, 225 N 1250 W, PAUL, ID 83347; and PAUL CARNEY and POLLY CARNEY, 291 S 2800 E, PAUL, ID 83347 has filed Application No. 77954 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2578. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a second point of diversion (existing well) to a 2.74 cfs ground water right currently used to irrigate 243 acres on a farm located approximately 2 miles northeast of Fish Creek Reservoir.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; 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, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before July 9, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on June 20th & 27th, 2012



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAY 08 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

May 7, 2012

Mr. Allen Merritt
1341 Fillmore Street Suite 200
Twin Falls, Idaho 83301

Re: Lita West Permit Application
Project No. 317-01-1999

Dear Allen,

Enclosed with this letter is an application for permit for domestic and stockwater use for Lita West. An old hand dug well was constructed in the 1890s, according to local personnel, and has been used to provide domestic water and stockwater through the years. This water use was not claimed in the SRBA because of the domestic exemption; however it is now Ms. West's desire to establish a valid water right for this water use. Ms. West has granted Power of Attorney to Charles E. Brockway, who has signed this application.

If you have any questions, please do not hesitate to contact me.

Sincerely,

G. Erick Powell, Ph.D., P.E.

enclosed

cc: Lita West

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506