

AMENDED

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

Ident. No. 63-33367

1. Name of applicant(s) TERESA OR GEORGE BOCK Phone 208-459-4017
Name connector (check one): ☐ and ☒ or ☐ and/or

Mailing address: 2664 SAND HOLLOW RD City CALDWELL

State ID Zip 83607 Email: _____

2. Source of water supply GROUND WATER 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 #
6N	4W	12		NE	SW	SW	PAYETTE	GROUND WATER	TAG D0057733

4. Water will be used for the following purposes:

Amount 0.11 CFS for IRRIGATION purposes from 3/01 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) 0.11 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. WELL, PUMP & PIPELINE

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 6 inches; proposed depth of well is 300 feet.

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

e. If well is already drilled, when? 5/10; drilling firm KNIE P&D;

Well was drilled for (well owner) APPLICANTS; Drilling Permit No. D0057733

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. _____

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AUG 19 2010

WATER RESOURCES

8. Description of place of use:

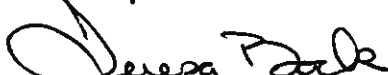
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	4W	12											1.5	4					5.5

Total number of acres to be irrigated: 5.5

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? NONE BUT SAME WELL FOR ADJACENT 6.5 ACRES IN NWSW & SWSW, 63-32280, SAME OWNER
10. a. Who owns the property at the point of diversion? APPLICANTS
- b. Who owns the land to be irrigated or place of use? APPLICANTS
- 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. Amended application based on corrections to split that resulted in applicants 63-32280. Transfer 76487 being filed on that right to correct it and add this well to that right. See IDWR 8/10/10 letter for more information.
Water bearing zone to be appropriated is from 272 to 292 feet.
12. Time required for completion of works and application of water to proposed beneficial use is 5 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.



Signature of Applicant

Teresa Back

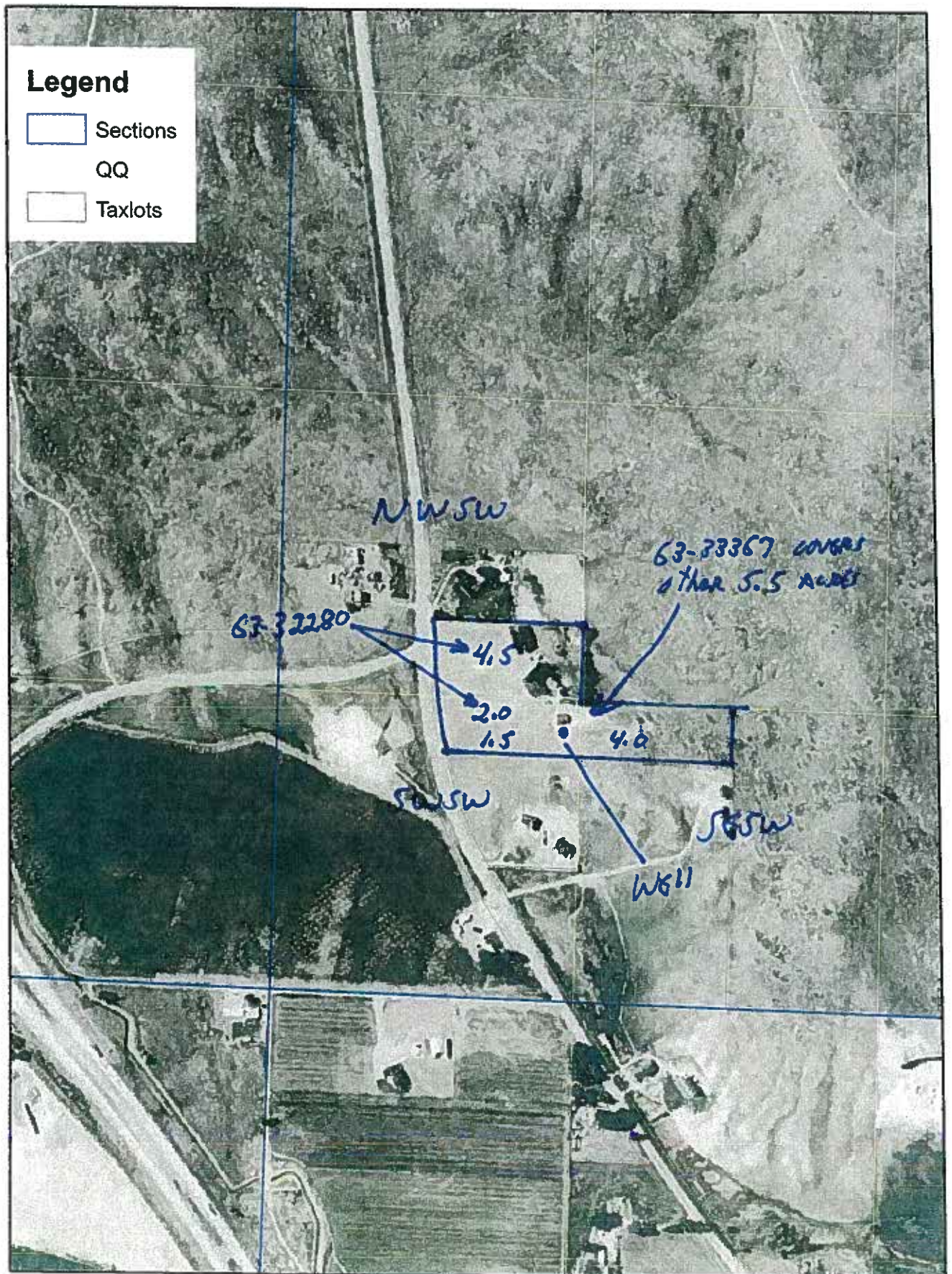
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Received by SL Date 8/19/10 Time 11:30 Preliminary check by SL
 Fee \$ 100- Received by DB Receipt No. W038314 Date 9/30/2010

T6N R4W Section 12 BOCK



63-33367

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT1. WELL TAG NO. D 005733 D0057733

Drilling Permit No. _____

Water right or injection well # 63-32280

2. OWNER:

Name George Boek & Teresa BoekAddress 2664 Sand Hollow Rd.City Caldwell State ID Zip 83607

3. WELL LOCATION:

Twp. 6 North ☒ or South ☐ Rge. 4 East ☐ or West ☒Sec. 12 NW 1/4 SW 1/4 SW 1/4Gov't Lot _____ County PayetteLat. 43 ° 52 : 11.3 (Deg. and Decimal minutes)Long. 116 ° 46 : 08.4 (Deg. and Decimal minutes)Address of Well Site 2664 Sand Hollow Rd.City Caldwell ID

(Give at least name of road + Distance to Road or Landmark)

Lot _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation ☐ Thermal ☐ Injection☐ Other None, Irrigation

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
<u>Bentonite</u> <u>3/8</u>	<u>0</u>	<u>38</u>	<u>1,200</u>	<u>Dry pour</u>

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Linear	Threaded	Welded
<u>6"</u>	<u>+2</u>	<u>289</u>	<u>.250</u>	<u>STEEL</u>	☒	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 289

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method FactoryManufactured screen ☒ Y ☐ N Type Factory 4 1/2" PlasticMethod of installation SET IN

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
<u>272</u>	<u>292</u>	<u>20th</u>		<u>4 1/2"</u>	<u>Plastic</u>	<u>40</u>

Length of Headpipe 0 Length of Tailpipe 0Packer ☒ Y ☐ N Type 3 packer

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) 0Describe control device 0

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 145 Static water level (ft) 180Water temp. (°F) 85° or less Bottom hole temp. (°F) 85° or lessDescribe access port 6" well cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
<u>220</u>	<u>60</u>	<u>120</u>

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
<u>10"</u>	<u>0</u>	<u>2</u>	<u>Top soil</u>		☒
	<u>2</u>	<u>38</u>	<u>Brown sandy clay</u>		☒
<u>6"</u>	<u>38</u>	<u>60</u>	<u>Brown sandy clay</u>		☒
	<u>60</u>	<u>145</u>	<u>Brown sandy clay</u>		☒
	<u>145</u>	<u>158</u>	<u>Brown sand</u>	☒	
	<u>158</u>	<u>160</u>	<u>Brown sandy clay</u>		☒
	<u>160</u>	<u>220</u>	<u>Brown sandy clay</u>		☒
	<u>220</u>	<u>236</u>	<u>White sand (Big)</u>	☒	
	<u>236</u>	<u>247</u>	<u>Brown clay</u>		☒
	<u>247</u>	<u>251</u>	<u>White sand (Big)</u>	☒	
	<u>251</u>	<u>253</u>	<u>Brown clay</u>		☒
	<u>253</u>	<u>254</u>	<u>Brown sand</u>		☒
	<u>254</u>	<u>257</u>	<u>Brown clay</u>		☒
	<u>257</u>	<u>261</u>	<u>Brown sand</u>		☒
	<u>261</u>	<u>288</u>	<u>Brown sand (heaving)</u>		☒
	<u>288</u>	<u>291</u>	<u>Brown clay</u>		☒
	<u>291</u>	<u>292</u>	<u>White sand (Big)</u>	☒	

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WATER RESOURCES
WESTERN REGIONCompleted Depth (Measurable): 292Date Started: 4/28/2010 Date Completed: 5/6/2010

14. DRILLER'S CERTIFICATION:

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

Company Name Kaiser Drilling Co. No. 417*Principal Driller Mike Knipe Date 6/15/2010

*Driller _____ Date _____

*Operator II Halley Ford Date 6/15/2010

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

\$200 DP FEE PAID ✓

\$100.00

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APR 30 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-33367

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Teresa or George Back Phone 208.459.4017
Name connector (check one): ☐ and ☒ or ☐ and/or
Mailing address: 21664 Sand Hollow Rd City Caldwell
State ID Zip 83607 Email: revisto@msn.com
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>6N</u>	<u>4W</u>	<u>12</u>		<u>SW</u>	<u>SW</u>		<u>Payette</u>		

4. Water will be used for the following purposes:
Amount 0.15 for IRRIGATION purposes from 3/15 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) 0.15 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. _____
- 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 6 inches; proposed depth of well is 300 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 5/10; drilling firm Knice P&D
Well was drilled for (well owner) Back's; Drilling Permit No. D0057733
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. _____

ORIGINAL - Superseded

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
6N	4W	12											3.5	4					7.5

Total number of acres to be irrigated: 7.5

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? NONE

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. _____

12. Time required for completion of works and application of water to proposed beneficial use is 2 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.

Teresa Bock
Signature of Applicant
Teresa Bock
Print Name (and title, if applicable)

George Bock Jr
Signature of Applicant
George Bock Jr
Print Name (and title, if applicable)

For Department Use:

Received by RW/DB Date 4-30-2010 Time 12:00PM Preliminary check by _____
Fee \$ 100 Received by DB Receipt No. W038314 Date 4-30-2010





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
Interim Director

September 10, 2010

SAMFORD RESIDENCE
2560 SAND HOLLOW RD
CALDWELL ID 83607

Re: Application for Transfer No(s): 76487 & 76768
Application for Permit: 63-33367

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by October 4, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the printed name and title.

Denise Buffington
Administrative Assistant

Enclosure



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
Interim Director

September 10, 2010

MYERS RESIDENCE
2576 SAND HOLLOW RD
CALDWELL ID 83607

Re: Application for Transfer No(s): 76487 & 76768
Application for Permit: 63-33367

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by October 4, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure



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
Interim Director

September 10, 2010

BURGIN RESIDENCE
2580 SAND HOLLOW RD
CALDWELL ID 83607

Re: Application for Transfer No(s): 76487 & 76768
Application for Permit: 63-33367

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by October 4, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is written in a cursive, flowing style.

Denise Buffington
Administrative Assistant

Enclosure



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
Interim Director

September 10, 2010

LARSON RESIDENCE
2659 SAND HOLLOW RD
CALDWELL ID 83605

Re: Application for Transfer No(s): 76487 & 76768
Application for Permit: 63-33367

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by October 4, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, September 09, 2010 10:44 AM
To: Independent Enterprise
Subject: LEGAL NOTICE
Attachments: Payette County Ads - Cover Letter.Doc; Payette County Ads - COMBINED.Doc

Attached please find (1) legal notice being submitted for publication. Please contact me immediately if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

September 9, 2010

LEGAL NOTICE DEPARTMENT

INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Transfer No. 76487
Water Right No(s). 63-32280

RE: Transfer No. 76768
Water Right No(s). 63-32279

RE: Application For Permit No(s).: 63-33367

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 10/4/2010. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

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

63-33367

GEORGE BOCK

TERESA BOCK

2664 SAND HOLLOW RD

CALDWELL, ID 83607

Point of Diversion NESWSW S12 T06N R04W PAYETTE County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.11 CFS

Total Diversion: 0.11 CFS

Date Filed: 4/30/2010

Place Of Use: IRRIGATION

T06N R04W S12 SWSW SESW

Total Acres: 5.5

Water bearing zone to be appropriated from existing well is from 272 to 292 feet. Same well proposed in Application 76487 for adjacent acres.

PROPOSED CHANGE OF WATER RIGHT

George & Teresa Bock of 2664 Sand Hollow Road, Caldwell ID 83607 filed Application No. 76487 to transfer a water right with a 1977 priority date from ground water totaling 0.07 cfs. The purpose of the transfer is to change the point of diversion to their existing well to irrigate 6.5 acres. The same well but for adjacent acres is proposed in Application No. 63-33367. The site is about 0.5 mile northeast of the I84 Black Canyon Interchange.

PROPOSED CHANGE OF WATER RIGHT

Timothy & Michell Hughes of 2682 Sand Hollow Road, Caldwell ID 83605 filed Application No. 76768 to transfer a water right with a 1977 priority date from ground water totaling 0.06 cfs. The purpose of the transfer is to split the right and change the point of diversion for their portion of the right to their existing well to use 0.05 cfs to irrigate 4.5 acres. The site is about 0.5 mile northeast of the I84 Black Canyon Interchange.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211 / § 42-222. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with details provided under "new water right applications." Any protest against the approval of this application 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 October 4, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on September 15th & 22nd, 2010

MEMORANDUM

TO: Applications 76487 & 63-33367 (Bock) & 76768 (Hughes)
FROM: Steve Lester 
DATE: August 31, 2010
RE: Evaluation of Sufficiency of Information Submitted

Memo covers 3 applications for 2 owners, reviewed and processed together due to department error in previous split of 63-32276 that resulted in the 2 rights now being transferred.

- Bock proposes use of a recently drilled well for transfer application 76487 (63-32280) and application for permit 63-33367, each for separate, adjacent acres.
- Hughes proposes use of existing domestic well for split portion of 63-32279 in transfer application 76768.

If approved, the package will correct and change rights 63-32279 and 63-32280 and provide a new permit to be developed.

The site is along old Hwy 30 just north of I84 near the Black Canyon Interchange.

Correction of Split 63-32276

Parent right 63-9103 was split numerous times by prior transfers and ownership changes. This finally resulted in residual portion 63-32276. See attached split tree. Bock filed a split of 63-32276 in early 2006. The Bock deed included 2 parcels within the residual Section 12 POU: Parcel I for the southeast portion of NWSW and Parcel II for the northeast portion of SWSW. Parcel II also included land in SESW, but the parent right had been severed from that tract by previous water right action.

For unknown reasons and contrary to the deed, the Bock split did not include the 2 acres in SWSW – those acres remained with 63-32279 instead of being recorded for Bock in 63-32280.

To further complicate this, GIS shapes showed 63-32279 on Bock's parcels and 63-32280 on the Hughes parcel just north of Bock – the reverse of the expected shapes. The actual result of the Bock split is depicted in the attached map: ArcMap layout of 63-32279 with notes added to show the correct split from 63-32276 into 63-32279 and 63-32280.

The current Payette County tax lot information¹ confirms Bock owns adjacent parcels straddling the ¼ ¼ lines while Hughes owns the parcel just north of Bock.

¹ Payette County does not regularly share their tax lot information with IDWR, resulting in sometimes outdated information in the IDWR spatial database. However, the county website does have current information, see attached diagram from that source.

Based on the deed submitted by Bock on 2006, the deed from Hughes in application 76768, and the current county tax lot information, the split of 63-32276 was incorrectly recorded. Right 63-32279 loses 2 acres from SWSW while right 63-32280 gains those 2 acres in SWSW. Both transfers explicitly seek to correct this error. Those records were updated today to allow both transfers to act on the corrected records.

Bock and Hughes concur with this correction based on their transfer applications. This correction does not affect the last residual piece of the parent right: 1 acre in NENW S13.

Summary of Information Submitted for Both Transfers

Authority to File: Bock is the water right owner of record for 63-32280 and the POU owner of the corrected record. Hughes provided ownership information for a split of the corrected acres in 63-32279. Both applicants have authority to file the transfers.

Water Right Validity: Rights 63-32279 and 63-32280 were decreed in 2008 and remain valid.

Injury to Other Water Rights: Injury is not apparent for these transfers. However, several domestic wells in the adjacent parcels show well profiles similar to the applicants' wells. Comment letters will be sent to those owners to help identify potential injury issues.

Enlargement of Use: The transfers do not propose to enlarge the rights.

Local Public Interest: Assuming no protests, maintaining valid irrigation rights is in the local public interest.

Beneficial Use/Conservation of Water Resources: The transfers propose beneficial use consistent with conservation of water resources in Idaho.

Review of the transfer applications finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the applications.

Discussion

Application 63-33367 was reduced to compliment the corrected 63-32280 right. The permit application is routine and appears approvable, assuming protests are not filed. The water bearing zone is based on the Bock well log.

The rights being transferred have been decreed and migrated in the database. The transfers act on the correct records.

Other irrigation water is not available for Bock and Hughes property –they do not receive Black Canyon Irrigation District water that is available for some other land in this general area.

The wells for both owners are close to the 63/65 basin boundary but within basin 63. Condition 046 does not apply to any of the applications – the Bock and Hughes wells already exist. Bock paid a \$200 drilling fee for the recently completed well for that property. The drilling permit was conditioned to only allow exempted uses pending additional water right approval. Hughes paid the necessary \$165 drilling permit fee upgrade for a 1995 domestic well.

ADJUDICATION CLAIMS SPLIT TREE FOR 63-9103

Notes
-FL 8/31/10

Review memo attachment
(3 pgs)

**RIGHTS HAVE BEEN
SPLIT AND ARE NO
LONGER ACTIVE
(parent rights)**

63-9103
Leonard Hayden
1.86 cfs / 787.5 afa
175 ACRES TOTAL
Sec 11 SESE - 25
Sec 12 NWSW - 9
Sec 12 SWSW - 31
Sec 12 SESW - 10
Sec 13 NENW - 1
Sec 13 SWNW - 6
Sec 14 NENE - 15
Sec 14 SWNE - 39
Sec 14 SENE - 39

5.12 SESW acres
were transferred elsewhere

63-9103A
Leonard Hayden
1.66 cfs / 697.5 afa
155 ACRES TOTAL
Sec 11 SESE - 25
Sec 12 NWSW - 9
Sec 12 SWSW - 21
Sec 13 NENW - 1
Sec 13 SWNW - 6
Sec 14 NENE - 15
Sec 14 SWNE - 39
Sec 14 SENE - 39

63-9103B
Patrick & Joy Harris
0.05 cfs / 22.5 afa
5 ACRES TOTAL
MOVED TO
2N 2E S8
NWSW

63-9103C
Gary & Heather
Mingus
0.05 cfs / 22.5 afa
5 ACRES TOTAL
MOVED TO
5N 1E S31
NWNW - 2 acres
5N 1W S36
NENE - 3 acres

63-9103D
Steve Boschma
0.10 cfs / 34.2 afa
10 ACRES RETIRED
AND MOVED TO A
DAIRY IN
2N 1W S19
NESW & SESW

63-9103E
Leonard Hayden
1.19 cfs / 499.5 afa
111 ACRES TOTAL
Sec 12 NWSW - 9
Sec 12 SWSW - 2
Sec 13 NENW - 1
Sec 13 SWNW - 6
Sec 14 NENE - 15
Sec 14 SWNE - 39
Sec 14 SENE - 39

63-9103F
Toni and Ben
Choutchourrou
0.47 cfs / 198 afa
44 ACRES TOTAL
Sec 11 SESE - 25
Sec 12 SWSW - 19

63-32276
Leonard Hayden
0.13 cfs / 54 afa
12 ACRES TOTAL
Sec 12 NWSW - 9
Sec 12 SWSW - 2
Sec 13 NENW - 1

63-32277
Jerry and Pamela
Wilson
1.06 cfs / 445.5 afa
99 ACRES TOTAL
Sec 13 SWNW - 6
Sec 14 NENE - 15
Sec 14 SWNE - 39
Sec 14 SENE - 39

Actual 5.5 Acres

63-32279
Leonard Hayden
0.08 cfs / 33.75 afa
7.5 ACRES TOTAL
Sec 12 NWSW - 4.5
Sec 12 SWSW - 2
Sec 13 NENW - 1

Back

63-32280
Leonard Hayden
0.05 cfs / 20.25 afa
4.5 ACRES TOTAL
Sec 12 NWSW - 4.5

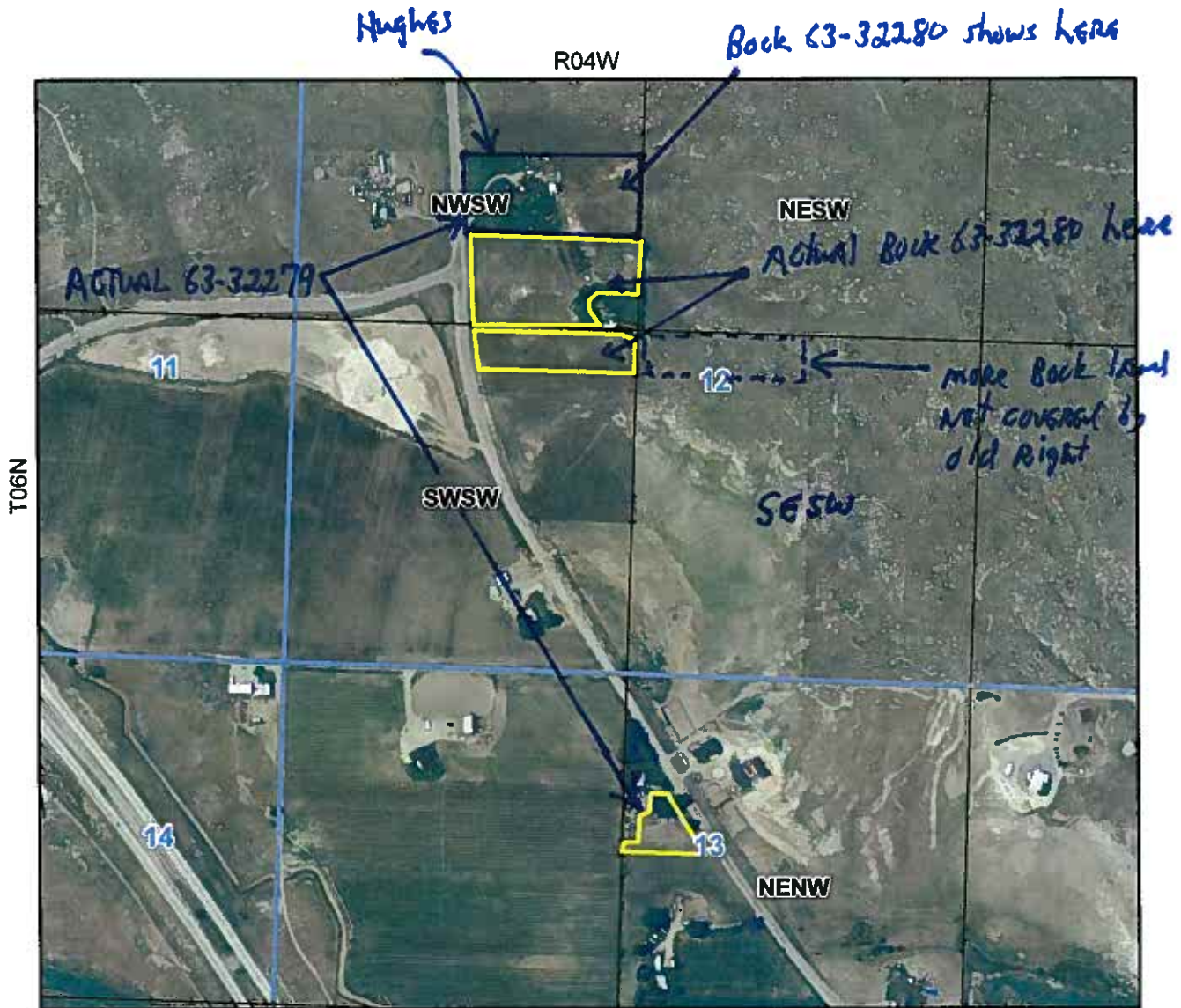
Actual 6.5 Acres

Back split of
63-32276, corrected by transfer

State of Idaho
Department of Water Resources
Water Right License

63-32279

Water Service Area Boundary for Leonard K Hayden



0 0.05 0.1 0.2 Miles

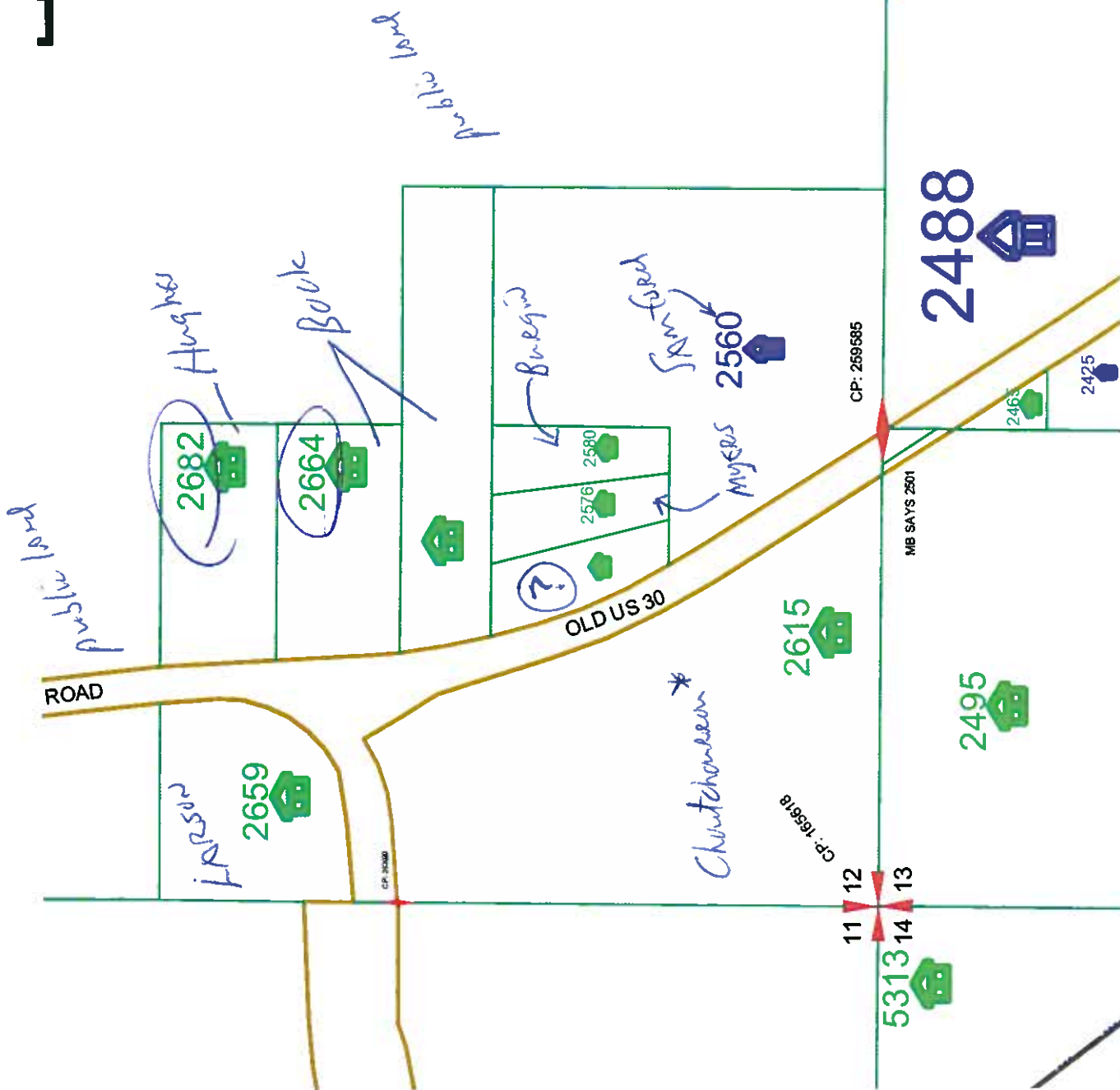
Legend

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





Payette County
website info
8/9/10



* P.O.D. e 184 50 too far away
for concerns - no letter to them



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

August 10, 2010

GEORGE & TERESA BOCK
2664 SAND HOLLOW RD
CALDWELL ID 83607

Re: Application for Permit No. 63-33367 & Application for Transfer No. 76487

Dear Applicants:

You filed the above referenced applications for a new irrigation well to be used for your existing right 63-32280 and for a proposed new right for additional acres. You asked that the applications be expedited. I tried to expedite them but ran into some complications outlined in this letter. I hope this information provides a clear explanation and offers a reasonable solution to the complications.

Existing Rights 63-32279 and 63-32280

These rights resulted from an ownership change you filed in 2006 to split right 63-32276. That right was a residual portion of the original right for a larger area, right 63-9103 in the name of Hayden. The split resulted in right 63-32280 for you and right 63-32279 for the remaining acres in the name of Hayden.

The Idaho Department of Water Resources (IDWR) made errors in processing your split. The split was based on the warranty deed in which two parcels were conveyed from Cummings to you without withholding any water rights appurtenant to the land. Those two parcels are shown in yellow on the enclosed map and labeled "actual Bock 63-32280 here." Instead of producing the correct result, IDWR recorded 63-32280 in your name but for the adjacent lot to the north owned by Hughes. That lot is shown on the map as "Bock 63-32280 shows here." Based on your deed, right 63-32280 clearly does not cover the Hughes property.

Another result of that split was that the Hayden portion was shown on your property plus on a small lot to the south in Section 13. The Hayden portion is identified as 63-32279 and is shown in yellow on the map. This should represent leftover acres not split off to new owners by ownership changes or by other appropriate actions completed with IDWR. That is why the residual part of the original right remains in the name of Hayden. It does not necessarily mean Hayden owns that portion.

Bock Applications
August 10, 2010
Page 2

Currently, right 63-32280 covers 4.5 acres in NWSW. The actual result of the split should cover 4.5 acres of your land in NWSW and 2 acres of your land in SWSW, the majority of the land shown in yellow on the enclosed map. The right prior to the split did not cover any of your acres in SESW, making that land not applicable to the split. Likewise, Hughes should have most of the rest of 63-32279 for 4.5 acres on their property, assuming their warranty deed did not withhold the water right from the sale of the land.

Follow Up Actions

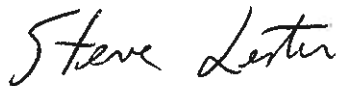
Bock – IDWR should update right 63-32280 to cover 6.5 acres as shown in the enclosed printout of that right. Suggested revisions are added to the printout. Your two applications should be amended based on corrections to 63-32280. The suggested revisions are enclosed as draft amended applications. Right 63-32280 can be corrected while processing your amended transfer application. If everything appears acceptable in the amended applications, you only need to sign and return them. They can be processed without delay at that point. The net result will be the same as your original applications: a total of 12 acres to be irrigated with your new well. No additional fees are needed.

Hughes – Hughes can file a “notice of water right ownership change” with IDWR to split 63-32279 as required under Section 42-248, *Idaho Code*. Alternately, they can file an “application for transfer” to allow them to use their own well to irrigate their land, if desired, and to accomplish the split. Hughes should contact me for details in that regard, particularly regarding reduced fees to complete their water right actions.

I hope this has not inconvenienced you or the Hughes.

More IDWR information is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

Cc: Timothy and Michell Hughes