

Ident. No. 73-33240

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

RECEIVED

JUL 24 2009

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Tom Points & Kari Frederick-Points Phone 208-585-2517
Name connector (check one): ☒ and ☐ or ☐ and/or

Mailing address: 26600 Gail Lane City Middleton
State Idaho Zip 83644 Email: karifrederick@axiompoints.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 #
05N	02W	21	n/a	SE	SE	NE	Canyon	groundwater	63-11-196
				P.D.: ↑ NESE per map					

4. Water will be used for the following purposes:

Amount 0.08 cfs 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) 0.08 cubic feet per second (cfs) and/or (b) n/a acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 3HP submersible, 6" casing x 172' deep.
At well use 2" schedule 40 PVC, 2" electric valves to drip emitters and Rainbird 5000 rotors.

b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12.

c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet.

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

e. If well is already drilled, when? 4/11/95; drilling firm Dennis Phipps
Well was drilled for (well owner) Ralph McClintock; Drilling Permit No. 63-95-C-0098-000

7. Time required for completion of works and application of water to proposed beneficial use is 4* years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

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

b. Stockwatering; list number and kind of livestock. n/a

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

d. Domestic; show number of households. n/a

e. Other; describe fully. The proposed use will be approximately 60% vineyard and 40% pasture.

*For financial reasons the vineyard will be built in phases.

9. 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.

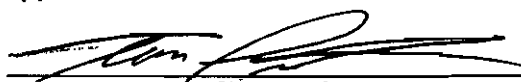
TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	21													4.0				4.0

Total number of acres to be irrigated: 4.0

10. 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? We own 3 adjacent lots in Lansing Heights sub. We have a water right for 4.9 acres (#63-11196) on our lot with the house (Tract 38) which also contains the diversion point. This application is for 4.0 acres of water right for our dry lots immediately to the south (Tract 19, Parcel 1&2, see Attach 3).
11. a. Who owns the property at the point of diversion? Tom Points and Kari Frederick-Points
- b. Who owns the land to be irrigated or place of use? Tom Points and Kari Frederick-Points
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: n/a
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This water right request is for vineyard and pasture. I have attached a record of survey (Attach 6) showing the 2 lots we wish to irrigate. The lot is shown as 4.5 lots of tax records. We have recently split the lot into 2 parcels. We are requesting 2 acres of water right for each parcel for a total of 4.0 acres. Tract 38 immediately to the north is also owned by us and contains the point of diversion (63-11196)

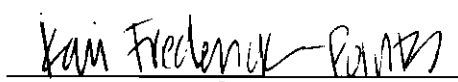
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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

Tom Points

Print Name (and title, if applicable)


Signature of Applicant

Kari Frederick-Points

Print Name (and title, if applicable)

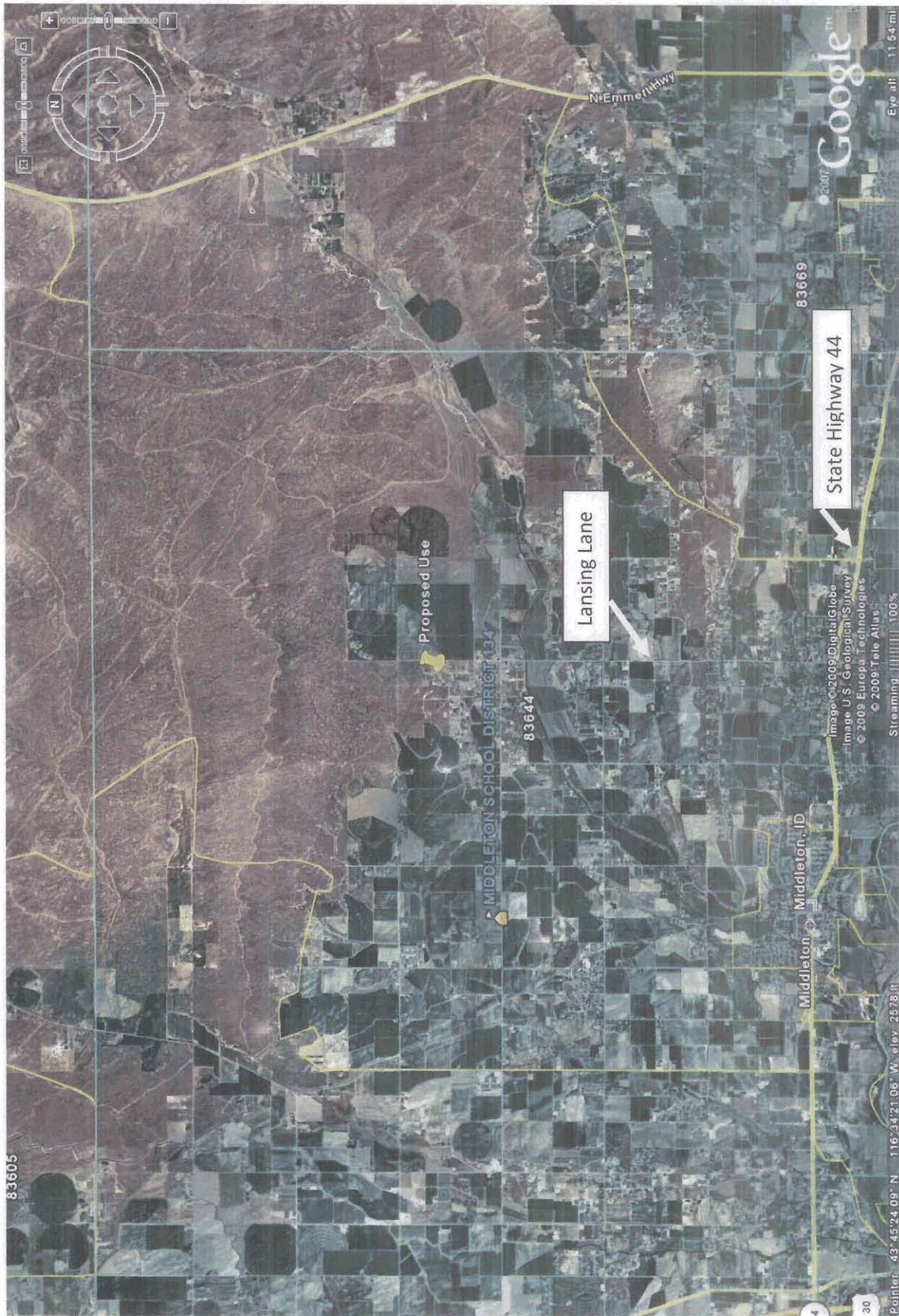
For Department Use:

Received by JFH Date 7-24-09 Time 1:45pm Preliminary check by JFW

Fee \$ 100. Receipted by JFH Receipt No. W037733 Date 7-24-09

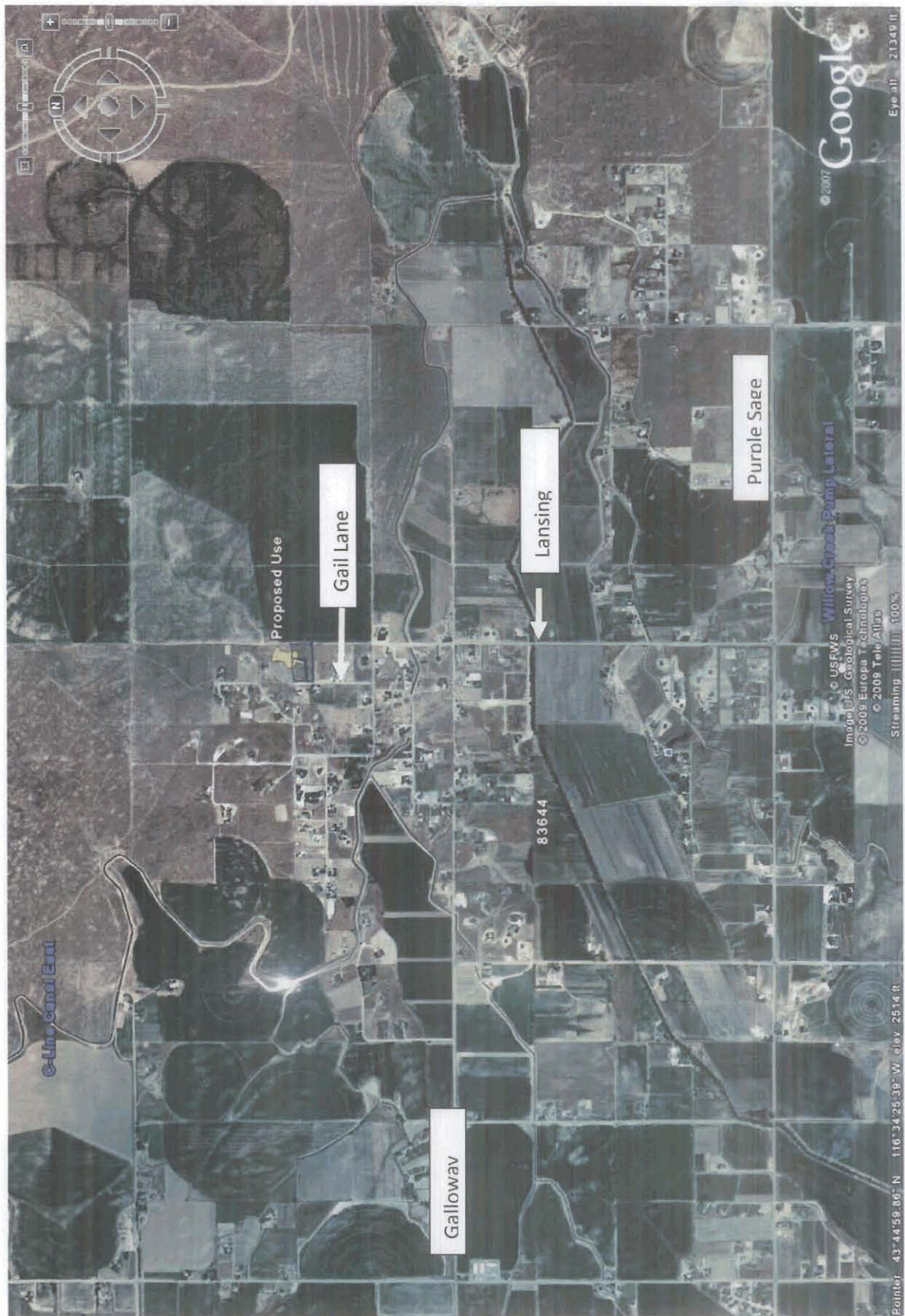
Attachments

- 1 Vicinity A
- 2 Vicinity B
- 3 Site Map
- 4 USGS Map
- 5 Lansing Height Subdivision Plat
- 6 Tract 19 Record of Survey



Vicinity A

63.33240
Attach 1



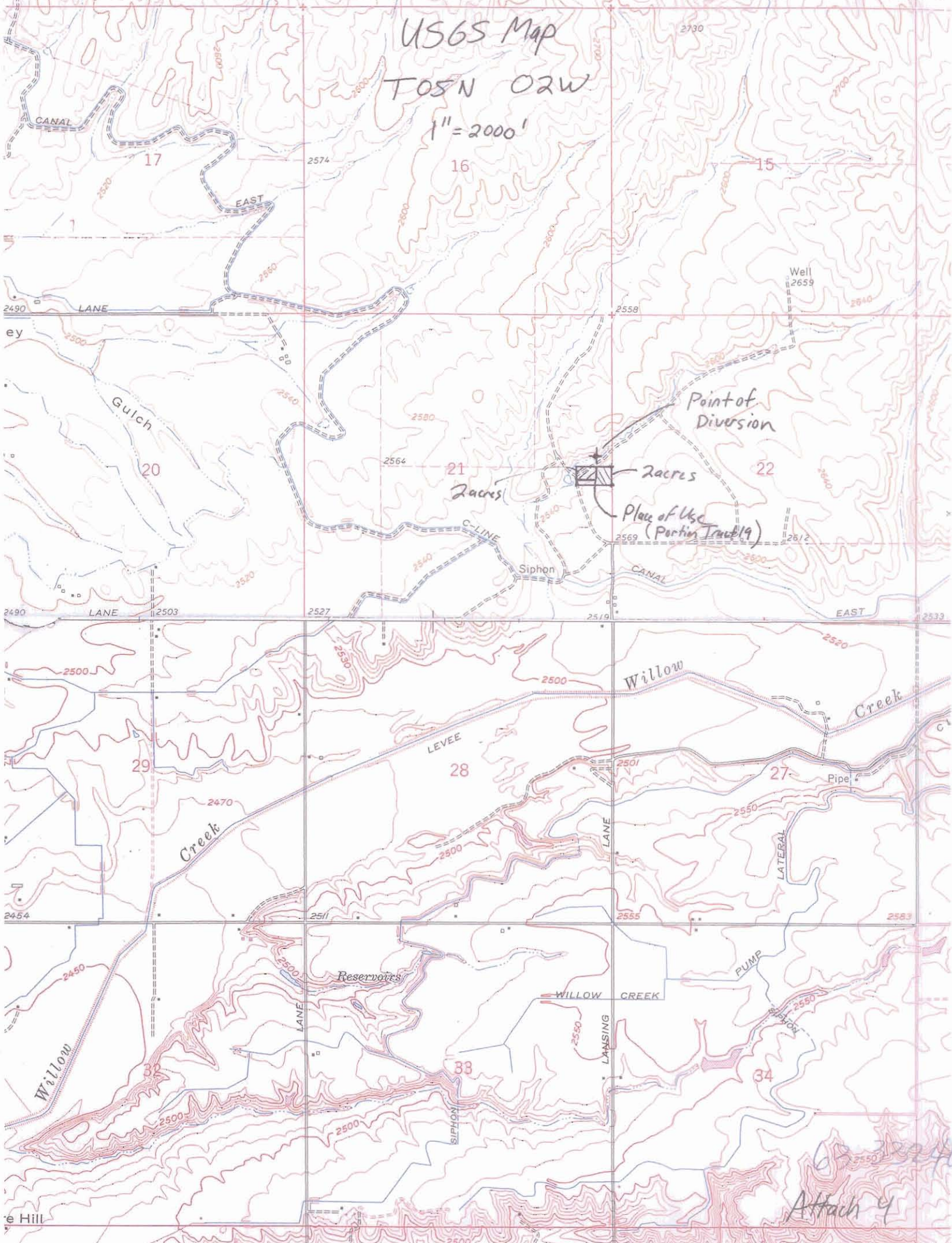
Vicinity B

Attach 2
63-33240



Site Map

USGS Map
T05N 02W
1" = 2000'



68-28240
Attach 4

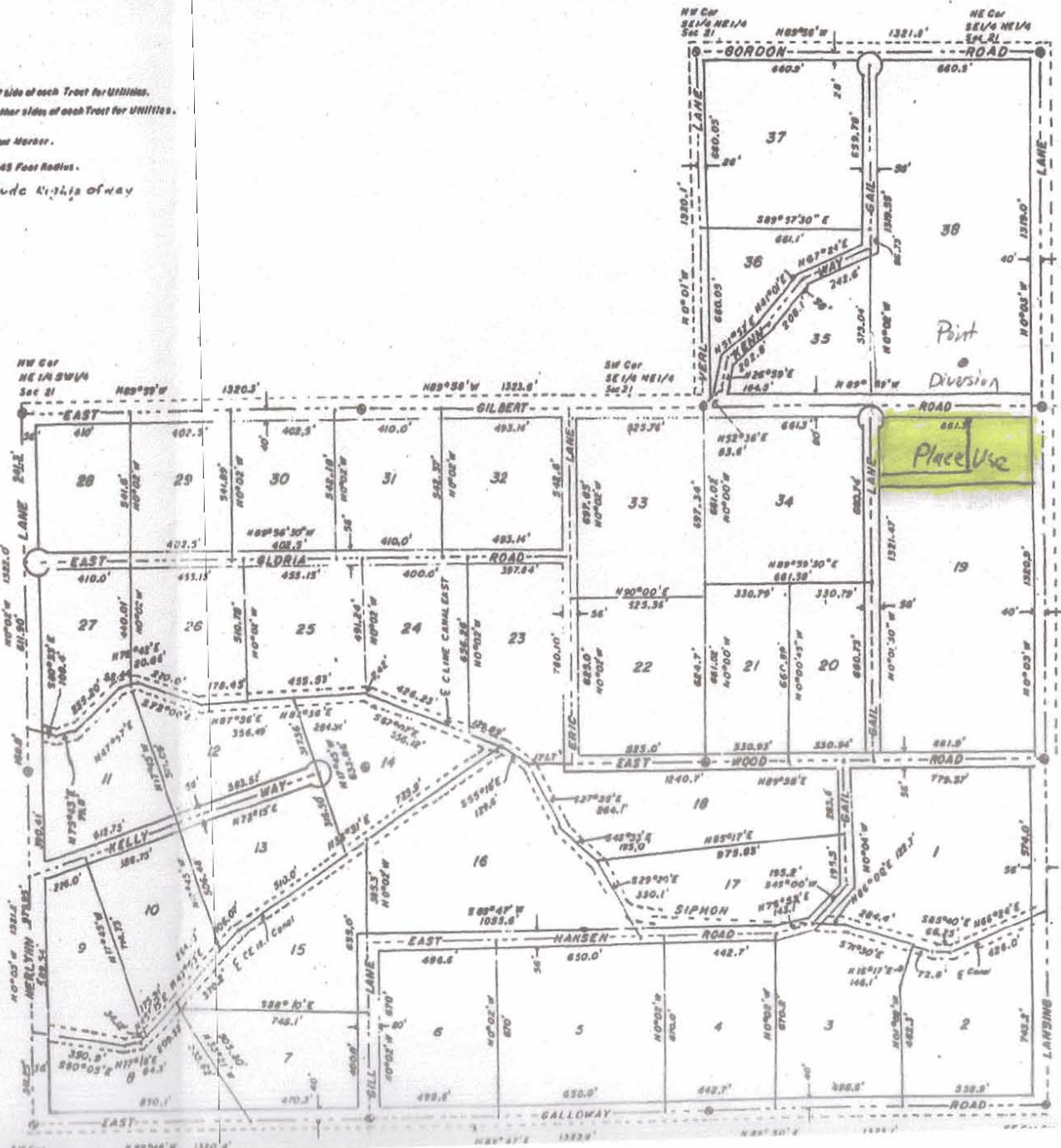
LANSING HEIGHTS ESTATES

5 foot Easement on front side of each Tract for Utilities.
10 foot Easement on all other sides of each Tract for Utilities.

• Gross Cap Government Marker.

All Turn-Arounds Have 45 Foot Radius.

Compensations include Rights of Way



RECORDED
at the Request of
GORDEN J. HANSEN
Plat Book 12 Page 8
Fee: 5.00

700854

FILED

FEB 15 4 17 PM '73

WALTER FRY
COUNTY RECORDER
11/26/72

PLAT

of the Southeast 1/4 and the East 1/2 of the Southwest 1/4 and the
Southeast 1/4 of the Northeast 1/4 all in Section 21, Township
3 North, Range 2 West of the Boise Meridian in Canyon County,
Idaho.

STATE OF IDAHO) SS
COUNTY OF CANYON)

I, Earl G. Greer, a Professional Engineer, do hereby certify
that the survey of the

LANSING HEIGHTS ESTATES

was made by me or under my direction, I further certify that
the DESCRIPTION written in the DEDICATION is correct
according to the survey and that this PLAT correctly represents
the survey as made.

IN WITNESS WHEREOF: I have hereunto set my hand
and seal this 30th day of JAN. 1973.

Earl G. Greer
Registered Professional Engineer

STATE OF IDAHO) SS
COUNTY OF CANYON)

Acknowledged before me 30th day of Jan, 1973.

Orval L. Greer
Notary Public

Residing at Boise, Idaho

N
1



0' 300' 600' 900'

Scale in Feet

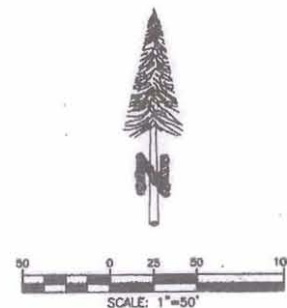
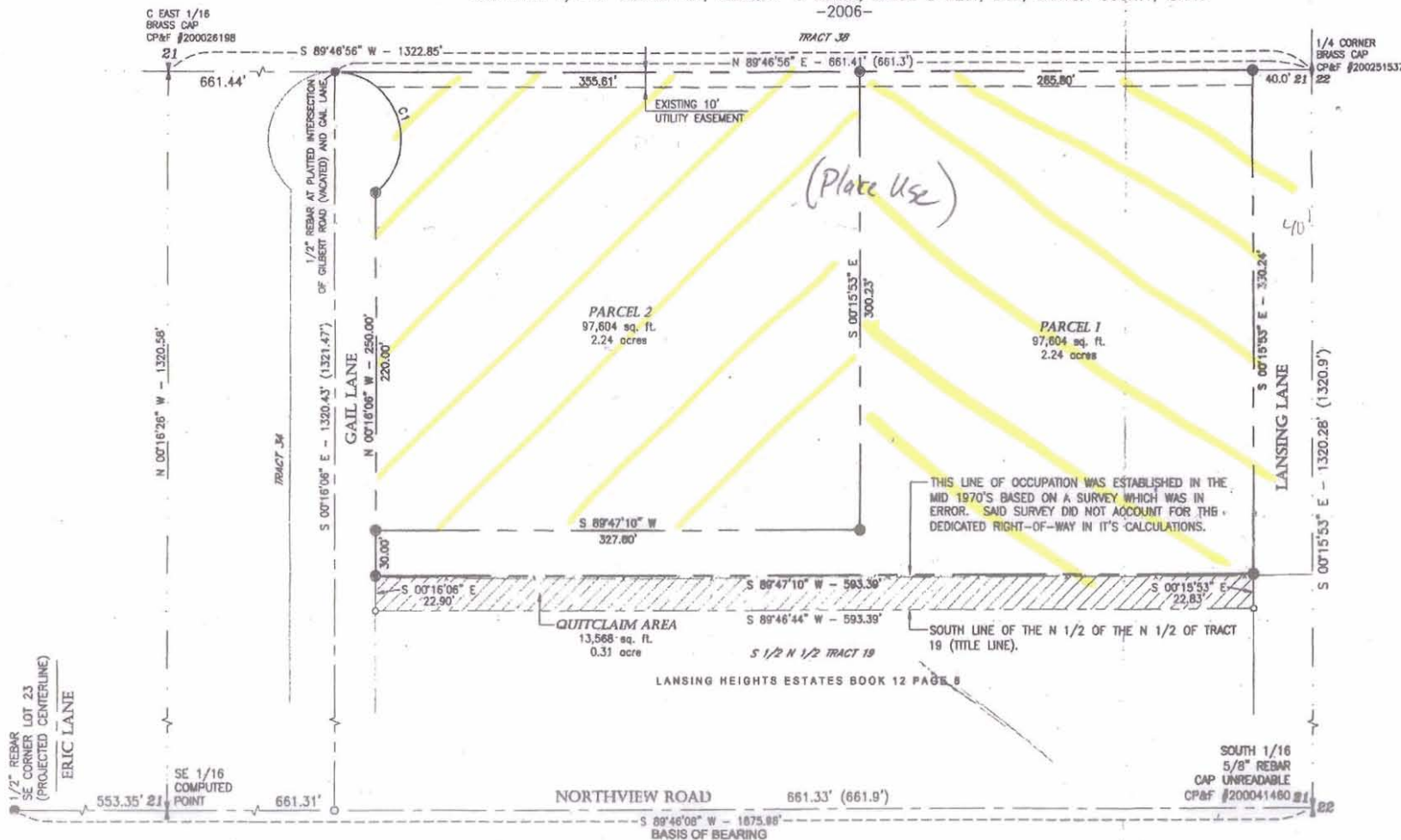
43-33240
Attachments

RECORD OF SURVEY FOR THOMAS POINTS

A PORTION OF TRACT 19, LANSING HEIGHTS ESTATES, BOOK 12, PAGE 8, LOCATED IN THE NORTHEAST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 2 WEST, B.M., CANYON COUNTY, IDAHO
-2006-

RECORDED

2006 JUN 22 AM 9 45

C NOEL HALES
CANYON CNTY RECORDER
BY**RECORD DATA**

PLAT, Book 12, Page 8
Inst. #700954

DEED Inst. #200530026

RIGHT-OF-WAY VACATION
Case No. VAC 06-001

NARRATIVE

This survey was made at the request of Thomas Points to establish the boundaries as shown. Said survey reflects the joint claim of land owners to hold line of occupation as property line from this point forward. This survey shows the intended split of remaining land owned by Points.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	111.15'	45.00'	141°31'17"	84.97'	N19°30'27"W

BASIS OF BEARING:

The center line of Northview Road, being a portion of the East-West 1/16th line bisecting the Southeast 1/4 of Section 21, Township 5 North, Range 2 West, Boise Meridian, taken as South 89°45'08" West.

LEGEND

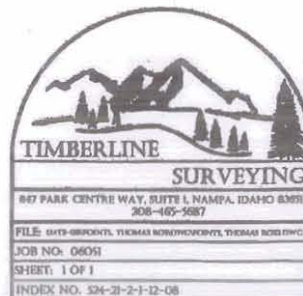
- FOUND 1/4 COR. MONUMENT AS NOTED
- FOUND 1/16 COR. MONUMENT AS NOTED
- SET 5/8" REBAR W/ CAP CRM 6901
- COMPUTED POINT
- FOUND 1/2" REBAR - CAP UNREADABLE
- BOUNDARY LINE
- TITLE BOUNDARY LINE VACATED BY ACQUIESCENCE
- ADJOINER'S BOUNDARY LINE
- EXISTING FENCE LINE
- EASEMENT LINE
- SECTION LINE
- PLATTED ROAD CENTER LINE
- (661.3')
- RECORD DATA - LANSING HEIGHTS ESTATES

CERTIFICATE:

I, Craig R. McCullough, hereby state that I am a Registered Professional Land Surveyor, Licensed by the State of Idaho, and that this is a reasonably accurate representation of the survey as made by me or under my direct supervision.

CRAIG R. MCCULLOUGH

P.L.S. 6901



DISCLAIMER
Timberline Surveying assumes no responsibility for present or future compliance or non-compliance of any ordinance to include building permits or the licensee's license.

Attach to 63-33240

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, February 11, 2010 12:19 PM
To: 'legals@idahopress.com'
Subject: LEGAL NOTICE
Attachments: Canyon County - Cover Letter.Doc; Canyon County Ads - Combined.Doc

Attached please find (1) legal notice being submitted for publication. 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 Buffington
Administrative Assistant
Dept of Water Resources
Western Region

February 11, 2010

LEGAL NOTICE DEPARTMENT

PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Transfer No. 76094
Water Right No(s). 63-10118, 63-2849

RE: Application For Permit No(s).: 63-33239, 63-33240 and 63-33299

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 3/8/2010. 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:

63-33239

SEVEN NEIGHBORS
9252 HWY 20-26
CALDWELL, ID 83605

Point of Diversion NWNW S35 T04N R02W CANYON County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 7/22/2009

Place Of Use: IRRIGATION

T04N R02W S35 NWNW

Total Acres: 4.5

Water bearing zone to be appropriated is from 100 to 200 feet.

63-33240

TOM POINTS
KARI FREDERICK POINTS
26600 GAIL LN
MIDDLETON, ID 83644

Point of Diversion NESE S21 T05N R02W CANYON County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 7/24/2009

Place Of Use: IRRIGATION

T05N R02W S21 NESE

Total Acres: 4

Water bearing zone to be appropriated is from 150 to 180 feet.

63-33299

J C WATSON CO INC
PO BOX 300
PARMA, ID 83660

Point of Diversion SENW S35 T05N R04W CANYON County Source GROUNDWATER Tributary

Point of Diversion SWNW S35 T05N R04W CANYON County Source GROUNDWATER Tributary

Use: IRRIGATION 03/01 to 11/15 2.74 CFS

Total Diversion: 2.74 CFS

Date Filed: 11/23/2009

Place Of Use: IRRIGATION

T05N R04W S35 NW (ALL)

Total Acres: 137

Water bearing zone to be appropriated is from 75 to 230 feet. Proposes primary or supplemental irrigation, dependent on crop requirements each year.

PROPOSED CHANGE OF WATER RIGHT(S)

Charles &/or Harriet Siewert of 17734 Lonkey Ln., Caldwell, ID 83607 filed Application No. 76094 to transfer two water rights with 1951 and 1983 priority dates from ground water totaling 1.22 cfs. The purpose of the transfer is to add a second well to the irrigation system to provide flexibility and efficiency. Water will be used at the current place of use approximately 0.25 miles northeast of Homedale Road where it crosses Deer Flat North Canal.

Permits will be subject to all prior water rights. Protests against permit applications may be submitted based on the criteria of Idaho Code § 42-203A. 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 detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before March 8, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 2/18 & 2/25/2010