

Vance/Hansen Prehearing Conference

Protestants: Vance --- H. Lloyd & H. Nitz

Hansen—F. Nitz, H. Nitz, J. Jobe, J. Unsworth, & H Lloyd

Pre Hearing Conference Purpose

- Formulate/simplify the issues*
- Discuss settlements, make settlement offers*
- Address matters that may expedite conduct of the proceeding or settlement*
- Schedule hearings, discovery.*

Evaluation Criteria --Applications for Permit

Pursuant to Idaho Code §42-203A (5)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply sufficient for the purposes intended?
3. Is the application made in good faith, for delay, or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
that is, the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource.
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

Web References www.idwr.idaho.gov, select forms-rules-statutes

- Idaho Code 42-203A *Protests—Hearings Appeals*
- Rules of Procedure; IDAPA 37.01.01
- Water Appropriation Rules; IDAPA 37.03.08

Ground Water Appropriation Fact Sheet Summary

- Domestic Use Definition—exempt from water right requirements
 - Single family residence—13,000 gal/day & ½ acres irrigation
 - Other uses-- .04 cfs (18-gpm) & 2500 gal/day IC 42-111 & 42-227
- All other uses require a water right
- Ground water is not regulated in southwest Idaho (unlike eastern-southern Idaho). Regulation is accomplished by measurement/water district under IC 42-706 & 42-604 Domestic wells are exempt from regulation.
- The state of Idaho does not guarantee a pumping level. A reasonable pumping level can be established by the Director. IC 42-226
- Domestic users with wells prior to 1978 are given special protection under the Parker vs. Wallentine case.
- IDWR generally does not have jurisdiction whether a residential subdivision has individual domestic wells or community well is selected. Local zoning, reg. agencies, and developer.

IDWR Jurisdiction

- Illegal Diversions from any source IC 42-201, IC42-351
- Lateral ditch distribution –lateral association

-Water Districts

IDWR Non-jurisdiction (Normally Civil Issues)

- Trespass/right-of-way issues
- Conveyance issues beyond the point of diversion—neighbor has blocked ditch, won't maintain it.
- Too many domestic wells impacting older wells, “drying my well up.”
- Wells with a recorded water right impacting older domestic wells, unless conditions of approval address a specific remedy.
- Irrigation District internal issues generally not administered by IDWR.

Conference Handout

Untitled - ArcMap - ArcView

File Edit View Insert Selection Tools Window Help

1:9,054

Process POU POD Wells SC

Layers

WR-POD

Wells

hgs2006rds

Taxlots

PLSS

TownshipRange

Sections

QQ

DRG

Imagery

1987

1992 DOQQ

2006 2 meter

2006 1 meter

2004



Meridian Rd.

Panama

Locust Grove

Anti

Pratt

Pratt

Marjorie

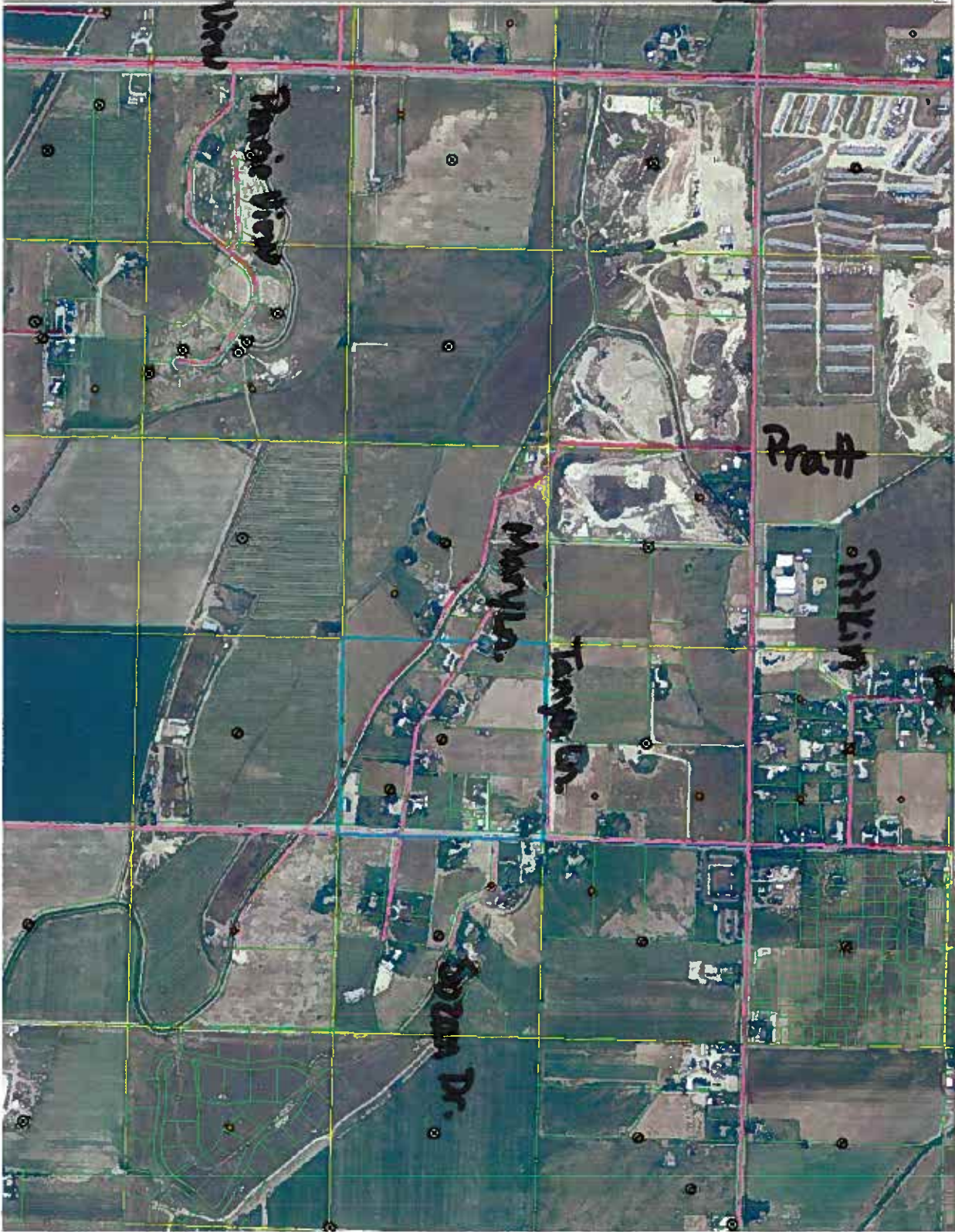
Tanya Dr

Boona Dr.

Shaker View

Shaker View

- Layers
 - ☒ WR-POD
 - ☒ Wells
 - ☒ User2006rds
 - ☒ Taxlots
 - ☒ PLS
 - ☒ TownshipRange
 - ☒ Sections
 - ☒ DRG
 - ☒ Imagery
 - ☒ 1987
 - ☒ 1992 DOQQ
 - ☒ 2006 2 meter
 - ☒ 2006 1 meter
 - ☒ 2004



PERMIT ID	OWNER	WELL ADDRESS	TOWNSHIP	RANGE	SECTION	1/4	1/4	DIAMETER	STATIC WATER	BOTTOM OF CASING	BOTTOM OF LINER/ SMALLER CASING	WELL DEPTH	SCREEN	PERF	YEAR CONSTRUCTED
	BOB LEVITT		3N	1E	29	SE	SW	6	20	85		85	NONE	NONE	1977
	IDAHO FIRST NATIONAL TRUST		3N	1E	29	SE	SW	6	21	53.6		56	NONE	?	1969
	BRUCE BLAZER	4500 S RAMONA ST	3N	1E	29	SW	SW	6	40	85	94	94	82.6-93	NONE	1990
	CHUCK FULMORE		3N	1E	29	SW	SW	6	20	137		147	NONE	?	1972
	GENE ATKINSON		3N	1E	29	SW	SW	?	31	75		81	76-80	NONE	1966
722339	INTERWEST HOMES	? 1401 E PITKIN	3N	1E	30	SE	SE	6	42	75		75	NONE	NONE	1987
731390	SCOTT & DOREEN COMPTON	1300 E AMITY	3N	1E	30	SE	SE	6	115	167		178	168-178	NONE	1997
727881	CHERRY LANE CONSTRUCTION	1357 PITKIN AVE	3N	1E	30	SE	SE	6	60	120		140	130-140	NONE	1994
722473	INTERWEST HOMES	1360 E PITKIN AVE	3N	1E	30	SE	SE	6	44	73		78	NONE	NONE	1988
767917	ROLLIE SIELOFF	1410 E AMITY	3N	1E	30	SE	SE	6	63	138	159	159	139-149	NONE	2001
727540	JIM & PAT STURGIS	1450 PITKIN AVE	3N	1E	30	SE	SE	6	37	276		285	280-285	NONE	1993
722502	INTERWEST HOMES	4499 S RAMONA ST	3N	1E	30	SE	SE	6	45	94	89	94	89-94	NONE	1988
727200	JOE AMYX	4577 S RAMONA	3N	1E	30	SE	SE	6	80	211	221	221	214-219	NONE	1993
805451	COMPLETE PROPERTY MANAGEMENT	4615 S LOCUST GROVE	3N	1E	30	SE	SE	6	38	227		238	228-238	NONE	2003
727563	HEPPER HOMES	E PITKIN AVE	3N	1E	30	SE	SE	6	62	162.7	171	171	164-169	NONE	1993
823622	AL LEWIS		3N	1E	30	SE	SE	6	31	95		100	NONE	NONE	1969
827670	ALBERT LEWIS		3N	1E	30	SE	SE	6	31	104		104	NONE	NONE	1968
829197	ALBERT LEWIS		3N	1E	30	SE	SE	6	31	132		132	NONE	84-90	1968
794091	LARRY FLYNN		3N	1E	30	SE	SE	6	85	99		99	NONE	NONE	1975
794032	LARRY FLYNN		3N	1E	30	SE	SE	6	50	147		148	NONE	NONE	1976
820569	MARY MCPERSON MERIDIAN SCHOOL DIST		3N	1E	30	SE	SE	?8 OR 6	110	238		280	240-260	NONE	1986
	ED AYRES / MERIT HOMES	1505 PITKIN AVE	3N	1E	30	SW	SE	6	30	302		310	303-309	NONE	1994
	JOE AMYX BUILDER	4467 S RAMONA	3N	1E	30	SW	SE	6	53	225	234	234	227-232	NONE	1992
	RANDY MAJORS	PITKIN ST	3N	1E	30	SW	SE	5	45	253		205	253-258	NONE	1992
	PLEASENT MONDY		3N	1E	30	SW	SE	6	80	99		100	NONE	NONE	1976
	R J EVANGELHO		3N	1E	30	SW	SE	6?		157		157?	?	?	1969
832309	DAN HOLLOWELL	6255 S TARREGA	3N	1E	31	NE	SE	6	112	238	253	253	242-252	NONE	2005
778592	JOE MURGOITIO		3N	1E	31	NE	SE	6?		320		320?	240-320		1962
833293	BRUCE MARTIN	1135 MARY LN	3N	1E	31	NE	NE	6	120	302		307	NONE	?	1974
837943	ALL AMERICAN	1370 TANYA LN	3N	1E	31	NE	NE	6	120	319		345	335-345	NONE	2006
777003	LORIN CLAPSON	5175 LOCUST GROVE	3N	1E	31	NE	NE	6	130	248		260	250-260	NONE	2002
830586	CHARLES STEWART	AMITY & LOCUST GROVE	3N	1E	31	NE	NE	6	125	350		360	350-360	350-360	1970
783585	RAYMOND REDING		3N	1E	31	NE	NE	10?	75	152.5		170	NONE	84-112	1966
	DAROLD CLARK		3N	1E	31	NW	NE	6	4	41	40.9	46	40.9-46	NONE	1984
	JOE WARDLE		3N	1E	31	NW	NE	6	75	133.7		141	134-139	NONE	1987
	LEROY ESHELMAN		3N	1E	31	NW	NE	4	108?		?	167?	?	?	1961
778597	DON DORRIS		3N	1E	31	NW	SE	4	98?			222?	?	?	1961

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849752	MCCARTER MOOREHOUSE CO	1473 MARY LN	3N	1E	31	SE	NE	6	139	246	251	256	251-256	NONE	2007
726263	FRED NITZ	5325 S LOCUST GROVE RD	3N	1E	31	SE	NE	6	135	349	358	360	351-356	NONE	1992
722034	GEORGE STEWART (JOHN & CATHY JOBE)	5495 S LOCUST GROVE	3N	1E	31	SE	NE	6	130	293		295	NONE	NONE	1983
	HERB LLOYD		3N	1E	31	SW	NE	6	115	148		159	NONE	NONE	1977
	BRENT & SHERRI PATRICK	2125 E AMITY RD	3N	1E	32	NE	NW	6	35	235		241	235-240	NONE	1993
	ED YOUNG	2375 E AMITY	3N	1E	32	NE	NW	6	52	104	104	109	104-109	NONE	2008
	PAULA MANNLEIN	2385 E AMITY	3N	1E	32	NE	NW	6	42	98	112	112	105-110	NONE	2007
	JERRY SJAASTAD	AMITY & LOCUST GROVE	3N	1E	32	NE	NW	6	30	93		102	95-100	NONE	1984
	DONNA FRISCH		3N	1E	32	NE	NW	6	30	94		97	NONE	NONE	1985
794097	LDS CHURCH	LOCUST GROVE & AMITY	3N	1E	32	NW	NW	8	31.1	501	533.5	535	517.7-530.5	NONE	1976
722211	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS (WR 63-09669)		3N	1E	32	NW	NW	6	37	133		150	142-150	NONE	1985
811063	IDAHO POWER CO		3N	1E	32	NW	NW	6	19	89	97	97	84-92	?	1978
823524	LARRY PAPE		3N	1E	32	NW	NW	6	115	192		192	180-190	NONE	1977
	BILL WARD	AMITY (1565?)	3N	1E	32	SE	NW	6	32	90		100	NONE	NONE	1992
	ARNOLD UPPIANO	S LOCUST GROVE	3N	1E	32	SE	NW	6	122	183		195	177-195	?	1973
725579	WALTER AMUNDSON	1730 SUZAN DR	3N	1E	32	SW	NW	6	135	190		205	190-205	NONE	1992
782215	KOLE CROFTS	1770 MARY LN	3N	1E	32	SW	NW	6	108	249	256	256	236-256		2002
830068	DAVE COOK	N LOCUST GROVE & MCMILLIAN	3N	1E	32	SW	NW	4	17	77		83	NONE	NONE	1968
812866	KENNETH ARNOLD	S LOCUST GROVE	3N	1E	32	SW	NW	6	11.5	190		191	NONE	NONE	1971
794078	BURT SMITH		3N	1E	32	SW	NW	6	123	187		191	NONE	NONE	1973
974099	JOE HARRIS		3N	1E	32	SW	NW	6	125	223		267	NONE	NONE	1973
725746	PAUL RALPH		3N	1E	32	SW	NW	6	140	307		318	107-117	NONE	1992
794100	WALTER AMUNDSON		3N	1E	32	SW	NW	6	118	190		197	NONE	186-190	1972