State of Idaho
Department of Water Resources

Water Right License

Water Right No. 2-10640

Priority: September 07, 2022 **Maximum Diversion Rate:** 0.12 CFS

It is hereby certified that:

RANDOLPH SCHOLZ 4150 CLARK ISLAND LN HOMEDALE ID 83628

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 07, 2022, and has submitted Proof of Beneficial Use on June 24, 2024. An examination confirms water is diverted from:

Source : SNAKE RIVER **Tributary:** COLUMBIA RIVER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/01 to 11/15	0.08 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion
SNAKE RIVER NW¼ SE¼, Sec. 13, Twp 03N, Rge 05W, B.M. OWYHEE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13														1.7 L6			1.7

Total Acres: 1.7

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13														X L6			

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
3. The point of diversion and place of use for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
4. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 2-10640

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 11th day of December, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

2-10640

This map depicts the IRRIGATION and DOMESTIC boundaries for the places of use ("POU") for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

- Point of Diversion
- POU - Irrigation
- POU - Domestic
- Township/Range
- Sections
- QQ

N

Form 42-217 Rev. 6/22

RECEIVED
JUN 24 2024
WATER RESOURCES
WESTERN REGION

FOR OFFICE USE ONLY	
Amt. of Fee $	50 -
Receipt No.	W052036
Receipted By	MB
Date Receipted	6/24/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 2-10640 Name of Permit Holder(s) RANDOLPH SCHOLZ

Telephone No. (208) 789-5534 Email —

Mailing Address 4150 CLARK ISLAND LN City HOMEDALE State ID Zip 83628

2. Source of Water SNAKE RIVER If Ground Water (well), Date Drilled mo. - / yr. -

Drilling Permit/Tag No. - Drilling Company's Name -

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) 1 Irrigation (No. acres) 3.1 Stockwater (No. and stock type) -

Other -

4. Total diversion rate or volume (storage only) for which proof is submitted 0.13 cfs OR _____ af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

SEE ATTACHMENTS

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☐	☐	☑	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $ 50 - or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: RANDY SCHOLZ Telephone No. (208) 789-5534 Email -

Mailing Address 4150 CLARK ISLAND LN City HOMEDALE State ID Zip 83628

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

R.W. Scholz — RANDOLPH SCHOLZ - OWNER — 06/24/24

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

2-10640

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



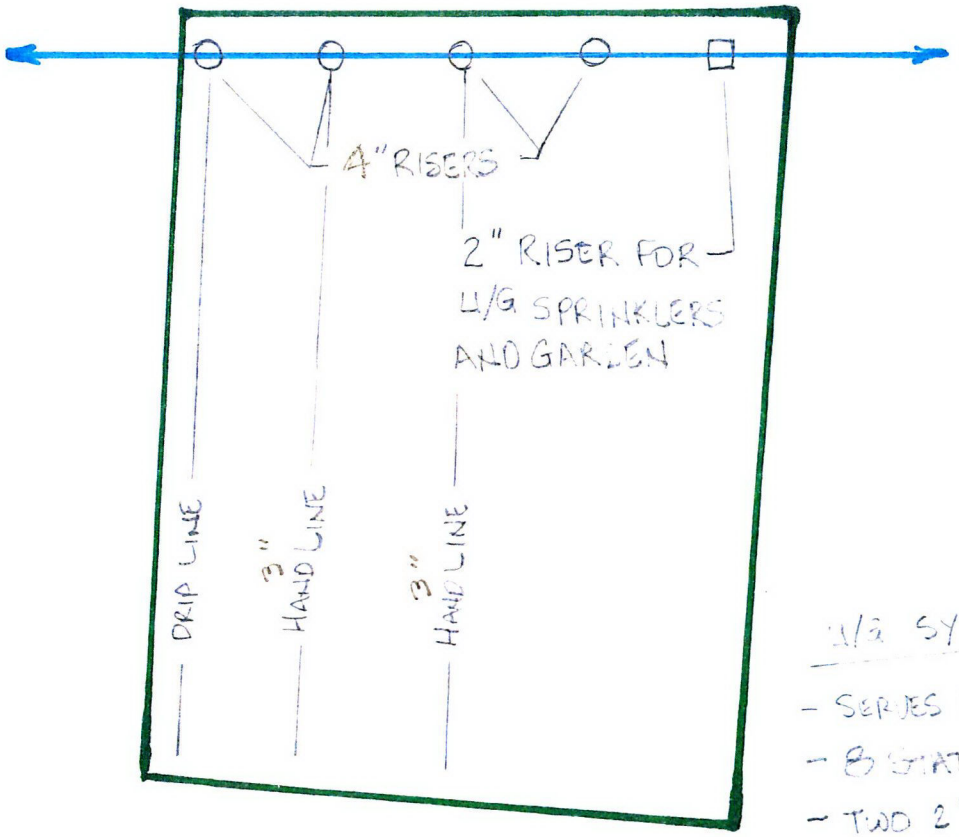
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.035 0.07 0.14 Miles

N

RECEIVED
JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

Scholz Property Schematic



U/G SYSTEM

- SERVES EAST ½ OF PROPERTY
- 8 STATIONS
- TWO 2" VALVES
- ONE 1¼" VALVE
- FIVE 1" VALVE
- ALL RUN AUTOMATICALLY FROM TIMER IN GARAGE

Pump Information

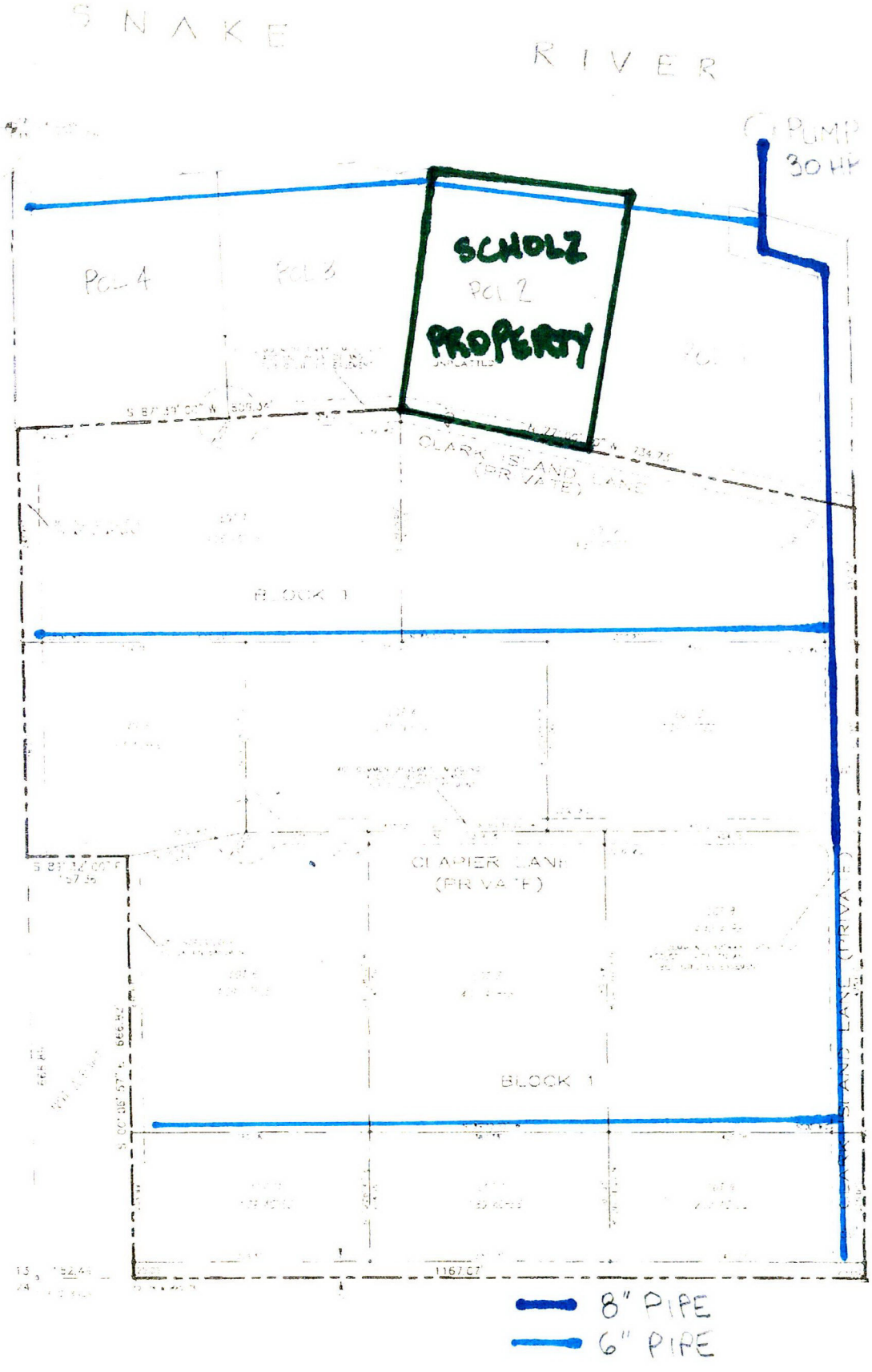
Century Pump Motor

Part 6-323052-01 FR 286TCZ

30 Horsepower

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JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

Overall Schematic – Clark Island Subdivision



CLARK ISLAND PUMP.



BEGINNING CLARK ISLAND UNDERGROUND



LOOKING NORTH EAST



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JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

LOOKING NORTH WEST



LOOKING NORTH



LOOKING SOUTH WEST



LOOKING WEST



LOOKING NORTH



LOOKING NORTH EAST



LOOKING SOUTH



LOOKING EAST



LOOKING SOUTH EAST



LOOKING SOUTH



LOOKING SOUTH



LOOKING SOUTH



SCHOLZ POND



- NO WATER IS PUMPED INTO OR OUT OF THE POND
- POND IS NATURAL
- POND IS FEED VIA UNDERGROUND WATER
- POND LEVEL FLUCTUATES DURING THE YEAR
- AERATOR RUNS 24/7 TO KEEP POND HEALTHY

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 2-10640

Priority: September 07, 2022 **Maximum Diversion Rate:** 0.13 CFS

This is to certify that

RANDOLPH SCHOLZ 4150 CLARK ISLAND LN HOMEDALE ID 83628

has applied for a permit to appropriate water from:

Source : SNAKE RIVER **Tributary:** COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	03/01 to 11/15	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion

SNAKE RIVER NW¼ SE¼, Sec. 13, Twp 03N, Rge 05W, B.M. OWYHEE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13														2.1 L6			2.1
03N	05W	13														1.0			1.0

Total Acres: 3.1

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13														X L6			
03N	05W	13														X			

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2027.**
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. The point of diversion and place of use for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

SCANNED
NOV 23 2022

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 2-10640

6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 21st day of November, 2022.

SCOTT STORMS
Water Rights Supervisor

SCANNED
NOV 23 2022

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

2-10640

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.035 0.07 0.14 Miles

N

SCANNED
NOV 2 3 2022

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

2-10640

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.035 0.07 0.14 Miles

N

SCANNED
NOV 23 2022

[redacted] [redacted]

RECEIVED
SEP 07 2022
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

No. ~~57-12000~~ 2-10640

1. Applicants

Randolph Scholz
4150 Clark Island Ln
Homedale, ID 83628
6268260484
keyfig@hotmail.com

2. Representatives

Submitter is one of the applicants

3. Source of Water Supply
Source : SNAKE RIVER tributary to SNAKE RIVER

4. Location of Point(s) of Diversion

POD #	Source	Tributary Of	Diversion Type	Township	Range	Section	Govt Lot	QQQ/QQ/Q	County
1	SNAKE RIVER	SNAKE RIVER		03N	05W	13		/NW/SE	OWYHEE

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	01/01 to 12/31	0.04 cfs	0.00 afa	Water for household use
IRRIGATION	3/1 to 11/15	0.09 cfs	0.00 afa	Irrigation for pasture

6. Total quantity to be appropriated is (a) 0.13 cfs **and/or** 0 afa

7. Proposed Diverting Works:

POD No :1
Description: Pump and piping

8. Description of Place Of Use:

DOMESTIC							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
03N	05W	13	NW	SE	OWYHEE	6	
03N	05W	13	NW	SE	OWYHEE		
IRRIGATION							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
03N	05W	13	NW	SE	OWYHEE	6	2.10
03N	05W	13	NW	SE	OWYHEE		1.00

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. Land Ownership

- **Who owns the land to be irrigated or place of use?** Applicant
- **Who owns the land at the point of diversion?** Applicant does not own

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.
Water for one household and irrigation for pastures

13. Time required for completion of works and application of water to proposed beneficial use is 5 years **(minimum is 1 year).**

SCANNED
SEP 29 2022

State of Idaho
Department of Water Resources

Application For Permit

57-12093



0 0.035 0.07 0.14 Miles

- Point of Diversion
- Place Of Use Boundary
- Township
- PLS Sections
- Quarter Quarters

N

SCANNED
SEP 29 2022

Prepared By: Web User

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 12, 2024

RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE ID 83628

RE: License No. **2-10640**

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Phill Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2024, I served a true and correct copy of Water Right License No. 2-10640 by U.S. Mail, postage prepaid, to the following:

RANDOLPH SCHOLZ (Current Owner)
4150 CLARK ISLAND LN
HOMEDALE ID 83628

WATER DISTRICT #02
ROB WHITNEY (Watermaster)
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

Debra Mansfield
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 2-10640
Exam Date: 9/13/2024

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? ☒Yes ☐No
   a. ☒ Irrigation of 5 acres or less
   b. ☐ Storage of up to 14.6 acre-feet ("AF") for stockwater purposes only
   c. ☒ Combined diversion rate is less than 0.24 cubic feet per second ("cfs")

2. Current Owner: Name: Randolf Scholz
   Owner of Record Correct? ☒Yes ☐No
   Address of Record Correct? ☒Yes ☐No

3. Beneficial Use Fees have been paid: ☒Yes ☐No Receipt No: W052036

4. **SOURCE**: Snake River — **TRIBUTARY**: Columbia River

Method of Determination: GIS and information provided by Randolf Scholz ("the permit holder") for the application for permit and the Statement of Completion for Submitting Proof of Beneficial Use ("Statement of Completion").

Change in Source: ☐Yes ☒No

B. OVERLAP REVIEW

1. Other water rights with the same place of use: ☒Yes ☐No

Water Right No.	Source	Purpose of Use	Basis
2-64	Snake River	Irrigation	Decree
2-65	Snake River	Irrigation	Decree
2-10416	Snake River	Irrigation	License
2-10515	Snake River	Irrigation	Permit

Comments: The Water Rights listed in the table above are owned by Gem Irrigation district. The Gem Irrigation Service area overlaps with the place of use ("POU") of this permit, but the permit holders may not have irrigation shares. The authorized domestic and irrigation uses of this permit appear to be new uses within the overlapping place of use boundaries. The total irrigation within this permit's POU can be limited to a standard rate and volume per acre to ensure conservation of water resources. Other authorized water uses do not overlap with the property boundaries of the POU for this permit.

2. Other water rights with the same point(s) of diversion: ☒Yes ☐No

Confirmed overlap by permit holder

Water Right No.	Source	Purpose of Use	Basis
2-7087	Snake River	Irrigation	Decree
2-7210	Snake River	Irrigation	Decree
2-10646	Snake River	Domestic, Irrigation	Permit

Comments: Based on my conversation with the permit holder on September 10, the table above lists the authorized uses that use the same diverting works. Mr. Scholz said that the same 30-horsepower pump is used to provide water within the Clark Island Subdivision. With the Statement of Completion, Mr. Scholz provided a diagram of the diverting works that includes other properties within the subdivision (See "Overall Schematic – Clark Island Subdivision" attached to this report.)

PODs listed as overlapping, but may not overlap

Water Right No.	Source	Purpose of Use	Basis
2-7211	Snake River	Irrigation	Decree
2-10586	Snake River	Irrigation	Decree

Comments: In our conversation from September 10, the permit holder stated that there is a separate intake pipe, pump, and electrical box for the water rights diverting to the pivots irrigating land next to the Clark Island Subdivision. The separate electrical boxes and a separation of the diverting works can be seen in a photo labeled "Beginning Clark Island Underground" that was submitted by the user (Jun 24, 2024 – attached). In contrast to the comments from the permit holder, the conditions on the water rights listed above include:
"The following rights are also diverted through point of diversion described above: 2-7087, 2-7210, 2-7211 and 2-10586."

My review did not include an on-the ground inspection. I am unable to confirm that water rights 2-7211 and 2-10586 use a separate POD and diverting works than those for this permit.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Snake River	6		NW	SE	13	03N	05W	B.M.	Owyhee

Method of Determination: GIS and photographs of the diverting works provided by the permit holders.

Change in POD? ☐Yes ☒No Amendment Required? ☐Yes ☒No

2. **PLACE OF USE:** Use: Domestic and Irrigation. The POUs for this permit include unsurveyed accretion land next to the Snake River. The quarter-quarter description has been protracted from the adjacent public land survey.

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	13														D			
03N	05W	13														D Lot 6			
03N	05W	13														.9			.9
03N	05W	13														1.7 Lot 6			1.7
																Total Acres =			2.6

Method of Determination: GIS analysis of developed acres within parcel boundaries as identified by this permit.

Change in POU? ☐Yes ☒No Amendment Required? ☐Yes ☒No

3. Diversion System Information:

Description:

_X_ Delivery System Diagram Attached. (mark all major components and distances between components)

_X_ Aerial Photo Attached (required)

_X_ Photo of Diversion and System Attached

_X_ Map clearly identifying POD and POU

3. Well or Diversion Identification No.*	Pump Make	Part Number	Frame	Serial number	HP
Clark Island Pump	Century Pump	6-323052-01	286TCZ	Unknown	30

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1. Measurements: Because this permit qualifies for an in-office examination, no flow measurements were taken.

E. FLOW CALCULATIONS No Additional Computation Sheets Attached

Measured Method: The permit holders stated that they have a 30-horsepower pump, which I used for calculations of a theoretical diversion rate (Q).

$$Q = \frac{Conversion\ Factor\ to\ cfs * Efficiency\ of\ pump\ (\%) * Horse\ Power}{depth\ to\ water + converion\ factor\ of\ psi\ to\ feet\ of\ head * psi}$$

$$Q = \frac{8.8 * 0.7 * 30}{20 + 2.31 * 50}$$

$$Q = 1.365\ cfs$$

The following values in the theoretical equation are estimates and were not measured: Efficiency of pump (70%), depth to water (20 ft), and a common lower end pressure rating irrigation (50 psi).

The calculated theoretical diversion rate for a 30-horsepower pump appears to be sufficient for the combined diversion rate of the authorized diversions for the Clark Island Subdivision (Water Right Nos. 2-7087 (0.6 cfs), 2-721- (0.35cfs) and Permit Nos. 2-10640 (0.12 cfs) and 2-10646 (0.15 cfs)).

$$Clark\ Island\ Subdivision\ diversions = 0.6\ cfs + 0.35\ cfs + 0.12\ cfs + 0.15\ cfs$$

$$= 1.23\ cfs$$

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 2.6 acres x 4.5 AF / acre = 11.7 AF

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 AF / (day x cfs)
= 0.03 cfs x 260 days x 1.9835 AF / (day x cfs) = 15.5 AF

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 11.7 AF

Comments: Pursuant to IDAPA 37.03.02.035.01. a volume is not required for irrigation use from a natural stream.

2. Volume Calculations for Other Uses: Domestic use for one home = 0.6 AF per year.

   Comments: For Domestic use where irrigation is separated, Administrator's Memorandum – Application Processing # 22 – "Definition of "Domestic" " recommends an annual diversion volume of 0.6 AF.

3. Total Volume: N/A irrigation use from a natural stream is exempt from volume reporting so there should not be a total volume.

G. PURPOSE OF USE

Domestic use for 1 home and Irrigation of 2.6 acres. The application for permit described the proposed beneficial uses as "Water for one household and irrigation of pastures."

Change in Purpose of Use? ☐Yes ☒No

Method of Determination: Description of the proposed use in the application for permit, diagrams of the diverting works submitted with the Statement of Completion and GIS analysis of developed acres of irrigation.

H. NARRATIVE/REMARKS/COMMENTS

Randy Scholz ("the permit holder") submitted the Statement of Completion for Submitting Proof of Beneficial Use ("Statement of Completion") on June 24, 2024. Because this permit authorizes a diversion rate less than 0.24 cubic feet per second ("cfs") and the irrigation of less than 5 acres, Permit No. 2-10640 ("this permit") can be licensed through an in-office examination of beneficial use (IDAPA 37.03.02.035.01.r).

The application for permit was originally numbered as application for permit no. 57-12093 before being changed to application for permit no. 2-10640. The change in application numbers recognizes that the water source is the Snake River.

In my conversation with the permit holder on September 10, 2024, Mr. Scholz said that the application for permit was filed

seeking authorization from the Department of Water Resources for an existing water use. Mr. Scholz said that within the subdivision, water use in the properties along the river had been overlooked in previous filings with the Department. The diverting works include a 30-horsepower pump that delivers water to several properties throughout the Clark Island Subdivision. Diverting works used by this permit were in place prior to the application for permit. The permit holder submitted a "Memorandum of Understanding and Written Agreement / Permission" (received on October 11, 2022) to confirm that the permit holder has been granted permission to access the point of diversion ("POD"). The memorandum was signed by the property owners of the granting access to the POD (John and Christel Clapier) and signed by permit holder and his wife, Radolph and Sheri Scholz.

The uses developed under this permit are domestic use for one (1) home, and the irrigation of 2.6 acres "of pasture". Portions of the places of use ("POUs") for this permit include unsurveyed accretion land next to the Snake River. The quarter-quarter descriptions for the POD and POUs have been protracted from the adjacent public land surveys. The boundary for the POU for domestic use was based on the parcel boundaries for parcel number RP03N05W138451.

The permit authorized up to 3.1 acres of irrigation, but I am recommending a reduction in the number of acres to 2.6 for licensing, based on GIS analysis of satellite imagery of the permit holder's property. The property has a total acreage of 3.1 acres. Accounting for the home and other non-irrigated portions of the property, the observed area of irrigation is 2.6 acres. Four pages of documents submitted by the permit holder are attached to this review as evidence of the developed beneficial uses. The attached pages include photographs, diagrams and descriptions of the diverting works for this permit.

I recommend a maximum diversion rate of 0.12 cfs for the combined developed uses. A standard diversion rate for domestic use is 0.04 cfs (Idaho Code §42-111). I recommend 0.08 cfs for irrigation following the standard acceptable rate of diversion for irrigation of 0.03 cfs / acre for the irrigation of 5 acres or less ("Administrator's Memorandum – Application Processing #17 – "Acceptable Rates of Irrigation for Small Acreages").

I recommend an annual diversion volume of 0.6 AF for domestic use for 1 home. Irrigation use from the Snake River is exempt from volume reporting.

Conditions of approval

The four conditions for approval on the permit will be carried forward to the license.

Have conditions of permit approval been met? ☒Yes ☐No

I. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME	ACRES
Irrigation	03/01 to 11/15	0.08 CFS		2.6 acres
Domestic	01/01 to 12/31	0.04 CFS	0.6 AF	
	Totals	**0.12 CFS**		**2.6 acres**

2. Recommended Amendments

___Change POD as reflected above ___Add POD as reflected above _X_ None

___Change POU as reflected above ___Add POU as reflected above _X_ None

Other:

J. AUTHENTICATION – David Betts, Water Resource Agent

Field Examiner's Name David Betts Date 12/11/2024

Reviewer PD Date 12/11/24

Field Exam Map

The map below displays location of the Clark Island Pump (yellow place-marker) at the authorized point of diversion. The yellow outline is the boundaries of the irrigation place of use, within the parcel boundaries owned by the permit holders. Domestic use (not drawn) are the parcel boundaries that encompass the irrigation POU.



Satellite imagery from 2023

RECEIVED
JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

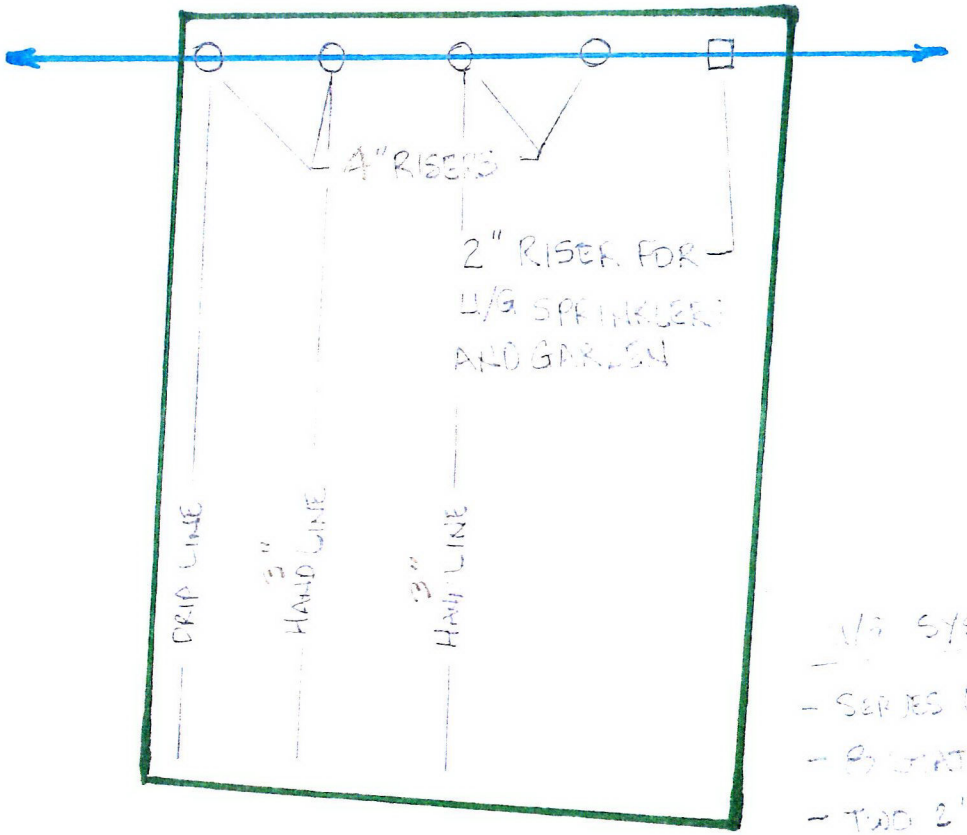
BEGINNING CLARK ISLAND UNDERGROUND

CLARK ISLAND PUMP

LOOKING NORTH EAST

RECEIVED
JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

Scholz Property Schematic



U/G SYSTEM

- SERVES EAST ½ OF PROPERTY
- 8 STATIONS
- TWO 2" VALVES
- ONE ¼" VALVE
- FIVE 1" VALVE
- ALL FROM TIMER AT SHED

Pump Information

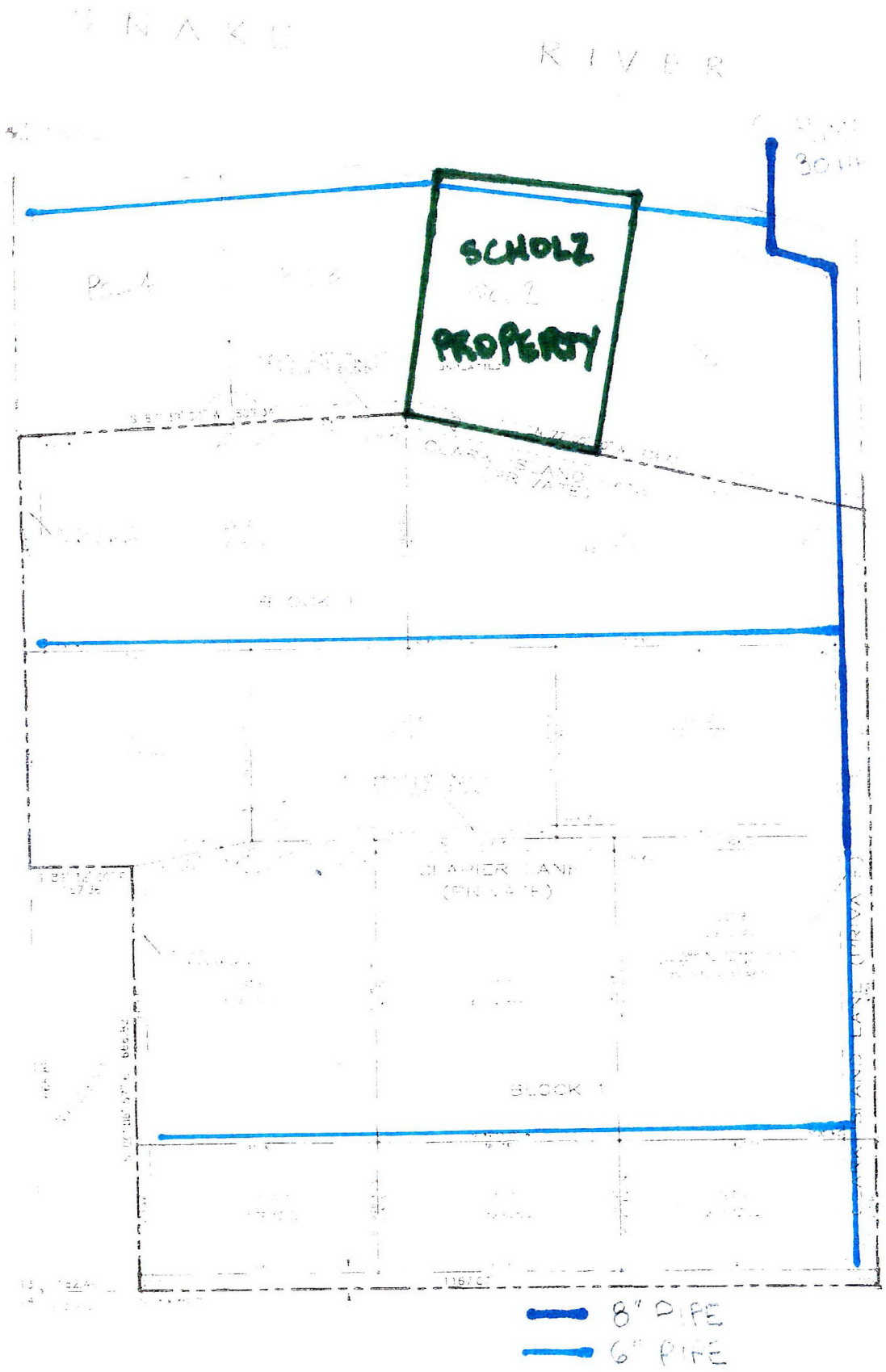
Century Pump Motor

Part 6-323052-01 FR 286TCZ

30 Horsepower

RECEIVED
JUN 24 2024
DEPARTMENT OF
WATER RESOURCES

Overall Schematic – Clark Island Subdivision



Scholz Property Irrigation Details

Permit No. 2-10640

RECEIVED
SEP 12 2024
DEPT. OF WATER RESOURCES

Name	Qty	Sprinkler Type	GPM	Total GPM
Underground Lawn, Garden and Pasture System (East)				
Station 1				**73.10**
	(12)	Hunter Ultra 6" Rotor	5.00	60.00
	(17)	Rainbird Micro Sprayer	0.40	6.80
	(18)	Orbitz Micro Sprayer	0.35	6.30
Station 2				**73.60**
	(14)	Hunter Ultra 6" Rotor	5.00	70.00
	(9)	Rainbird Micro Sprayer	0.40	3.60
Station 3				**25.55**
	(21)	Rainbird Micro Sprayer	0.40	8.40
	(49)	Orbitz Micro Sprayer	0.35	17.15
Station 4				**30.00**
	(6)	Hunter Ultra 6" Rotor	5.00	30.00
Station 5				**30.00**
	(6)	Hunter Ultra 6" Rotor	5.00	30.00
Station 6				**35.00**
	(7)	Hunter Ultra 6" Rotor	5.00	35.00
Station 7				**16.72**
	(2)	Hunter Ultra 6" Rotor	5.00	10.00
	(14)	Nelson Micro Sprinkler	0.48	6.72
Station 8				**20.00**
	(4)	Hunter Ultra 6" Rotor	5.00	20.00
Above Ground Pasture Irrigation (West)				
Handline 1				**1.82**
	(26)	Orbitz Flag Dripper	0.07	1.82
Handline 2				**105.00**
	(15)	Rainbird Impact Sprinkler	7.00	105.00
Handline 3				**98.00**
	(14)	Rainbird Impact Sprinkler	7.00	98.00
Handline 4				**0.00**
	(0)	Unused	0.00	0.00

Randy Scholz
(208) 789-5534

Beneficial Use Proof Evaluation

Permit Number: 2-10640 Reviewer: AVeibell Review Date: 6/25/2024

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 6/24/2024
4) Proof Due Date: 12/1/2027
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -1255
8) Proof received timely? Yes

Analysis

1) Are the water uses correct? Yes
2) Are one of the following items required?
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
3) Are the required items installed? Yes
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
4) Is there a request to waive the required items? No
5) Drilling Permit Number:
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed? No
8) Is proof accepted? Yes

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $50.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): $0.00

Receipt IDs

T113947

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 21, 2022

RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE ID 83628

RE: Permit No. 2-10640

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the

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NOV 2 3 2022

Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 605-4624.

Sincerely,

Lynnie Evans

for Scott Storms
Water Rights Supervisor

Enclosure(s)

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NOV 2 3 2022

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2022, I served a true and correct copy of Permit to Appropriate Water No. 2-10640 by U.S. Mail, postage prepaid, to the following:

RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE ID 83628

Lynne Evans
Administrative Assistant I

SCANNED
NOV 2 3 2022

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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NOV 2 3 2022

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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NOV 23 2022

Nov 2020 N:/WRApplications/PermitChecklist

REVIEW CHECKLIST -- APPLICATION FOR PERMIT

Application # 2-10640 REVIEWER mw DATE 09/22/22

REQUIRED INFORMATION – COMPLETE & ACCURATE – INITIAL DE

- ✓ Name (corporation or partnership, names & addresses for director, officers, &/or other partners must be included – Rule 35.03.b.i) _____ bus. entity #
- ✓ Address
- ✓ Source * (see USGS quad for source/trib names, comment for local name)
- ✓ P/D (10 acres for spring, lot & block info for subdivisions)
- ✓ County *
- ✓ Quantity (flow & /or storage volume)
- ✓ Period of use *
- ✓ Nature of use (list details in app. item 8 if non-irrigation)
- ✓ Municipal Checklist
- ✓ Description of diverting works
- ✓ Time required for beneficial use of water
- ✓ P/U
- ✓ Map (show T, R, Sect, POD & POU)
- ____ Signature (need title of signatory if applicable)
- ✓ Correct fee paid
- ✓ Fee amount, receipt number, receipt date, WR #, and reviewer initials recorded on app
- ✓ Attach proof report & WR Layout Map
- ✓ AdHoc, Application tab: Status = ACTIVE ✓ Draft = NO ✓

Government Lots
_____P/D
_____P/U

*____ tributary, county &/or irrigation season corrected per dept. standards w/o amended appl. per AP Memo #9

_____ Log APPSLIST for Initial DE _____ and Log File Location _____

PRE-ADVERTISING ANALYSIS

YES	NO	
_____	✗	Bs 63 GW? Water bearing zone legal notice remark required
_____	✗	Bs 63 GW Restricted Area (Above Star)? Must appropriate deeper than 200' or mitigate
_____	✗	Bs 63 Surface water above Star & consumptive use? Cannot process unless mitigated
_____	✗	Mitigation plan (consumptive use & POD closed area) – legal notice remark + mitigation checklist
_____	✗	Critical Ground Water Area – send letter if cannot process
_____	✗	Ground Water Mngt. Area – send letter if cannot process
_____	✗	Bs 77, 78, 79 – 42-111 D/S any source or community well, normal process; all others use Salmon/Clearwater Area Processing
_____	✗	W&S Rv – Bs 77 or 78 + legal notice remark, W&S Workflow application record
_____	✗	W&S Rv – Bs 51 or 55, attach Bs 51 - 55 W&S Watersheds checklist
_____	✗	Water Dist. 67 – send Bs 67 June 15 cutoff form letter to confirm BU. possible prior to 6/15
_____	✗	Waste Water – send form letter
_____	✗	Trust Water – send form letter (AdHoc/Reports tab) + legal notice remark + TW checklist
_____	✗	South Ada Co. GW Area of Concern – send form letter
_____	✗	South Canyon Co. GW Area of Concern – send form letter
_____	✗	US BLM is POD/POU Property Owner, Verify location with Applicant and check w/ BLM

ADD INFO Requested On: _____ Response Received: Y ____ N____
Extension Requested On: _____ Response Received: Y ____ N____

_____

_____

ADVERTISING

YES	NO	
_____	✗	*STATEWIDE ADVERTISING* (> 10 cfs or > 1000 af storage)
_____	✗	Legal Notice Remarks (WB Zone, Wild & Scenic, Subdivision Info, Mitigation, etc.) – See attached proof report

COMMENT LETTERS

YES NO

- X ____ Water Dist # 2
- ____ X IDFG [SW "fish live-in" AP Memo #62, Bs 77-79, other] (____ reply in file)
- ____ X IDEQ [Bs 77-79, Land Application, Basin Recharge, Dairy, PWS, other] (____ reply in file)
- ____ X Western Dam Safety [Storage Dam (n/a excavated ponds); Complete checklist____]
- ____ X IDWR Planning Bureau [Min. Stream Flow Bs 77-79, Protected Stream, other]
- ____ X IDL [POD/POU Property Owner, other]
- ____ X US BLM [POD/POU Property Owner, other]
- ____ X US Forest Service [POD/POU Property Owner, other]
- X ____ Irrigation Entity [Overlap GW Irr, Waste water, other]: Gem Irr. District
- X ____ Other [Previous Protestants in Area, ect.] – list here or see attached

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 10/24/2022

YES NO

- ____ ✓ Protested — If Yes: Prepare protest checklist and complete
- ✓ ____ Affidavit received/published correctly? If No, Re-advertise.

Re-Adv Protest Deadline _____

YES NO

- ____ ____ Protested
- ____ ____ Affidavit received/published correctly — If No: ____ Re-advertised & published correctly

Re-Adv Comment Letters To: _____

POST-ADVERTISING ANALYSIS

YES NO

- ____ X POD overlap – briefly explain_____
- ____ X POU overlap – briefly explain_____
- ____ X Large diversion > 5 cfs, > 500 af storage or > 200 acres – attach large diversion checklist
- ____ X Public Land Access – IDL, BLM, USFS owns POD/POU land, Rule 40.05.e info needed
- ____ X BLM or USFS Stockwater Appl. – consider Joyce Livestock Decision – send form letter
- ____ X Municipal – Review AP Memo #18 and/or AP Memo #74
- ____ X Commercial, Heating/Cooling, Industrial, WQI, etc. – Rate request justified in file
- ____ X Storage Use – AP Memo #76 complete for explanation/justification of volume request in file
- ____ X Power residency affidavit – send power letter for other factors if needed
- ____ X DP fee upgrade : ____ Paid ____WR & WC Files Documented ___ Not Paid = SO follow up

ADD INFO Requested On: _____ Response Received: Y ____ N____

Extension Requested On: _____ Response Received: Y ____ N____

DRAFT PERMIT

YES NO

- ____ X W&S Rv – Bs 51, 55, 77 or 78 W&S Workflow/spreadsheet update for permit record
- ____ X Memo To File Re:_____
- X ____ Draft approval created w/ Map (WRLayouts - 'Print Attachment Page') & saved to backfile

The Owyhee Avalanche

P.O. Box 97 • Homedale, Idaho 83628

208 / 337-4681
EMAIL: OFFICE@OWYHEE.COM

RECEIVED
OCT 14 2022
WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

in Two
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

October 5, 12, 2022

SIGNED: Joe Aman

STATE OF IDAHO)
)
COUNTY OF OWYHEE)

On this 12th day of October in the year 2022, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

M Byrd
Notary Public of Idaho

Residing at Homedale ID

My commission expires:
12, 04, 2026

M BYRD
Comm. No. 20204829
NOTARY PUBLIC
Expires: 12/04/2026
STATE OF IDAHO

SCANNED
NOV 23 2022

Public notices

PUBLIC NOTICE

The Grand View polling location has been moved to the Grand View Community Center for the November 8, 2022 election and all elections moving forward.

Grand View Community Center
501 Idaho Ave
Grand View, ID 83624
10/05/2022

NOTICE OF PUBLIC HEARING BEFORE THE OWYHEE COUNTY PLANNING & ZONING COMMISSION

On October 26, 2022, the Owyhee County Planning and Zoning Commission will hear testimony in the Annex Building of the Owyhee County Courthouse located at 17069 Basey St., Murphy, Idaho on the following matters at the times listed below.

Beginning at 9:30 am, the Commission will hear application Z22-28 filed by **Judith Hayward** seeking approval to establish a second single-family dwelling on an approximately 120-acre parcel located at 2024 Pioneer Rd. approximately two miles west of Homedale. The subject parcel, RP03N06W137202, is located in an Agricultural zone in a portion of the SE ¼ of Section 13, Township 3 North, Range 6 West, Boise Meridian, Owyhee County, Idaho.

Beginning at 10:30 am, the Commission will hear application Z22-29 filed by **Kirby Cook** seeking to rezone approximately 14 acres, from agricultural to multi-use zone located on 6357 Howard Road approximately 1.4 miles South of Marsing. The subject parcel, RP02N04W160022, is located in an Agricultural zone in a portion of the NE ¼ of the NE ¼ of Section 16, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho

Additional information about this meeting is available at owyheecounty.net under Public Hearing Documents on the Community Planning page. Copies of the proposed projects are available for review in the Community Planning office or on the webpage. For additional information please call 208-495-2095 ext. 2.
10/05/2022

NOTICE OF PUBLIC HEARING

Please be advised that a public hearing will be held before the Homedale City Council on Wednesday, October 12, 2022 at 6:00 pm at Homedale City Hall, 31 West Wyoming Ave. Homedale, Idaho.

The subject matter of this hearing is the Application for Special Use Permit filed by Angel Bicandi & Indian Trail Investors requesting that they be allowed to build two 4-plexes on W. Idaho Ave. between S 4th St. West and Railroad Ave.; Lot 2, Block 1, Santa Fe Subdivision, Homedale, Idaho.

The public is invited to attend and offer input.
Alice E. Pegram
City Clerk
City of Homedale
09/28;10/05/2022

NOTICE OF PUBLIC HEARING

Please be advised that a public hearing will be held before the Homedale City Council on Wednesday, October 12, 2022 at 5:30 pm at Homedale City Hall, 31 West Wyoming Ave. Homedale, Idaho.

The subject matter of this hearing a rate increase to cover the wastewater loan.

Old rates were based on Meter size from $24.27 up to $426.41 plus usage. The new proposed rate will be based on EDUs; (equivalent dwelling unit) of approximately $55.00. This proposed rate will be done in increments of two increases.

The public is invited to attend and offer input.
Alice E. Pegram
City Clerk
City of Homedale
09/28;10/05/2022

NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE
CASE NO. CV20-22-895
(I.C. 15-3-801)
IN THE MATTER OF THE ESTATE OF GARY ALLEN LAWSON, also known as GARY A. LAWSON and GARY LAWSON,
Deceased.

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court, Elmore County Courthouse, 150 South 4th East, Mountain Home, Idaho, telephone number (208) 587-2130.

DATED this 29th day of September, 2022.
/s/Kevin Lawson
c/o Brian B Peterson
340 E. 2nd N.
Mountain Home, ID 83647
(208) 587-4412
10/05,12,19/2022

NOTICE OF TRUSTEE'S SALE

To be sold for cash at a Trustee's Sale on February 2, 2023, 09:00 AM in the Lobby, Owyhee County Courthouse, 20381 Highway 78, Murphy, ID 83650, the following described real property situated in Owyhee County, State of Idaho ("Real Property"): A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 10, Township 3 North, Range 5 West of the Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Commencing at the West quarter corner of the above described Section 10, Township 3 North, Range 5 West, which is the Real Point of Beginning; thence North 00°48' East (of record, North 0' 48" East) along the West section line of Section 10, 60.00 feet to a point; thence South 88°44' East (of record, South 88' 44" East) 190.00 feet to a point; thence South 00°48' West (of record, South 0' 48" West) 60.00 feet to a point; thence North 88°44' West (of record, North 88' 44" West) 190.00 feet to a point, which is the real point of beginning Commonly known as: 511 South 2nd Street East, Homedale, ID 83628-3445

Jason K. Thompson and Geneva D. Thompson who acquired title as Geneva Thompson, as Trustors conveyed Real Property via a Trust Deed dated May 10, 2019, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Caliber Home Loans, Inc., its successors and assigns as Beneficiary, in which Alliance Title & Escrow Corp. was named as Trustee. The Trust Deed was recorded in Owyhee County, Idaho, on May 13, 2019, as Instrument No. 299756, and corrected pursuant to the Affidavit recorded on September 2, 2022, as Instrument No. 313306, of Official Records. The Deed of Trust was assigned for value as follows: Assignee: MidFirst Bank, A Federally Character Savings Association Assignment Dated: March 17, 2022 Assignment Recorded: March 17, 2022 Assignment Recording Information: Instrument No. 311615 Shelly M. Casares is the Successor Trustee pursuant to a Substitution of Trustee recorded in the office of the Clerk and Recorder of Owyhee, State of Idaho on September 2, 2022 at Instrument No. 313328, of Official Records.

The Beneficiary has declared a default in the terms of said Deed of Trust due to Trustor's failure to make monthly payments beginning May 1, 2020, and each month subsequent, which monthly installments would have been applied on the principal and interest due on said obligation and other charges against the property or loan. By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable. The total amount due on this obligation is the principal sum of $122,150.38, interest in the sum of $15,733.13, escrow advances of $6,134.40, other amounts due and payable in the amount of $490.68, for a total amount owing of $144,508.59, plus accruing interest, late charges, and other fees and costs that may be incurred or advanced. The Beneficiary anticipates and may disburse such amounts as may be required to preserve and protect the property and for real property taxes that may become due or delinquent, unless such amounts of taxes are paid by the Trustors. If such amounts are paid by the Beneficiary, the amounts or taxes will be added to the obligations secured by the Deed of Trust. Other expenses to be charged against the proceeds of this sale include the Trustee's fees and attorney's fees, costs and expenses of the sale, and late charges, if any.

Beneficiary has elected, and has directed the Trustee to sell the above described property to satisfy the obligation. The sale is a public sale and any person, including the Beneficiary, may bid at the sale. The bid price must be paid immediately upon the close of bidding by certified funds (valid money orders, certified checks or cashier's checks). The conveyance will be made by Trustee's Deed, without any representation or warranty, including warranty of title, express or implied, as the sale is made strictly on an as-is, where-is basis, without limitation, the sale is being made subject to all existing conditions, if any, of lead paint, mold or other environmental or health hazards. The Trustors, successor in interest to the Trustors, or any other person having an interest in the property, or any person named in IRC § 45-1506, has the right, at any time prior to the Trustee's Sale, to pay to the Beneficiary, or the successor in interest to the Beneficiary, the entire amount then due under the Deed of Trust and the obligation secured thereby (including costs and expenses actually incurred and attorney's fees) other than such portion of the principal as would not then be due had no default occurred and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust with Successor Trustee's and attorney's fees. In the event that all defaults are cured the foreclosure will be dismissed and the foreclosure sale will be canceled.

The scheduled Trustee's Sale may be postponed by public proclamation up to 30 days for any reason. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse.

The above Trustors are named to comply with IRC § 45-1506(4)(a). No representation is made that they are, or are not, presently responsible for this obligation. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated this 26th day of September, 2022. Shelly M. Casares Substitute Trustee 376 East 400 South, Suite 300, Salt Lake City, UT 84111 Telephone: 801-355-2886 Office Hours: Mon.-Fri., 8AM-5PM (MST) File No. ID10683
10/05,12,19,26/2022

PUBLIC NOTICE

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

2-10640
RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE, ID 83628
Point of Diversion NWSE S13 T03N R05W OWYHEE County
Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
03/01 to 11/15
0.09 CFS
Use: DOMESTIC
01/01 to 12/31
0.04 CFS
Total Diversion:
0.13 CFS
Date Filed: 09-07-2022
Place Of Use: DOMESTIC,IRRIGATION
T03N R05W S13 L6(NWSE),NWSE
Total Acres: 3.1

57-12092
OWYHEE NOBLE METALS LLC
2197 S RETRIEVER WAY
MERIDIAN, ID 83642-4611
Point of Diversion NWSW S4 T04S R02W OWYHEE County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31
0.66 CFS
Total Diversion:
0.66 CFS
Date Filed: 08-22-2022
Place Of Use: INDUSTRIAL T04S R02W S4 NWSW

This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190, or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 10/24/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
10/05,12/2022

LEGAL NOTICE STATE OF IDAHO LAND LEASE OPPORTUNITY PUBLIC AUCTION FOR MINERAL LEASE

Notice is hereby given pursuant to Article IX, § 8 of the Idaho Constitution and Idaho Code §§ 47-704, 58-307, -310 and -313, that the State of Idaho, Department of Lands (hereinafter "IDL"), will conduct a public auction of Mineral Lease **E600111**, as set forth below. **The deadline for the auction registration is Thursday October 27, 2022, at 5:00 PM (MDT). The auction will begin on Thursday, November 3, 2022, at 11:00 AM (MDT) at Idaho Department of Lands office located at 8355 W. State Street, Boise, Idaho 83714.** The lease will be awarded to the bidder who will pay the highest Premium Bid, as defined below. The Premium Bid payment is in addition to the annual rental rate and royalty rates that have been established by IDL and are set forth in the lease to be auctioned. **Detailed information regarding the lease auction terms and conditions, the lease, the specific legal description and map of the property to be leased, the rental rate, the minimum annual royalty, and the royalty rate can be obtained visiting IDL's website at** www.idl.idaho.gov/leasing/minerals-leasing/ **or by contacting Mike Murphy via e-mail at** MineralsLeasing@idl.idaho.gov **or 208-334-0290.**

Mineral Lease E600111 is for 10 years for the extraction of jasper, opal, and agate with a leased premises of approximately 280 acres on the following described parcels located in Township 12 South, Range 3 West, Section 16, Boise Meridian, Owyhee County, Idaho, which are more particularly described as follows:

N1/2N1/2N1/2, W1/2SW1/4NW1/4NW1/4, W1/2W1/2SW1/4NW1/4, W1/2NW1/4NW1/4SW1/4, S1/2/NW1/4SW1/4, S1/2S1/2

10/05,12,19,26/2022

Buy it, sell it, trade it, rent it... in the **Classifieds!**

SCANNED
NOV 2 3 2022

Public notices

BOARD OF OWYHEE COUNTY COMMISSIONERS SEPTEMBER 2022 SYNOPSIS

September 6

-Set the agenda as presented.

-Paid the following bills as presented: Current Expenses $66,645; R&B $26,917; Dist. Court $2,378; Fair $3,870; Probation $300, Health Dist. $7,118; Historical $3,425; I&C $25,984; Revaluation $3,270; Solid Waste $20,679; County Vessel $3,013; Off Hwy Vehicles $389; Elections $12,817; Capital Project Fund/ARPA $5,764.

-Approved the August 22, 2022 meeting minutes.

-Voted for Brent Mendenhall for the Capital Crimes Defense Fund at-large Board Member.

-Approved the Bruneau Bar, LLC catering permit for the Bruneau Rodeo Round-up on September 17, 2022 from 10:00 a.m. to 1:00 a.m.

-Approved the Bruneau Bar, LLC catering permit for the Bruneau Rodeo Round-up on September 18, 2022 from 10:00 a.m. to 11:59 p.m.

-Approved the County Line Wine Company, LLC for the Karoline Chamber's Wedding on September 17, 2022 from 4:00 p.m. to 10:00 p.m.

-Approved the Craft Lounge, LLC for Karli Schiermeier Birthday on September 9, 2022 from 5:00 p.m. to 10:00 p.m.

-Approved the Clerk's Office reassignment of Catie Canaday from full-time to part-time, remaining at $17.22 per hour, to begin on August 29, 2022.

-Approved the ES&S Precinct Central Electronic Poll Book Contract in the amount of $9,180.

-Approved the Health Equity Financial Contract.

-Approved the Homedale Library District Election Order.

-Approved the Idaho Parks & Rec – Boating Safety Grant Request for Reimbursement/ Close-out Report in the amount of $18,656.

-Approved the Indigent Defense Financial Assistance Agreement FY2023 in the amount of $125,000.

-Set a hearing on October 17, 2022 at 10:00 a.m. for Appeal of Application Z22-17, Reserve Ridge, LLC & Gould Feeder Properties, LLC Reynolds Creek Calf Ranch Expansion.

-Approved the FY2023 Probation Department Support Services Coordinator Contract with Colleen Foster at the rate of $30 per hour.

-Approved the Victus Commissary Software, Hardware, and Fulfillment Agreement.

-Approved the West Valley Technical Services Service Agreement at the rate of $80 per hour.

-Approved Certificates of Residency 22-04, 22-25-, and 22-06 for College of Southern Idaho.

-Approved Certificates of Residency 22-30 and 22-31 for College of Western Idaho.

-At 9:58 a.m. went into executive session pursuant to Idaho Code §74-206 (a) personnel and (f) possible litigation. Open session was resumed at 10:05 a.m.

-Approved the FY2023 County budget as presented in the amount of $17,111,977.00.

-Recessed as County BOCC and convened as Marsing Ambulance Commissioners.

September 12

-Approved the agenda as presented.

-Approved the September 6, 2022 minutes.

-Approved Grant Award Dedicated Enhance Emergency Communications: IPSCC Dispatch Grant Funds for Maintenance, Networking, & Switch Fees in the amount of $75,698.27.

-Approved Commissioner Aberasturi sign the IPSCC grant award for the Board.

-Approved the L2 extension for Three Creek School Dist. And Three Creek Highway Dist. with the extended deadline to be September 16, 2022.

-Set a hearing on November 21, 2022 at 10:00 a.m. for the Appeal of Application Z22-11, Maple Estates, LLC, 19-lot Subdivision.

-Approved the certificates of residency for College of Western Idaho students 22-32.

September 16

-Approved the agenda as presented.

-Approved Resolution 2022-22 Closing A Specific Area of Owyhee County Due to Public Safety Related To A Planned Controlled Burn.

September 19

-Set the agenda as presented.

-Paid the following bills as presented: Current Expenses $23,549; R&B $58,400; Dist. Court $1,600; Probation $513; Historical $234; I&C $12,023; Revaluation $536; Solid Waste $2,245; 911 $320; County Vessel $21; Elections $50,000; Capital Project Fund/ARPA $1,500.

-Approved the September 12, 2022 meeting minutes.

-Approved the September 16, 2022 meeting minutes.

-Approved the Change Order for North Fork Boulder Creek Bridge replacement-CMU Block.

-Approved the Fairgrounds RV Park Change Order in the amount of $94,067.55 with the Chairman's signature for the Board.

-Approved the Grand View Ambulance Grant Letter of Support for the ARPA grant application.

-Approved the Hidden Valley Estates 5 Final Plat Review.

-Approved the 2022-23 contract for Natural Recourses Director with Jim Desmond.

-Approved the transfer of Tobey K. Gilbert from R&B District #1 to R&B District #3, remaining at $19.13 per hour, to begin on September 19, 2022.

-Approved the following polling locations for the November 8, 2022 General Election.

Precinct 001 & 002 – North & South Homedale-Owyhee County Community Center; Precincts 003 & 004 – North & South Marsing-Phipps-Watson American Legion Hall; Precinct 005 – Pleasant Valley (mail-in), Precinct 011 – Riddle (mail-in), Precinct 012 - Three Creek (mail-in), & Precinct 013 – Absentee-Owyhee County Courthouse; Precinct 006 – Wilson-Wilson School House; Precinct 007 – Murphy-Owyhee County Museum & Library; Precinct 008 – Oreana-Oreana Community Hall; Precinct 009 – Grand View-Grand View Community Center; Precinct 010 – Bruneau-Bruneau American Legion Hall.

-Approved the Stericycle/ Shred-it Agreement with the Chairman's signature for the Board.

-Approved Certificate of Residency 22-33 for College of Western Idaho.

-Approved a one-time financial assistance in the amount of $10,000 to Grand View Ambulance.

September 26

-Approved the agenda as presented.

-Approved the September 19, 2022 minutes.

-Approved the BLM Commsite Certifications for Juniper Mtn (035550), Rough Mtn. (032266), and Wilson Peak (036827).

-Approved the catering permit for Bruneau Bar, LLC for the Bruneau 6 header on October 2, 2022 from 10:00 a.m. to 12:00 a.m.

-Approved the Certificate of 2022 Levies.

-Approved the Computer Arts, Inc/Harris 2022-23 Agreement.

-Approved the Idaho Policing Policy Manual 2023 License Agreement.

-Approved the Letter to Grand View Ambulance Re: Dispatch Procedure.

-Approved the Medical Services 2023 Contract for Sheriff's Office with Eric Wells.

-Approved the Pay Request #1 2022 Aggregate Crushing Project for Chip Seals – Robison Logging in the amount of $202,594.17.

-Approved the University of Idaho 2022-23 MOU with the Chairman's signature for the Board.

-Approved Resolution 2022-23 – 2022 General Reserve Budget Appropriation for the amount of $108,895.

-At 9:35 a.m. went into executive session pursuant to Idaho Code §74-206 (a) personnel. Open session was resumed at 9:37 a.m.

-Approved Resolution 2022-24 Adopting 2022 Budget to add $952,600 of unanticipated funds.

-Approved the DEQ grant application for the Murphy Water System (ID3370014) for the amount of $40,000 with County match in the amount of $40,000 with the Chairman's signature for the Board.

-Approved Resolution SRF-03 – Authorizing the Chairman's signature for the Board on all DEQ grant documents for the Murphy Water System

-Recessed as BOCC and reconvened as Marsing Ambulance Dist. Commission.

10/12/2022

CITY OF MARSING

Quarterly Expenditure & Revenue Report

4th FISCAL QUARTER, FY 2021/2022

FUND	BUDGET AMOUNT	Expended to Date	% of Budget Expended	Revenue to Date	% of Budget Revenue
01 General	$ 559,532.00	$ 206,907.47	36.98%	$ 583,810.18	91.29%
Law Enforcement	$ 80,000.00	$ 46,604.50	58.26%		
02 Roads & Streets	$ 274,374.00	$ 133,711.86	48.73%	$ 215,526.03	78.55%
03 Parks	$ 150,100.00	$ 88,707.39	59.10%	$ 54,635.63	36.40%
05 Planning & Zoning	$ 135,600.00	$ 94,404.09	69.62%	$ 19,392.80	14.30%
Sub-Total	**$ 1,199,606.00**	**$ 570,335.31**	**47.54%**	**$ 873,364.64**	**72.80%**
25 Water	$ 752,490.00	$ 267,998.25	35.61%	$ 517,200.38	68.73%
29 Irrigation	$ 118,700.00	$ 110,521.69	93.11%	$ 41,912.32	35.31%
30 Sanitation	$ 125,700.00	$ 128,056.79	101.87%	$ 119,482.70	95.05%
35 Sewer	$ 648,119.00	$ 328,569.91	50.70%	$ 324,259.50	50.03%
Sub-Total	**$ 1,645,009.00**	**$ 835,146.64**	**50.77%**	**$ 1,002,854.90**	**60.96%**
TOTAL (all funds)	**$ 2,844,615.00**	**$ 1,405,481.95**	**49.41%**	**$ 1,876,219.54**	**65.96%**

The General Public is invited to inspect all supporting documents for the above Financial Statement at City Hall during regular business hours Financial figures may include fund transfers, service charges, refunds, reimbursements and other accountig procedures

30-Sep-22

Jolyn E. Thompson
City Clerk-Treasurer

10/12/2022

NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE
CASE NO. CV20-22-895
(I.C. 15-3-801)
IN THE MATTER OF THE ESTATE OF GARY ALLEN LAWSON, also known as GARY A. LAWSON and GARY LAWSON, Deceased.

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court, Elmore County Courthouse, 150 South 4th East, Mountain Home, Idaho, telephone number (208) 587-2130.

DATED this 29th day of September, 2022.

/s/Kevin Lawson
c/o Brian B Peterson
340 E. 2nd N.
Mountain Home, ID 83647
(208) 587-4412

10/05,12,19/2022

PUBLIC NOTICE

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

2-10640
RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE, ID 83628
Point of Diversion NWSE S13 T03N R05W OWYHEE County
Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
03/01 to 11/15
0.09 CFS
Use: DOMESTIC
01/01 to 12/31
0.04 CFS
Total Diversion:
0.13 CFS
Date Filed: 09-07-2022
Place Of Use: DOMESTIC,IRRIGATION
T 03 N R 05 W S 13 L6(NWSE),NWSE
Total Acres: 3.1

57-12092
OWYHEE NOBLE METALS LLC
2197 S RETRIEVER WAY
MERIDIAN, ID 83642-4611
Point of Diversion NWSW S4 T04S R02W OWYHEE County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31
0.66 CFS
Total Diversion:
0.66 CFS
Date Filed: 08-22-2022
Place Of Use: INDUSTRIAL
T04S R02W S4 NWSW

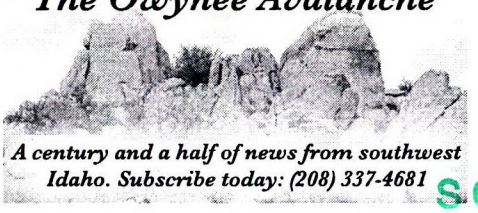
This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 10/24/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

10/05,12/2022

The Owyhee Avalanche



A century and a half of news from southwest Idaho. Subscribe today: (208) 337-4681

OK LR 10/25

SCANNED

NOV 2 3 2022

RECEIVED
OCT 11 2022
WATER RESOURCES
WESTERN REGION

October 10, 2022

Marcelina Williams

Idaho Department of Water Resources

2735 W Airport Way

Boise, ID 83705

Subject: Application for Permit No. 2-10640

Point of Diversion – Written Agreement

Following up on conversation in late September, enclosed is a copy of the written agreement regarding the Point of Diversion for the subject permit.

Thank you for the prompt responses to our request and please let me know if you require any additional information or if you have any additional questions.

Randy Scholz

(208) 789-5534

SCANNED
NOV 23 2022

RECEIVED
OCT 11 2022
WATER RESOURCES
WESTERN REGION

September 8, 2022

Memorandum of Understanding and

Written Agreement/Permission

Subject: Point of Diversion Access within Clark Island Estates Subdivision

In order to complete the permitting process with the Idaho Department of Water Resources, there is a requirement to obtain written permission for access to, and use of, the Point of Diversion when the Point of Diversion is owned by someone other than the applicant.

In this case, the Applicant is Randolph and Sheri Scholz and the underlying owner of the Point of Diversion is Christel and John Clapier.

This document is intended to provide the above Applicant the necessary permission to access and use the Point of Diversion located within Government Lot 6 of Section 13, Township 3 North, Range 5 West, Boise Meridian, Idaho. More specifically, the Point of Diversion is located on/adjacent to Lot 1 (owned by the Clapiers) as shown on Record of Survey recorded as Instrument 231108 Owyhee County. An ingress/egress and public utility easement already exists for Clark Island Lane and provides for the formal access rights. The Applicant owns Lot 2 within the shown on the same Record of Survey.

Both the Applicant and the Clapiers are currently in the process of obtaining permits from the Department of Water Resources and are working cooperatively to secure the desired permits.

It is agreed by all parties to utilize the Point of Diversion cooperatively and within the terms set out by the Idaho Department of Water Resources.

John Clapier 10-8-2022

Christel Clapier 10-8-2022

Randolph Scholz
10/9/22

Sheri Scholz
10/9/22

SCANNED
NOV 23 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 29, 2022

RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE, ID 83628

RE: Application for Permit No. 2-10640

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 OWYHEE AVALANCHE on 10/5/2022 and 10/12/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Jean Hersley
Technical Records Specialist

CC:
JOHN CLAPIER

SCANNED
SEP 29 2022

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, September 29, 2022 10:43 AM
To: jon@owyheeavalanche.com
Subject: Legal Notice for Application for Permit No. 2-10640, 57-12092
Attachments: 2-10640 57-12092 Legal Notice.docx

Please publish the enclosed legal notice in the Owyhee Avalanche 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 10/24/2022. Your cooperation is appreciated.

Lynne Evans | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
SEP 29 2022

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4150 CLARK ISLAND LN
HOMEDALE, ID 83628
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Total Diversion:
0.13 CFS
Date Filed: 09-07-2022
Place Of Use: DOMESTIC,IRRIGATION
T03N R05W S13 L6(NWSE),NWSE
Total Acres: 3.1

57-12092
OWYHEE NOBLE METALS LLC
2197 S RETRIEVER WAY
MERIDIAN, ID 83642-4611
Point of Diversion NWSW S4 T04S R02W OWYHEE County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31
0.66 CFS
Total Diversion:
0.66 CFS
Date Filed: 08-22-2022
Place Of Use: INDUSTRIAL
T04S R02W S4 NWSW
This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 10/24/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 10/5/2022 and 10/12/2022

SCANNED
SEP 29 2022

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, September 29, 2022 10:53 AM
To: Whitney, Rob
Subject: Application for Permit of 2-10640
Attachments: tmp1761.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrapplicationresults/. Please review the application, then complete the enclosed recommendation form and return it to this office by October 24, 2022.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by October 24, 2022, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
SEP 29 2022

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

RE: Application for Permit No. 2-10640

New Appropriation Applicant's Name:

RANDOLPH SCHOLZ
4150 CLARK ISLAND LN
HOMEDALE, ID 83628

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this _____ day of _____. ____

_____
Watermaster's Signature

SCANNED
SEP 29 2022

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, September 29, 2022 10:52 AM
To: office@southboardofcontrol.com
Subject: Application for Permit of 2-10640

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrapplicationresults/.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
SEP 29 2022