

JUL 16 2024

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.0.8. Attach an explanation and any supporting documentation.

1. APPLICANT(S) AMY ENGLISH Phone (850) 450-2303
 2. MAILING ADDRESS 4341 S. CRARY Rd. City CENTURY
 State FL Zip 32535 Email DIO3AMOS@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 65-1998

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is .02 cubic feet per second and/or 1.2 acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
✓		NE	NE	SW	3	7N	1W	GEM	SPRING	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: This water Right was "established in 1915 with correct "point of diversion" AS DESCRIBED. In approx. 2002 I filled out INCORRECT point of div. / instead I put "place of use" and it was not noticed until now, this is why new / yet existing is being established
- b. Who owns the property at the point(s) of diversion? Judith Woodie
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Existing easement established to the spring
- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.
8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Amy English
Signature of applicant or authorized agent

Amy English
Print name and title if applicable

7/16/24
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by MB Date 7/16/2024

Fee paid \$200.00 Date 7/16/2024 Received by MB Receipt # W052085

Preliminary review by MW Date 09-06-24 Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2024

Water Right 65-1998

Owner Type **Name and Address**
Current Owner AMY E ENGLISH
3421 BUTTE RD
EMMETT, ID 83617
(208) 365-0930

Priority Date: 4/1/1915
Basis: Decreed
Status: Active

Source **Tributary**
SPRING PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.020 CFS	1.2 AF
	<u>Total Diversion</u>		0.020 CFS	1.2 AF

Source and Point(s) of Diversion:
SPRING NWNW Sec. 10, Twp 07N, Rge 01W, GEM County

Place Of Use:
DOMESTIC within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01W	10						X											

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2024

Dates and Other Information:

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: Or
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	6/12/2001	sbock			Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Summary	6/12/2001	sbock	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (YES) General remark was required.

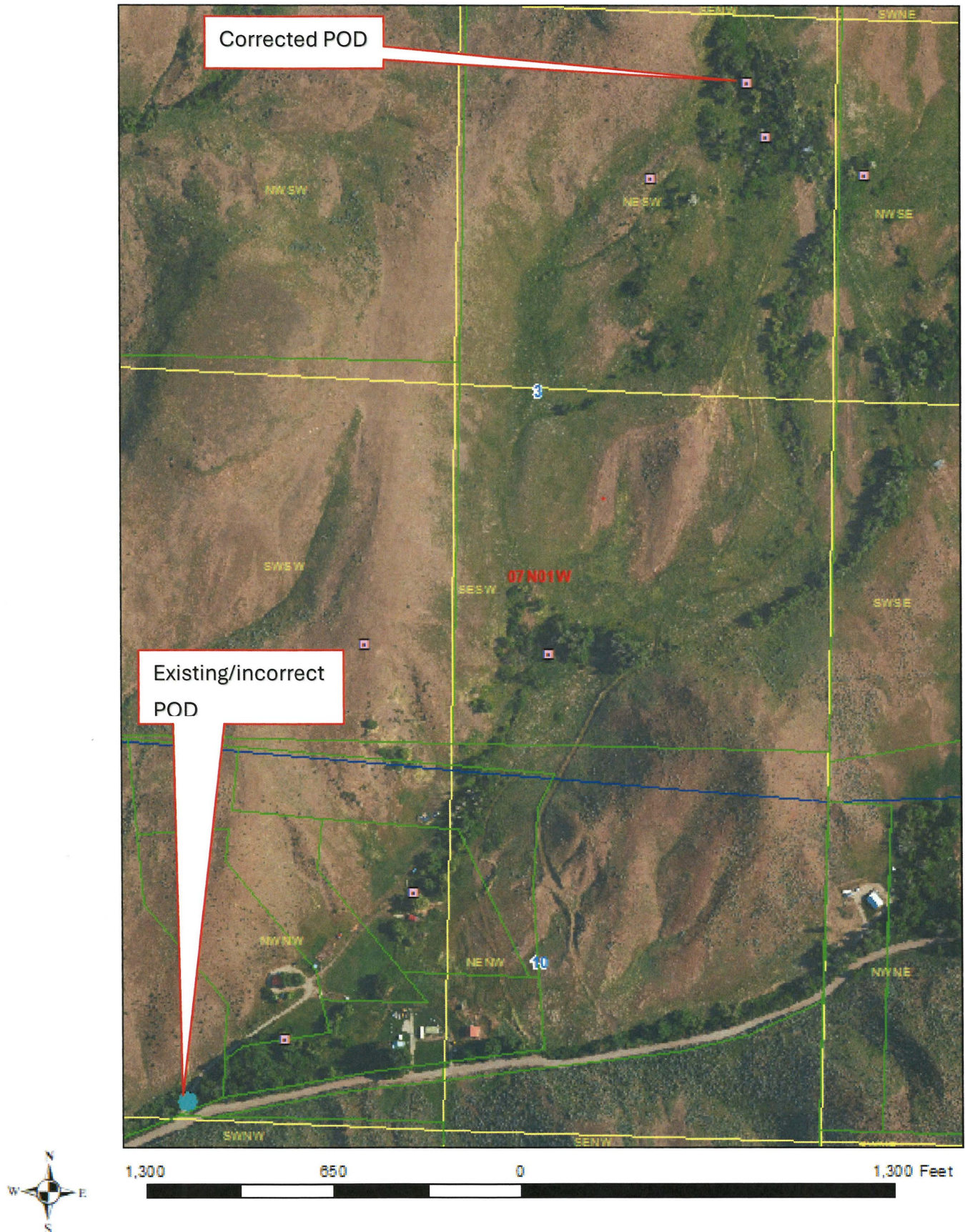
SubCase:

N/A

Water Supply Bank:

N/A

Change POD of 65-1998 to reflect what has actually occurred on the ground since this water right was first developed.





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 Mathew Weaver

October 1, 2024

AMY ENGLISH
4341 S CRARY RD
CENTURY FL 32535-2703

RE: Transfer No. 89279
Water Right No(s). 65-1998

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the MESSENGER INDEX on 10/2/2024 and 10/9/2024. 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 approval document.

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

Sincerely,

Lynne Evans
Administrative Assistant



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Governor Brad Little

Director Mathew Weaver

October 1, 2024

ADAM DEFUR
3421 BUTTE RD
EMMETT ID 83617-9507

RE: Application for Permit No. 65-24315
Application for Transfer No. 89279

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations regarding the above referenced water right application. You can more information about the application at:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If you wish 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.

Sincerely,

Lynne Evans
Administrative Assistant I



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

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Governor Brad Little

Director Mathew Weaver

October 1, 2024

JUDITH A. WOODIE
PO BOX 785
EMMETT ID 83617-0785

RE: Application for Transfer No. 89279

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations regarding the above referenced water right application. You can more information about the application at:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If you wish 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.

Sincerely,

Lynne Evans
Administrative Assistant I

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, September 26, 2024 4:32 PM
To: Legals@idahopress.com
Subject: Legal Notice: Application for Permit No. 65-24315, Transfer No. 89279
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Messenger Index on the dates indicated (10/2 & 10/9, 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 10/21/2024. Your cooperation is appreciated.

Thank you,



Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

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

65-24315

AMY ENGLISH

4341 S CRARY RD

CENTURY, FL 32535-2703

Point of Diversion NENW S10 T07N R01W GEM County

Source SPRING Tributary PAYETTE RIVER

Use: STOCKWATER

01/01 to 12/31; 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 07-16-2024

Place Of Use: STOCKWATER

T07N R01W S10 NENW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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 10/21/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 10/2/2024 and 10/9/2024

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89279

AMY ENGLISH, 4341 S CRARY RD, CENTURY, FL 32535-2703 has filed Application No. 89279 for changes to the following water rights within GEM County(s): Right No(s). 65-1998; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to change the location of the point of diversion from a spring near Butte Rd in the NWNW of Sec 10, T07N, R01W to a spring north of Butte Rd in the NENSW of Sec 03, T07N, R01W.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change 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 10/21/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 10/2/2024 and 10/9/2024