

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 28 2021

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

WATER RESOURCES
WESTERN REGION

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.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Austin Callison Phone 208.870.1757

2. **MAILING ADDRESS** 481 S Academy Ln City Eagle

State ID Zip 83616 Email www.HaydenOutdoors.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) 3-4005

- ☒ 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 0.24 cubic feet per second and/or _____ 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*.

[illegible]

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:

Pump & pipe. Measuring device and lockable controlling works will be accommodated upon Department request.
Current pump is shared; applicant would rather use a separate, private pump.

- b. Who owns the property at the point(s) of diversion? Applicant (accretion lands)

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

Austin R. Callison
Signature of applicant or authorized agent

Austin Callison
Print name and title if applicable

1-20-21
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 LE Date 01/28/2021

Fee paid \$500.00 Date 01/28/2021 Receipted by LE Receipt # W049052

Preliminary review by _____ Date _____ 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)

Addtl fee paid \$25.00 02/08/2021 DL W049078

RECEIVED

FEB 08 2021

WATER RESOURCES
WESTERN REGION

Instrument # 240857

STATE OF IDAHO, COUNTY OF WASHINGTON

2020-04-14 12:29:40 PM No. of Pages: 2

Recorded for: TITLEONE BOISE

DONNA ATWOOD

Fee: \$15.00

Ex-Officio Recorder Deputy MMcConnell

Index To: DEED

Electronically Recorded by Simplifile



TitleOne

a title & escrow co.

Order Number: 20355687

Warranty Deed

For value received,

Wilmer James Smith, Trustee of Smith Family Trust dated November 15, 2017

the grantor, does hereby grant, bargain, sell, and convey unto

Austin Callison and Danyelle Callison, husband and wife

whose current address is 5449 S Hill Farm Ave Meridian, ID 83642

the grantee, the following described premises, in Washington County, Idaho, to wit:

In Washington County, IDAHO:

Lots 78, 79 and 80 of SUNNYSIDE ORCHARD TRACT, as

The same appears on file in the office of the County Recorder, Washington County, Idaho

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: April 8, 2020

The Smith Family Trust

By:

Wilmer James Smith, Trustee

State of Idaho, County of Ada, ss.

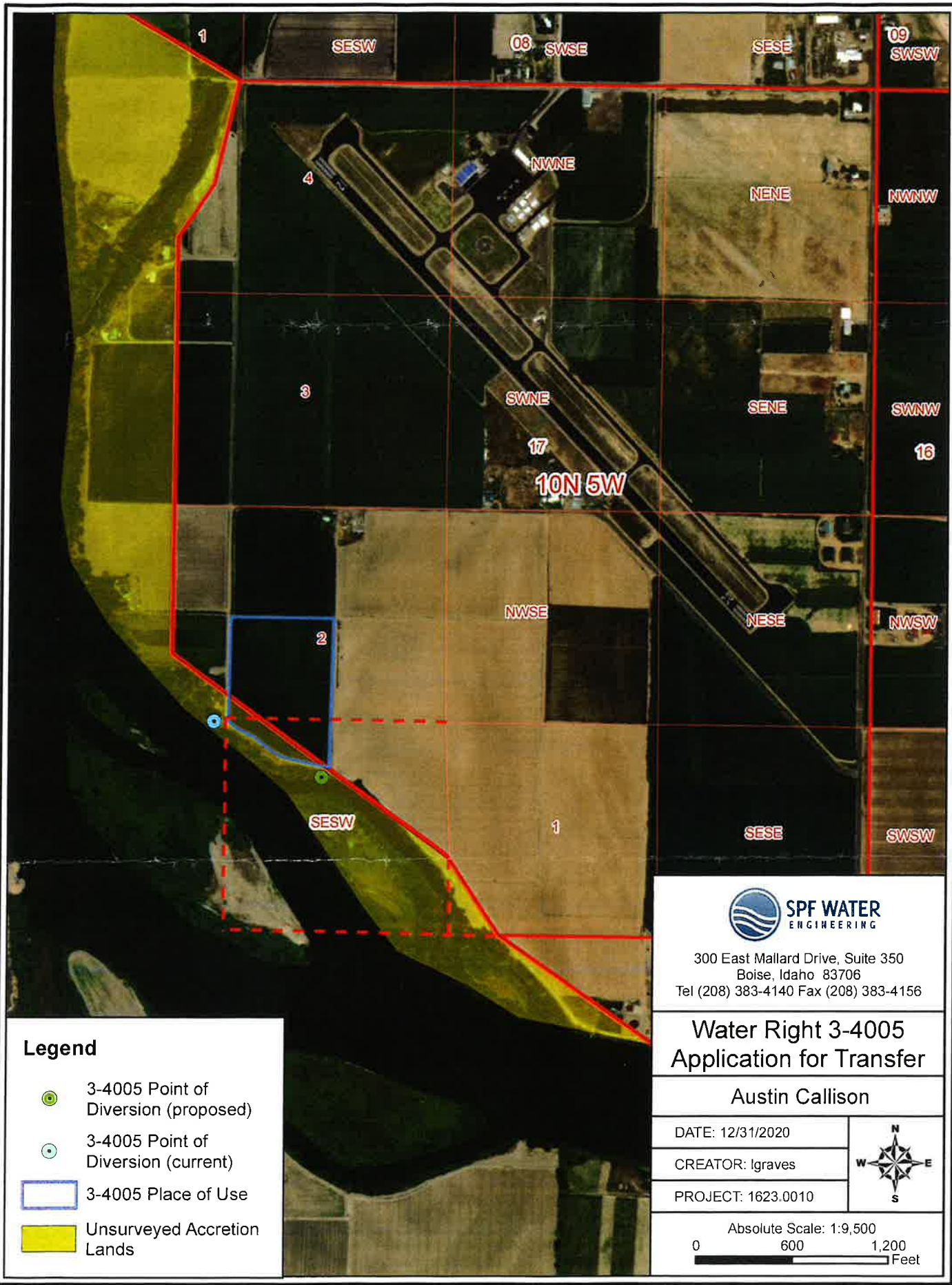
On this 13th day of April in the year of 2020, before me, the undersigned, a notary public in and for said state personally appeared Wilmer James Smith, known or identified to me to be the person whose name is subscribed to the within instrument, as trustee of Smith Family Trust and acknowledged to me that he/she executed the same as trustee.

Lenise Redding
Notary Public

Residing In: Boise, Idaho

My Commission Expires: 11/9/2022
(seal)





Legend

-  3-4005 Point of Diversion (proposed)
-  3-4005 Point of Diversion (current)
-  3-4005 Place of Use
-  Unsurveyed Accretion Lands



SPF WATER
ENGINEERING

300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

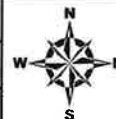
Water Right 3-4005 Application for Transfer

Austin Callison

DATE: 12/31/2020

CREATOR: Igraves

PROJECT: 1623.0010



Absolute Scale: 1:9,500

0 600 1,200
Feet



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 14, 2021

AUSTIN CALLISON
481 S ACADEMY LN
EAGLE ID 83616-7470

Re: Change in Ownership for Water Right No. 3-4005 in Transfer No. 84724

Dear Applicant:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right associated with the above referenced pending transfer to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for you.

The Department is currently reviewing your transfer application for the water right referenced above and will notify you upon completion.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Office Specialist II

Enclosure



SPF WATER
ENGINEERING

RECEIVED
FEB 08 2021
WATER RESOURCES
WESTERN REGION

February 4, 2021

Shilynn Novak
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Notice of Change in Water Right Ownership

Dear Shilynn,

In response to your email request, enclosed is a warranty deed and check #015698 for \$25 to allow the Department to continue processing the transfer application recently submitted for Austin Callison and update ownership of water right 3-4005 appurtenant to Austin's property.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Austin Callison

Enclosures

SPF file number: 1623.0010

RECEIVED

JAN 28 2021



SPF WATER
ENGINEERING

WATER RESOURCES
WESTERN REGION

January 26, 2021

Patrick Kelly, Water Rights Supervisor
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Patrick,

Enclosed on behalf of Austin Callison, is an *Application for Transfer* proposing a private point of diversion for water right 3-4005.

Check No. 181 for \$500 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Austin Callison

Enclosures

SPF file number: 1623.0010