

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84518**

This is to certify that: JAMIE COOK
JASON C COOK
28796 HEXON RD
PARMA, ID 83660-6604

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-276A	WR/DECREED	5/1/1889	0.080 cfs	N/A	N/A	4.0	BOISE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-276A	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-276A	63-276A	0.080 cfs	N/A	N/A	4.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.080 cfs	N/A	N/A	4.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 26th day of January, 2021.

for, Patricia Kelly
Chief, Water Allocation Bureau

WATER RIGHT NO. 63-276A

As Modified by Transfer No. 84518

In accordance with the approval of Transfer No. 84518, Water Right No. 63-276A is now described as follows:

Right Holder: JAMIE COOK
JASON C COOK
28796 HEXON RD
PARMA, ID 83660-6604

Priority Date: 5/1/1889

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
0.080 cfs
0.080 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER NWSW Sec 8 Twp 05N Rge 05W CANYON 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	
05N	05W	8										4.0							4.0

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. 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.
3. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Transfer No. 84518

WATER RIGHT NO. 63-276A

As Modified by Transfer No. 84518

CONDITIONS OF APPROVAL

4. Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
5. The point of diversion under this right is located is a slough known locally as the Kallarney slough.
6. This right originated as all or part of right no. 114-A in the Stewart Decree and the historic Boise River Water Masters records.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

MEMORANDUM

TO: Transfer No. 84518
FROM: Kate Hulse
DATE: 1/21/20
RE: Evaluation of Application

Summary of Information Submitted

John M. Kimura and Jason Cook share a point of diversion for water right 63-276A. John Kimura has filed an application on behalf of Jason and Jamie Cook to transfer their point of diversion to their property. Water right 63-276A will be diverted from its new POD using a Munro LP Series 3-HP self-priming pump piped to the POU. No changes to the POU are proposed.

Authority to File

The application was filed and signed by John Kimura. Both the water right 63-276A and the property pertinent to the POD are in the name Jason and Jamie Cook. A letter of consent from Jason and Jamie Cook submitted with the transfer application give John Kimura proper authority to change the point of diversion.

Water Right Validity

The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use was confirmed using aerial imagery, landsat images, and google earth images.

Injury to Other Water Rights

No injury is anticipated. The right is currently being used and diverted according to the transfer without any complaint the Department has been made aware of.

Enlargement of Use

The authorized diversion rate and amount of acres will not change as a result of the transfer. The change in the point of diversion is negligible as it is just moving adjacent to its current location and therefore is not any more reliable of a source, so enlargement is not of concern.

Local Public Interest

No information has been made available to suggest a conflict with public interest.

Beneficial Use/Conservation of Water Resources

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration. Assuming other information not yet discovered does not contradict the above analysis, the application can be approved as reflect by the draft approval.

State of Idaho
Department of Water Resources

Attachment to Water Right Transfer 84518
63-276a

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.

05W

05N



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

0 0.035 0.07 0.14 Miles



NOV 09 2020

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)** John M. Kimura Phone 530-713-5744
 2. **MAILING ADDRESS** 1381 Tortosa Ct. City Yuba City
 State CA Zip 95993-1179 Email jmkimura5744@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)** 63-276A

- ☒ 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 0.08 cubic feet per second and/or N/A 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 #
			NW	SW	8	5N	5W	Canyon	Boise River	Kallarney Slough

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:

63-276A will be diverted from its new POD using a Munro LP Series 3-HP self-priming pump and will be piped to its POU. A measuring device will be installed at the pump.

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

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.

Signature of applicant or authorized agent

John M. Kimura

Print name and title if applicable

Date

10/31/2020

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 11/09/2020

Fee paid \$200.00 Date 11/09/2020

Receipted by LE

Receipt # W048869

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)

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-276A

Current Owner: SUSAN M SPOOLSTRA
RICHARD S SPOOLSTRA

Priority Date: 5/1/1889

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

0.08 CFS

0.08 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

NW1/4SW1/4

Sec. 8, Twp 05N, Rge 05W B.M.

Place of Use

IRRIGATION Within CANYON County

T05N R05W S8

NWSW

4.00

Total Acres: 4

Conditions of Approval:

1. 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.
2. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. B01 The point of diversion under this right is located is a slough known locally as the Kallamey slough.
4. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
5. SD1 This right originated as all or part of right no. 114-A in the Stewart Decree and the historic Boise River Water Masters records.

Decreed Date: 2/6/2009

State of Idaho
Department of Water Resources

Water Right
63-276A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

05W



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

0 0.035 0.07 0.14 Miles



Map produced on September 01, 2020

84518

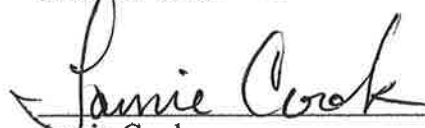
CONSENT

TO WHOM IT MAY CONCERN, the undersigned, Jason C. Cook and Jamie Cook, as owners of water right no. 63-276A, do hereby authorize John C. Kimura and his agents to file an Application for Transfer of Water Rights – Point(s) of Diversion with the Idaho Department of Water Resources to change the point of diversion for water right no. 63-276A. and to prosecute such application to the fullest extent permitted by law as the undersigned owner would be permitted.

Dated October 26, 2020.



Jason C. Cook



Jamie Cook



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 26, 2021

JASON C COOK
JAMIE COOK
28796 HEXON RD
PARMA ID 83660-6604

Re: Transfer No: 84518
Water Right No(s): 63-276A

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights 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 by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190

Sincerely,


DENISE LAUERMAN

for Nick Miller
Regional Manager

Enclosure

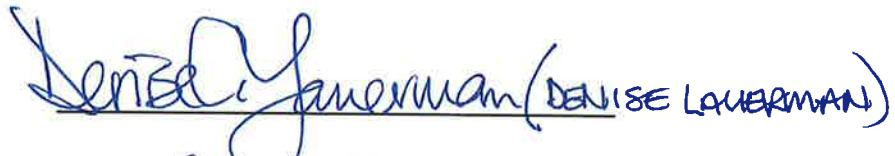
JASON C COOK
JAMIE COOK
28796 HEXON RD
PARMA ID 83660-6604

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84518
Water Right No(s): 63-276A

JASON C COOK
JAMIE COOK
28796 HEXON RD
PARMA ID 83660-6604


for Nick Miller
Regional Manager

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.



January 15, 2021

Art Ramos
10301 W. Shumard Dr.
Star, Idaho 83669

Artramos52@hotmail.com

Re: John Kimura Trust Administration
APN: 021-220-023-000
Our File No. 17575

Dear Art:

Our office represented John Kimura in his business and personal matters for many years. As you know, John passed away on December 19, 2020. John had a Trust Agreement, and Gary Kimura is the named successor Trustee of the Trust. Our office represents Gary in his capacity as Trustee of John's Trust.

Gary informed us that John had been working closely with you regarding matters involving several properties John purchased in Idaho. Gary expressed to us that he is very appreciative of the support you have given to him since John's passing.

This letter is to advise you that Gary would like to continue to work with you on matters concerning the Idaho properties. Gary, as Trustee, is authorized under the terms of the trust agreement to delegate the management decisions under the trust to an agent, and Gary would like to designate you as an agent to act on his behalf as to matters relating to the Idaho properties. This will formally authorize you to work with Gary on all matters you were previously working with John.

Enclosed is a copy of the Certification of Trust that affirms Gary as the acting trustee under the Trust. For your information, John signed Deeds prior to his death transferring the Idaho properties to his Trust, which have now been recorded, so the Idaho properties are now assets of the Trust.

{17575.00000 / 01583368.DOC.1 }

Page 2

Please contact me or my paralegal, Janet Dailey, if you have any questions regarding this matter.

Very truly yours,

**WAGNER KIRKMAN BLAINE
KLOMPARENS & YOUMANS LLP**

A handwritten signature in dark ink, appearing to read "Robin L. Klomparens". The signature is fluid and cursive, with a large initial "R" and a stylized "K".

ROBIN L. KLOMPARENS

Enclosure

cc: Gary Kimura, Trustee

Page 2

Please contact me or my paralegal, Janet Dailey, if you have any questions regarding this matter.

Very truly yours,

**WAGNER KIRKMAN BLAINE
KLOMPARENS & YOUNG LLP**

A handwritten signature in dark ink, appearing to read "Robin L. Klomparens". The signature is fluid and cursive, with a large initial "R" and a stylized "K".

ROBIN L. KLOMPARENS

Enclosure

cc: Gary Kimura, Trustee

Kelly, Patrick

From: Kelly, Patrick
Sent: Thursday, November 12, 2020 8:44 AM
To: 'Charlie S. Baser'
Cc: Michael P. Lawrence
Subject: RE: Application for Transfer of Water Right - POD (63-276A) [IWOV-GPDMS.FID916117]

Thanks for clarifying Charlie, we will move on with processing.

Patrick Kelly

Water Rights Supervisor
Emergency Agency Coordinator
2735 Airport Way
Boise, Idaho 83705
o: 208.334.2190
patrick.kelly@idwr.idaho.gov

From: Charlie S. Baser [mailto:charliebaser@givenspursley.com]
Sent: Tuesday, November 10, 2020 5:41 PM
To: Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>
Cc: Michael P. Lawrence <mpl@givenspursley.com>
Subject: Application for Transfer of Water Right - POD (63-276A) [IWOV-GPDMS.FID916117]

Hi Patrick,

Thanks for calling this afternoon about John Kimura's application to transfer the point of diversion for water right no. 63-276A. As I explained, John Kimura and Jason Cook share a point of diversion on the Kimura property but have reached an agreement by which they will slightly adjust their property boundaries and Cook will move his point of diversion to property that he will own once the boundary adjustment is complete. The move will be minor and the new POD will be in the same quarter-quarter section.

If you have any other questions, please do not hesitate to give me a call.

Best,
Charlie

CHARLIE SUZANNAH BASER

GIVENS PURSLEY LLP

601 W Bannock St, Boise, ID 83702
main 208-388-1200
direct 208-388-1271
fax 208-388-1300
charliebaser@givenspursley.com
www.givenspursley.com

CONFIDENTIALITY NOTICE: This communication is confidential and may contain privileged information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street
PO Box 2720
Boise, ID 83701
Telephone: 208-388-1200
Facsimile: 208-388-1300
www.givenspursley.com

Gary G. Allen
Charlie S. Baser
Christopher J. Beeson
Jason J. Blakley
Clint R. Bolinder
Jeff W. Bower
Preston N. Carter
Jeremy C. Chau
Michael C. Creamer
Amber N. Dina
Bradley J. Dixon
Thomas E. Dvorak
Debora Kristensen Grasham
Donald Z. Gray
Alex J. Gross
Brian J. Holleran

Kersti H. Kennedy
Neal A. Koskella
Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
Kimberly D. Maloney
Kenneth R. McClure
Kelly Greene McConnell
Alex P. McLaughlin
Melodie A. McQuade
Christopher H. Meyer
L. Edward Miller
Judson B. Montgomery
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Samuel F. Parry

Randall A. Peterman
Jack W. Relf
Michael O. Roe
Jamie Caplan Smith
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

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NOV 09 2020

WATER RESOURCES
WESTERN REGION

November 9, 2020

Via Hand Delivery

Idaho Department of Water Resources
Western Regional Office
2735 W. Airport Way
Boise, ID 83705

Re: *Application for Transfer of Water Right – Point(s) of Diversion*

Dear Sir or Madam:

Enclosed please find an Application for Transfer of Water Right – Point(s) of Diversion regarding the water right number 63-276A for filing with the Idaho Department of Water Resources, along with a check in the amount of \$200.00 for the filing fee. Please file the above referenced documents and provide us with a conformed copy for our records. Should you have any questions or concerns, please contact us.

Sincerely,



Mary Barnes

/mb
Enclosures
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