

WATER RESOURCES  
WESTERN REGION

(Signature/Title of Applicant)



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](http://www.idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 19, 2020

ALCES MANAGEMENT & FINANCIAL SERVICES LLC  
C/O RIK FRASER  
5701 WILLOW CREEK RD  
EAGLE ID 83616

**Re: Withdrawal of Application for Transfer No: 83891**

Dear Applicants:

The Department has received your recent withdrawal of the above referenced application. For your convenience a copy of the withdrawal and application are enclosed.

Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue horizontal line.

Kensie Thorneycroft  
Administrative Assistant  
Western Regional Office

Enclosures

## MEMORANDUM

TO: Transfer No. 83891

FROM: Anna Kaiser

DATE: 5/5/2020

RE: Evaluation of Application

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The transfer proposes to change the place of use for 33.4 acres irrigated by water rights 65-23861, 65-23862, and 65-23863. These three water rights were split from water rights 65-2851, 65-11341, and 65-11342 respectively prior to processing Transfer 83891.

Water rights 65-23861 and 65-23862 were split and ownership of split portion was changed prior to approval of this transfer. Water rights within the transfer were updated to reflect the total acres, diversion rate, and place of use remaining after the split. Applicant was notified of said changes via letter sent on 4/24/2020.

The site is located in Boise County off Willow Creek Rd north of Eagle, Idaho.

Contact person for the applicant is Rik Fraser whose address is 5701 Willow Creek RD, Eagle, ID 83616, (208)-817-3302.

### Summary of Information Submitted

#### **Authority to File:**

Transfer application no. 83891 is filed in the name of Alces Management & Financial Services LLC (Alces Management). Alces Management currently owns all water rights involved in the transfer as well as the property associated with the proposed place of use. Rik Fraser signed for the transfer. The operating agreement for Alces Management submitted with Transfer 83891 lists Rik Fraser as the "Sole Member" of Alces Management.

#### **Water Right Validity:**

Water rights involved in transfer no. 83891 were split from water rights 65-2851, 61-11341, and 61-11342. The validity of the water rights involved in the transfer will therefore be based on the validity of the three aforementioned parent water rights. Partial decrees for these three water rights were issued on November 3, 2000. These rights are presumed valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department using aerial imagery.

#### **Injury to Other Water Rights:**

Transfer 83891 should not injure other water rights. The transfer does not propose change the quantity of water used nor the location of the point of water diversion.

#### **Enlargement of Use:**

Enlargement should not occur. Transfer 83891 proposes no changes in volume, diversion rate, or irrigated acres.

**Local Public Interest:**

No information suggests this transfer proposes a change inconsistent with the local 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.**

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

## MEMORANDUM

**Date:** 5/1/2020  
**To:** Water Right File 65-2851, 65-11341, 65-11342, 65-23861, 65-23862, 65-23863  
**From:** Anna Kaiser  
**Re:** Ownership Change Processed Prior to Transfer No. 83891

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Ownership change (including applicable fee) requested with transfer filing. A separate Notice of Ownership Change form was not received nor required. Ownership change processed on 2/25/2020, prior to transfer resulting in:

WR 65-2851 to:

65-2851 (CAROL & TIM MUSSELL)

65-23861 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

WR 65-11341 to:

65-11341 (CAROL & TIM MUSSELL)

65-23862 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

WR 65-11342 to:

65-11342 (CAROL & TIM MUSSELL)

65-23863 (ALCES MANAGEMENT & FINANCIAL SERVICES LLC)

Transfer no. 83891 will affect WRS 65-23861, 65-23862, and 65-23863. The transfer applicant was not required to amend the transfer application form.

## MEMORANDUM

TO: Water Right Files: 83891

FROM: Anna Kaiser

DATE: 3/31/2020

RE: Telephone Conversation With WD65 Watermaster Ron Shurtleff

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Water District 65's Watermaster Ron Shurtleff called the Western Regional office on April 19, 2020 to relay concerns about Alces Management's transfer application no. 83891. Ron Shurtleff explained that two water rights involved in the transfer (65-11341 and 65-11342 split within transfer to water rights 65-23862 and 65-23863) were historically delivered using a gravity system to achieve beneficial use. Alces Management proposes to transfer the place of use of the water rights involved in transfer 83891 to an upstream location. Ron Shurtleff is concerned the applicant will not be able to deliver water to the desired place of use. He recommended the applicant provide an elaborated plan on how they plan to deliver water to their new place of use.

# The Idaho World

P.O. Box 220  
Idaho City, ID 83631  
(208) 202-9288

State of Idaho )  
County of Boise )

Eileen Capson, being duly sworn, deposes and says: that she is the Publisher of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with March 4, 2020 and ending with the issue of March 11, 2020.

Eileen Capson

State of Idaho )  
County of Boise )

On this 23<sup>rd</sup> day of April in the year 2020, before me, a notary public, personally appeared Eileen Capson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Kristi Coffelt

Notary Public for Idaho

Residing at Idaho City, Idaho  
Commission Expires 6/14/21

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

65-23860  
FAULL RANCH  
ESTATES OWNERS ASSN INC  
PO BOX 88  
HORSESHOE BEND, ID 83629-0088  
Point of Diversion NWSE S12 T07N R02E BOISE County Source PORTER CREEK Tributary PAYETTE RIVER  
Use: IRRIGATION 03/15 to 10/31 0.66 CFS  
Total Diversion: 0.66 CFS  
Date Filed: 02-24-2020  
Place Of Use: IRRIGATION T07N R02E S2 NESE, NWSE, SWSE, SESE  
Total Acres: 33  
Irrigation use is for 6 yards in Faull Ranch Estates Sub-division

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83891

ALCES MANAGEMENT & FINANCIAL SERVICES LLC, 5701 WILLOW CREEK RD, EAGLE, ID 83616-2025 has filed Application No. 83891 for changes to the following water rights within BOISE County(s):

Right No(s). 65-23861, 65-23862, 65-23863; 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: The purpose of the transfer is to change the place of use for a 44 acres of land irrigated by water rights 65-23861, 65-23862, and 65-23863.

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) or proposed transfer(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplication-Results/>. 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 3/23/2020. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director

Published in the Idaho World on 3/4/2020 and 3/11/2020

RECEIVED

APR 27 2020

WATER RESOURCES  
WESTERN REGION

