

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 06 2018
APPLICA

05-2018 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.O.8. Attach an explanation and any supporting documentation.

1. APPLICANT(S) Colyer Herefords Inc. Phone 208 845-2313
2. MAILING ADDRESS 31058 Colyer Road City BRUNEAU
State ID Zip 83604 Email guy@hereford.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) 2-7048

- ☐ 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 7.440 cubic feet per second and/or 3,025.0 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:

system is in place for diversion,
pumping & measuring.

- b. Who owns the property at the point(s) of diversion? Colyer Cattle Co
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Part owner of Colyer Cattle Co.

- 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.

J. Guy Colyer
Signature of applicant or authorized agent

J. Guy Colyer Pres
Print name and title if applicable

12-6-2018
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 5 pages of attachments. Received by Ah Date 12/6/2018

Fee paid 1060.00 Date 12/6/2018 Receipted by AK Receipt # W046989

Preliminary review by ATB Date 3/8/19 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)

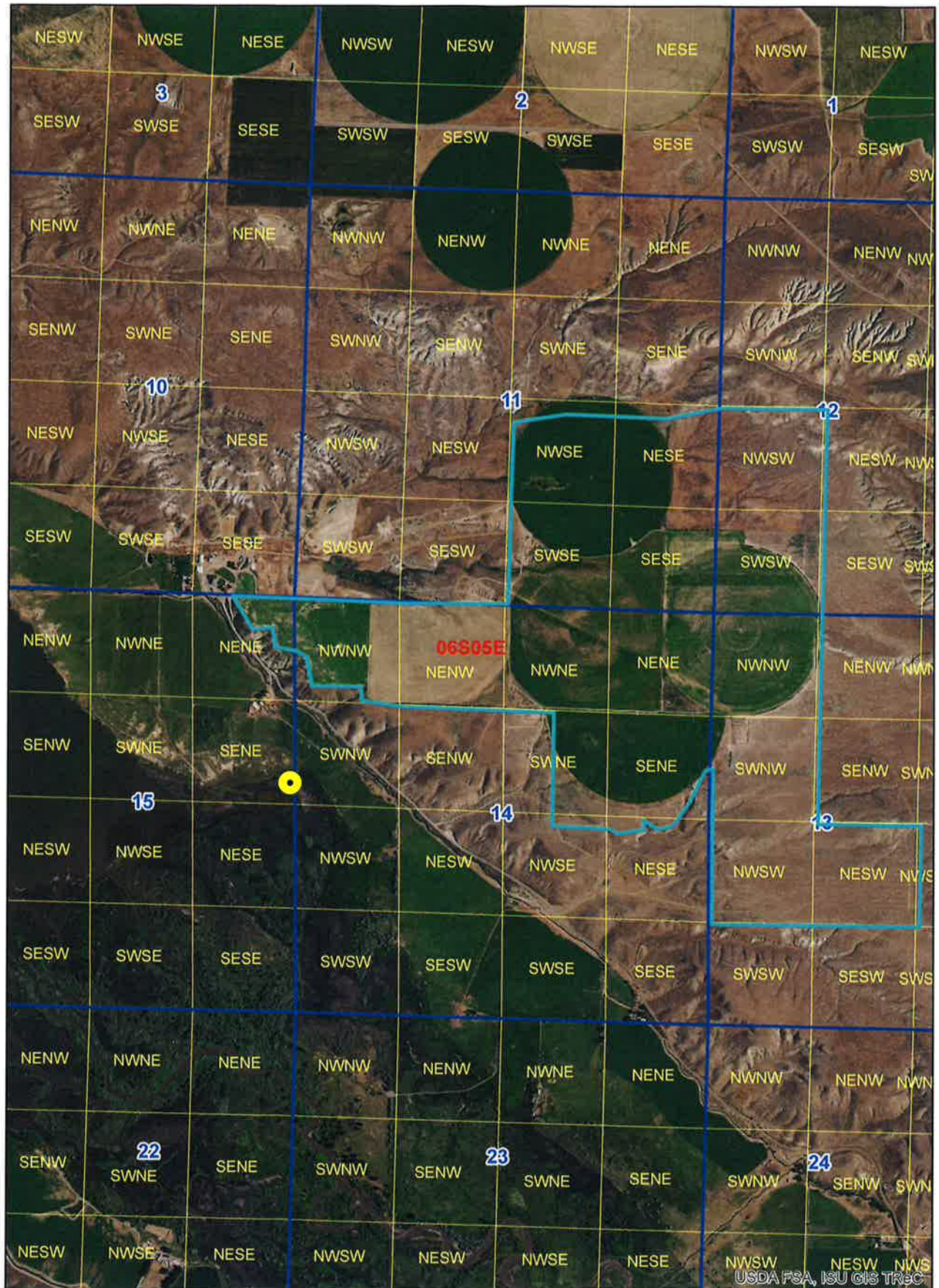
41010.00 - 4/6/2019 - CJ - W047286 [this amount was refunded then returned.]

12/6/2018

Water Right 2-7048

82881

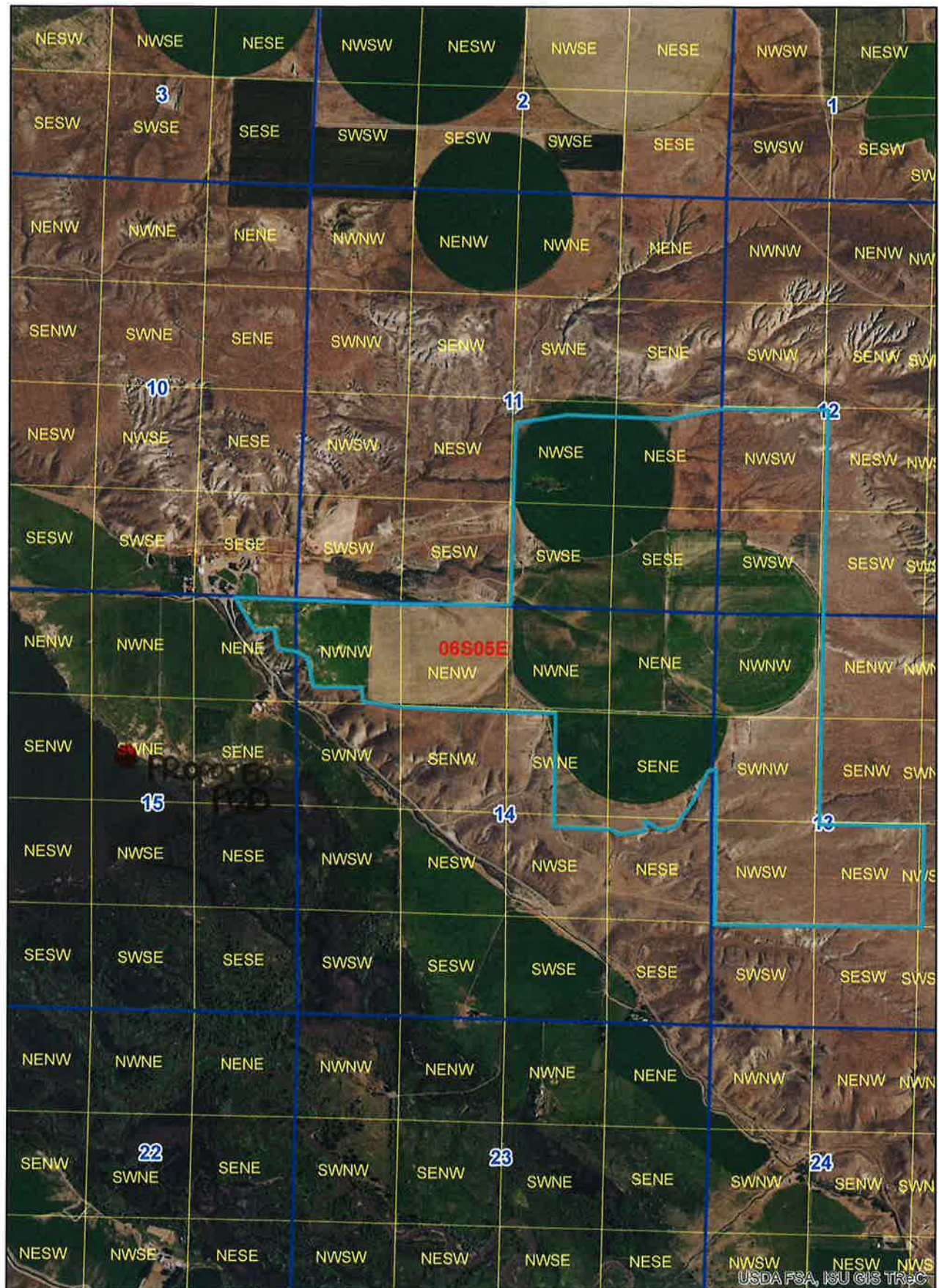
Pre-Transfer





82881

Post-Transfer



No. C 72027		Due no later than Feb 28, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. COLYER HEREFORDS, INC. SHERRY L COLYER 31058 COLYER RD BRUNEAU ID 83604		SHERRY L. COLYER 31058 COLYER RD BRUNEAU ID 83604	
				3. New Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
SECRETARY	SHERRY L COLYER	31058 COLYER ROAD	BRUNEAU	ID	USA 83604
PRESIDENT	JAMES G COLYER	31058 COLYER ROAD	BRUNEAU	ID	USA 83604
5. Organized Under the Laws of: ID C 72027		6. Annual Report must be signed.* Signature: Sherry Colyer Name (type or print): Sherry Colyer Date: 01/01/2018 Title: Secretary			
Processed 01/01/2018		* Electronically provided signatures are accepted as original signatures.			



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

March 3, 2020

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

Re: Withdrawal of Application for Transfer No. 82881

Dear Mr. Colyer:

This letter is an acknowledgement for your recent withdrawal of the above referenced transfer application. Your application is therefore returned. Please note, a refund request in the amount of \$1010 has also been submitted for processing. Upon approval, it will be sent to you under separate cover.

Please 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.

Sincerely,

A handwritten signature in cursive script that reads "Allen Bradbury".

Allen Bradbury
Water Resource Agent, Sr.
Western Region

MEMORANDUM

TO: Sascha Marston
FROM: Allen Bradbury
DATE: 3/3/2020
RE: Refund on Receipt #W047286

COLYER HEREFORDS INC paid \$1,010.00 for a transfer application, #82881, on 4/5/2019. On 2/28/20, after being ask to choose from among four options, the applicant chose to withdraw the transfer application. A refund should be issued.

Please issue a \$1,010.00 refund as follows:

TO

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

TEL. 208.845.2313

RECEIPT

Receipt no. W047286

Copy: app #82881

Bradbury, Allen

From: guy@hereford.com
Sent: Friday, February 28, 2020 11:29 AM
To: Bradbury, Allen
Subject: RE: Transfer 82881

Allen,

After looking at our options, we have decided to go with option 3. Withdraw the transfer.

Thank you for your time to explain our options.

Guy Colyer

From: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Sent: Tuesday, February 11, 2020 12:52 PM
To: guy@hereford.com
Subject: RE: Transfer 82881

Sounds good, thanks.

Allen

From: guy@hereford.com [<mailto:guy@hereford.com>]
Sent: Tuesday, February 11, 2020 12:31 PM
To: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: RE: Transfer 82881

I have sent this on to our lawyer and Scott King. I will be tied up with our bull sale until February 24th so will plan to submit something after that.

Guy Colyer

From: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Sent: Tuesday, February 11, 2020 11:30 AM
To: guy@hereford.com
Subject: Transfer 82881

Dear Mr. Colyer,

I appreciate that you took the time to drop by our office to discuss your transfer application, #82881. I am writing this email to follow-up on our discussion. Since, the Department is unable to confirm the validity of the remaining portions of your water right then we would not be able to approve the transfer. However, there are a few options that you may choose to proceed.

1. Provide a defense to forfeiture. If you choose this option, you have until the end of your current extension, which is April 24, 2020, to provide this information.
2. Accept a reduction in your water right and proceed with the transfer.
3. Withdraw the transfer and pursue your options for establishing the validity of your water right. If you choose this option, you may submit a transfer at a later date and we can issue a refund for the current application.
4. Do nothing and the Department will deny the current application. If you choose this option, it does not prevent you from filing in the future, however we cannot issue a refund.

Please let me know what you would like to do. If you would like to discuss this further, please give me a call. I can be reached by phone at 208-334-2190 or by email at allen.bradbury@idwr.idaho.gov.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources – Western

Bradbury, Allen

From: Bradbury, Allen
Sent: Tuesday, February 11, 2020 11:30 AM
To: 'guy@hereford.com'
Subject: Transfer 82881

Dear Mr. Colyer,

I appreciate that you took the time to drop by our office to discuss your transfer application, #82881. I am writing this email to follow-up on our discussion. Since, the Department is unable to confirm the validity of the remaining portions of your water right then we would not be able to approve the transfer. However, there are a few options that you may choose to proceed.

1. Provide a defense to forfeiture. If you choose this option, you have until the end of your current extension, which is April 24, 2020, to provide this information.
2. Accept a reduction in your water right and proceed with the transfer.
3. Withdraw the transfer and pursue your options for establishing the validity of your water right. If you choose this option, you may submit a transfer at a later date and we can issue a refund for the current application.
4. Do nothing and the Department will deny the current application. If you choose this option, it does not prevent you from filing in the future, however we cannot issue a refund.

Please let me know what you would like to do. If you would like to discuss this further, please give me a call. I can be reached by phone at 208-334-2190 or by email at allen.bradbury@idwr.idaho.gov.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources – Western



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

October 24, 2019

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

RE: Transfer Application #82881/Water Right 2-7048 2nd Extension Request

Dear Mr. Colyer,

On April 29, 2019, Idaho Department of Water Resources (Department) sent a letter requesting additional information regarding the provision of any defense to a partial forfeiture of acres under water right number 2-7048. The transfer was initiated based on recommendations by the Department and Watermaster. A six month extension was granted on May 16, 2019. On October 23, 2019, the Department received a telephone message requesting a second extension of six months to submit this information.

This is notice that your request for a six month extension has been granted and the information outlined in IDWR's letter dated April 29, 2019 shall be received no later than April 24, 2020. The Department appreciates your diligent work towards a resolution of this matter.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources – Western

CC: email to Charlie Honsinger



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

May 16, 2019

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

RE: Transfer Application #82881/Water Right 2-7048 Extension Request

Dear Mr. Colyer,

On December 6, 2018, an Application for Transfer of Water Right - Point(s) of Diversion was filed, no. 82881, to change the location of a point of diversion within Owyhee County. On April 29, 2019, IDWR sent a letter requesting additional information regarding the provision of any defense to a partial forfeiture of acres under water right number 2-7048. On May 16, 2019, the Department received an email request for an additional six months of time to submit this information.

This is notice that your request has been granted and the information outlined in IDWR's letter dated April 29, 2019 shall be received no later than November 15, 2019.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources - Western



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

April 29, 2019

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

RE: Transfer Application #82881

Dear Mr. Colyer,

I am writing to you today in regards to your Application for Transfer of a Water Right no. 82881. The Idaho Department of Water Resources (Department) reviewed this application, including a review of your place of use (POU). The Department has done a forfeiture review of this application and found the following information:

- Water right 2-7048 authorizes 7.44 cfs, 3,025 af for the irrigation of 640 acres (0.012 cfs/ac). Review of historical imagery shows that the property switched to pivot use in the early 2000's. Use since this time measures an irrigation use of approximately 407 acres. Much of the land in Section 13 have not been irrigated since the late 80's.
- Department records obtained from your measuring device found a maximum diversion rate (WMIS data) of 4.87 cfs and 1391.66 ac-ft for report year 2018. This calculates out to be 4.87 cfs / 406.8 acres = 0.012 cfs per acre or 3.42 ac-ft per acre, consistent with your water right on a per acre basis.

Idaho Code §42-222(2) states in part: All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter; except that any right to the use of water shall not be lost through forfeiture by the failure to apply the water to beneficial use under certain circumstances as specified in section 42-223. Circumstances outlined in §42-223 are attached to this letter. Please provide any defense to a partial forfeiture that would cause the Department not to reduce the authorized acres under water right number 2-7048.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided or approved with partial forfeiture without a timely written reply within the next thirty (30) days. I can be reached by phone at 208-334-2190 or by email at allen.bradbury@idwr.idaho.gov for any questions you might have. Thank you for your time and for your attention to these matters.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources – Western

Attachment: Idaho Code §42-223

Forfeiture Analysis
WR# 2-7048

AUTHORIZED ON RIGHT

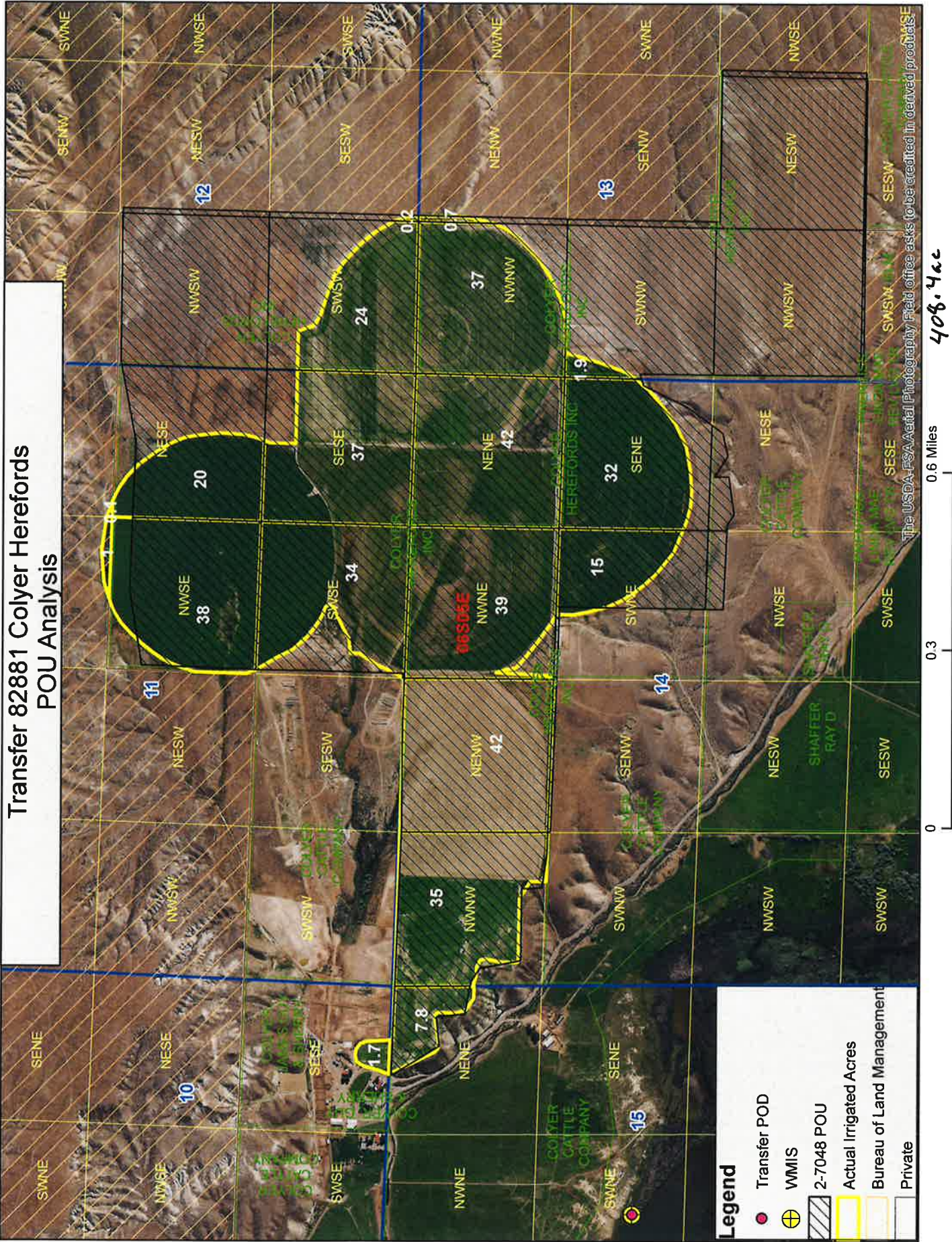
TWP	RGE	SEC	NE			NW			SW			SE			TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	11													158
06S	05E	12													84
06S	05E	13													166
06S	05E	14													223.9
06S	05E	15	41	42	23	35	42	36	42		41	41			8.1
			8.1											2.4	640

FOUND FROM IMAGERY

TWP	RGE	SEC	NE			NW			SW			SE			TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	10													128.6
06S	05E	11			0.6										25.2
06S	05E	12													39.5
06S	05E	13					0.7	37	1.8				25	0.2	204
06S	05E	14	42	39	15	32	41	35							7.9
06S	05E	15	7.9												406.8

TWP	RGE	SEC	Authorized	Found	Difference
06S	05E	10	0	1.6	-1.6
06S	05E	11	158	128.6	29.4
06S	05E	12	84	25.2	58.8
06S	05E	13	166	39.5	126.5
06S	05E	14	223.9	204	19.9
06S	05E	15	8.1	7.9	0.2
			640	406.8	233.2

**Transfer 82881 Colyer Herefords
POU Analysis**



MEMORANDUM

Date: April 9, 2019
To: Transfer 82881
From: Allen Bradbury
Re: Comment/Analysis

Comment/Analysis

4/9/2019

Comments wer sought from WD02 water master, who did not have any concerns.

The old diversion point is inoperable so we need to change the point of diversion as was the original intention.

Enclosed is the check to cover the original one that was issued to you before the refund.



J. Guy Colyer, President

Colyer Herefords Inc.

RECEIVED

APR 05 2019

WATER RESOURCES
WESTERN REGION



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

March 27, 2019

COLYER HEREFORDS INC
31058 COLYER RD
BRUNEAU, ID 83604-5117

RE: Transfer Application #82881

Dear Mr. Colyer,

After a review of historical aerial photography, it came to our attention that your diversion ditch did not appear to be in place until sometime after the decreed date of 6/15/2009. Therefore a refund was issued in error according the following water appropriation rule.

For an application to change only the legal description for the place of use or the point of diversion when there will be no physical change in the location of the place of use or the point of diversion and no unauthorized physical change in the location of the place of use or the point of diversion has occurred inconsistent with the decree, license or transfer defining the water right, the total filing fee shall be \$50.00 per water right (Idaho Code § 42-221.O.8).

In order for IDWR to continue processing, please return the refund check or reissue another check for the full amount.

Also, if you currently can divert any water from the pump station area (your current legal description), it may be to your benefit to keep it but add an additional point of diversion (POD). In other words, keep the POD at the pumping station and add the mouth of the ditch at the lake as an additional POD, instead of just requesting a change in the POD. Either way adding or moving the POD requires the full fee that you originally paid.

If you choose, you can amend the enclosed application by checking the add diversion point(s) box and crossing out change diversion point(s) at the top of the application and adding the additional legal description in item 5. Please initial any changes.

Please submit your response in writing within thirty **(30) days** of the date of this letter. The application will be voided without a timely written response. Refunds are not issued for voided applications.

Please let me know if you have any questions regarding the content of this letter. I can be reached by phone at 208-334-2190 or by email at allen.bradbury@idwr.idaho.gov. IDWR forms and other information can be found at www.idwr.idaho.gov. Thank you for your time and for your attention to these matters.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Dept. of Water Resources - Western

Bradbury, Allen

From: Whitney, Rob
Sent: Thursday, February 21, 2019 8:07 AM
To: Bradbury, Allen
Cc: Erling, Jes
Subject: RE: WD 2 Watermaster Recommendations

Allan,

I believe these applications are in response to WD02 requesting that the WR owners file them to make the paper POD consistent with the actual POD. I'll let Jes confirm and weigh in. If this is the case, WD02 does not have any concerns related to these POD adjustments. If you still want the WM recommendation forms completed, we can do that.

RW

PS

Did Cindy Yenter get in touch with you?

From: Bradbury, Allen
Sent: Wednesday, February 20, 2019 4:44 PM
To: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Subject: WD 2 Watermaster Recommendations

Hi Rob,

I'm emailing you in reference to two POD transfers in Water District 2. Transfer 82881 (WR#2-7048) for Colyer Herefords Inc. and 82920 (WR#2-2052) for River Valley Farms Inc. I've attached the applications and watermaster recommendation forms.

I would appreciate any comments that you might have for our file. Please email the watermaster recommendations back to me.

Thanks,

Allen Bradbury

*Water Resource Agent, Sr.
IDWR-Western Region
(208) 334-2190*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 8, 2018

Colyer Herefords INC
31058 Colyer Rd.
Bruneau, Idaho 83604

Re: Water Right: 2-7048

Dear Water Right Owner:

Idaho Department of Water Resources (IDWR) records show you own the above referenced water right which allows diversion of water from the Snake River. The authorized point of diversion (POD) for this water right is located in Township 06 South, Range 05 East, Section 15, SESENE. The attached map illustrates the location of the current authorized POD.

Water District 02 records show water diverted in connection with the above referenced water right may be at a location different than described on your water right. If you are actually diverting water at a different location, an *Application for Transfer of a Water Right* (transfer application) must be filed with IDWR to change the official record and properly describe the actual POD.

A copy of the referenced water right and the transfer application are also enclosed. The completed application and the appropriate filing fee should be submitted to:

IDWR Western Region
2735 W. Airport Way
Boise, Idaho 83705-5082

Please make sure to select **both** the "Change diversion point(s)" and "Transfer is for changes pursuant to § 42-221.O.8" check boxes on the transfer application form.

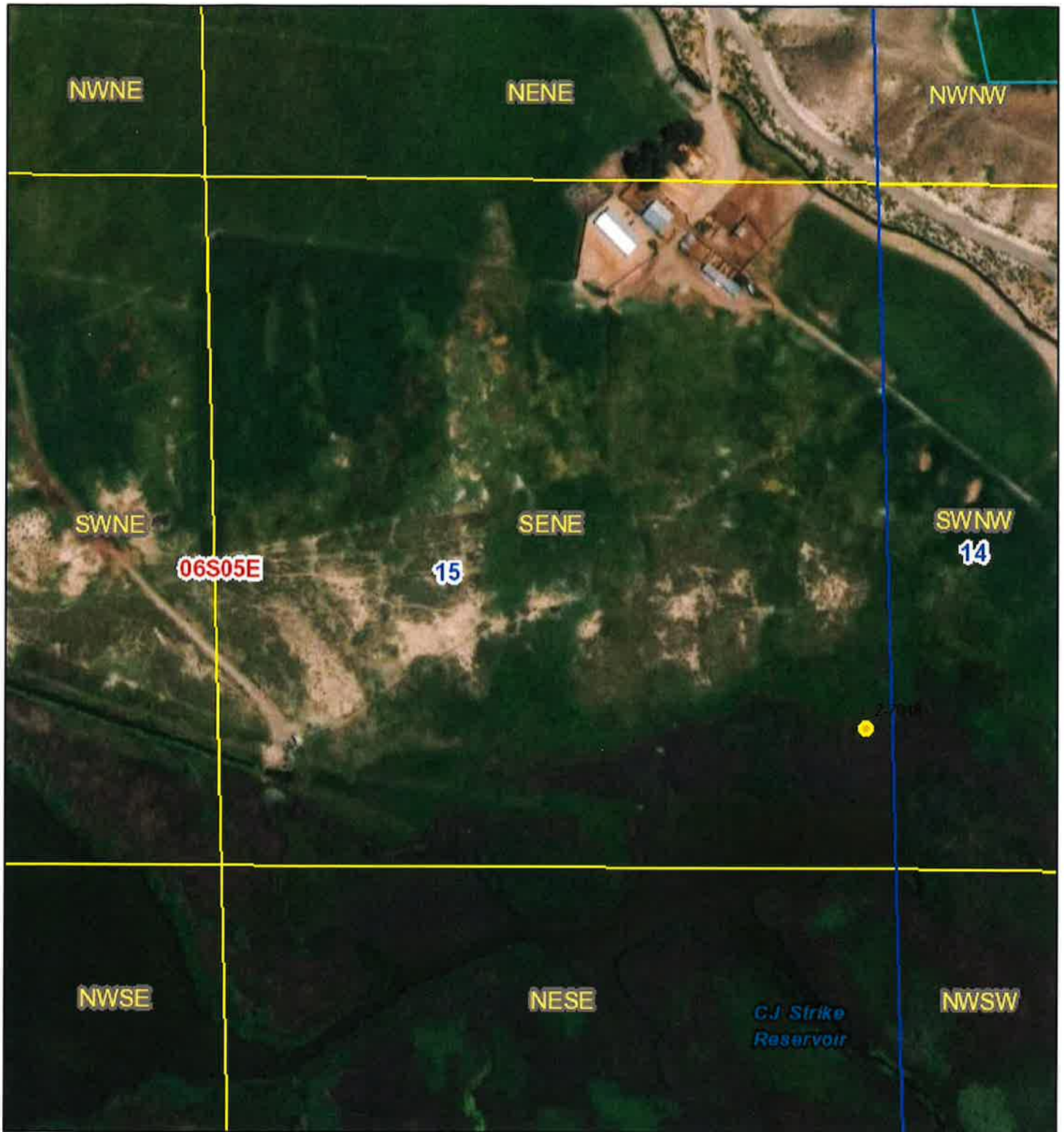
Please contact me if you have any questions or need assistance. Thank you for your cooperation.

Regards,

Jes Erling
Water Resource Agent, Sr.
Hydrographer, WD02
Phone: (208) 287-4956
Email: Jes.Erling@idwr.idaho.gov

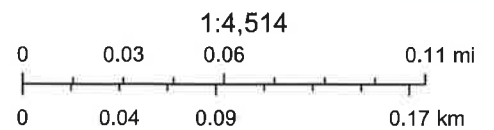
cc: Nick Miller (IDWR)

Water Right 2-7048



10/31/2018 1:07:26 PM

- POD - Water Rights
- Quarter Quarter
- Section
- Township/Range



Esri, HERE, Garmin, © OpenStreetMap contributors, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Miller, Nick

From: Erling, Jes
Sent: Friday, November 09, 2018 10:33 AM
To: Miller, Nick; Grimm, Angie
Cc: Whitney, Rob
Subject: WD02 Water Rights Requiring a POD Transfer
Attachments: WD02_WR_POD_TRANSFERS_ShortList.xlsx; WD02
_Transfer_Notice_POD_CloverHollow_2018.pdf; CloverHollow_POD_MAP.PDF; WD02
_Transfer_Notice_POD_Colyer_2018.pdf; ColyerHerefords_POD_MAP.PDF; WD02
_Transfer_Notice_POD_Thomas_2018.pdf; Thomas_POD_MAP.PDF; WD02
_Transfer_Notice_POD_Obsidian_2018.pdf; Obsidian_POD_MAP.PDF; WD02
_Transfer_Notice_POD_RiverValleyFarms_2018.pdf; RiverValleyFarms_POD_MAP.PDF

Nick,

The attached Excel spreadsheet lists WD02 diversions and associated water rights that require a POD transfer. Transfers are required due to QQ issues preventing the correlation of WR(s) to the correct WMIS POD. The spreadsheet notes the current legal description shown on the proof report (as of 11/8/18) and what the correct legal description is at the WMIS POD (what the legal should be upon transfer). I also noted if the transfer qualifies for the reduced fee of \$50 per water right (Cherie and Rob assisted with the fee determination).

Attached are the notice letters and corresponding maps of the current POD location. Notice letters (including map, application, and instructions) were sent out today from the State office.

Please let me or Rob know if you have any questions or concerns.

Regards,

Jes Erling

Water Resource Agent, Sr.

Water Distribution

Idaho Department of Water Resources

Phone: (208) 287-4956

Cell: (208) 616-2534

Email: Jes.Erling@idwr.idaho.gov

WD02 DIVERSIONS	Water Rights per Diversion ("RED" = Water Right(s) Requiring a POD Transfer)	CURRENT LEGAL PER WR	CORRECT LEGAL (CURRENT WMIS POD)	Qualifi for \$50 Fee (\$42-221.0.8)
Clover Hollow	2-7291, 2-2386, 2-2387, 2-2388, 2-7148-All 5 WRs ARE correlated in WMIS but WR legals need L2 added for rights in RED only. Then, all 5 WRS need moved <u>and</u> WMIS POD moved (new spatial created) above the QQ line into L2 at the East Pump Station. Transfer Required to Add Lot 2.	2-2386, 2-2387, 2-2388, 2-7148: NESW Sec. 28, Twp 05S, Rge 07E	NESW L2, Sec. 28, Twp 05S, Rge 07E	\$200
Colyer Herefords	2-7048 - WR NOT correlated in WMIS. Can NOT correlate WR to WMIS POD - WR legal puts it in a specific QQ. Transfer Required to Remove SE QQ.	2-7048: SESENE Sec. 15, Twp 06S, Rge 05E	SENE Sec. 15, Twp 06S, Rge 05E	\$50
Thomas	2-10251, 2-10253, 2-10255, 2-2066, 2-7107, 2-2075, 2-2106, 2-10254, 2-10256 - WRs NOT correlated in WMIS. Can NOT correlate WRs to WMIS POD - WRs legal is across QQ and in different section. Transfer Required to Move 4 WRs to WMIS POD.	2-2075, 2-2106, 2-10254, 2-10256: SESW L9, Sec. 02, Twp 06S, Rge 08E	SWSW L12, Sec. 03, Twp 06S, Rge 08E	NO
Parkinson (Obsidian Investments LLC)	2-7431, 2-2384 - WR NOT correlated in WMIS. Can NOT correlate WR to WMIS POD - WR legal is across QQ and in different section. Transfer Required to Move WR to WMIS POD.	2-2384: SESW L5, Sec. 15, Twp 04S, Rge 02E	NENW L2, Sec. 22, Twp 04S, Rge 02E	NO
River Valley Farms	2-2052 - WR NOT correlated in WMIS. Can NOT correlate WR to WMIS POD - WR legal is across QQ. Transfer Required to Move WR to WMIS POD.	2-2052: SWSW Sec. 14, Twp 05S, Rge 03E	SWSE L6, Sec. 14, Twp 05S, Rge 03E	\$50