

WATER RESOURCES
WESTERN REGION

Check all that apply:

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:

EXISTING DITCH (SMITH DITCH) WILL CONTINUE TO BE USED WHEN FLOW IS ADEQUATE. NEW SYSTEM (PUMP) WILL USE PVC PIPE + PUMP DIRECTLY OUT OF PAYETTE RIVER BORDERING THE PROPERTY + POU.

- b. Who owns the property at the point(s) of diversion? APPLICANT OWNS PROPERTY AT POU (NEW)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

N/A

- 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)?

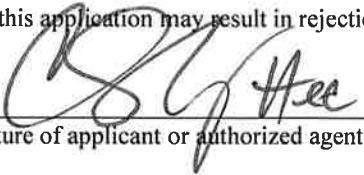
If yes, describe:

- 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

CHRISTOPHER STEVEN KASEY, TRUSTEE
Print name and title if applicable

2/19/2019
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

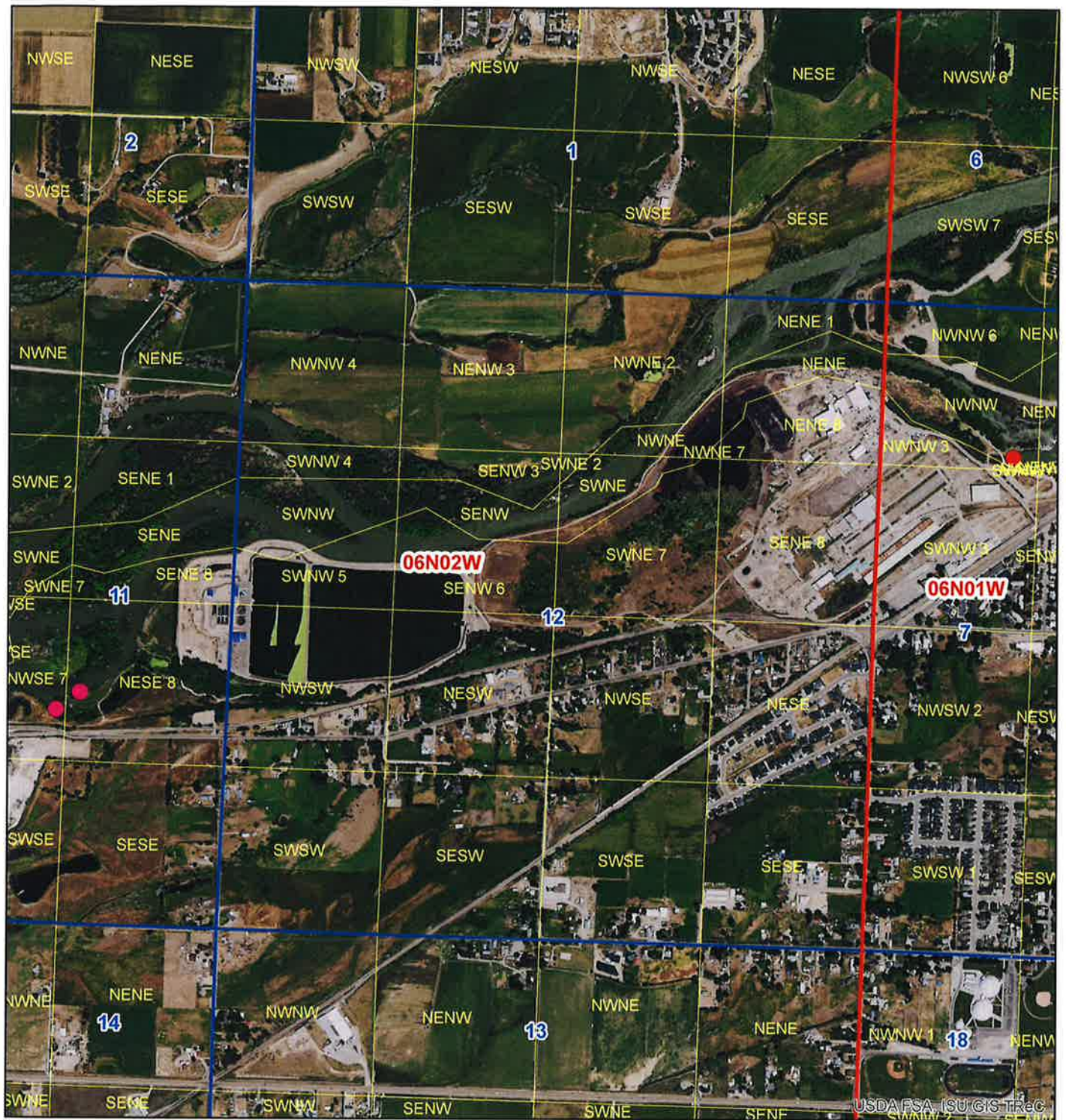
Transfer includes _____ pages of attachments. Received by AK Date 2/19/2019

Fee paid 500.00 Date 2/19/2019 Received by AK Receipt # W047140

Preliminary review by AB Date 4/9/19 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)



Legend

- Existing_Point_of_Diversion
- Proposed_Point_of_Diversions



0 0.1 0.2 0.4
Miles

DECLARATION OF TRUST

THIS DECLARATION OF TRUST is made and entered into as of this 23rd day of March, 2002, by and between CHRISTOPHER STEVEN KELSEY (hereinafter referred to as "Settlor") and CHRISTOPHER STEVEN KELSEY (hereinafter referred to as "Trustee").

Trustee hereby acknowledges that Settlor has assigned, transferred and delivered to the Trustee without consideration the property described in Schedule "A" attached to this instrument.

All property subject to this Trust at any time is sometimes referred to as the "Trust Estate," and shall be held, administered and distributed as provided below.

I. DISTRIBUTION OF INCOME AND PRINCIPAL.

A. During the lifetime of the Settlor, the Trustee shall pay to Settlor, or shall apply for the benefit of Settlor, the entire net income of the Trust Estate, quarter-annually or in more frequent installments. At the written request of Settlor, the Trustee shall pay to Settlor so much of the principal of the Trust Estate as Settlor shall request.

B. If, during the lifetime of the Settlor, Settlor should be incompetent or should in the judgment of the successor Trustee be unable for any other reason to act, the successor Trustee shall apply for Settlor's benefit such amount of the income or the principal as the successor Trustee shall, in the successor

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, May 29, 2019 11:19 AM
To: 'dgreen@idl.idaho.gov'
Subject: Application for Transfer No. 83062
Attachments: Agency Recommendation Form.docx; 83062.pdf

May 29, 2019

IDAHO DEPT OF LANDS
ATTN: DIANE GREEN
DGREEN@IDL.IDAHO.GOV

RE: Applications for Transfer No. 83062

Dear Ms. Green:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **June 24, 2019**.

If your agency desires to formally protest approval of these applications, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to these applications if a timely response is not received. Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, May 29, 2019 11:08 AM
To: 'Ron Shurtleff'
Subject: Applications for Transfer 83062
Attachments: Watermaster Recommendation Form.docx; 83062.pdf

May 29, 2019

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Transfer No. 83062

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **June 24, 2019**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



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 29, 2019

CHRISTOPHER STEVEN KELSEY
2002 SEPARATE PROPERTY TRUST
1775 W STATE ST #397
BOISE, ID 83702

RE: Transfer No. 83062

Dear Applicant:

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 6/5/2019 and 6/12/2019. 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,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

Anna Kaiser
Administrative Assistant

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, May 29, 2019 10:40 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: GEM Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 6/5/2019 & 6/12/2019.

Please confirm these are okay to publish as shown.

Thank You,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

May 29, 2019

LEGAL NOTICE DEPARTMENT

MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Transfer No. 83062

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (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 6/24/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83062**

CHRISTOPHER STEVEN KELSEY 2002 SEPARATE PROPERTY TRUST, 1775 W STATE ST #397, BOISE, ID 83702; has filed Application No. 83062 for changes to the following water rights within GEM County(s): Right No(s). 65-1131A, 65-12721, 65-22350; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: NO LEGAL REMARKS

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 6/24/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/5/2019 and 6/12/2019