

RECEIVED

OCT 25 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

82804

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OCT 29 2018

DEPARTMENT OF
WATER RESOURCESMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Randy and Leslie Stewart Living TrustCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

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WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Randy and Leslie Stewart Living Trust Phone 208-860-8391
 Mailing address 2904 W Newbury Ct, Eagle, ID 83616 Email r.stewart@mtvieweq.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140
 Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
 OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
 OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randy Stewart
 Signature of Applicant or Authorized Representative

RANDY STEWART
 Print Name and Title if applicable

10/16/18
 Date

Leslie Stewart
 Signature of Applicant or Authorized Representative

Leslie Stewart
 Print Name and Title if applicable

10/16/18
 Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☐ Change place of use
☒ Other split rights
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
 1) Split water rights to reflect portion appurtenant to applicants' property aka Lot 7, Block 2, Deersky Ranch
 Subdivision, (2) include applicant's private existing well as the authorized point of diversion

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-32968	0.05/20.9	Irrigation	3/1 to 11/15	Ground Water
☐ ☒	63-32970	0.04/16	Irrigation	4/1 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.09 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.09 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SE	NW	24	2N	3W	Canyon	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.) **Applicant's Portion**

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	24								4.64									4.64
Total Acres (for irrigation use)																			4.64



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:
Proposed private well, pump and pressurized irrigation system. Measuring device and lockable controlling works will be accommodated upon Department's request.

- 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. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
n/a

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
none

- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

All 4.64 acres are currently leased to the water supply bank until 12/31/2020. Upon transfer approval, applicants will request release of a portion of their water to cover their 2019 irrigation needs. See Attachment #9.



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

Current Water Right No.: 63-32968

Current Owner: DEERSKY RANCH HOMEOWNERS ASSOC
Priority Date: 2/25/1963
Origin: Water Right
Status: Water Supply Bank Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.61 CFS	241.7 AF
	<u>Total Diversion</u>	0.61 CFS	241.7 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4NW1/4	Sec. 24,	Twp 02N,	Rge 03W B.M.
CANYON County				
GROUND WATER	SW1/4NE1/4SW1/4	Sec. 24,	Twp 02N,	Rge 03W B.M.
CANYON County				

Place of Use

IRRIGATION Within CANYON County

T02N R03W S24	SE1/4	26.10	T02N R03W S24	SE1/4	27.60
Total Acres: 53.7					

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. X35 Rights 63-32967, 63-32968, 63-32969 and 63-32970 when combined shall not exceed a total diversion rate of 1.05 cfs, a total annual maximum diversion volume of 413.2 af at the field headgate, and the irrigation of 94.7 acres.

Decreed Date: 3/24/2009



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

Current Water Right No.: 63-32970

Current Owner: DEERSKY RANCH HOMEOWNERS ASSOC
Priority Date: 3/11/1968
Origin: Water Right
Status: Water Supply Bank Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	0.5 CFS	194.9 AF
	Total Diversion	0.5 CFS	194.9 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4SW1/4	Sec. 24,	Twp 02N,	Rge 03W B.M.
CANYON County				
GROUND WATER	SE1/4NW1/4NW1/4	Sec. 24,	Twp 02N,	Rge 03W B.M.
CANYON County				

Place of Use

IRRIGATION Within CANYON County

T02N R03W S24	SE1/4	28.10	T02N R03W S24	NESW	28.60
Total Acres: 56.7					

Conditions of Approval:

1. X35 Rights 63-32967, 63-32968, 63-32969 and 63-32970 when combined shall not exceed a total diversion rate of 1.05 cfs, a total annual maximum diversion volume of 413.2 af at the field headgate, and the irrigation of 94.7 acres.
2. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/2/2008.

Decreed Date: 5/2/2008



82804



TitleOne
a title & escrow co.

Order Number: 18310607

Warranty Deed

For value received,

Barbara A Smotherman and Farris Smotherman, wife and husband

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

Randy Stewart and Leslie Stewart, as Co-Trustees of The Randy and Leslie Stewart Living Trust, dated July 27, 2015

whose current address is 2904 W. Newbury Ct Eagle, ID 83616

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

Lot 7 in Block 2 of Deersky Ranch, according to the official plat thereof, filed in Book 30 of Plats at Page 6, records of Canyon 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.

Dated: April 27, 2018

Barbara A Smotherman
Barbara A Smotherman

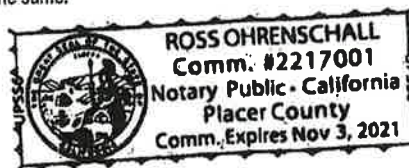
Farris Smotherman
Farris Smotherman

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California, County of Placer, ss.

On this 26th day of April in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Barbara A. Smotherman, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

UIM
Notary Public
Residing In: Rocklin, CA
My Commission Expires: 11/03/2021
(seal)
State of Idaho, County of Canyon ss.



On this 30th day of April in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Farris Smotherman, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public
Residing In:
My Commission Expires:
(seal)



82804

Path: S:\PROJECTS\1439\1439PROJECT\GIS\Map_Projects\WFR Map.mxd



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

**APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK**

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
63-32968	indefinitely	*	*	*	Attached? ☐ or No Change ☒
63-32970	indefinitely	*	*	*	Attached? ☐ or No Change ☒
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☒ 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](#). (not applicable until 12/31/2020)

Additional Information:

Applicant owns 4.64 acres currently leased in the SENW, S24 under 63-32968 and 63-32970. Applicant's 4.64-acre parcel is aka Lot 7, Blk 2, Deersky Ranch Subdivision. Upon transfer approval, applicants will request release of a portion of their water to cover their 2019 irrigation needs. When the HOA lease expires 12/31/2020, applicants will submit a lease in their name for their remaining unused water right portions. (per Clay Webster, IDWR)

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment #9 (WSB)



82804

*subject to recently approved transfers and rental requests

MEMORANDUM

Date: November 29, 2018

To: Transfer 82804

From: Clay Webster

Re: Review & Evaluation of Sufficiency of Information

The department received this application from SPF Water Engineering on behalf of The Randy and Leslie Stewart Living Trust to split water rights 63-32968 and 63-32970 on 10/25/2018. The applicant proposes to split the portion of these rights located on their property at 12597 Deer Ridge Trail also known as Lot 7 Block 2 of Deersky Ranch Subdivision and change the point of diversion to their private existing well. This parcel is located between Deer Sky Ranch Trl. and Deer Ridge Trl. I was unable to locate the well log for this parcel.

The acres that are being split off of these rights have been in the Water Supply Bank since 2012. The applicants will be required to rent the portion that they wish to use in 2019 and 2020 after the transfer is complete. When the current lease ends (December 31, 2020) They will have to submit lease applications in their name to keep any portion in the bank.

The wells for Deersky Ranch are failing and the subdivision has advised the land owners that they will have to split their portions from the existing rights and utilize their existing wells to continue to use the rights.

Associated rights:

63-32967 and 63-32969 have combined use limitations with 63-32968 and 63-32970. They will be included on this transfer. The combined limits will be adjusted to reduce by the portion split off from rights 63-32968 and 63-32970. While processing transfer 80434 in 2016, the Department received written authorization from John E. Holstein (President of Deersky Ranch HOA) to approve adjustments of the combined use limitations of their rights 63-32968 and 63-32970. The Department sought the same authorization from Marianne and Larry Williams. They stated that they no longer owned the property and had no interest in water rights 63-32968 and 63-32969. The parcel data shows that property is currently owned by the Bureau of Reclamation. The Department had discussions with the Bureau of Reclamation on these changes and they will need to be sent a copy of the approved transfers for their records.

Authority to File:

This application was signed by Randy Stewart and Leslie Stewart. They are both listed as trustees on the accompanying deed. The current county parcel data shows the parcel owned by Barbara Smotherman. The deed conveyed the property from the Smothermans to the The Randy and Leslie Stewart Living Trust.

Water Right Validity:

63-32968 and 63-32970 were decreed in 2009 and 2008 respectively. Portions were placed in the Water Supply Bank in 2012 including this lot. Forfeiture is not an issue at this time.

Injury to Other Water Rights:

This transfer application does not propose any additional diversion of water nor increased beneficial use. The proposed new POD is very close to the current location slightly southeast. The proposal should have minimal impact on surrounding well owners. Both the current POD and proposed POD fall within the Lake Lowell Groundwater Concern area.

Enlargement of Use:

This transfer will not authorize any additional diversion of water nor increased beneficial use.

Local Public Interest:

The change proposed will allow the applicants to continue to divert their water right from the changed POD.

Beneficial Use/Conservation of Water Resources:

This proposed transfer will not change the authorized beneficial use under these rights. The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area:

No effects are anticipated.

Effect on Agricultural Base of the Local Area:

This application will have no effect.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: November 29, 2018
To: Transfer 82804
From: Clay Webster
Re: Legal Notice Not Required

Legal Notice Not Required
11/29/2018

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.



SPF WATER
ENGINEERING

October 23, 2018

RECEIVED

OCT 25 2018

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Angie,

Enclosed on behalf of the Randy and Leslie Stewart Living Trust, is an *Application for Transfer* involving portions of water rights 63-32968 and 63-32970 appurtenant to their property. The water rights are currently in the name of Deersky Ranch Subdivision HOA.

Check No. 2045 for \$400 is enclosed for the filing fees including: \$200 for the transfer application and \$200 to split the water rights.

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: Randy and Leslie Stewart

Enclosures

SPF file number: 1439.0010



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