

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82418**

This is to certify that: ANTHONY EDWARD OWEN AND
CHRISTOPHER JOHN OWEN
204 N COBBLESTONE LN
EAGLE, ID 83616

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>
65-7206B	WR/DECREED	5/26/1971	0.130 cfs	N/A	N/A	N/A	WARM SPRINGS

Purpose of Transfer (Changes Proposed)

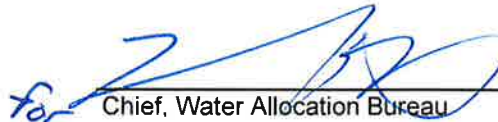
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-7206B	NO	NO	NO	NO	NO	YES

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>
65-7206B	65-7206B	0.130 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.130 cfs	N/A	N/A	N/A		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 28 day of November, 2018.

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 65-7206B

As Modified by Transfer No. 82418

In accordance with the approval of Transfer No. 82418, Water Right No. 65-7206B is now described as follows:

Right Holder: CHRISTOPHER JOHN OWEN Or
ANTHONY EDWARD OWEN
204 N COBBLESTONE LN
EAGLE, ID 83616
Or
ZANE LEWIS WOLFF
C/O CHRISTOPHER J OWEN
2152 W WASHINGTON BLVD
LOS ANGELES, CA 90018

Priority Date: 5/26/1971

Source: WARM SPRINGS

Tributary: SOUTH FORK PAYETTE RIVER

BENEFICIAL USE

RECREATION

From

1/01

To

to 12/31

Diversion Rate

0.130 cfs

0.130 cfs

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS

NENW

Sec 11 Twp 08N Rge 05E BOISE County

PLACE OF USE: RECREATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	05E	11		X															

CONDITIONS OF APPROVAL

1. Rights 65-7206A and 65-7206B when combined shall not exceed a total diversion rate of 0.13 cfs.
2. Water diverted under this right, except for the amount lost due to evaporation, shall be discharged to the South Fork Payette River directly or through seepage.
3. 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. 65.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 82418

WATER RIGHT NO. 65-7206B
As Modified by Transfer No. 82418

CONDITIONS OF APPROVAL

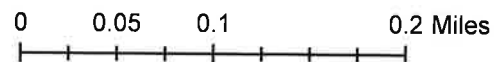
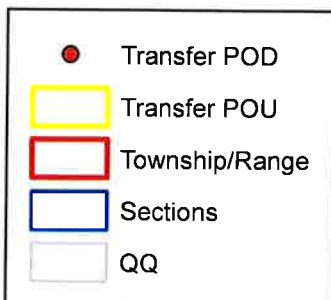
5. Recreation use is for three hot pools located in Lots 3, 4 and 5 of Payette River Hot Springs Subdivision, with a combined total volume of approximately 0.03 af.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 82418

Water Right(s): 65-7206B

This map depicts the RECREATION 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.





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 7, 2018

CHRISTOPHER JOHN OWEN
ANTHONY EDWARD OWEN
204 N COBBLESTONE LN
EAGLE ID 83616

Re: Transfer No: 82418
Water Right No(s): 65-7206B

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

The Transfer of Water Right(s) 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,

A handwritten signature in black ink, appearing to read "Rachel Neely for". The signature is written in a cursive, flowing style.

Nick Miller
Regional Manager

Enclosure

CC:

CHARLES L HONSINGER
HONSINGER LAW PLLC
PO BOX 517
BOISE ID 83701

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2018 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.: 82418
Water Right No(s): 65-7206B

CHRISTOPHER JOHN OWEN
ANTHONY EDWARD OWEN
204 N COBBLESTONE LN
EAGLE ID 83616

CHARLES L HONSINGER
HONSINGER LAW PLLC
PO BOX 517
BOISE ID 83701



Rachel Neely
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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, requests 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 IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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.

MEMORANDUM

TO: Transfer No. 82418 File

FROM: Phill Hummer

DATE: 11/05/2018

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change the nature of use of water right no. 65-7206B from the commercial use associated with a greenhouse to recreation use for proposed new 3 hot pools. The site is within the Payette River Hot Springs Subdivision, approximately 7 miles southeast of Garden Valley along the S Forks Rd. near where Dodge Creek flows into the South Fork Payette River.

Summary of Information Submitted

Authority to File:

The application was submitted and signed by Christopher Owen and Anthony Owen who are listed as co-owners of water right no. 65-7206B. Zane Lewis Wolff is also listed as a co-owner but a quitclaim deed was submitted with the transfer that shows Zane Wolff has given their interest in the property at the place of use to Christopher Owen and Anthony Owen. Since water rights are appurtenant to the property this is enough evidence to process the transfer without needing a signature or other authorization from Zane Wolff. However, a separate notice in change of ownership was not submitted and the application indicates that ownership will not change as a result of the transfer so Zane Wolff will remain a co-owner of the right following approval of the transfer.

Water Right Validity:

Commercial use of water under this right is for a greenhouse that was destroyed in a storm. But an application for extension of time to avoid forfeiture was filed for this right on 09/06/2016. The application was approved with the resumption of use deadline set as 12/31/2023. The extension protects the right from forfeiture until the deadline to resume use, so this right is valid.

Overlap Analysis:

The hot water spring is shared with Payette River Hot Springs Inc. for use in a pool authorized under right no. 65-7206A. The two rights share a diversion system that contains a valve that allows the water to be conveyed to either place of use. The proposed new recreation use for right no. 65-7206B will be different pools than the subdivision's pool which is located in Lot B of the subdivision. Right no. 65-7206A is an associated right because of the shared diversion system but the proposed change to right no. 65-7206B would not require a change to the system or to the combined limit of the two rights so it is not necessary to include it in this transfer application.

Injury to Other Water Rights:

Neither the Forest Service (property owner at the POD) nor the subdivision submitted a protest or any other comment related to the proposed nature of use change. The applicants have indicated that the diversion system continually diverts spring water and the excess returns to the South Fork Payette River. The effect of the proposed change to the source should be minimal. If the subdivision has no concerns it can be assumed the proposed change will not negatively impact their water right.

Enlargement of Use:

The applicant describes the diversion system as a concrete catch basin and pump that runs the water down to the greenhouse, water is then put through the heating system and piped back to the South Fork Payette River. The proposal is to put the hot water into 3 pools between 5 and 10 feet in diameter and from 3 to 5 feet in depth. Once the pools are full excess water will flow through the same pipe system back to the South Fork Payette River. If left un-diverted the spring water would be tributary to the South Fork Payette River and both the historic use of the right and the proposed use return all the water not consumed to the river.

Typically with heating use in a greenhouse hot water is run through a closed system where the heat element is used and the entire volume of water diverted is returned making the appropriation non-consumptive. Even though the proposed change is to "recreation", the use of water would be in pools, which is typically considered to be storage and have a consumptive component. Using Application Processing Administrative Memorandum No. 76 to calculate the volume component of the pools shows that the annual loss due to evaporation would be so minimal (0.003 afa) that it should be considered trivial. If we are to consider the evaporative losses insignificant than the use of water in the pools would not be more consumptive than the historic use of water in the greenhouse. A condition requiring the use of water to be non-consumptive isn't appropriate since some (insignificant but still some) water will be consumptively lost. However, a condition should be added requiring any water that is not lost be returned. See the conditions section below for more details.

The proposed change to "recreation" without a storage component such as "recreation storage" is acceptable because the impoundment volume in the pools is less than the 24 hour fill allowance as described in Application Processing Administrative Memorandum No. 73. Additionally, the flow through of hot water is the beneficial use since the pools will need to be constantly refreshed with new hot water in order to maintain a warm temperature. The right authorizes a combined limit of no more than 0.13 cfs, assuming they divert half the allowable rate then the amount of water diverted is equal to:

$$0.13 \text{ cfs} * 0.5 = 0.065 \text{ cfs} * (86400 \text{ sec/1 day}) * (1 \text{ af}/43560 \text{ cf}) = 0.13 \text{ af}$$
$$1 \text{ pond capacity (from memo 76 worksheet)} = 0.009 \text{ af} * 3 = 0.027 \text{ af}$$

Additionally, the detainment of water under the proposed change would be so minimal that describing the use of water as storage for the purposes of adding conditions or administrative restrictions is not necessary to avoid injury to other water users.

Local Public Interest:

The application proposes changes that are consistent with the local public interest in Idaho.

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.

Discussion

POD Location and Source:

The right previously listed the source of water as Warm Springs Creek. Reviewing the file, specifically the partial decree, it is clear the source is a spring called Warm Springs. The source was reverted back to the actual source name outside of the transfer process. Additionally, the location of the point of diversion was listed without the 10 acre tract as is normally used for diversions from springs. The 10 acre tract description should not be added during this transfer process because the transfer application is not requesting changes to the POD, the partial decree did not list it, and the exact location of the spring is unknown.

If approved the following changes should be made to the conditions of water right no. 65-7206B:

- Update condition C18 to T19.
- Add standard transfer conditions T07 and T08.
- Add R05 and R02 since the diversion is within WD 65.
- Update the combined limit text condition to X35.
- Update the text condition to the new use and add the lot and block information.
- Add a text condition stipulating the return of water that is not lost. The source is a spring that is tributary to the South Fork Payette River most likely less than couple hundred feet from the diversion point. It isn't practical to require the water be returned to the source nor is it necessary to minimize the reduction of available water. This condition is necessary to prevent a future change in recreation use from the proposed hot pools to a recreation use that is more consumptive. The condition would also eliminate the possibility of a use being made of water discharged from the pools. Proposed wordage for this condition:

Water diverted under this right, except for the amount lost due to evaporation, shall be discharged to the South Fork Payette River directly or through seepage.

Protests were not filed and no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	65-7206B
REVIEWER	Phill Hummer
DATE	6/14/2018

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
ET= Evapotranspiration
P _d = Precipitation deficit
P _d =ET-P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at X:/Spatial/Climate/ETIdahostations.shp.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: Garden Valley RS (NWS - 103448)

Month	mm/day ¹	Days per month	mm/Month
Jan	-2.92	31	0.00
Feb	-1.50	28	0.00
March	-0.40	31	0.00
April	0.90	30	27.00
May	1.91	31	59.21
June	2.96	30	88.80
July	4.41	31	136.71
August	3.73	31	115.63
September	2.01	30	60.30
October	0.16	31	4.96
November	-2.40	30	0.00
December	-3.60	31	0.00

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 492.61

$$[(492.61 \text{ mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

$$(492.61 \div 304.8) \times 0.00 = 0.003 \text{ AFA}$$

Total Storage Calculations

FILE NUMBER	65-72068
REVIEWER	Phil Hummer
DATE	6/14/2018

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.0018	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	5	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.009	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.0	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	0.012	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

The Idaho World

P.O. Box 220
Idaho City, ID 83631
(208) 297-8075

RECEIVED

AUG 13 2018

WATER RESOURCES
WESTERN REGION

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 July 18, 2018 and ending with the issue of July 25, 2018.

Eileen L. Capson

State of Idaho)
County of Boise)

On this 10th day of August in the year 2018, 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 has been filed to appropriate the public waters of the State of Idaho:

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82418
CHRISTOPHER JOHN OWEN and ANTHONY EDWARD OWEN, 204 N COBBLESTONE LN, EAGLE, ID 83616; has filed Application No. 82418 for changes to the following water rights within BOISE County(s): Right No(s). 65-7206B. This application for transfer proposes to change the beneficial use from commercial to recreational use. The new use would be 3 separate hot pools located in lots 3, 4, and 5 of the Payette River Hot Springs subdivision. The point of diversion is located about 6.5 miles east of Garden Valley between the Banks Lowman RD and the Payette River.

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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Idaho World on 7/18/2018 and 7/25/2018.

