

APR 30 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. **82418****MINIMUM 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 www.idwr.idaho.gov.

Name of Applicant(s) Christopher J. Owen and Anthony E. OwenCheck 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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #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: _____

82418

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 30 2018

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Christopher J. Owen and Anthony E. Owen Phone 323-377-3644
Mailing address 204 N. Cobblestone Lane, Eagle, ID 83616 Email discountpiano@yahoo.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 Charles L. Honsinger Phone 208-863-6106
Mailing address P.O. Box 517, Boise, ID 83701 Email honsingerlaw@gmail.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.

Christopher J. Owen
Signature of Applicant or Authorized Representative

Christopher J. Owen
Print Name and Title if applicable

4-30-18
Date

X Anthony E. Owen
Signature of Applicant or Authorized Representative

Anthony E. Owen
Print Name and Title if applicable

4-30-18
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____

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.2**.

Water right formerly used in greenhouse for commercial purposes. Greenhouse destroyed by weather. Applicant proposes to transfer water right to 3 lots in same 1/4 1/4 owned by applicant for which water lines to carry geothermal water from point of diversion already exist. Water will be used in recreational hot pools on all three lots.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	65-07206B	.13 cfs	Recreation	1/1 to 12/31	Warm Springs/S.Fk. Payett
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .13 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed .13 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 #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ 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	
Total Acres (for irrigation use)																			

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:

Water is diverted from warm springs by electric pump into pipe that subsequently runs to lots 3, 4 and 5 in Payette River Hot Springs Subdivision. Water was formerly diverted to Greenhouse on Lot A in Subdivision (see map). 1/4 1/4 does not change, so application to change place of use is unnecessary.

- b. Who owns the property at the point(s) of diversion? United States Forest Service

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Special Use Permit from USFS

- 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: N/A

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:

Water Right No. 65-0720A is diverted from the same source through the same diversion system. A valve is in place to allow water to be conveyed to either or both places of use.

- 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:

Application for Extension of Time to avoid forfeiture of a water right approved on November 14, 2016.

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

Current Water Right No.: 65-7206B

Current Owner: ANTHONY EDWARD OWEN
CHRISTOPHER JOHN OWEN
ZANE LEWIS WOLFF

Priority Date: 5/26/1971

Origin: Water Right

Status: Active

Basis: Decreed

Source

WARM SPRINGS CREEK

Tributary

SOUTH FORK PAYETTE RIVER

Beneficial Use

COMMERCIAL

From To

1/01 to 12/31

Diversion Rate

0.13 CFS

Annual Volume

Total Diversion

0.13 CFS

Location of Point(s) of Diversion

WARM SPRINGS CREEK

BOISE County

NE1/4NW1/4

Sec. 11, Twp 08N, Rge 05E B.M.

Place of Use

COMMERCIAL, Within BOISE County

T08N R05E S11

NWNE

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 65-07206A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .13 CFS.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. COMMERCIAL USE IS A GREENHOUSE

Decreed Date: 11/3/2000

QUITCLAIM DEED

Instrument # 205684
MAHO CITY, BOISE COUNTY, IDAHO
2005-11-22 14:59:15 No. of Pages: 2
Recorded for: CHRIS DWEN
ROBERTA CARODY.
Ex-Officio Recorder Deputy *Roberta Carody*
Index to: 000000

FOR VALUE RECEIVED.

ZANE Wolff

GRANTOR, DOES HEREBY GRANT, BARGAIN, SELL AND CONVEY
UNTO:

Anthony Edward Dwen & Christopher John Dwen

GRANTEE, WHOSE CURRENT MAILING ADDRESS IS:

PDB 304 Garden Valley, ID. 83622

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN BOISE
COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

*T8N R5E Payette River Hot Springs
Parcel A Sec 11 RP0520100000A0 A*

TOGETHER WITH THEIR APPURTENANCES,

Zane Wolff
SIGNATURE

0425,05
DATE

SIGNATURE

DATE

STATE OF IDAHO)
COUNTY OF BOISE)

On this 25 day of October in the year 2005, before me a notary public in and
for said State, the province of British Columbia

Personally appeared Zane Wolff
Known or identified to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the same.

Kim Mushynsky
Notary Public of Idaho

(Seal)

Residing at _____
My Commission expires _____
KIM MUSHYNSKY
PO Box 68, Massot, B.C. V0T 1M0
Notary Public in and for the
Province of British Columbia

Attachment 2a

82418

PAYETTE RIVER HOT SPRINGS

garden valley, idaho

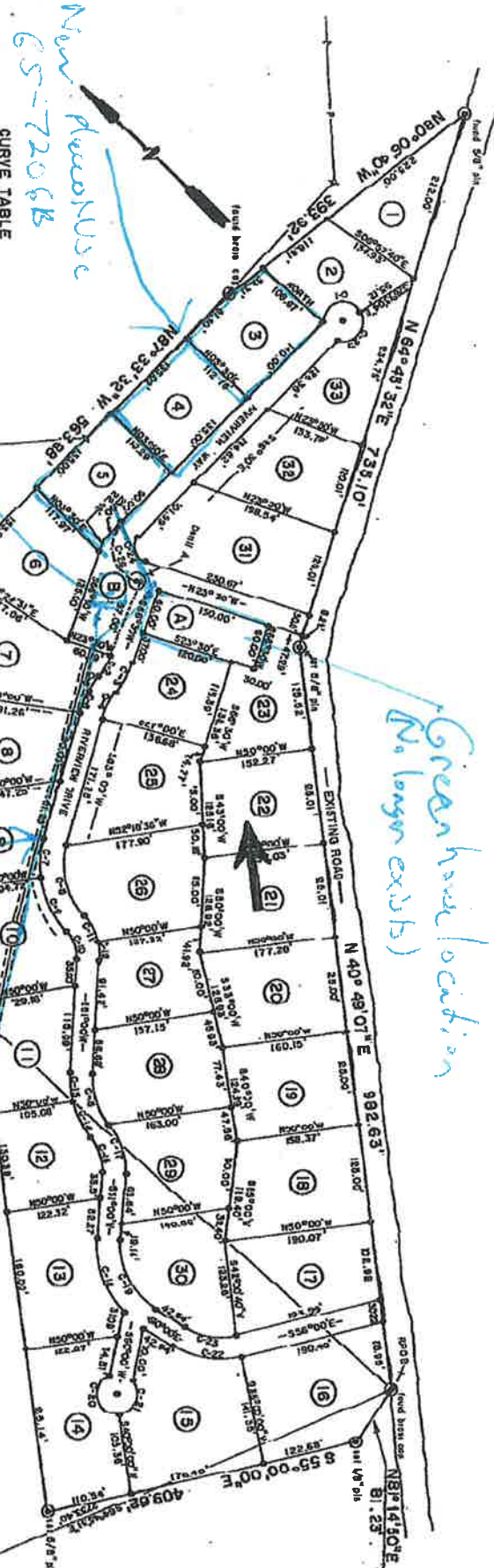
SITUATED IN GOVERNMENT LOTS 1 & 2, SECTION 11, TOWNSHIP 8 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

ROYLANCE ENGINEERING 1976

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN HEREON.

Sheet No. 34743

CH. BEARING	CH. DIST.	B	Δ	ACCL.	TAL.
1 N 89°05'17" W	12.55'	22.00'	103°34'38"	88.80'	104.41'
2 S 79°18'00" W	14.88'	10.00'	22° 10'00"	34.88'	17.48'
3 N 71°51'00" E	14.88'	11.00'	32°00'00"	47.77'	32.88'
4 N 71°50'10" E	15.88'	12.00'	27°00'00"	40.28'	20.41'
5 S 69°27'30" W	12.20'	11.00'	11°00'44"	22.26'	11.18'
6 S 70°57'30" W	11.80'	11.00'	18°55'16"	31.28'	18.08'
7 S 51°00'00" W	11.84'	13.00'	22°00'00"	52.28'	22.48'
8 N 30°00'00" E	15.88'	10.00'	59°00'00"	100.21'	86.45'
9 S 27°30'00" W	12.16'	13.00'	33°00'00"	78.61'	40.88'
10 S 27°00'00" W	12.00'	20.00'	49°00'00"	40.44'	21.82'
11 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
12 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
13 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
14 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
15 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
16 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
17 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
18 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
19 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
20 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
21 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
22 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
23 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
24 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
25 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
26 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
27 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
28 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
29 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
30 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
31 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
32 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'
33 S 27°00'00" W	10.95'	20.00'	49°00'00"	32.28'	18.78'



(1) ALL EXISTING ROADS AND ANY FUTURE ROADS CONSTRUCTED WILL BE PRIVATE ROADS. ROADS COUNTY ASSIGNED TO RESPONSIBILITY FOR MAINTENANCE OR ROAD REPAIRS, SUBJECT TO SEC. 4, BOISE COUNTY ORDINANCE 1965 ANNO 1. 1965.

(2) A POWER LINE ADJACENT TO THE TRAIL CROSSING THE SUBDIVISION. SEE ABOVE FOR APPROXIMATE CENTERLINE LOCATION.

LOT NUMBERS
10' UTILITY & RAILROAD EASEMENTS, 10' INSIDE ALL LOT LINES ALONG ROADS, SUBDIVISION BOUNDARY AND COMMON AREA BOUNDARIES, 10' CENTERED ON ALL INTERIOR LOT LINES.

STATE OF IDAHO) ss
COUNTY OF BOISE) ss
DAVID H. ROYLANCE, JUNE 27, 1976
PROFESSIONAL ENGINEER, LICENSED TO PRACTICE BY THE STATE OF IDAHO, THAT I HAVE CONDUCTED THE SURVEY OF THE LAND SHOWN HEREON AND THAT THE SAME IS A TRUE AND EXACT COPY OF SAID PLAT.

DAVID H. ROYLANCE P.E. NO. 2848



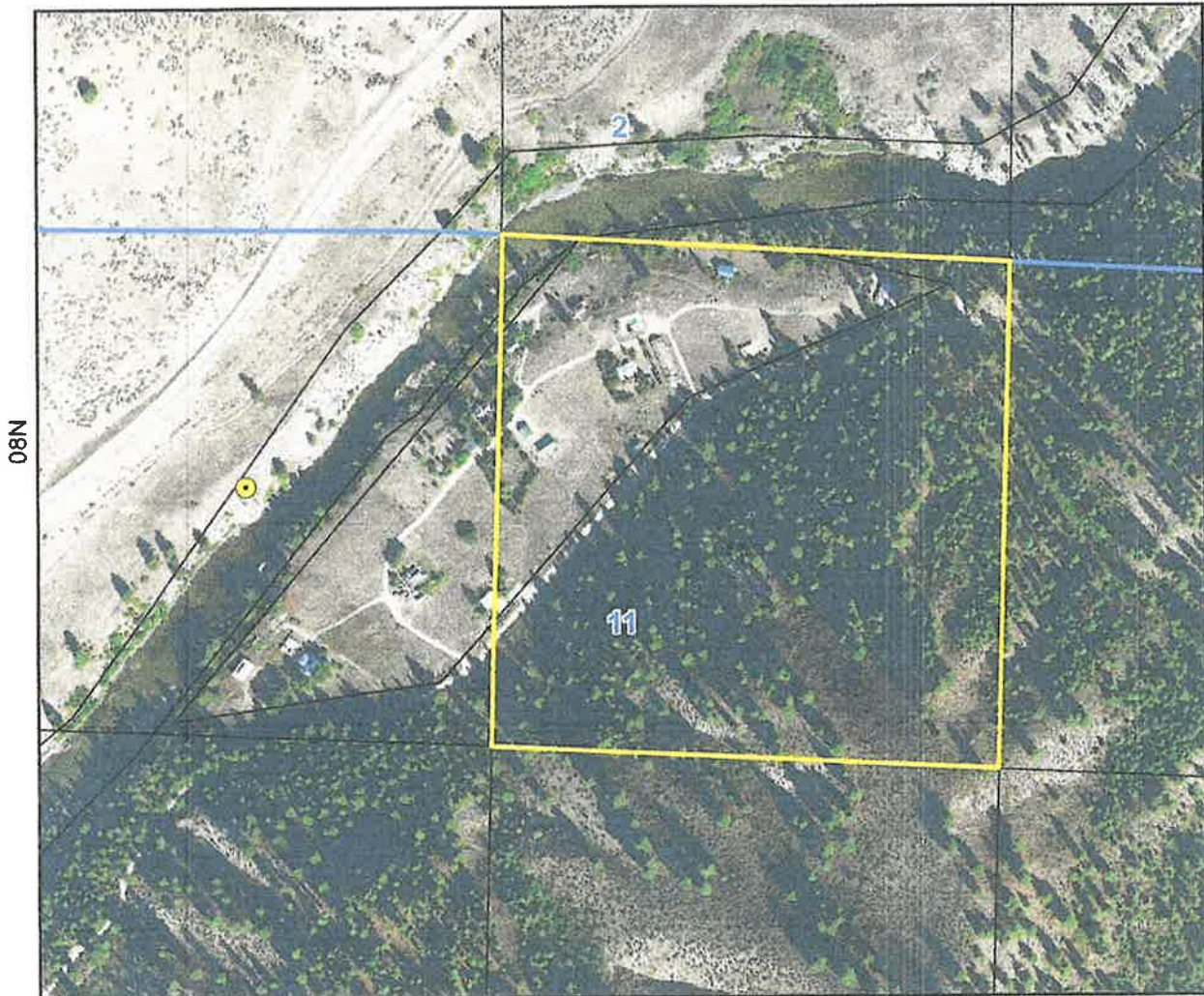
State of Idaho
Department of Water Resources

Water Right
65-7206B

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

05E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles




Attachment 8A - Change in Nature of Use

This transfer application proposes to change the nature of use of the water right from Commercial to Recreational.

The water right has historically been used to heat a commercial greenhouse (Lot A in Payette River Hot Springs Subdivision - please see attached map). The water right is diverted, in conjunction with water right no. 65-7206A, by collecting geothermal water from warm springs in a concrete catch basin and then using a pump to divert the collected water into a pipe that runs towards the place of use for both water rights. A valve in the pipeline permits the water to be split between the greenhouse and the pool in which 65-7206A is used. Historically, the greenhouse used as much water as possible 24 hours a day, 7 days a week, year 'round. This meant that the greenhouse was at all times using at least one-half of the water diverted through the system.

Water used in the greenhouse was run through the (somewhat leaky) heating system and then piped directly down to the South Fork Payette River. Based upon this description, applicant assumes that little to no water was historically consumptively used pursuant to water right no. 65-7206B.

Applicant now proposes to divert water right no. 65-7206B using the exact same system, but instead of using it in the greenhouse (which has been destroyed by the winter of 2016/2017), using it recreationally in 3 hot pools on 3 lots owned by Applicant that are adjacent to the original location of the greenhouse (Lots 3, 4, 5 in Payette River Hot Springs Subdivision - see attached map). The 3 hot pools are planned to be between 5' and 10' in diameter and from 3'-5' in depth. Water will be distributed to the hot pools using a pre-existing pipe running to Lot 5 from the valve mentioned above. Additional piping to lots 4 and 3 from Lot 5 will be installed. Water will be continuously run through the hot pools and then piped down to the S. Fork Payette River. Applicant expects that little to no water will be consumptively used as it will simply be diverted, run through pipes into the pools, and then returned to the river by pipe.



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

July 12, 2018

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

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

Dear Applicant(s):

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 IDAHO WORLD on 7/18/2018 and 7/25/2018. 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,

Rachel Neely
Administrative Assistant

CC:
CHARLES L HONSINGER
HONSINGER LAW PLLC
PO BOX 517
BOISE, ID 83701

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 12, 2018 2:07 PM
To: 'Idaho World Editor'
Subject: Boise Legal Ad
Attachments: Boise Cover Letter.docx; Boise Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 7/18/2018 & 7/25/2018.

Please confirm these are okay to publish as shown.

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

July 12, 2018

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Transfer No. 82418

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 8/6/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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 on 7/18/2018 and 7/25/2018



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

July 12, 2018

PAYETTE RIVER HOT SPRINGS INC
C/O JOHN CARR
2021 NW 10TH ST
MERIDIAN ID 83642

UNITED STATES FOREST SERVICE
1387 S VINNELL WAY STE 343
BOISE ID 83709

Re: Application for Transfer No. 82418

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho World* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **August 6, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 12, 2018 2:22 PM
To: 'Ron Shurtleff'
Subject: Application for Permit No. 65-23772 & Application for Transfer No. 82418
Attachments: Watermaster Recommendation Form_F.PDF; Application for Permit 65-23772.pdf; Application for Transfer 82418.pdf

July 12, 2018

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

RE: Application for Permit No. 65-23772 & Application for Transfer No. 82418

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 **August 6, 2018**.

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,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov