

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82269**

This is to certify that: THE TREVOR ROBERT JOSEPH SHORT & BEVERLY ANNE SHORT FAMILY TRUST
9676 JAMIES JEWEL WAY
LAS VEGAS, NV 89149-1214

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>
37-22998	WR/DECREED	5/1/1883	0.170 cfs	N/A	N/A	3.9	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

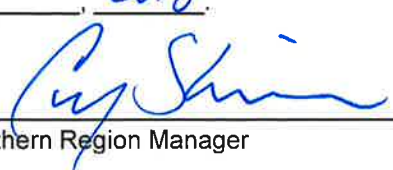
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22998	NO	YES	NO	NO	NO	NO

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>
37-22998	37-22998	0.170 cfs	N/A	N/A	3.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.170 cfs	N/A	N/A	3.9		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 25th day of June, 2018.


Southern Region Manager

WATER RIGHT NO. 37-22998 **As Modified by Transfer No. 82269**

In accordance with the approval of Transfer No. 82269, Water Right No. 37-22998 is now described as follows:

Right Holder: THE TREVOR ROBERT JOSEPH SHORT & BEVERLY ANNE SHORT FAMILY TRUST
 9676 JAMIES JEWEL WAY
 LAS VEGAS, NV 89149-1214

Priority Date: 5/1/1883

Source: GROUND WATER

Tributary: BIG WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to

To

10/31

Diversion Rate

0.170 cfs

0.170 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESESE

Sec 5 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4											2.1						2.1
02N	18E	5																1.8	1.8

POU Total Acres: 3.9

CONDITIONS OF APPROVAL

1. Diversion of groundwater is limited to those times water is available for diversion under this right and priority from the Big Wood River.
2. Use of water under this right will 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. 37.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right shall provide no more than 0.03 cfs per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
5. Point of diversion and place of use are located within Lot 10, River Grove Ranch.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82269

WATER RIGHT NO. 37-22998
As Modified by Transfer No. 82269

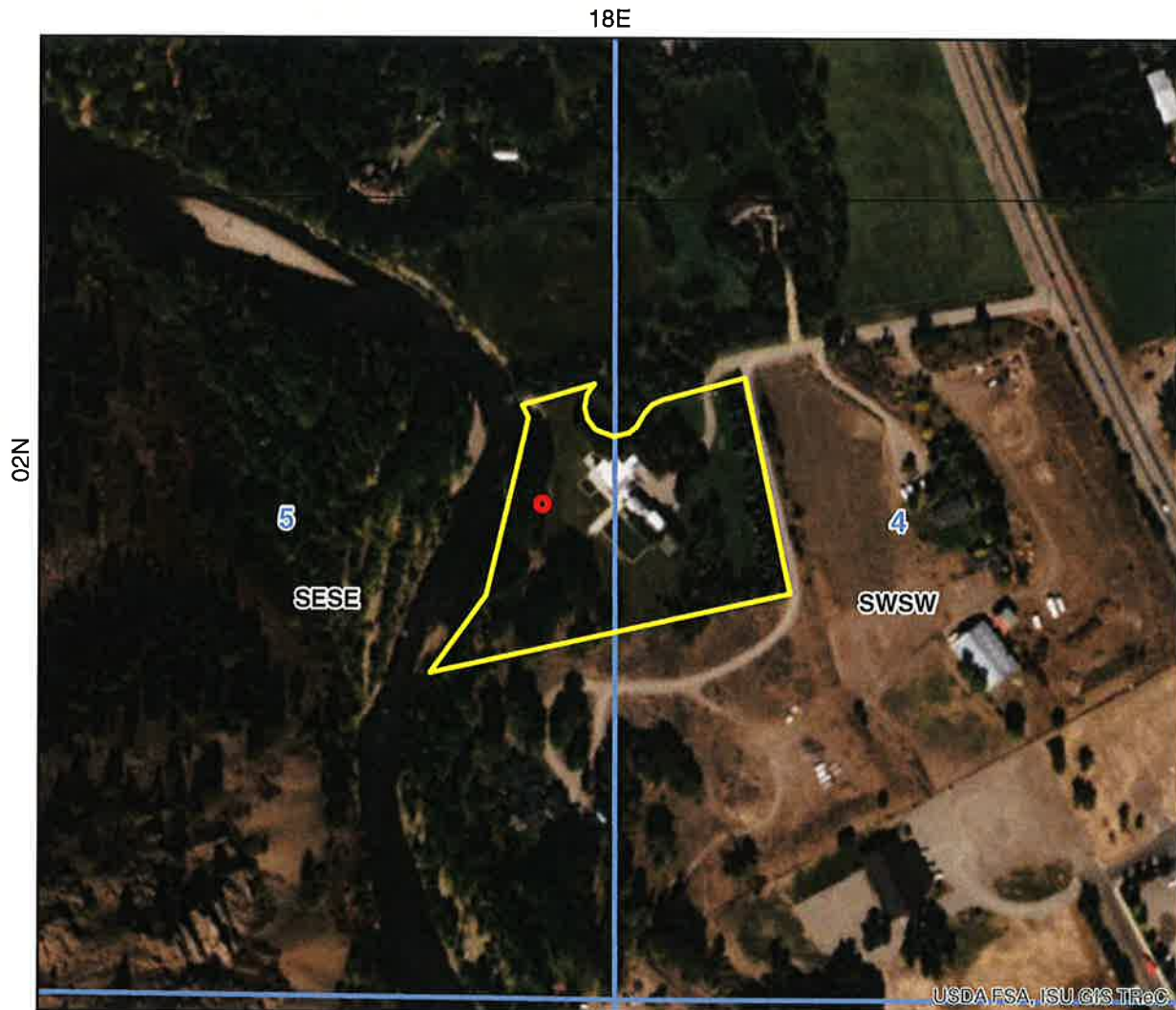
CONDITIONS OF APPROVAL

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 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 82269
37-22998

This map depicts the IRRIGATION 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.



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

0 0.035 0.07 0.14 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 15 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Adam Grosser and Lynn Heublein Phone 650-863-6700Mailing address 2020 Pioneer Ct. San Mateo, CA 944403 Email _____

- ☐ 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 RepresentativeName of Representative Zach Latham, Brockway Engineering PLLC Phone 208-736-8543Mailing address 2016 Washington St. North Suite 4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.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.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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**.
Applicant seeks to transfer point of diversion from the Big Wood River to a well on the applicant's property. A lack of conveyance features prohibits the delivery of water to the applicant from the existing points of diversion. Place of use to remain unchanged. See attached narrative.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 15 2018

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SOUTHERN REGION

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☐ No Representative

Name of Representative Zach Latham, Brockway Engineering PLLC Phone 208-736-8543

Mailing address 2016 Washington St. North Suite 4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.c

- ☐ Send all correspondence for this application to the representative and not to the applicant.
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Signature of Applicant or Authorized Representative

Lynn Heublein
Print Name and Title if applicable

5-31-18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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 _____
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 25 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-22998	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22017	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Adam Grosser and Lynn Heublein
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Trevor Robert Joseph Short and Beverly Anne Short Family Trust dated July 1, 2006
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 9676 Jamies Jewel Way Las Vegas NV 89149
Mailing address City State ZIP
- (310) 895-8625 Brevity@msn.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 4/6/2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Trustee 5/17/18
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Trustee 5/17/18
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 5/17/2018 Receipt No. S036750 Receipt Amt. \$50.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 5-25-2018

RECEIVED

MAY 17 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

To change the ownership of an application for transfer

Page 1 of 2 is to be completed by the current transfer applicant. Notarization required.

Page 2 of 2 is to be completed by the new transfer applicant. Notarization not required.

I, Adam Grosser and Lynn Heublein, hereby assign to
Current Applicant(s)

Trevor Robert Joseph Short and Beverly Anne Short Family Trust dated July 1, 2006

New Applicant(s)

of, 9676 Jamies Jewel Way

Mailing address

Las Vegas

City

Nevada

State

89149

ZIP

(310) 895-8625

Telephone No.

All my right, title, and interest in and to Application for Transfer No. 82269.

Made this day of , 2018.

[Signature]
Signature of Current Applicant or Authorized Representative

Adam Grosser

Print Name and Title (if applicable)

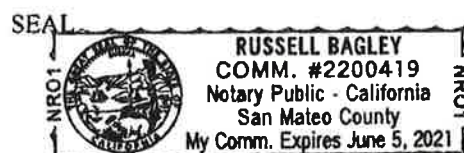
Signature of Current Applicant or Authorized Representative

Lynn Heublein

Print Name and Title (if applicable)

State of ~~Idaho~~ CALIFORNIA)
County of SAN MATEO)ss

On this 5 day of APRIL, 2018, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public

My commission expires: 6/5/2021

RECEIVED

MAY 17 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF APPLICATION FOR TRANSFER

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New Applicant(s)

of, 9676 Jamies Jewel Way

Mailing address

Las Vegas

City

Nevada

State

89149

ZIP

(310) 895-8625

Telephone No.

All my right, title, and interest in and to Application for Transfer No. 82269.

Made this 05 day of APRIL, 2018.

Signature of Current Applicant or Authorized Representative

[Signature]

Signature of Current Applicant or Authorized Representative

Adam Grosser

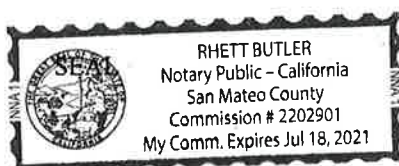
Print Name and Title (if applicable)

Lynn Heublein

Print Name and Title (if applicable)

State of CALIFORNIA)
~~Idaho~~)
County of SAN MATEO)ss

On this 05 day of APRIL, 2018, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public

My commission expires: 07/18/2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

Family Trust

Name of New Applicant(s) Trevor Robert Joseph Short and Beverley Anne Short Phone (310) 895-8625

Mailing address: 9676 Jamies Jewel Way

City Las Vegas State NV Zip 89149 Email Brevity@msn.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. Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.
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). Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.
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 James P. Speck Phone 208-726-4421

Mailing address Speck & Aanestad, A Professional Corp. PO Box 987, Ketchum, ID 83340 Email jim@speckandaanestad.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.
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Signature of Applicant or Authorized Representative

Trevor Robert Joseph Short, Trustee
Print Name and Title if applicable

4/6/13
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

NOTE: Include the appropriate attachments and fee(s) identified above with this assignment form.



WARRANTY DEED

FOR VALUE RECEIVED

Adam Grosser, an unmarried man and Lynn Heublein, an unmarried woman

GRANTOR(S). hereby grants, bargains, sells, conveys and warrants unto

Trevor Robert Joseph Short and Beverly Anne Short, Trustees of the Trevor Robert Joseph Short and Beverly Anne Short Family Trust dated July 1, 2006

GRANTEE(S) whose current address is:

the following described premises, to-wit:

Lot 10 of RIVER GROVE RANCH AMENDED MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

Together with water right numbers 37-22998 and 37-22017.

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 to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; 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 this 4TH day of APRIL, 2018.

A handwritten signature of Adam Grosser in black ink, written over a horizontal line.

Adam Grosser

Lynn Heublein

THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT.
BONDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.



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FOR VALUE RECEIVED

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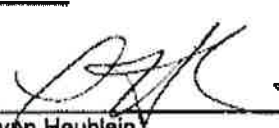
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Dated this 05 day of APRIL, 2018

Adam Grosser


Lynn Heublein

State of ID
County of BLAINE

This record was acknowledged before me on 4th day of APRIL, 2018, by Adam
Grosser.


Notary Public HAILEY, J.D.
My Commission Expires: 5.18.22



State of _____
County of _____

This record was acknowledged before me on _____ day of _____, _____, by Lynn
Heublein.

Notary Public _____
My Commission Expires: _____

State of _____
County of _____

This record was acknowledged before me on _____ day of _____, _____, by Adam
Grosser.

(STAMP)

Notary Public _____
My Commission Expires: _____

State of CALIFORNIA
County of SAN MATEO

This record was acknowledged before me on 05 day of APRIL, 2018, by Lynn
Heublein.


Notary Public RHETT BUTLER
My Commission Expires: 07/18/2021





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 26, 2018

THE TREVOR ROBERT JOSEPH SHORT & BEVERLY ANNE SHORT FAMILY TRUST
9676 JAMIES JEWEL WAY
LAS VEGAS NV 89149-1214

Re: Transfer No: 82269
Water Right No(s): 37-22998

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) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner", written in a cursive style.

Corey Skinner
Southern Regional Manager

Enclosure

cc:

TREVOR ROBERT JOSEPH SHORT (TRUSTEE)
BEVERLY ANNE SHORT (TRUSTEE)
9676 JAMIES JEWEL WAY
LAS VEGAS NV 89149-1214

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

KEVIN LAKEY
WATER DISTRICT 37
107 W 1ST
SHOSHONE ID 83352

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 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.: 82269
Water Right No(s): 37-22998**

**THE TREVOR ROBERT JOSEPH SHORT & BEVERLY ANNE SHORT FAMILY TRUST
TREVOR ROBERT JOSEPH SHORT (TRUSTEE)
BEVERLY ANNE SHORT (TRUSTEE)
9676 JAMIES JEWEL WAY
LAS VEGAS NV 89149-1214**

**JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340**

**BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

KEVIN LAKEY *via e-mail*
**WATER DISTRICT 37
107 W 1ST
SHOSHONE ID 83352**



**Denise Maline
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

Date: June 20, 2018
To: Transfer 82269
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the points of diversion (POD) for 0.170 cfs and 3.9 acre Big Wood River irrigation right, 37-22998, from its current PODs located approximately 1.2 miles north and 0.7 miles west and 1.0 mile north and 0.9 miles west of the intersection of Hwy 75 and Bullion St. in Hailey. Transfer application proposes moving the water right to an existing well located 0.5 miles downstream along the Big Wood River approximately 0.7 miles north and 0.6 miles west of the intersection of Hwy 75 and Bullion St. in Hailey.

Hydrologic analysis was included that indicates there is hydrologic connection between the well and the Big Wood River and would result in at least a 50% reduction of the original source (Big Wood River) within a 6.0 hour period from pumping the well and a 72.9% reduction of the original source within a 24 hour period. Department guidelines require at least a 50% reduction in less than a 24 hour period.

Overlap analysis indicates there are no other water rights utilized within the 3.9 acre place of use for this water right. Point of diversion and place of use are located in Water District 37 and Watermaster comments were solicited and watermaster had no objections to approval of the transfer.

- **Authority to File:**

IDWR records indicate the applicants owned this water right at the time the application of transfer was submitted to IDWR. During transfer processing, an assignment of transfer was submitted along with a warranty deed transferring ownership of the water right to The Trevor Robert Joseph Short & Beverly Anne Short Family Trust.

- **Water Right Validity:**

This water right was decreed in the SRBA on 8/30/2011. Recent aerial photography indicates that the property associated with this transfer appears to be irrigated.

- **Injury to Other Water Rights:**

None anticipated. The application includes a hydrologic analysis demonstrating the hydraulic connection between the well and the Big Wood River.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated. Application was subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**

None Anticipated.

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.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 15 2018

DEPT. OF WATER RESOURCES
SOUTHERN REGION

June 11th, 2018

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-3380

RE: Water Right Transfer Application No. 82269; Signature Pages.

Dear Corey,

Enclosed are the original water right transfer application signatures on two separate pages that are required for approval of pending water right transfer no. 82269. Please continue processing of the application with receipt of these signature pages. Don't hesitate to give me a call should you have any further questions or comments. Thanks for your time and assistance on this matter.

Regards,

Zach Latham, M.S., Hydrologist.

Enclosures: (2) Water Right Transfer Application Signature Pages.

Cc: Mr. Adam Grosser
Ms. Lynn Heublein
Jim Speck

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED

MAY 25 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

May 23, 2018

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

**RE: Grosser and Heublein/Trevor Robert Joseph Short and Beverley Anne Short
Family Trust - Notice of Change in Water Right Ownership
Water Right Nos. 37-22998 and 37-22017**

Dear Corey:

Enclosed for filing is an *original* and one (1) copy of a Notice of Change in Water Right Ownership for the above-referenced Water Rights. We previously paid the filing fee when we submitted the Assignment of Application for Transfer 82269 to you. If the Notice meets with your approval, please process and receipt date-stamp the copy and return it to me in the enclosed self-addressed, postage-paid envelope.

If you have questions, please contact me. Thank you for your assistance.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/kdl

Enclosures

cc: Mr. and Mrs. Short w/ copy of form

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

May 15, 2018

RECEIVED

MAY 17 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

**RE: Grosser and Heublein/Trevor Robert Joseph Short and Beverley Anne Short
Family Trust - Application for Transfer 82269
Water Right Nos. 37-22998 and 37-22017**

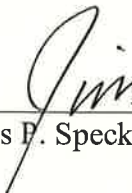
Dear Corey:

Enclosed you will find our check in the amount of \$50.00 payable to the Department for the change in ownership fee for the above-described Water Rights and the *original*, fully executed Assignment of Application for Transfer 82269.

If you have questions, please contact me. Thank you for your assistance.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/kdl

Enclosures

cc: Mr. and Mrs. Short w/ copy of form

RECEIVED

APR 30 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 18th day of

April, 20 18, and the date of the last publication was

on the 25th day of April, 20 18

Subscribed and sworn to before me this 25 day of

April, 20 18.



Connie N. Johnson
NOTARY PUBLIC

RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 97

Number of Insertions 2

Lines tabular at _____ 9.0 cents/pica

17 Lines straight at \$89.24 8.0 cents/pica

97 Subsequent lines at \$78.09 7.0 cents/pica

TOTAL COST \$167.33

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23102

BLAINE COUNTY SCHOOL DISTRICT #61

118 W BULLION ST

HAILEY, ID 83333

Point of Diversion NWNE S27 T01S

R21E BLAINE County Source GROUND

WATER Tributary

Use: IRRIGATION 04/15 to 10/31

0.38 CFS

Total Diversion: 0.38 CFS

Date Filed: 2/20/2018

Place Of Use: IRRIGATION

T01S R21E S27 NE (ALL)

Total Acres: 4.8

Application for permit proposes to divert 0.38 cfs from an existing well for supplemental irrigation of 4.8 acres at Carey School. The requested rate per acre would allow irrigation to occur in a shorter period of time when the sports fields and school grounds are not being used. The application includes a mitigation plan proposing to cease diverting water under supplemental ground water right 37-22205. The point of diversion and place of use are located in the northeast portion of the City of Carey.

✓ OK Am 5/7/2018

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 82269**

✓
OK

ADAM GROSSER and LYNN HEUBLEIN, 2020 PIONEER CT, SAN MATEO, CA 94403; has filed Application No. 82269 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22998. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion (PODs) for a 0.17 cfs and 3.9 acre Big Wood River irrigation right. Current PODs are located approximately 1.2 miles north and 0.7 miles west and 1.0 mile north and 0.9 miles west of Hailey. The transfer proposes moving the POD to an existing well at the authorized place of use that is near the Big Wood River and located approximately 0.5 miles downstream of the current PODs. An analysis of hydraulic connectivity between the well and the Big Wood River is provided with the application. Proposed POD is located approximately 0.7 miles north and 0.6 miles west of the intersection of Hwy 75 and Bullion St. in Hailey. No changes are proposed to the place of use.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 7, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
APRIL 18 & 25 2018**

✓ OK AM 5/7/2018

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED

APR 12 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 82269

Water Right No(s): 37-22998

Transfer Applicant's Name: ADAM GROSSER & LYNN HEUBLEIN
2020 PIONEER CT
SAN MATEO CA 94403

Water master's Recommendation:

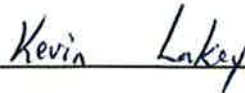
- a) X I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:
- d) Additional comments:

Dated this 12th day of April , 2018

Water District No. 37



Water master's Signature



Printed Name