

RECEIVED

OCT 18 2017

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81962MINIMUM 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) Flying Joseph Ranch, LLCCheck 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 18 2017

DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Flying Joseph Ranch, LLC Phone _____Mailing address 7299 Perimeter Rd. S., Seattle, WA 98108 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 Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ 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

Joe Clark, Member

Print Name and Title if applicable

Date

9/27/17

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**.

The applicant seeks to abandon an existing reservoir and move the appurtenant water right to a new location.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	73-10054	160 ac-ft	wildlife storage	1/1 to 12/31	Spring Cr/Pahsimeroi R
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights _____ cfs and/or 160 acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or 160 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 #
✓			NW	NW	29	13N	23E	Custer	Spring Creek	

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	
13N	23E	19																X	
		20											X						
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:

Diversion works will be equipped with a measuring device and lockable controlling works as required by Water District 73.

- b. Who owns the property at the point(s) of diversion? applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Not applicable.

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: Not applicable.

- 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 rights 73-147B and 73-259 are diverted from the same point.

- 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:

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

Current Water Right No.: 73-10054

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 4/1/1963
Origin: Water Right
Status: Active
Basis: Decreed

Source

SPRING CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

WILDLIFE STORAGE

From To

01/01 to 12/31

Diversion Rate

Annual Volume

160 AF

Total Diversion

160 AF

Location of Point(s) of Diversion

SPRING CREEK

NE1/4NE1/4

Sec. 14, Twp 13N, Rge 22E B.M.

CUSTER County

Place of Use

WILDLIFE STORAGE Within CUSTER County

T13N R22E S14

NENE

T13N R22E S14

SENE

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
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.

Decreed Date: 3/12/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.**FOR DEPARTMENT USE ONLY**

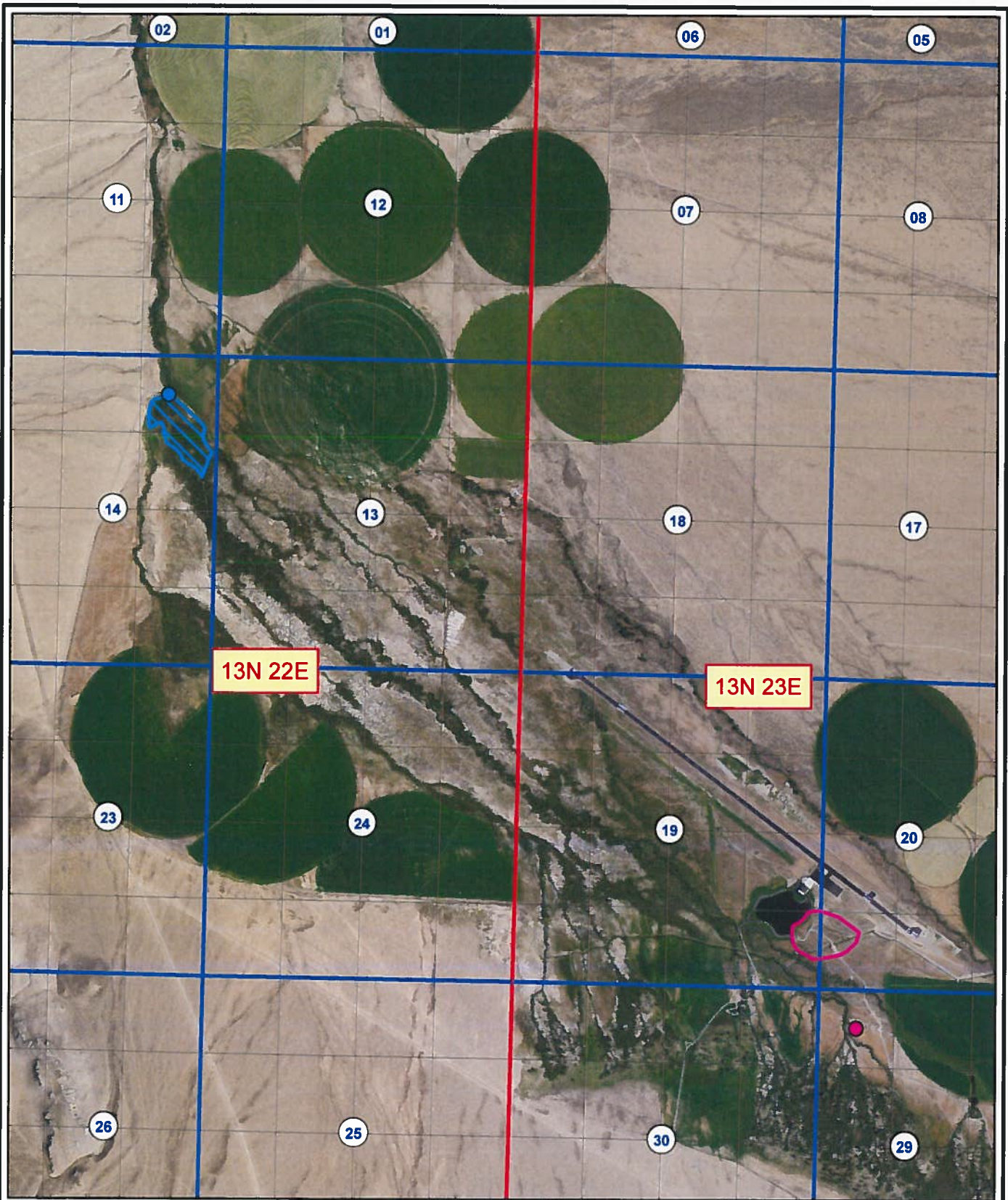
Transfer contains _____ pages and _____ attachments.

Received by TP Date 10/18/2017 Preliminary check by TP Date 10/18/2017

Fee paid 580.00 Date 10/18/2017 Received by TK Receipt # C104229

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



- Proposed Point of Diversion
- Existing Point of Diversion
- Existing Place of Use
- Proposed Place of Use

Attachment 7a/7b



0.5

Miles



SPF WATER
ENGINEERING

RECEIVED
FEB 02 2018
DEPARTMENT OF
WATER RESOURCES

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

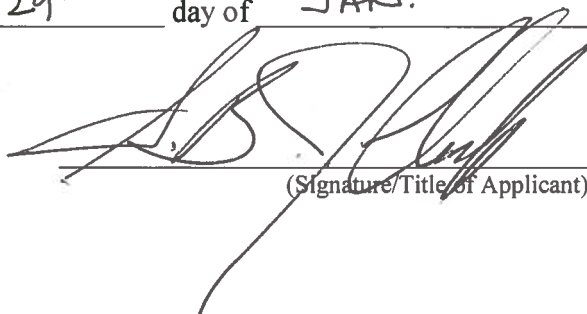
I/We, Flying Joseph Ranch, LLC and JOE CHARL,
(Applicant's Printed Name) (Applicant's Printed Name)

____ and ____
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 81962 of Water Right

No(s). 73-10054.

Signed this 29th day of JAN., 20 18.


(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 8, 2018

FLYING JOSEPH RANCH LLC
7299 PERIMETER RD
SEATTLE WA 98108

Re: Application for Transfer No.: 81962
Water Right No(s): 73-10054

Withdrawal of Application

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of the application for transfer referenced above. The withdrawal removes your application from any further consideration or action by the Department.

A refund request for your filing fee has been submitted and will be sent to you under separate cover from the State Controller's Office.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist

Enclosure

CC:

SPF WATER ENGINEERING LLC
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE ID 83706

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley 
DATE: February 8, 2018
RE: **Refund: Transfer Withdrawn**

Please refund \$580.

NAME: FLYING JOSEPH RANCH LLC
7299 PERIMETER RD S
SEATTLE WA 98108

RECEIPT #: C104229

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, February 08, 2018 8:17 AM
To: Marston, Sascha
Cc: Pline, Treva
Subject: Refunds
Attachments: Refunds.doc

Please process the attached refund. Thank you.

Jean

Skaggs, Pam

From: Skaggs, Pam
Sent: Tuesday, January 30, 2018 11:27 AM
To: 'Roxanne Brown'
Cc: Webster, Clay
Subject: RE: Flying Joseph Ranch applications

Roxanne,

Please drop the original withdrawal document for Application for Transfer 81962 in the mail for us to complete processing. Application for Transfer 81962 will be updated to reflect the status change and a refund requested for the application fee.

Right 73-147A is part of Application for Transfer 81964 held in water right file 73-32 as the lowest numbered right. This application is already on a requested 60-day hold that should allow you time to submit the amended application.

Application for Transfer 81963 is also on a processing hold and being held in water right file 73-15A as the lowest numbered right.

Thank you for providing us with the applicant's current intent for these pending applications for Flying Joseph Ranch LLC.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700

From: Roxanne Brown [mailto:RBrown@spfwater.com]
Sent: Tuesday, January 30, 2018 10:57 AM
To: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: Flying Joseph Ranch applications

Pam – After another meeting with Fish & Game, Flying Joseph Ranch has decided to withdraw transfer application #81962 (form attached), and amend the transfer application that includes 73-147A (and others) to include the proposed enlargement of an existing pond. I don't have a transfer # for the application to be amended because data-entry is not complete on-line.

We will complete the amendment as soon as possible. Please let me know if you require an original, signed withdrawal form rather than the scanned copy attached.

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136
e. rbrown@spfwater.com | c. 208.859.8428

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

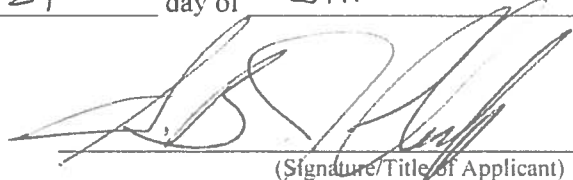
I/We, Flying Joseph Ranch, LLC and JOE CHARL
(Applicant's Printed Name) (Applicant's Printed Name)

(Applicant's Printed Name) and _____
(Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 81962 of Water Right

No(s). 73-10054

Signed this 29th day of JAN., 20 18

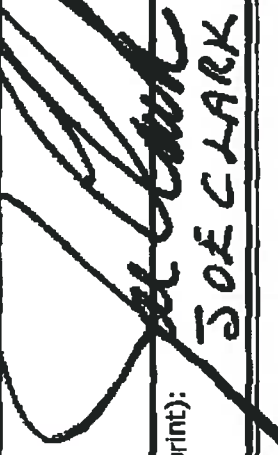


(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

No. W 38351	Reinstatement Annual Report Form ADMIN DISSOLVED 07/26/2017		2. Registered Agent and Office (NOT A P.O. BOX) MARK BROWN 131 W 4TH ST KETCHUM ID 83340																																			
Return to: SECRETARY OF STATE 450 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080	1. Mailing Address: Correct in this box if needed. FLYING JOSEPH RANCH, LLC JOE CLARK 7299 PERIMETER RD S SEATTLE WA 98108		3. New Registered Agent Signature.																																			
REINSTATEMENT FEE DUE: \$30.00																																						
4. Limited Liability Companies: Enter Names and Addresses of Managers OR Members. See Instructions. <table border="1"><thead><tr><th>Manager or Member</th><th>Name</th><th>Street or PO Address</th><th>City</th><th>State</th><th>Country</th><th>Postal Code</th></tr></thead><tbody><tr><td>Manager ☐ Member ☒</td><td>JOE CLARK</td><td>7299 PERIMETER RD S</td><td>SEATTLE</td><td>WA</td><td></td><td>98108</td></tr><tr><td>Manager ☐ Member ☐</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Manager ☐ Member ☐</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Manager ☐ Member ☐</td><td></td><td></td><td></td><td></td><td></td><td></td></tr></tbody></table>				Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code	Manager ☐ Member ☒	JOE CLARK	7299 PERIMETER RD S	SEATTLE	WA		98108	Manager ☐ Member ☐							Manager ☐ Member ☐							Manager ☐ Member ☐						
Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code																																
Manager ☐ Member ☒	JOE CLARK	7299 PERIMETER RD S	SEATTLE	WA		98108																																
Manager ☐ Member ☐																																						
Manager ☐ Member ☐																																						
Manager ☐ Member ☐																																						
5. Organized Under the Laws of: IDAHO W 38351		6. Signature:  Name (type or print): JOE CLARK Date: 07/27/17 Title: MEMBER																																				
Issued 07/27/2017 by online																																						

INSTRUCTIONS FOR THE IDAHO ANNUAL REPORT FORM



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 10, 2018

FLYING JOSEPH RANCH LLC
7299 PERIMETER RD
SEATTLE WA 98108

RE: Applications for Transfer 81962, 81963 & 81964
Flying Joseph Ranch LLC

Dear Applicant:

I have enclosed email correspondence between your representative Roxanne Brown of SPF Engineering (SPF) and myself regarding your transfer applications. On your applications you designated original mail should be sent to you and copies to SPF as your representative. Since you didn't provide an email address on your application and couldn't be included in our email correspondence, I am sending you this letter to explain the current status of your application.

Roxanne explained that recent discussions with Idaho Department of Fish and Game have resulted in a different strategy for your water rights than proposed under the existing applications. One application may be withdrawn and another revised. The Department has agreed to place these applications on a 60-day hold to allow for these proposed changes to the applications to be accomplished.

If you require additional information regarding this matter, please call me directly at (208) 287-4951, e-mail me at pam.skaggs@idwr.idaho.gov or contact me by mail.

Sincerely,

Pamela S. Skaggs
Water Rights Supervisor

Enclosure

Copy to: SPF Water Engineering LLC, Roxanne Brown

Skaggs, Pam

From: Roxanne Brown <RBrown@spfwater.com>
Sent: Wednesday, January 10, 2018 9:48 AM
To: Skaggs, Pam
Cc: 'Jim Speck (jim@speckandaanestad.com)'; Webster, Clay; Rauhut, Manuel; Keen, Shelley
Subject: RE: Flying Joseph Ranch transfer

Thanks, Pam.

Flying Joseph Ranch is currently working through the details concerning the apparent overlap on Pahsimeroi River Farms and we hope to resolve the issue soon. I'll let you know the result as soon as possible.

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136

e. rbrown@spfwater.com | c. 208.859.8428

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Wednesday, January 10, 2018 8:23 AM
To: Roxanne Brown <RBrown@spfwater.com>
Cc: 'Jim Speck (jim@speckandaanestad.com)' <jim@speckandaanestad.com>; Webster, Clay <Clay.Webster@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>
Subject: RE: Flying Joseph Ranch transfer

Roxanne,

Thank you for your communication regarding the status of Flying Joseph Ranch LLC, Transfer applications 81962, 81963 and 81964. These transfers will be placed on a 60-day processing hold per your request to allow an opportunity to withdraw or revise them to meet your client's needs.

You haven't addressed the overlap questions in the December 4, 2017, letter to Pahsimeroi River Farms LLC regarding related Transfer application 81861. Please advise me regarding the status of this application and respond to our concerns. Transfer 81861 is an acceptable application that will be advertised the first two weeks of February regardless of our concerns and the possibility the transfer may not be approved. If you intend to withdraw or revise this application, please advise me as soon as possible. Once the application has been advertised the fee will not be refunded if the application is withdrawn and modifications to the application may require re-advertisement with an additional fee.

A status letter with a copy of this email will be sent out to both the applicants regarding the status of their individual applications since they didn't provide email addresses and requested original correspondence be addressed to them.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720

Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700

From: Roxanne Brown [<mailto:RBrown@spfwater.com>]
Sent: Wednesday, January 10, 2018 6:59 AM
To: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Cc: 'Jim Speck (jim@speckandaanestad.com)' <jim@speckandaanestad.com>
Subject: Flying Joseph Ranch transfer

Pam –

After recent discussions with Idaho Fish & Game and the AG's office, Flying Joseph Ranch has decided to proceed with a different water right strategy. The transfer for the pond (#81962/73-10054) will be withdrawn. One of the other transfer applications will be amended to include the volume of the proposed enlargement of the newer pond.

These actions are being taken in an effort to resolve IDFG protest to permit application 73-12175. At our recent meeting, IDFG indicated they will no longer require breaching the dam retaining water for 73-10054. This was completely unforeseen. Is it possible to request suspending processing of the transfer applications to allow Flying Joseph Ranch to make the necessary withdrawal and amendment?

Thank you for your consideration, and please forward this email to both Clay and Manuel.

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC

300 E. Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136

e. rbrown@spfwater.com | c. 208.859.8428



SPF WATER
ENGINEERING

October 26, 2017

Pam Skaggs
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
OCT 26 2017
DEPARTMENT OF
WATER RESOURCES

Via hand-delivery

Re: Application for Transfer – Flying Joseph Ranch

Dear Pam,

On behalf of Joe Clark and Flying Joseph Ranch, we are pleased to submit the attached letter to be included with the Flying Joseph transfer application (Water Right Nos. 73-32, et al.).

The application seeks to correctly describe the place of use for the listed water rights after installation of several pivots, including land owned by Pahsimeroi River Farms. Manuel Rauhut of your office is currently reviewing the transfer application filed by Pahsimeroi River Farms.

Please contact me with any questions. I am willing to meet with you to discuss these applications and share GIS data as needed to assist IDWR with its review.

Best Regards,

Roxanne Brown
Sr. Water Rights Specialist

CC: Jim Speck
Flying Joseph Ranch

SPF Job No. 1327.0010

COPY

October 23, 2017

Pam Skaggs
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

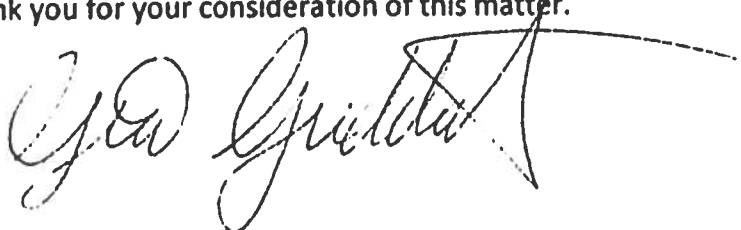
Re: Authorization for Transfer Application (73-32 et al.) – Flying Joseph Ranch
Change in Ownership and Place of Use Transfer (73-189) – Pahsimeroi River Farms

Dear Ms. Skaggs,

I am a member and sole owner of Pahsimeroi River Farms after the death of my husband, Scott Karterman. This letter is intended to inform the Department that I am aware of a transfer application filed by Flying Joseph Ranch that includes an irrigated area of Pahsimeroi River Farms. I authorize processing of the transfer as it pertains to my property.

Pahsimeroi River Farms has an agreement with Flying Joseph Ranch to continue irrigation of my land with an existing pivot. Flying Joseph Ranch will continue delivery of my portion of water right 73-189 until such time our agreement terminates.

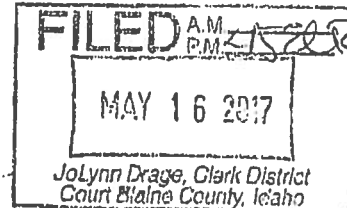
Thank you for your consideration of this matter.

A handwritten signature in cursive script, appearing to read 'Gla Guddat', with a long horizontal flourish extending to the right.

Gla Guddat

Robert I. Fallowfield
LUBOVISKI, WYGLE,
FALLOWFIELD & RITZAU, P.A.

Suite 205, The Station
460 Sun Valley Road
P.O. Box 1172
Ketchum, Idaho 83346
Tel: 208/726-8219
Fax: 208/726-3750
rfallowfield@lwflaw.com
ISB No. 1951



Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF)	
SCOTT MONROE KARTERMAN,)	Case No. CV-2017-254
Deceased.)	DECREE VESTING ESTATE
_____)	IN SURVIVING SPOUSE

Upon consideration of the Petition for Summary Administration of Estate in which
Surviving Spouse is Sole Beneficiary filed by Gia M. Guddat, the Court finds that:

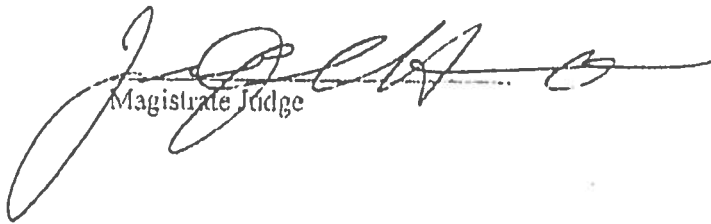
1. The facts set forth in the Petition are true.
 2. The required notice to the Decedent's only child has been given.
 3. The decedent, Scott Monroe Karterman, died on March 31, 2017, domiciled in Blaine County, Idaho.
 4. Venue is proper.
 5. The decedent and Gia M. Guddat were married on November 19, 2001, in Miami, Florida and remained married until the decedent's death.
 6. The surviving spouse, Gia M. Guddat, is the sole devisee of the decedent.
- DECREE VESTING ESTATE IN SURVIVING SPOUSE/1

7. The decedent died testate, leaving a Will dated February 21, 2017, The Will was validly executed and is the last Will of the decedent.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. Gia M. Guddat is the surviving spouse of the decedent and is the sole devisee of the decedent.
2. The property of the decedent is hereby vested in and distributed to Gia M. Guddat free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee or otherwise except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebtedness that may be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

DATED this 16 day of May, 2017.

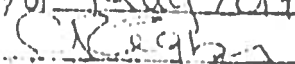

Magistrate Judge

STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 16 day of May 2017

JOLYNN DAVIS
Clerk District Court


Deputy



October 18, 2017

Pam Skaggs
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
OCT 18 2017
DEPARTMENT OF
WATER RESOURCES

Via hand-delivery

Re: Applications for Transfer (3) – Flying Joseph Ranch

Dear Pam,

On behalf of Joe Clark and Flying Joseph Ranch, we are pleased to submit the enclosed applications.

The first application (water right 73-10054) describes the proposed move of a reservoir upstream to a new location. Both locations are owned by Flying Joseph Ranch; there are no intervening water right diversions other than those owned by the applicant. The second application (water right 73-2159, et al.) seeks to correctly describe the place of use for the listed water rights after installation of several pivots. The transfer describes land irrigated from a single delivery system. Application 3 (water right 73-32, et al) also seeks to correctly describe the place of use for the listed water rights after installation of several pivots. The transfer describes land irrigated from a single delivery system.

The filing fees for these applications have been calculated as follows:

Application	Quantity Transferred		Base Fee	Additional Fee	Total
	cfs	afa			
73-10054		160	\$ 580.00		\$ 580.00
73-2159, et al.	46.85		\$ 2,020.00	\$ 1,080.00	\$ 3,100.00
73-32, et al.	80.57		\$ 2,020.00	\$ 2,440.00	\$ 4,460.00
TOTAL					\$ 8,140.00

A check for the total amount is attached.

Please contact me with any questions. I am willing to meet with you to discuss these applications and share GIS data as needed to assist IDWR with its review.

Best Regards,

Roxanne Brown
Sr. Water Rights Specialist

CC: Jim Speck
Flying Joseph Ranch

SPF Job No. 1327.0010