

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81932

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED**SEP 27 2017**

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 information are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Sturdivant Residence - PS Trust and the Sturdivant Residence - JTS Trust

Check 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

SEP 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Sturdivant Residence - PS Trust and the Sturdivant Residence - JT S Trust Phone 208-788-9885
Mailing address P.O. Box 968 Hailey ID 83333 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 Zach Latham; Brockway Engineering PLLC Phone 208-736-8543
Mailing address 2016 Washington St. N 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.
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

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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 change POD location and correct POU.

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 ☒ ☐	37-8444	0.08 / 8.8	Irrigation	4/01 to 11/01	Ground Water / NA
☐ ☐		0.04 / 0.6	Domestic	01/01 to 12/31	Ground Water / NA
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.12 cfs and/or 9.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or 9.6 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 #
NO		NW	NE	SE	5	2N	18E	BLAINE	GROUND WATER	Existing Domestic Well

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	
2N	18E	5				0.5									2.0				2.5
2N																			
Total Acres (for irrigation use)																			2.5

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:

Applicant proposes to divert all of 37-8444 from an existing domestic well on applicant's property. Dedicated buried irrigation line will be metered as conditioned by IDWR.

- 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:
N/A.

- 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:
None.

- 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:

Irrigation water right 37-22969 is also appurtenant to the POU described under 37-8444 on page 3.

- 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:

N/A.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

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

Current Water Right No.: 37-8444

Current Owner: RIVER GROVE FARM
PETER TRUST LP

Priority Date: 10/26/1988

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01		0.08 CFS	8.8 AF
DOMESTIC	01/01 to 12/31		0.04 CFS	0.6 AF
	<u>Total Diversion</u>		0.12 CFS	9.4 AF

Location of Point(s) of Diversion

GROUND WATER
BLAINE County

SE1/4SE1/4NE1/4 Sec. 5, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T02N R18E S5	SENE	0.70	T02N R18E S5	NESE	1.80
Total Acres: 2.5					

DOMESTIC Within BLAINE County

T02N R18E S5	NESE
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Page 7 of 8

Conditions of Approval:

1. 132 Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
2. R43 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.
3. 041 Irrigation use under this right is authorized only in connection with a domestic use.
4. R05 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.
5. X60 Place of use is currently located within 3 parcels:
Lot 2, Flying Heart Ranch #1 Subdivision (RP001700000020);
Lot 1A, Blk 1, River Grove Ranch Subdivision (RP00495000001A); and Lot
1C Blk 1, River Grove Ranch Subdivision (RP00495000001C).
Point of diversion is located within Lot 1, Flying Heart Ranch #1 Subdivision
(RP001700000010).
6. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Licensed Date: 4/21/2015

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:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$225.00 Date 9/5/2017 Received by DM Receipt # S036336

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)

THIS WARRANTY DEED IS BEING RECORDED TO COLLECT THE legal description.

SVTC Order No. 97-Accom

WARRANTY DEED

FOR VALUE RECEIVED

E. PARRY THOMAS and PEGGY C. THOMAS, Trustees of the E. PARRY THOMAS and PEGGY C. THOMAS FAMILY TRUST UNDER TRUT AGREEMENT DATED JANUARY 17, 1989.

the grantors do hereby grant, bargain, sell and convey unto

PETER STURDIVANT and JANE THOMAS STURDIVANT, husband and wife.

the grantees, whose current address is

PO Box 3708
Ketchum, ID 83340

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

Lot 1A of A REPLAT OF RIVER GROVE RANCH SUBDIVISION, LOT 1 AMENDED, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded May 31, 1995, as Instrument No. 378807, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantees do hereby covenants to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 31, 1997

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS A/
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TRUST

E. Parry Thomas, TTE
E. Parry Thomas, Trustee

Peggy C. Thomas, TTE
Peggy C. Thomas, Trustee

STATE OF IDAHO

COUNTY OF: Blaine

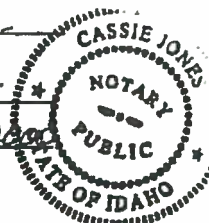
On this 31st day of March, 1997, before me a Notary Public in and for said State, personally appeared E. Parry Thomas, Trustee and Peggy C. Thomas, Trustee known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity as Trustees.

Cassie Jones
Notary Public

Residing at Blaine

Comm. expires 9-7-2000

Seal/Stamp



correcting

400429

400429

Carroll

400429

400589

TRANSFER 81932

WARRANTY DEED

FOR VALUE RECEIVED

E. PARRY THOMAS and PEGGY C. THOMAS, Trustees of the E. PARRY THOMAS and PEGGY C. THOMAS FAMILY TRUST UNDER TRUT AGREEMENT DATED JANUARY 17, 1989.

the grantors do hereby grant, bargain, sell and convey unto

PETER STURDIVANT and JANE THOMAS STURDIVANT, husband and wife.

the grantees, whose current address is

PO Box 3708
Ketchum, ID 83340

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 1A of RIVER GROVE RANCH, LOTS 1 AND 4, AMENDED JUNE, 1980, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded July 15, 1980, as Instrument No. 204921, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant and warrant with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 31, 1997

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS A
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE

E. Parry Thomas, TTE
E. Parry Thomas, Trustee

Peggy C. Thomas, TTE
Peggy C. Thomas, Trustee

STATE OF IDAHO

COUNTY OF: Blaine

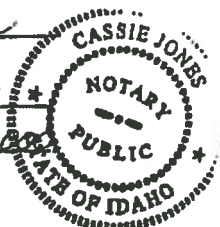
On this 31st day of March, 1997, before me a Notary Public in and for said State, personally appeared E. Parry Thomas, Trustee and Peggy C. Thomas, Trustee known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity as Trustees.

Cassie Jones
Notary Public

Residing at Hoisington

Comm. expires 9-7-2000

Seal/Stamp:



400429

Deed

BLAINE CO. REQUEST

OF: SUN VALLEY TITLE

'97 MAR 31 PM 12 53

CLERK
FEE \$ 3.00 mpp

424765

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

Dee
BLAINE CO. REQUEST

OF *Peter Sturdivant*

'99 MAR 1 PM 4 06

MARSHA RIEMANN, CLERK *ms*
(Space above this line for Recorder's use) ~~FEES~~ \$ 6.00

QUITCLAIM DEED

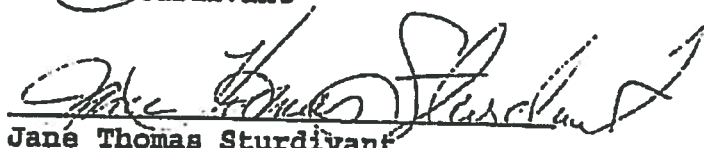
FOR VALUE RECEIVED, We, PETER STURDIVANT and JANE THOMAS STURDIVANT, husband and wife, do hereby convey, remise, release and forever quitclaim unto the STURDIVANT RESIDENCE - PS TRUST and the STURDIVANT RESIDENCE - JTS TRUST, as equal tenants-in-common, all our right, title and interest in and to the real property situated in Blaine County, Idaho, described as follows:

Lot 1A of A REPLAT OF RIVER GROVE RANCH
SUBDIVISION, LOT 1 AMENDED, BLAINE COUNTY,
IDAHO, according to the official plat thereof,
on file in the office of the County Recorder,
recorded May 31, 1995, as Instrument
No. 378807, records of Blaine County, Idaho,

to have and to hold said real property, with its improvements,
appurtenances, tenements and hereditaments unto the STURDIVANT
RESIDENCE - PS TRUST and the STURDIVANT RESIDENCE - JTS TRUST, as
equal tenants-in-common, and to their successors and assigns
forever.

DATED this 2ND day of FEBRUARY, 1999.


Peter Sturdivant

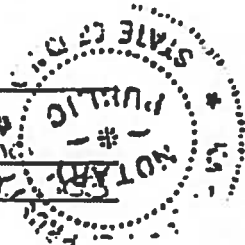

Jane Thomas Sturdivant

STATE OF IDAHO)
) ss.:
County of Blaine)

On this 11th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared PETER STURDIVANT and JANE THOMAS STURDIVANT, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and they duly acknowledged to me that they executed the same.

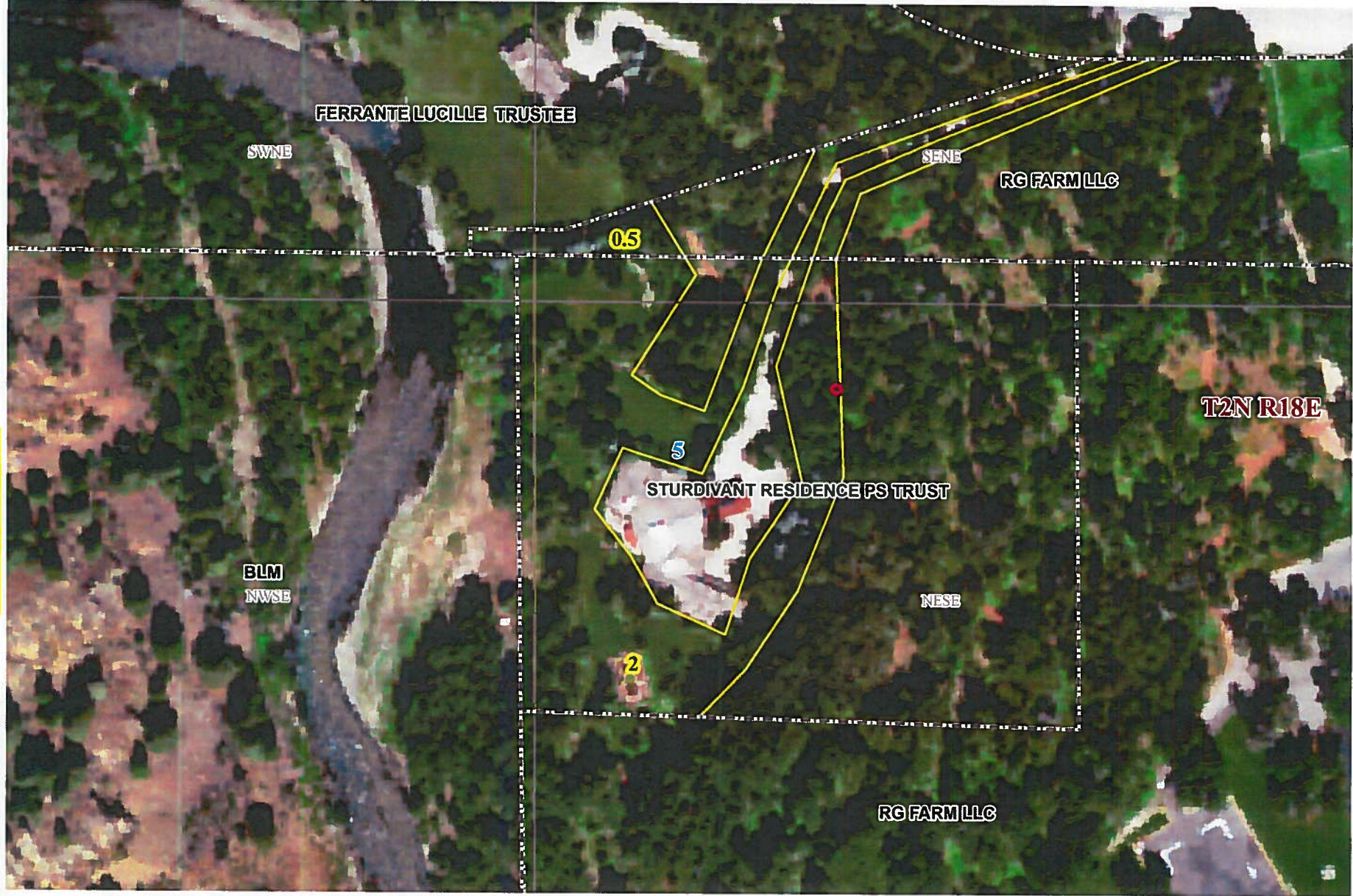
WITNESS my hand and seal the day and year in this certificate first above written.

Kathleen A. Hunt
Notary Public for Idaho
Residing at HAILEY, IDAHO
Commission expires: SEP 10 1999



realest\sturdil.qcd

TRANSFER 81932



0 50 100 200 Feet

STURDIVANT TRUST - PS STURDIVANT TRUST - JTS
APPLICATION FOR TRANSFER

BROCKWAY ENGINEERING, PLLC.
ICB -Date: 9/21/2017

NAIP 2015 AERIAL

- New POD
- New POU
- Parcels





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2017

STURDIVANT RESIDENCE JTS TRUST
STURDIVANT RESIDENCE PS TRUST
PO BOX 968
HAILEY, ID 83333

RE: Transfer No. 81932
Water Right No(s). 37-8444

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 MOUNTAIN EXPRESS on 10/18/2017 and 10/25/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **November 6, 2017**.

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,

Denise Maline
Administrative Assistant

cc: BROCKWAY ENGINEERING PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 12, 2017 12:01 PM
To: Kevin Lakey (WD 37); Cyndi WD37
Subject: Comment Letter for Transfer 81932
Attachments: Comment Letter to WM37 for 81932.docx; Transfer 81932.pdf

Hi Kevin,

Attached is a copy of an application for transfer, currently being processed within your district. Please review the information and provide any necessary comments within 21 days.

Please contact our office if you have any questions.

Have a good day,

Denise @ IDWR

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2017

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

via e-mail

RE: Transfer No. 81932
Water Right No(s): 37-8444

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 12, 2017 11:17 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.doc

Attached please find **(1)** legal notice being submitted for publication on October 18th & 25th, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

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Twin Falls, ID 83301

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 12, 2017

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 81932
Water Right No(s): 37-8444

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 November 6, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81932**

STURDIVANT RESIDENCE JTS TRUST and STURDIVANT RESIDENCE PS TRUST, PO BOX 968, HAILEY, ID 83333; has filed Application No. 81932 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8444; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving the point of diversion (POD) for a 0.12 cfs domestic and irrigation ground water right from a well to an existing domestic well on an adjacent lot. Application also seeks to modify the place of use (POU) by slightly rearranging acres in the 2.5 acre irrigation POU. Current and proposed POD and POU are located approximately 0.8 to 1.1 miles north and 0.6 to 0.8 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **November 6, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 18th, & 25th, 2017

MEMORANDUM

Date: October 10, 2017
To: Transfer 81932 File
From: Bill Mills
Re: Transfer Proposal

Application for transfer proposes moving the point of diversion (POD) for a 0.12 cfs domestic and irrigation ground water right from a well to an existing domestic well on an adjacent lot. Application also seeks to modify the place of use (POU) by slightly rearranging acres in the 2.5 acre irrigation POU. Current and proposed POD and POU are located approximately 0.8 to 1.1 miles north and 0.6 to 0.8 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

Water right irrigation place of use (POU) is contained within a larger 28.8 acre POU for Big Wood River right 37-22969. Condition R67 is on the water right limiting combined use of all water rights to 0.3 cfs and 3.5 af within the proposed POU.

Proposed POD, current POD and POU are located in Water District 37, and watermaster comments will be solicited.

MEMORANDUM

Date: October 10, 2017
To: Transfer 81932
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #81932 were based on the on the current transfer fee schedule and included \$200.00 for the 0.12 cfs being transferred in the application. A \$25.00 fee for change of ownership was also included for a total of \$225.00 (Receipt No.S036336).



BROCKWAY
ENGINEERING
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Hydraulics

Hydrology

Water Resources

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SEP 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

September 25th, 2017

Mr. William Mills
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-5858

RE: Sturdivant Residence – PS Trust and the Sturdivant Residence – JTS Trust; Amended Water Right Transfer Application.

Dear Bill,

On behalf of the Sturdivant Residence – PS Trust and the Sturdivant Residence – JTS Trust, Brockway Engineering is filing an amended water right transfer application to address concerns outlined in your September 11th 2017 letter. Specifically, we changed the applicant to match the previously submitted ownership deed as the previous applicant was incorrect. We also corrected the irrigated area per 40 acre tract and left the “change place of use” box checked on page 2 A.1., as the place of use per 40 acre tract is being updated.

I believe you held payment for the original application; please apply it to this amended application. Please copy our office on all future correspondence regarding the attached water right transfer application. Thank you for your assistance on this matter and if you have any questions or comments, please don't hesitate to give me a call.

Regards,

Zach Latham, M.S., Hydrologist

Enclosures: (1) Amended Water Right Transfer Application and Map.
(1) Sturdivant Residence – PS Trust and the Sturdivant Residence – JTS Trust Deeds.

cc: Peter Trust LP c/o Peter Thomas
Peter Sturdivant

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

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

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