

6. 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:

Existing diversion ditch is washed out but has a flume in place. New river pump will have a flow meter. Either diversion will tie into an existing pressurized system utilizing mainline and pods.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: if there is not a special use permit in place for existing ditch, applicant will make a new filing

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

in most years there is not adequate water in Bowery Creek to irrigate the north half of the property.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Heather K. Mack
Signature of applicant or authorized agent

HEATHER K. MACK
Print name and title if applicable

6-15-17
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by TF/AM

Date 6-27-2017

Fee paid \$500- Date 6-26-2017

Received by AM

Receipt # 5036199

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/15/2017

WATER RIGHT NO. 72-216

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HEATHER KATHERINE MACK
Current Owner	THOMAS E MACK
	MYSTIC CANYON RANCH
	PO BOX 597
	MOUNTAIN HOME, ID 83647
	9419211734
Original Owner	DAVE BRICKER
Original Owner	EDNA BRICKER

Priority Date: 05/01/1925

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOWERY CREEK	EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.8 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

BOWERY CREEK|NESWSE|Sec. 09|Township 08N|Range 17E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	17E	9		SWNE	5.3									
				SENE	4.9									
				NESW	5.1									
				NWSE	1.9									

Total Acres: 17.2

Conditions of Approval:

1. 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.

Dates:

Licensed Date:

Decreed Date: 02/10/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 72D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

RECEIVED

JUN 26 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONThis form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

Water Right Number(s): 72-216, 72-10320 (transfer 81765)Name(s): Dr. Heather MackOld Mailing Address: Dr. Heather Mack, Mystic Canyon RanchPO Box 597Mountain Home, Idaho 83647New Mailing Address: Dr. Heather MackPO Box 597Mountain Home, Idaho 83647Telephone Number: 760-447-0776Email: bewellequine@gmail.comSignature(s) of Owner(s) Heather K. Mack

(Include your title if on behalf of company or organization.)

Date: 06-23-2017

Send a signed original to your closest regional office:

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
(208) 736-3033* processed with transfer 81765.

RECEIVED

JUN 23 2017

252598

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WARRANTY DEED

For Value Received, I, MARY L. BEHRENS, TRUSTEE OF THE JAMES L. BEHRENS AND MARY L. BEHRENS LIVING TRUST DATED MAY 30, 2007,

Custer County Reg. of

Custer County Title

Time 2:09 PM Date 6/20/16

Lura H. Baker, Clerk

Deputy 13

do hereby grant, bargain, sell and convey unto HEATHER KATHERINE MACK, A MARRIED WOMAN

whose address is: P.O. Box 597 MOUNTAIN HOME, IDAHO 83647

the following described premises in CUSTER County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A'

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners of said premises; and that they are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCT 27, 2016

Mary L. Behrens
MARY L. BEHRENS, TRUSTEE,

OF THE JAMES L. BEHRENS AND MARY L. BEHRENS LIVING TRUST DATED MAY 20, 2007

Mary L. Behrens

STATE OF California) ss:
COUNTY OF Orange)

On this 27th day of October 2016, in the year 2016, before me, a Notary Public in and for said State, personally appeared MARY L. BEHRENS, known or identified to me to be the TRUSTEE OF THE JAMES L. BEHRENS AND MARY L. BEHRENS LIVING TRUST DATED MAY 30, 2007 AND whose names is subscribed to the within instrument AS TRUSTEE, and acknowledged to me that SHE executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

Felicia Nunez
Notary Public for the State of
Residing at: Huntington Beach, CA
Commission Expires:
July 30, 2017



TRANSFER 81765

RECEIVED

JUN 23 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

EXHIBIT A

A parcel of land located in SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the NE corner of the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ from which the SE corner of the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ bears South 00°14'02" East a distance of 1314.48 feet, the Basis of Bearing of this description, run thence South 00°14'02" East along the Easterly boundary of said W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 657.73 feet; thence North 89°56'54" West a distance of 660.68 feet to the SW corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence North 00°13'07" West along the Westerly boundary of said E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 657.55 feet to the NW corner of said E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence South 89°57'50" East along the northerly boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 660.51 feet to the POINT OF BEGINNING.

TOGETHER WITH: A 30 ft. wide easement for ingress and egress 15 ft. on either side of the following described centerline:

Commencing at the NE corner of the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ from which the SE corner of the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ bears South 00°14'02" East a distance of 1314.48 feet, the Basis of Bearing of this description, run thence South 00°14'02" East along the Easterly boundary of said W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 657.73 feet; thence North 89°56'54" West a distance of 367.69 feet to a point on the centerline of an existing land and the POINT OF BEGINNING;

thence the following courses and distances along said centerline:

South 02°12'08" East, 63.60 feet; South 09°09'03" West, 32.69 feet;
South 15°20'35" West, 58.12 feet; South 50°10'42" West, 19.62 feet;
South 66°30'59" West, 42.78 feet; South 74°48'36" West, 51.75 feet;
South 86°55'25" West, 49.04 feet; North 89°39'45" West, 29.87 feet;
North 84°18'27" West, 21.84 feet; North 80°07'31" West, 17.75 feet;
North 76°11'43" West, 23.89 feet; North 66°02'12" West, 143.69 feet to a point on the centerline of East Fork Road.

Shown by the Record of Survey recorded February 28, 2006, as instrument No. 233505, records of Custer County, Idaho.

OFFICE of VITAL STATISTICS

CERTIFIED COPY

TYPE IN
PERMANENT
BLACK INK

LOCAL FILE NO. 294

FLORIDA CERTIFICATE OF DEATH

1. DECEDENT'S NAME (First, Middle, Last, Suffix) Thomas Edward Mack				2. SEX male			
3. DATE OF BIRTH (Month, Day, Year) May 15, 1924		4a. AGE-Last Birthday (Years) 85		4b. UNDER 1 YEAR Months Days Hours Minutes		5. DATE OF DEATH (Month, Day, Year) January 22, 2010	
6. SOCIAL SECURITY NUMBER [REDACTED]		7. BIRTHPLACE (City and State or Foreign Country) Wilkes Barre, Pennsylvania			8. COUNTY OF DEATH Sarasota		
9. PLACE OF DEATH (Check only one) HOSPITAL: ☐ Inpatient ☐ Emergency Room/Outpatient ☐ Dead on Arrival NON-HOSPITAL: ☐ Hospice Facility ☐ Nursing Home/Long Term Care Facility ☒ Decedent's Home ☐ Other (Specify)							
10. FACILITY NAME (If not institution, give street address) 5178 Highbury Circle				11a. CITY, TOWN, OR LOCATION OF DEATH Sarasota		11b. INSIDE CITY LIMITS? ☐ Yes ☒ No	
12. MARITAL STATUS (Specify) ☒ Married ☐ Married, but Separated ☐ Widowed ☐ Divorced ☐ Never Married				13. SURVIVING SPOUSE'S NAME (If wife, give maiden name) Anne Cullen Reiling			
14a. RESIDENCE - STATE Florida		14b. COUNTY Sarasota		14c. CITY, TOWN, OR LOCATION Sarasota			
14d. STREET ADDRESS 5178 Highbury Circle				14e. APT. NO. 34238		14f. INSIDE CITY LIMITS? ☐ Yes ☒ No	
15a. DECEDENT'S USUAL OCCUPATION (Indicate type of work done during most of working life.) Do not use "Retired" attorney				15b. KIND OF BUSINESS/INDUSTRY legal			
16. DECEDENT'S RACE (Specify the race/ethnicity to indicate what decedent considered himself/herself to be. More than one race may be specified.) ☒ White ☐ Black or African American ☐ American Indian or Alaskan Native (Specify tribe) ☐ Asian Indian ☐ Chinese ☐ Filipino ☐ Japanese ☐ Korean ☐ Vietnamese ☐ Other Asian (Specify) ☐ Native Hawaiian ☐ Guamanian or Chamorro ☐ Samoan ☐ Other Pacific Isl. (Specify) ☐ Other (Specify)							
17. DECEDENT OF HISPANIC OR HAITIAN ORIGIN? (Specify if decedent was of Hispanic or Haitian Origin.) ☐ Yes (If Yes, specify) ☒ No ☐ Mexican ☐ Puerto Rican ☐ Cuban ☐ Central/South American ☐ Other Hispanic (Specify) ☐ Haitian							
18. DECEDENT'S EDUCATION (Specify the decedent's highest degree or level of school completed at time of death.) ☐ 8th or less ☐ High school but no diploma ☐ High school diploma or GED ☐ College but no degree ☐ College degree (Specify): ☐ Associate ☐ Bachelor's ☒ Master's ☐ Doctorate						19. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No	
20. FATHER'S NAME (First, Middle, Last, Suffix) Anthony Mikelonis				21. MOTHER'S NAME (First, Middle, Maiden Surname) Catherine Bubnis			
22a. INFORMANT'S NAME Anne Mack				22b. RELATIONSHIP TO DECEDENT spouse		23a. INFORMANT'S MAILING - STATE Florida	
23b. CITY OR TOWN Sarasota		23c. STREET ADDRESS 5178 Highbury Circle				23d. ZIP CODE 34238	
24. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) ICS Crematory				25a. LOCATION - STATE Florida		25b. LOCATION - CITY OR TOWN Harbour Heights	
26a. METHOD OF DISPOSITION ☐ Burial ☐ Entombment ☒ Cremation ☐ Donation ☐ Removal from State ☐ Other (Specify)							
26b. IF CREMATION, DONATION OR BURIAL AT SEA, WAS MEDICAL EXAMINER APPROVAL GRANTED? ☒ Yes ☐ No		27a. LICENSE NUMBER (of Licensee) F020628		27b. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH [Signature]			
28. NAME OF FUNERAL FACILITY ICS Cremation Society, Inc						29a. FACILITY'S MAILING - STATE Florida	
29b. CITY OR TOWN Harbour Heights		29c. STREET ADDRESS 2620 Highlands Rd Unit B				29d. ZIP CODE 33983	
30. CERTIFIER: ☒ Certifying Physician - To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner stated. (Check one) ☐ Medical Examiner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, due to the cause(s) and manner stated.							
31a. SIGNATURE AND Title of Certifier [Signature]		31b. DATE SIGNED (mm/dd/yyyy) 01/25/2010		32. TIME OF DEATH (24 hr.) 1122		33. MEDICAL EXAMINER'S CASE NUMBER	
34a. LICENSE NUMBER (of Certifier) ME86560		34b. CERTIFIER'S NAME Zenobia Brown MD				35. NAME OF ATTENDING PHYSICIAN (If other than Certifier)	
36a. CERTIFIER'S - STATE Florida		36b. CITY OR TOWN Palmetto		36c. STREET ADDRESS 4151 37th St E		36d. ZIP CODE 34221	
37. SUBREGISTRAR - Signature and Date [Signature]				38a. LOCAL REGISTRAR - Signature [Signature]		38b. DATE FILED BY REGISTRAR (Mo., Day, Yr.) January 26, 2010	

Gail E. Whitt
GAIL E. WHITT
CHIEF DEPUTY REGISTRAR

February 9, 2010

TRANSFER 81765

WARNING:

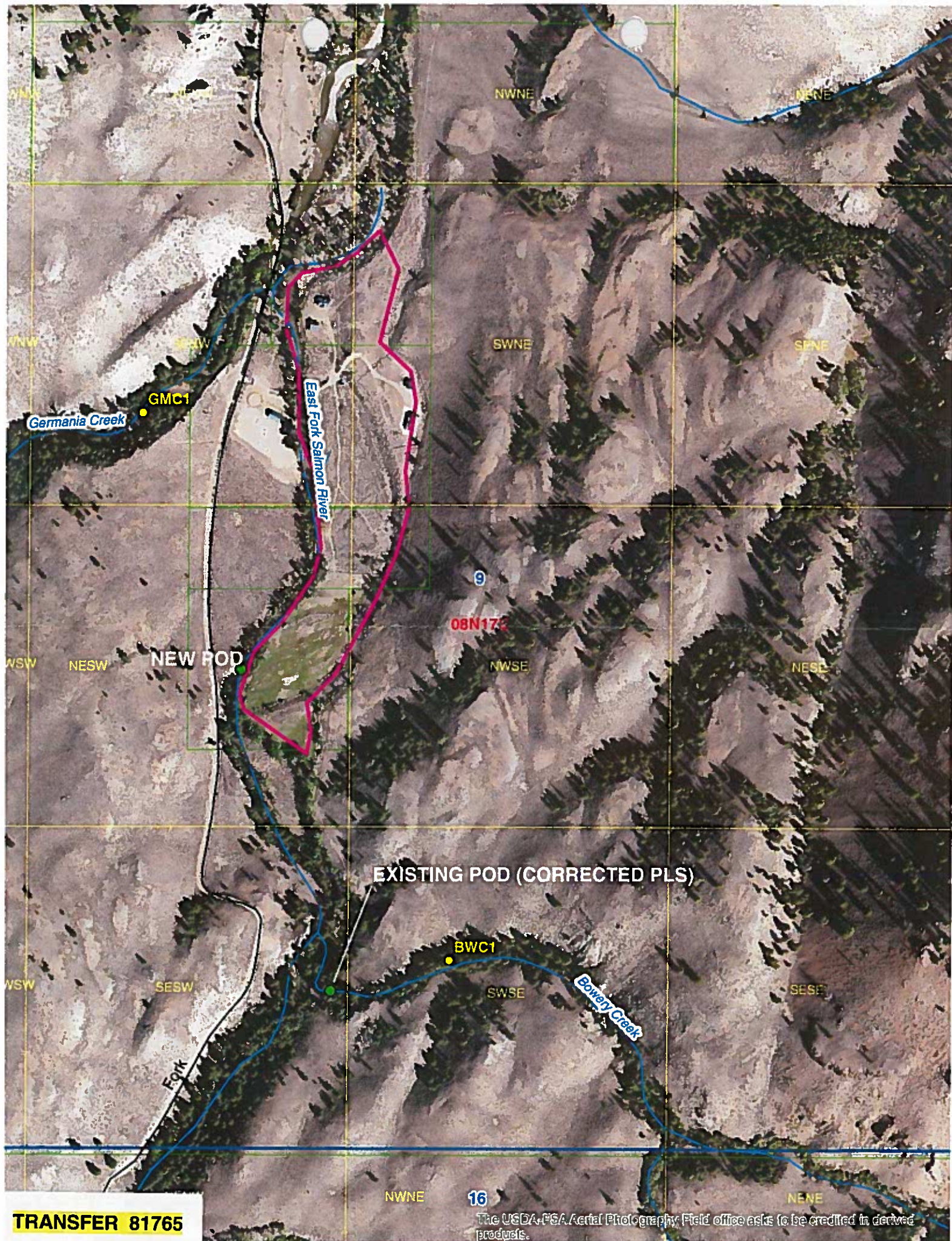
THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH A WATERMARK OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARK. THE DOCUMENT FACE CONTAINS A MULTI-COLORED BACKGROUND AND GOLD EMBOSSED SEAL. THE BACK CONTAINS SPECIAL LINES WITH TEXT AND SEALS IN THERMOCHROMIC INK.

DH FORM 1947 (08/04)

36162397

CERTIFICATION OF VITAL RECORD

FLORIDA DEPARTMENT OF
HEALTH



TRANSFER 81765

16

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



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

July 28, 2017

HEATHER KATHERINE MACK
PO BOX 597
MOUNTAIN HOME, ID 83647

RE: Transfer No. 81765
Water Right No(s). 72-216

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 **CHALLIS MESSENGER on 8/3/2017 and 8/10/2017**. 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 **August 21, 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

Maline, Denise

From: Maline, Denise
Sent: Friday, July 28, 2017 10:00 AM
To: Cindy Yenter
Subject: Comments for Transfer 81765 (Mack)
Attachments: Transfer 81765 (Mack).pdf

Hi Cindy,

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

Feel free to contact our office if you have any questions.

Thank you in advance,

Denise



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2017

CINDY YENTER
WATER DISTRICT #170
102 S WARPATH
SALMON, ID 83467

via e-mail

RE: Transfer No. 81765
Water Right No(s): 72-216

Dear Cindy:

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: Friday, July 28, 2017 9:57 AM
To: Clark, Cynthia (Bridge)
Subject: Comment Letter for Transfer 81765 / 72-216
Attachments: Transfer 81765 (Mack).pdf

Good morning Cynthia,

Attached is a copy of an application for transfer, in which we are seeking comments from the Planning Section. Please review the information and provide any necessary comments within 21 days.

For your reference, this transfer file will be scanned in its entirety by the end of the day today. Please contact our office if you have any questions.

Thank you in advance,

Denise @ Southern

*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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2017

IDWR PLANNING SECTION
CYNTHIA BRIDGE-CLARK
PO BOX 83720
BOISE ID 83720-0098

via e-mail

RE: Transfer No. 81765
Water Right No(s): 72-216

Dear Cynthia:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s). In addition, you may review this application and all related documents via info search &/or our website, listed under the water right number referenced above.

Please submit any comments you may have to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2017

BRENT CUTLER
WATER DISTRICT #72D
PO BOX 208
CHALLIS ID 83226

RE: Transfer No. 81765
Water Right No(s): 72-216

Dear Brent:

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)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2017

IDAHO DEPT OF FISH & GAME
JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Transfer No. 81765
Water Right No(s): 72-216

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can be found on our website at www.idwr.idaho.gov.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application, or you may visit our website www.idwr.idaho.gov.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 27, 2017 5:08 PM
To: Challis Messenger
Subject: LEGAL NOTICE
Attachments: Challis Messenger cover letter.docx; Challis Messenger ad.doc

Attached please find (1) legal notice being submitted for publication on August 3rd & 10th, 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 in advance,

Denise Maline

Administrative Assistant I

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 27, 2017

LEGAL NOTICE DEPARTMENT

CHALLIS MESSENGER

PO BOX 405

CHALLIS, ID 83226

RE: Transfer No. 81765
Water Right No(s): 72-216

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 August 21, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81765**

HEATHER KATHERINE MACK, PO BOX 597, MOUNTAIN HOME, ID 83647; has filed Application No. 81765 for changes to the following water rights within CUSTER County(s): Right No(s). 72-216; 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 to add a point of diversion (POD) to water right 72-216 (0.80 cfs, 17.2 acres) which is currently diverted from a single POD on Bowery Creek, tributary to the East Fork of the Salmon River. The transfer also proposes to correct the POD description for the existing Bowery Creek diversion which is currently described at a point approximately 15.8 miles south and 2.8 miles west of Clayton. The actual location is approximately 500' downstream on Bowery Creek in the adjacent QQ. The proposed new diversion on the East Fork of the Salmon River is located approximately 15.5 miles south and 3.0 miles west of Clayton.

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 **August 21, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 3rd & 10th, 2017



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

July 27, 2017

Gail Baer
U. S. Forest Service, Salmon-Challis National Forest
1206 S. Challis St.
Salmon, ID 83467

RE: Application for Transfer, #81765, Heather Katherine Mack

Dear Ms. Baer:

On June 27, 2017, Heather Katherine Mack filed an Application for Transfer of Water Right, Point of Diversion with the Idaho Department of Water Resources, Southern Region office, here in Twin Falls. The purpose of the application is to correct the Bowery Creek point of diversion (POD) description for water right 72-216 and to add a POD from the East Fork of the Salmon River to the right. The proposed new POD from the East Fork of the Salmon River is on Ms. Mack's property, while the currently described POD and the correct Bowery Creek POD are both on U. S. Forest Service administered land. I have enclosed a copy of the application for you to review.

A legal notice of the application has been prepared and is scheduled for publication in the Challis Messenger on August 3, 2017 and August 10, 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 Idaho Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before August 21, 2017.

If you have any questions or concerns, feel free to give me a call at 208-736-3033.

Sincerely,

Jim Bitzenburg
Water Resource Agent

Enclosure

CC: Heather Mack

FEE MEMORANDUM

Date: July 5, 2017
To: Heather Mack transfer #81765 file
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer proposes to add a point of diversion to a single water right (72-216) with a flow rate of 0.80 cfs. Since the entire flow rate could be diverted through the 2nd point of diversion, the fee is based on that rate, and from the transfer fee schedule, the fee is \$500.00, which was paid with check #5596 from Holistic Veterinary Services; Dr. Heather Mack. The receipt number is S036199.

TRANSFER SYNOPSIS

Date: July 5, 2017
To: Transfer 81765, Heather Mack transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to add a point of diversion (POD) to water right 72-216 (0.80 cfs, 17.2 acres) which is currently diverted from a single POD on Bowery Creek, tributary to the East Fork of the Salmon River. The transfer also proposes to correct the POD description for the existing Bowery Creek diversion which is currently described at a point approximately 15.8 miles south and 2.8 miles west of Clayton. The actual location is approximately 500' downstream on Bowery Creek in the adjacent QQ. The proposed new diversion on the East Fork of the Salmon River is located approximately 15.5 miles south and 3.0 miles west of Clayton.

Since the transfer involves changing a point of diversion on a surface water source, it will be advertised and public comment sought. The transfer PODs and POU are within Water District 170 and Subdistrict 72D, so Watermaster comments will be solicited from both Water Districts.

The applicant is seeking the East Fork POD for two reasons: First, her Bowery Creek diversion washed out in the high flows of this past spring's runoff, and reconstruction likely will be a time consuming process. Secondly, the conveyance losses in the ditch from the Bowery Creek POD to her ranch are excessive and could be avoided by pumping directly from the East Fork. The applicant wishes to install pipeline from the Bowery Creek diversion which would allow for potential fire protection.

APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

RECEIVED

JUL 03 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

FORM APPROVED
OMB NO. 1004-0189
Expires: April 30, 2012

FOR AGENCY USE ONLY

Application Number

Date filed

3. TELEPHONE (area code)

Applicant

706-447-0776

Authorized Agent

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

1. Name and address of applicant (include zip code)

Heather Mack
Box 597
Mountain Home, ID 83642

2. Name, title, and address of authorized agent if different from Item 1 (include zip code)

4. As applicant are you? (check one)

- ☐ a. **X Individual (check box)**
☐ b. Corporation*
☐ c. Partnership/Association*
☐ d. State Government/State Agency
☐ e. Local Government
☐ f. Federal Agency

*If checked, complete supplemental page

5. Specify what application is for: (check one)

- ☐ a. New authorization
☐ b. Renewing existing authorization No.
☐ c. Amend existing authorization No.
☐ d. Assign existing authorization No.
☐ e. **X Existing use for which no authorization has been received*(check box)**
☐ f. Other* (Items that are bolded and larger are my answers, check box was not working)

*If checked provide details under Item 7

6. If an individual, or partnership are you a citizen(s) of the United States? x ☐ Yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed).

High water blew out my POD, as a temporary fix I am requesting to pump out of Bowery until IDWR allows me to access my water from the East Fork. I have applied with IDWR for a secondary POD. I would like to wait until low water to have an engineer, hydrologist, fish biologist and other needed specialists consult to develop a permanent remedy to my Bowery POD.

8. Attach a map covering area and show location of project proposal

9. State or local government approval: ☐ Attached ☐

10. Nonreturnable application fee. ☐ ☐ Not required

☐ Yes ☐ No (If "yes," indicate on map)

11. Does project cross international boundary or affect international waterways?

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested. I am a well-respected equine veterinarian and have the financial resources to hire a licensed engineer and specialists as needed to add pipeline, screening device etc to reconstruct my POD in compliance with all applicable regulations. In the last 3 years I have spent nearly \$100,000 in improving my irrigation system. Specifically replacing a disintegrating ditch with an underground pipeline to move water to my house. Fire prevention is my main concern and why I want to keep my gravity fed POD out of Bowery.

13a. Describe other reasonable alternative routes and modes considered. Abandon POD on Bowery Creek and pump out of the East Fork on private property.

b. Why were these alternatives not selected? Prefer gravity fed water from Bowery POD for fire prevention and to not have to rely on diesel pump and hauling fuel. Also, there is some historical engineering of the Bowery system.

c. Give explanation as to why it is necessary to cross Federal Lands The ditch has existed in its current location since 1925 and is truly the only route to my land from Bowery Creek for gravity flow.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)
NA

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits. Need the project so I can irrigate my property and use existing ditch from Bowery Creek. I have completed a great deal of improvements. I have livestock to feed and want to nurture and protect my land.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles. NA

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability. The permanent remedy will have no impact. It will meet all applicable regulations including fish screens and flow meter. My temporary use of a pump could result in a fuel spill. We will properly place protective pads and containment to prevent that and the pump intake will be screened.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals. Long established vegetation along the existing ditch may die if we do not irrigate. Our reconstructed POD on Bowery will have no impact once constructed.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that

Fuel for pump which is a temporary measure.

20. Name all the Department(s)/Agency(ies) where this application is being filed. **US Forest Service and IDWR**

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant **Heather K. Mack**

Date **6/30/17**

Title 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 3)

(SF-299, page 2)

**APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS
AND FACILITIES ON FEDERAL LANDS**

**GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS**

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

U.S. Department of the Interior
FISH AND WILDLIFE SERVICE
Alaska Regional Office (Region
7) Mailing/Physical Address:
1011 East Tudor Road
Anchorage, Alaska 99501
Telephone: 907-271-5011

Note: Filings with any Department of the Interior agency may be filed with any office noted above or with the:

U.S. Department of the Interior
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
Alaska Regional Office (Anchorage)
Regional Environmental Officer
1689 C Street, Room 119
Anchorage, Alaska 99501
Telephone: (907) 271-5011

U.S. Department of Transportation
FEDERAL AVIATION ADMINISTRATION
Alaska Regional Office (Anchorage)
222 West 7th Avenue, #14
Anchorage, Alaska 99513
Telephone: 907-271-5269

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

U.S. Department of Agriculture
FOREST SERVICE (USFS)
Alaska Regional Office (Region 10)
Physical Address:
Federal Office Building
709 West 9th Street
Juneau, Alaska
99801 *Mailing*
Address:
P.O. Box 21628
Juneau, Alaska 99802
Telephone: 907-586-8806

U.S. Department of the Interior
BUREAU OF INDIAN AFFAIRS (BIA)
Alaska Regional Office (Juneau)
Mailing/Physical Address:
P.O. Box 25520
709 West 9th Street
Juneau, Alaska 99802
Telephone: 800-645-8397

U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT (BLM)
Alaska State Office
Mailing/Physical Address:
222 West 7th Avenue #13
Anchorage, Alaska 99513
Telephone: 907-271-5960

U.S. Department of the Interior
NATIONAL PARK SERVICE (NPS)
Alaska Regional Office (Anchorage)
Mailing/Physical Address:
240 West 5th Avenue, Room 114
Anchorage, Alaska 99501
Telephone: 907-644-3501

SPECIFIC INSTRUCTIONS
(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
 - 8 Generally, the map must show the section(s), township(s), and ranges within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
 - 9, 10, and 12 - The responsible agency will provide additional instructions.
 - 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
 - 14 The responsible agency will provide instructions.
 - 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
 - 16 through 19 - Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.
- Application must be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide additional instructions		CHECK APPROPRIATE BLOCK	
		ATTACHED	FILED*
I - PRIVATE CORPORATIONS			
a. Articles of Incorporation		☐	☐
b. Corporation Bylaws		☐	☐
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.		☐	☐
d. Copy of resolution authorizing filing		☐	☐
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.		☐	☐
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications		☐	☐
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.		☐	☐
II - PUBLIC CORPORATIONS			
a. Copy of law forming corporation		☐	☐
b. Proof of organization		☐	☐
c. Copy of Bylaws		☐	☐
d. Copy of resolution authorizing filing		☐	☐
e. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.		☐	☐
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY			
a. Articles of association, if any		☐	☐
b. If one partner is authorized to sign, resolution authorizing action is		☐	☐
c. Name and address of each participant, partner, association, or other		☐	☐
d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.		☐	☐

* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit. Not disclosing it may result in rejecting the application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal Lands.

Federal agencies use this information to evaluate your proposal.

No Federal agency may request or sponsor and you are not required to respond to a request for information which does not contain a currently valid OMB Control Number.

BURDEN HOURS STATEMENT: The public burden for this form is estimated at 25 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0189), Bureau Information Collection Clearance Officer (WO-630) 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, Realty and Cadastral Survey, 1620 L Street, N.W., Rm. 1000 LS, Washington, D.C. 20036.

RECEIVED

JUN 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Memorandum

June 15, 2017

TO: Southern Region
FROM: Cindy Yenter, Salmon Field Office 
RE: Application for transfer (POD) 72-216 in the name of Heather Mack

The purpose for this filing is to establish a diversion in the East Fork Salmon River to replace a washed out diversion on Bowery Creek. The diversion on Bowery Creek will be retained on the right as applicant would like to repair it in the future if necessary USFS permitting may be obtained.

Applicant is unsure if there is an existing USFS permit for the Bowery Creek diversion. She will be checking with Salmon-Challis National Forest and will submit an application if necessary. If an easement application cannot be submitted in a timely fashion, applicant may consider amending the transfer application to remove the Bowery Creek POD.

The Bowery Creek decreed POD appears to be incorrect. This application also serves to correct the location of this POD. If GIS coordinates can be collected in the next couple of weeks, I will forward those.

The applicant's father, Thomas Mack, is deceased but still appears on taxlot information and on the water right. Applicant should be submitting a copy of the death certificate in order that Thomas Mack may be removed from the record.

Applicant's mailing address has not changed, but the reference to Mystic Canyon Ranch is no longer valid as this property has been sold. If possible please remove this from the water right address.