



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](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

May 26, 2015

MICHAEL S HOMAN  
7402 TOBI ST  
BOISE ID 83714

RE: Interest in Water Right 63-3221

Dear Mr. Homan,

The Department of Water Resources is writing to inquire whether you still have an undivided interest in water right 63-3221. You are listed as one of eight (8) current owners on this right. The water right is located in Township 02N, Range 01E, Section 26, Ada County, which is off of S Maple Grove Rd.

Steven Calverley submitted a Notice of Change in Water Right Ownership in January, 2014 which split water right 63-3221 for his portion. Mr. Calverley received a diversion rate of 1.36 cfs, diversion volume of 311.9 af and 69.3 acres. If you still have your undivided interest in the original right, the Department will need to modify the water right records to show this.

Mr. Calverley submitted an Application for Permit that overlaps with this water right. The Department cannot proceed with the application review until we know how much water Mr. Calverley received with his purchase of a portion. And if you have an interest in this water right.

Please let me know as soon as possible so our Western Region office may continue processing the Application for Permit for Mr. Calverley. If you have any questions, please contact me at (208) 287-4942. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', is written over a horizontal line.

Jean Hersley  
Technical Records Specialist II



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GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

January 9, 2015

MICHAEL S HOMAN  
2229 W STATE ST STE B  
BOISE ID 83702

RE: Interest in Water Right 63-3221

Dear Mr. Homan,

The Department of Water Resources is writing to inquire whether you still have an undivided interest in water right 63-3221. You are listed as one of eight (8) current owners on this right. The water right is located in Township 02N, Range 01E, Section 26, Ada County, which is off of S Maple Grove Rd.

Steven Calverley submitted a Notice of Change in Water Right Ownership in January, 2014 which split water right 63-3221 for his portion. Mr. Calverley received a diversion rate of 1.36 cfs, diversion volume of 311.9 af and 69.3 acres. If you still have your undivided interest in the original right, the Department will need to modify the water right records to show this.

Mr. Calverley submitted an Application for Permit that overlaps with this water right. The Department cannot proceed with the application review until we know how much water Mr. Calverley received with his purchase of a portion. And if you have an interest in this water right.

Please let me know as soon as possible so our Western Region office may continue processing the Application for Permit for Mr. Calverley. If you have any questions, please contact me at (208) 287-4942. Thank you.

Sincerely,

Jean Hersley  
Technical Records Specialist II

## Hersley, Jean

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**From:** Walker, Kay  
**Sent:** Friday, March 14, 2014 12:58 PM  
**To:** Hersley, Jean  
**Cc:** Walker, Kay  
**Subject:** Ownership Change of 63-3221

Hi, Jean!

I am working on an application for permit filed by Steven Calverley in January of this year. He had also submitted an ownership change for a portion of Rt. 63-3221 which you split into 63-3221 and 63-33896. In review of the application form it is noticed that the split proposed by SPF (at least they did the map) didn't make much sense as far as the number of acres and amount of water. In trying to prepare a new amended application for permit form for Mr. Calverley I stated looking at 63-3221.

63-3221 was for 150 acres and 2.94 cfs. The split you did looks correct except for the fact that Michael Homan owns a 1/3 undivided interest in the water under this water right. No land is owned by Homan but he does own some of the water. There are 53 pages of documents attached to the ownership change for Homan's interest. I think you need to take this right to someone with legal experience and see if Homan can own some of the water since 2002 and not transfer it off of the land he doesn't own. His portion may be forfeited by now but that is not the point. We need to change the split you did to reflect that 1/3 of the water is Homan's and what is left can be split between 63-3221 and 63-33896.

This is only my interpretation of this water right. You might want to have legal look at it and see what their take is. I think we could also get a mailing address for Michael Homan from John Homan. I believe they are brothers. We need to make sure we aren't giving some of "his" water away to Mr. Calverley and I can't proceed with application review until we know for sure how much water he purchased with his purchase of a portion of the 150 acres. The application he submitted states that his portion of 63-3221 is only 0.91 cfs for 46.7 acres.

I am out of here for the rest of today so will catch up with you on this next week. Have a good weekend. Kay