

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79409

RECEIVED

SEP 24 2014

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable to the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) GARY M MC STAY; MARI MC STAY

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://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.
- ☐ ☒ #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.)
- ☒ ☐ #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 Other. Please describe: _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

RECEIVED

SEP 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant GARY M MC STAY Phone (208)788-2697

Mailing Address PO BOX 777, Bellevue ID 83313 Email _____

Name of Applicant MARI MC STAY Phone (208)788-2697

Mailing Address PO BOX 777, Bellevue ID 83313 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

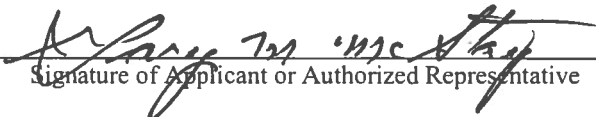
☐ Send original correspondence to the applicant and copies to the representative.

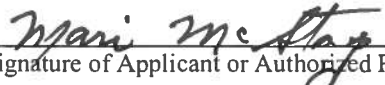
☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

 _____ 9-24-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

 _____ 9-24-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2586	Yes	Yes	Yes	No	No	No	No
37-22197	No	No	Yes	No	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes to change the point of diversion and place of use for a portion of groundwater right 37-2586 and the place of use for surface water right 37-22197.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22882	0.040 cfs	18.3 af	N/A	26.0	37-2586	0.870 cfs	344.3 af	N/A	488.0
37-22197	0.170 cfs	50.4 af	22.0	26.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

0.210 cfs	68.7 af	N/A	26.0	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 0.21 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Split Portion After Requested Changes

Proposed Water Right No. 37-22882

(Original Water Right No. 37-2586)

Current Water Right Owner

GARY M MC STAY
 PO BOX 777
 BELLEVUE, ID 83313

MARI MC STAY
 PO BOX 777
 BELLEVUE, ID 83313

Priority Date: 10/28/1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.040 CFS	18.3 AFA	
Total Diversion			0.040 CFS	18.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSE

Sec. 10 Twp 01S Rge 16E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	16E	10												1.0		17.0	8.0		26.0

POU Total Acres: 26.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-22197

Current Water Right Owner

GARY M MC STAY
PO BOX 777
Bellevue, ID 83313

MARI MC STAY
PO BOX 777
Bellevue, ID 83313

Priority Date: 1/26/1977

Origin: Water Right

Basis: Decreed

Status Active

Source: WILLOW CREEK Tributary: CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.170 CFS	50.4 AFA	
Total Diversion			0.170 CFS	50.4 AFA	

Source and Point(s) of Diversion:

WILLOW CREEK

SESESW

Sec. 10 Twp 01S Rge 16E CAMAS County

Describe the proposed diversion system

Rock check dam in stream, pump in pond, mainline to wheel lines.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	16E	10												1.0		17.0	8.0		26.0

Right Acre Limit: 22.0

POU Total Acres: 26.0

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
Existing point of diversion for ground water right 37-2586 and split portion 37-22882. There is an existing point of diversion for Willow Creek right 37-22197. A measuring device will be installed when required.

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?
 No, ☒ 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: _____
 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The place of use will be reduced by the amount of acres being transferred.

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
There are two additional Willow Creek irrigation rights associated with the proposed place of use.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☐	☒	currently leased to the Water Supply Bank,
☐	☒	currently used in a mitigation plan limiting the use of water under the right, or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No. 37-2586

Current Water Right Owner

EVERETT COATES
ESTATE
RT 1 BOX 1140
FAIRFIELD, ID 83327

Priority Date: 10/28/1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.910 CFS	362.6 AFA	
Total Diversion			0.910 CFS	362.6 AFA	

<u>Source and Point(s) of Diversion:</u> GROUND WATER	SWSESE	Sec. 3 Twp 01S Rge 16E CAMAS County
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Describe the proposed diversion system

WELL, APPROX. 220' DEEP, 75 HP PUMP

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	16E	2												39.0			38.0		77.0
01S	16E	3																40.0	40.0
01S	16E	10	40.0			37.0											8.0		85.0
01S	16E	11					40.0		39.0	40.0		39.0				40.0	38.0	38.0	274.0
01S	16E	14		38.0															38.0

POU Total Acres: 514.0

Conditions/Remarks:

1. 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.

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

Current Water Right No. 37-22197

Current Water Right Owner

GARY M MC STAY
PO BOX 777
Bellevue, ID 83313

And

MARI MC STAY
PO BOX 777
Bellevue, ID 83313

Priority Date: 1/26/1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: WILLOW CREEK Tributary: CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.170 CFS	50.4 AFA	
Total Diversion			0.170 CFS	50.4 AFA	

Source and Point(s) of Diversion:

WILLOW CREEK

SESESW

Sec. 10 Twp 01S Rge 16E CAMAS County

Describe the proposed diversion system

Rock check dam in stream, pump in pond, mainline to wheel lines.

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	16E	10				18.0											4.0		22.0
Right Acre Limit:						22.0													
POU Total Acres:						22.0													

Conditions/Remarks:

1. Rights 37-21829, 37-21831, and 37-22198 also diverted through the point of diversion described above.
2. Rights 37-2586, 37-22197, and 37-22198 when combined shall not exceed the irrigation of 764 acres.
3. This right does not authorize the irrigation of land not previously irrigated.
4. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Water may not be diverted unless all of the prior water rights including those on the Wood River and for the storage of water in Magic Reservoir are fulfilled.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

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.

Right Number: 37-2586

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	26.0
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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.

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**

1. 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.:

Yes Both the primary water right and the supplemental water right are being transferred.

FOR DEPARTMENT USE ONLY

Transfer Contains 11 pages and 3 attachments.

Received By B. Walker Date 9/24/14 Prelim. Check By B. Walker Date _____

Fee Paid \$ 200.00 Date 9/24/14 Received By B. Walker Receipt # 5034312

Add'l Fee Paid	Date	Received By	Receipt #

RECEIVED

JUN 16 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

CAMAS COUNTY

Recorded for:

DAVID COATES

1:11:55 pm 05-28-2014

2014-085929

No. Pages: 1

Fee: \$10.00

KORRI BLODGETT

County Clerk

Deputy: BWALTON

Agreement set forth this 28th day of April, 2014
in the county of Camas in the state of Idaho

Indenture is made between Everett Coates Estate, of the city and state of
Emirfield, Idaho who shall be identified as GRANTOR,
and

Gary and Mari McStay who is identified as the GRANTEE.

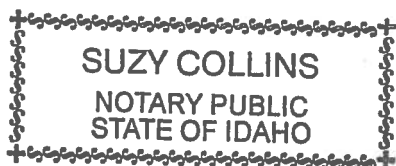
The GRANTOR, on behalf of partners, heirs or successors for and in consideration of the sum of
\$ 100 conveys and quit claims the current possession of the following property that bears
the legal description of: .03 c.f.s. And 18 Acres of water right
37-2586, specifically appurtenant to the S.E. NE.
of Section 10 Township 1 South Range 16E, Camas County.
to the GRANTEE.

[Signature] P.R.E. Dated this 28th day of April, 2014
GRANTOR's Signature

I, Suzy Collins Notary Public in and for the state of Idaho,
do hereby certify that on this 28 day of April, 2014, personally appeared before
me known to be or satisfactorily proven the individual described in and who executed the foregoing instrument.

NOTARY PUBLIC in and for the State of Idaho

My commission expires 10/15/19



Order No. C040054

WARRANTY DEED

For Value Received

LINDA L. MILLER, a married woman as her sole and separate property and
DAVID E. COATES, an unmarried man as his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

GARY MCSTAY AND MAR MCSTAY, husband and wife

the grantee(s), whose current address is

P O BOX 777, BELLEVUE, ID 83313

the following described premises, to-wit:

Township 1 South, Range 16 East, Boise Meridian, Camas County, Idaho

Section 10: A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ being more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 10, said South Quarter corner being located 23 feet right of Station 652+55 of State Highway No. 20 per said highway plans; THENCE along the West boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ North 00°15'03" East 83.00 feet to a point on the Northerly right of way of said State Highway No. 20, said point being the REAL POINT OF BEGINNING; THENCE along the West boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ North 00°13'03" East 1,235.19 feet to the Northwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE North 89°52'54" East along the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 332.63 feet; THENCE South 0°13'03" West 1,238.01 feet to the Northerly right of way of said State Highway No. 20; THENCE along said Northerly right of way North 89°38'28" West 332.63 feet to the REAL POINT OF BEGINNING.

59.4 acres

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 20, 2004

Linda L. Miller
LINDA L. MILLER

David E. Coates
DAVID E. COATES

STATE OF IDAHO : ss
COUNTY OF CAMAS

On This _____ day of April, in the year 2004, before me, a Notary Public in and for said State, personally appeared LINDA L. MILLER AND DAVID E. COATES, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

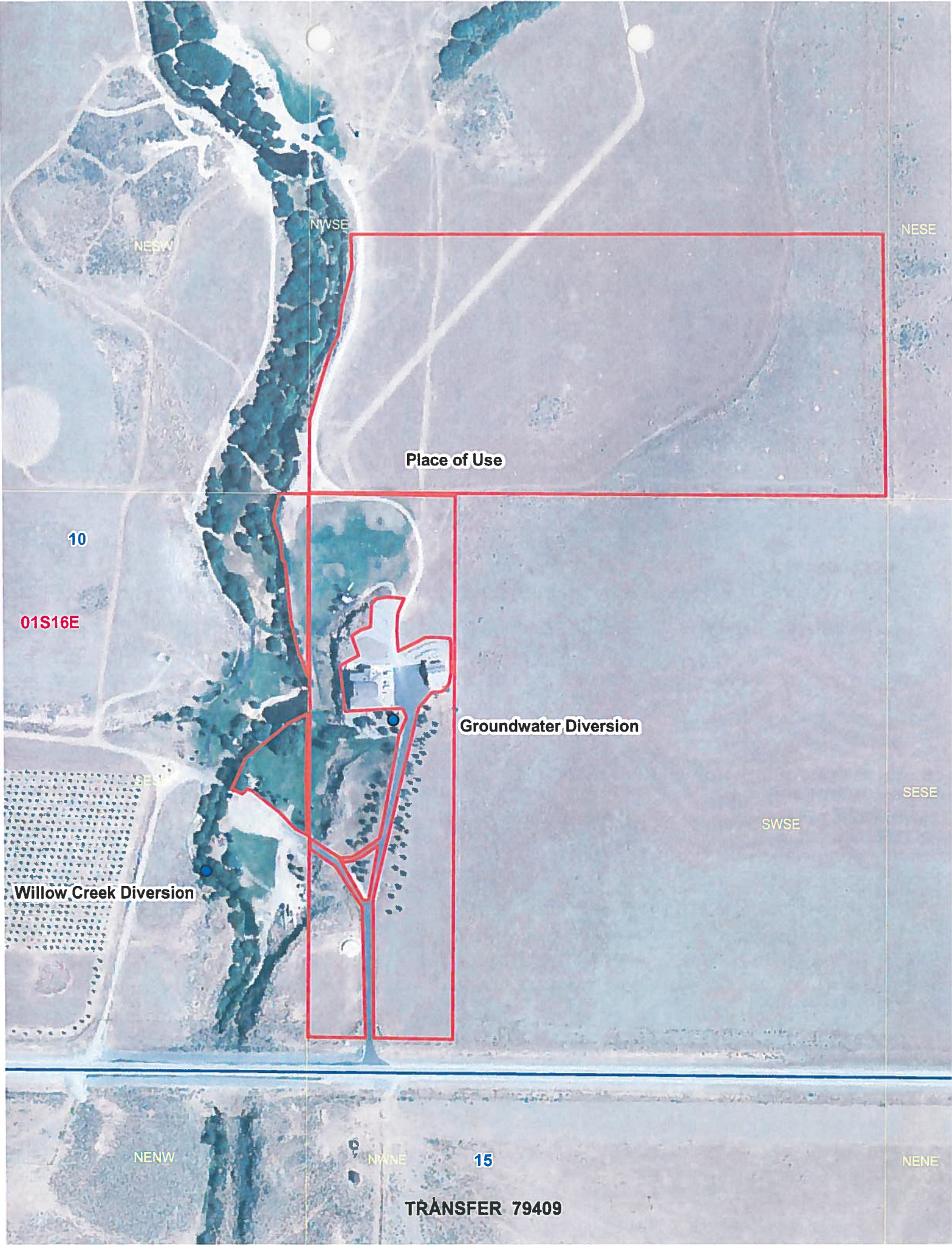
WITNESS my hand and official seal,

M. J. Brown
Notary Public in Idaho
Residing at Boise, Idaho
Commission Expires: March 27, 2008 2-17-10



577102
Recorded at the Request of
CAMAS TITLE
11190 AM
1-28-2004
Book 34 Page 287
D.E.D.S.
ROLIE BENNETT
CAMAS COUNTY RECORDER
By Rolie Bennett
Fees \$ 2.00

TRANSFER 79409

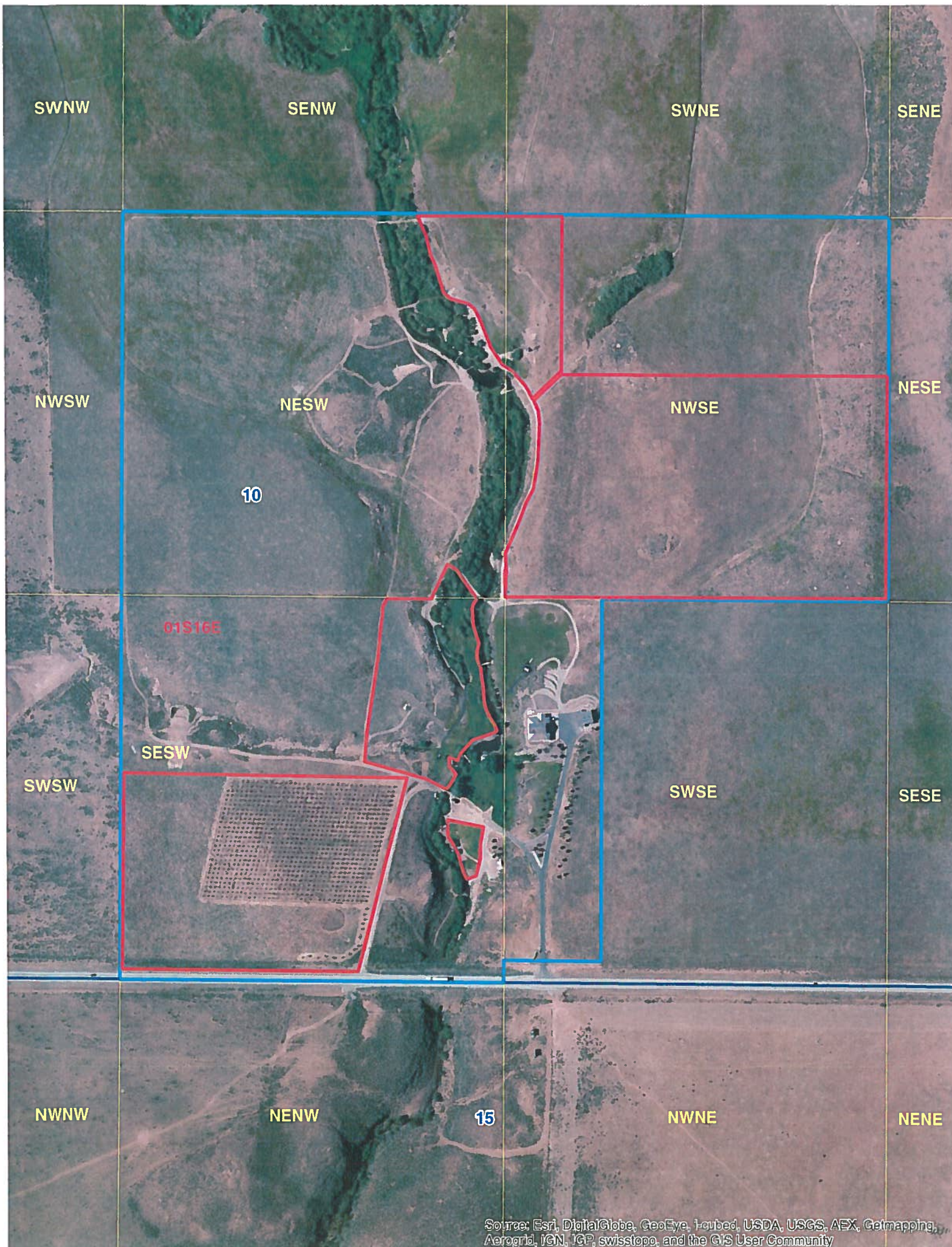


Place of Use

Groundwater Diversion

Willow Creek Diversion

TRANSFER 79409





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 9, 2014

GARY M MC STAY
MARI MC STAY
PO BOX 777
BELLEVUE, ID 83313

RE: Transfer No. 79409
Water Right No(s). 37-22197, 37-2586

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 **CAMAS COURIER on 10/15/2014 and 10/22/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**November 3, 2014**).

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: Thursday, October 09, 2014 10:59 AM
To: Camas Courier
Subject: LEGAL NOTICE
Attachments: Camas Courier Cover Letter.docx; Camas Courier Ad.doc

Attached please find (1) legal notice being submitted for publication on October 15th & 22nd, 2014. 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
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 9, 2014

LEGAL NOTICE DEPARTMENT
CAMAS COURIER
PO BOX 339
FAIRFIELD, ID 83327

RE: Transfer No. 79409
Water Right No(s): 37-22197, 37-2586

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 3, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79409**

GARY M MC STAY and MARI MC STAY, PO BOX 777, Bellevue, ID 83313; has filed Application No. 79409 for changes to the following water rights within CAMAS County(s): Right No(s). 37-22197, 37-2586; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use of a 0.17 cfs water right diverted from Willow Creek and changing the point of diversion and place of use of a 0.04 cfs portion of a groundwater right with both rights currently being appurtenant to land located approximately 13.0 miles east and 0.6 miles north of the intersection of U.S. Highway 20 and Soldier Road in Fairfield. The proposed new place of use for both rights will consist of land located approximately 12.5 miles east and 0.2 miles north of the intersection of U.S. Highway 20 and Soldier Road in Fairfield. The proposed change in point of diversion for the groundwater right consists of changing from the currently authorized well located approximately 13.0 miles east and 1.0 miles north of the intersection of U.S. Highway 20 and Soldier Road in Fairfield to the new authorized location consisting of an existing well located approximately 12.5 miles east and 0.15 miles north of the intersection of U.S. Highway 20 and Soldier Road in Fairfield.

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 3, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 15th & 22nd, 2014



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Governor

GARY SPACKMAN
Director

October 9, 2014

RUSTY KRAMER
WATER DISTRICT #37-B
PO BOX 591
FAIRFIELD, ID 83327

RE: Application For Permit No.(s): 37-22898, 37-22899, 37-22900 & 37-22901

RE: Transfer No. 79409
Water Right No(s): 37-2586, 37-22197

Dear Mr. Kramer:

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 watermaster, 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)