

RECEIVED

Rev. 07/13

MAR 17 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79196**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 for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Theresa Sue Castellano, Trustee of The Theresa Sue Castellano Management Trust and Benjamin David**
** Wood, Trustee of The Benjamin David Wood Management 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 #1-9.

- ☐ ☒ #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 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.
- ☐ ☒ #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 Other. Please describe: Copies of Water Right Report & Blaine County Assessor parcel information.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Theresa Sue Castellano, Trustee of The Theresa Sue Castellano** Management Trust and Benjamin David Wood, Trustee of the Benjamin David Wood Management Trust Phone 208-726-0621
Mailing address PO Box 9050, Ketchum, ID, 83340 Email Office@cw4tx.com

- ☐ 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 James P. Speck Phone 208-726-4421
Mailing address Speck & Aanestad, PO Box 987, Ketchum, ID, 83340 Email jim@speckandaanestad.com

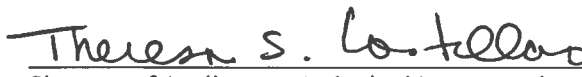
- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ 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

Trustee
Print Name and Title if applicable

2.25.14
Date


Signature of Applicant or Authorized Representative

Trustee
Print Name and Title if applicable

2.25.14
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period 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**.

Point of diversion & place of use in SRBA partial decree are incorrect. The water right report states it is for Parcel #RP002300000020T. County assessor records confirm this Parcel (subdivision lot) is owned by Applicants. Applicants recently discovered this and have had a change of ownership processed. Approval of transfer will correct this error.

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 ☒ ☐	37-12121	0.02 cfs	domestic	Jan. 1 to Dec. 31	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.02 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.02 cubic feet per second and/or _____ acre-feet per annum.

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 #
			NE	SE	31	4N	18E	Blaine	ground water	

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	
4N	18E	31													D				

Total Acres (for irrigation use)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Domestic well and pump to home and residential landscaping

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

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:
None

- e. 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:
None

- 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:

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SOUTHERN REGION

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 ¼ ¼ tract.)

[illegible]

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.

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 _____ pages and _____ attachments.

Received by greeder Date 3/17/14 Preliminary check by greeder Date 3/18/14
 Fee paid \$100.00 Date 3/18/14 Received by greeder Receipt # 5033893
 Add'l fee paid \$100- Date 3/19/2014 Received by dm Receipt # 5033894

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

Current Water Right No.: 37-12121

Current Owner: THE THERESA SUE CASTELLANO MANAGEMENT TRUST
THE BENJAMIN DAVID WOOD MANAGEMENT TRUST

Priority Date: 10/1/1978

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.02 CFS	
	<u>Total Diversion</u>	0.02 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 31, Twp 04N, Rge 18E B.M.
BLAINE County		

Place of Use

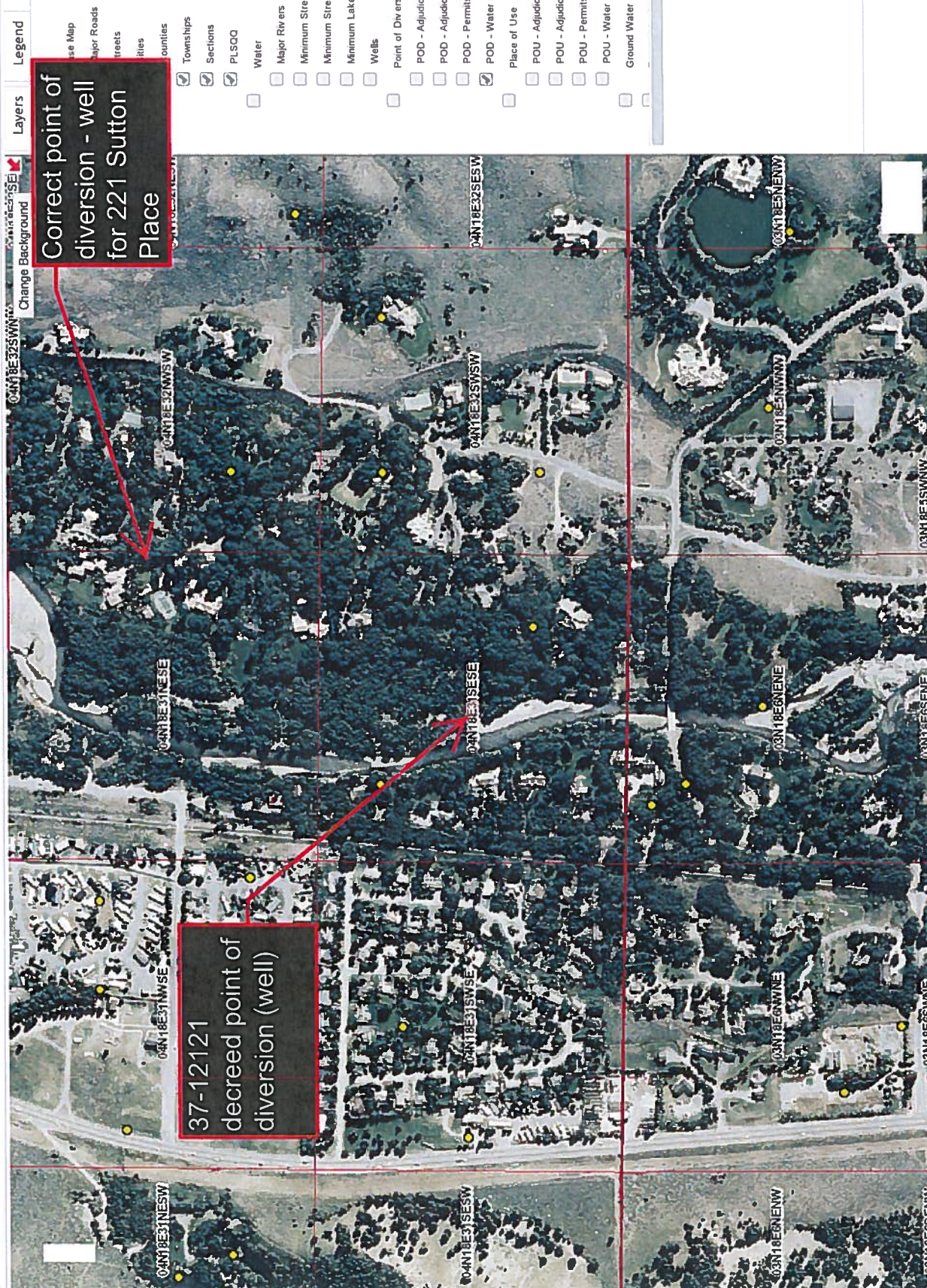
DOMESTIC Within BLAINE County

T04N R18E S31 SESE

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. RP002300000020T
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 1/5/2001



0 140meters

<http://maps.idwr.idaho.gov/mapall/>

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/24/2014

WATER RIGHT NO. 37-12121

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SERENA STEWART 180 E AVE N KETCHUM, ID 83340 (208)726-3000

Priority Date: 10/01/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESE|Sec. 31|Township 04N|Range 18E|BLAINE County

Place(s) of use:

ATTACHMENT 9A

Place of Use Legal Description: DOMESTIC BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	18E	31		SESE										

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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. **PARCEL NO. RP002300000020T**

Dates:

Licensed Date:

Decreed Date: 01/05/2001

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:

Water District Number:

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:

Cary Act Number:

Mitigation Plan: False

Close

Results

Results

RP00230000020 (Parcels) 1548476.41, 717527.638 (1)

RP002300000020 (parcels) (1)																		
FID	Area	Prop_Year	Parcel_Num	Prop_Type	Owner1	Owner2	Mail_Adrs1	Mail_Adrs2	Mail_Adrs3	Mail_Adrs4	Prop_Adrs1	Prop_Adrs2	Lgl_Desc1	Lgl_Desc2	Lgl_Desc3	Lgl_Desc4	Lgl_Desc5	Group_Desc
1696	154273.0634	2014	RP00230000000201		CASTELLANO THERESA SUE	WOOD BENJAMIN DAVID	PO BOX ID 83340- 9050	KETCHUM ID 83340- 0000			221 SUTTON PL	ID 80000- 0000	GIMLET SUB #9	LOT 2				GIMLET #9

ATTACHMENT 9B

TRANSFER 79196

Instrument # 613495
HAILEY, BLAINE, IDAHO
10-01-2013 4:39:42 PM No. of Pages: 1
Recorded for FIRST AMERICAN TITLE - KETCHUM
JOLYNN DRAGE Fee: \$10.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

50356 AT

WARRANTY DEED

For Value Received **Theresa Sue Castellano and Benjamin David Wood, wife and husband**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Theresa Sue Castellano as trustee of The Theresa Sue Castellano Management Trust,
and Benjamin David Wood as trustee of The Benjamin David Wood Management Trust**

whose mailing address is: **P. O. Box 9050, Ketchum, Idaho 83340**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

**Lots 1 and 2 of Gimlet Subdivision No. 9, according to the official plat
recorded as Instrument No. 162841, records of Blaine County, Idaho**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: 9/25/13

Dated: 9/25/13

Theresa Sue Castellano
Theresa Sue Castellano

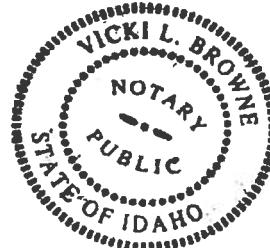
Benjamin David Wood
Benjamin David Wood

STATE OF Idaho

COUNTY OF Blaine)ss.

On this September 25, 2013, before me, the undersigned, personally appeared Theresa Sue Castellano and Benjamin David Wood, known or identified to me (or proved to me on the oath of), to be the persons whose names is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public of Idaho
Residing at: Hailey, Idaho
Commission Expires: September 9, 2016



50356

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Theresa Castellano
Benjamin Wood
Post Office Box 9050
Ketchum, Idaho 83340

Instrument # 572007
HAILEY, BLAINE, IDAHO
10-22-2009 11:43:36 No. of Pages: 2
Recorded for: AMERITITLE KETCHUM
JOLYNN DRAGE Fee: \$6.00
Ex-Officio Recorder Deputy: mpp
Electronically Recorded by Simplifile

(Space Above This Line For Recorder's Use)

WARRANTY DEED

Snowy House, L.L.C., a limited liability company duly organized and existing under and by virtue of the laws of the State of Texas, whose address is c/o Theresa S. Castellano and Benjamin David Wood, Post Office Box 9050, Ketchum, Idaho 83340, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Theresa Sue Castellano and Benjamin David Wood, husband and wife, whose current address is Post Office Box 9050, Ketchum, Idaho 83340, hereinafter called the Grantee, the real property commonly described as 221 and 225 Sutton Place, Blaine County, Idaho and more particularly described as follows:

Lots 1 and 2 of Gimlet Subdivision No. 9, according to the official plat thereof recorded as Instrument No. 162841, records of Blaine County, Idaho.

TOGETHER WITH all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto, if any.

SUBJECT TO:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any patent or deed from the State of Idaho;
3. Building and zoning ordinances and regulations;
4. Covenants, conditions, rights-of-way, easements, restrictions and other matters of record as disclosed by the records of Blaine County, Idaho; and
5. Any facts which an inspection or correct survey would disclose.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for itself and its successors and assigns, does hereby covenant to and with the said Grantee, their heirs and assigns, that (1) the Grantor is the owner in fee simple of said premises; (2) Grantor has the right to convey the premises; (3) the premises are free from all liens and encumbrances except as above described; (4) Grantor, for its successors and assigns, warrants and will defend the quiet and peaceable possession of the premises by the Grantee, their heirs and assigns forever, against all lawful claims whatsoever.

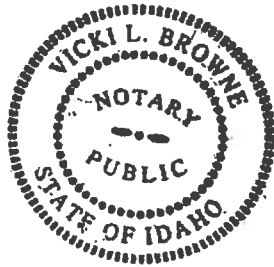
DATED THIS 14th day of October, 2009.

Snowy House, L.L.C., a Texas limited liability company

By Theresa S. Castellano
Name: Theresa S. Castellano
Title: Manager

State of Idaho)
) ss.
County of Blaine)

On this 14 day of October, in the year of 2009, before me, a Notary Public in and for said State, personally appeared Theresa S. Castellano, known or identified to me to be the manager and a member of Snowy House, L.L.C., a limited liability company, the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that she executed the same in the name of Snowy House, L.L.C.



A handwritten signature of the notary, Vicki L. Browne, written in dark ink.

Notary Public for Idaho
Residing at Hailey Idaho
My Commission expires 9/7/2010

487896

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James W. Phillips, Esq.
THE ROARK LAW FIRM, L.L.P.
Attorneys at Law
409 N. Main Street
Hailey, Idaho 83333

Deed
BLAINE CO. REQUEST

OF: *James W. Phillips*

'03 JUL 21 PM 4 16

MARSHA RIEMANN, CLERK *mp*
FEES \$ 6.00

(space above line for Recorder's use)

CLARIFICATION QUITCLAIM DEED

INSTRUMENT No. _____

FOR VALUE RECEIVED, MICHAEL'S WEST END, LTD, a Texas limited partnership, Grantor, c/o Dana Rogers, 100 Congress Avenue, Suite 2200, Austin, TX 78701 does hereby convey, release, remise and forever quit claim unto SNOWY HOUSE, LLC, a Texas limited liability company, c/o Dana Rogers, 100 Congress Avenue, Suite 2200, Austin, TX 78701, Grantee, for consideration of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all right, title and interest in and to the parcel of real property in Blaine County, Idaho, more particularly described as follows:

Lot 1, Gimlet Subdivision No. 9, according to the plat thereof on file
in the records of Blaine County Idaho.

This Quitclaim Deed is recorded solely to clarify the property description set forth in the Quitclaim Deed recorded as Instrument No. 475947, records of Blaine County Idaho on December 27, 2002.

DATED this 18 day of July, 2003 .

GRANTOR:

MICHAEL'S WEST END, LTD.
a Texas limited partnership,

By: *Theresa Sue Castellano*
Theresa Sue Castellano, Manager of
TSC Investments, LLC, General Partner
of Michael's West End, Limited

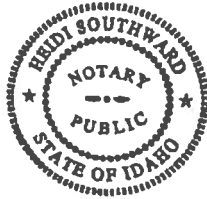
CLARIFICATION QUITCLAIM DEED - 1

ACKNOWLEDGEMENT

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

On this 18 day of July, 2003, before me, the undersigned Notary Public, in and for the State of Idaho, personally appeared THERESA SUE CASTELLANO, known to me to be the Managing Partner of the limited partnership that executed the within instrument, or the person who executed the foregoing instrument on behalf of the limited partnership, and acknowledged to me that such limited partnership executed the same.

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



Heidi Southward
NOTARY PUBLIC FOR IDAHO
Residing at: Hailey
Commission expires: 12-8-2004

487898

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James W. Phillips, Esq.
THE ROARK LAW FIRM, L.L.P.
Attorneys at Law
409 N. Main Street
Hailey, Idaho 83333

Blaine
BLAINE CO. REQUEST

OF: *James W. Phillips*

'03 JUL 21 PM 4 18

MARSHA RIEMANN, CLERK *mp*

FEE \$ 6.00

(space above line for Recorder's use)

CLARIFICATION QUITCLAIM DEED

FOR VALUE RECEIVED, MICHAEL'S WEST END, LTD, a Texas limited partnership, Grantor, c/o Dana Rogers, 100 Congress Avenue, Suite 2200, Austin, TX 78701 does hereby convey, release, remise and forever quit claim unto SNOWY HOUSE, LLC, a Texas limited liability company, c/o Dana Rogers, 100 Congress Avenue, Suite 2200, Austin, TX 78701, Grantee, for consideration of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all right, title and interest in and to the parcel of real property in Blaine County, Idaho, more particularly described as follows:

Lot 2, Gimlet Subdivision No. 9, according to the plat thereof on file
in the records of Blaine County Idaho.

This Quitclaim Deed is recorded solely to clarify the property description set forth in the Quitclaim Deed recorded as Instrument No. 475948, records of Blaine County Idaho on December 27, 2002.

DATED this 18 day of July, 2003.

GRANTOR:

MICHAEL'S WEST END, LTD.
a Texas limited partnership,

By: *Theresa Sue Castellano*
Theresa Sue Castellano, Manager of
TSC Investments, LLC, General Partner
of Michael's West End, Limited

CLARIFICATION QUITCLAIM DEED - 1

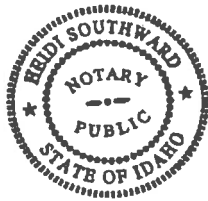
TRANSFER 79196

ACKNOWLEDGEMENT

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

On this 18 day of July, 2003, before me, the undersigned Notary Public, in and for the State of Idaho, personally appeared THERESA SUE CASTELLANO, known to me to be the Managing Partner of the limited partnership that executed the within instrument, or the person who executed the foregoing instrument on behalf of the limited partnership, and acknowledged to me that such limited partnership executed the same.

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



Heidi Southward
NOTARY PUBLIC FOR IDAHO
Residing at: Hailey
Commission expires: 12-5-2004

CLARIFICATION QUITCLAIM DEED - 2

Instrument # 475947

HAILEY, BLAINE, IDAHO

2002-12-27 09:45:47 No. of Pages: 2

Recorded for : THERESA CASTELLANO

MARSHA RIEMANN Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYQCCORP DEED

LF298-04
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 20th day of DECEMBER, 2002,
by first party, Grantor, Michael's West End, Ltd., a Texas limited partnership
whose post office address is C/O Elizabeth M. Schurig, 301 Congress Ave, St. #1900, Austin, TX 78701
to second party, Grantee, Snowy House, LLC, a Texas limited liability company
whose post office address is C/O Elizabeth M. Schurig, 301 Congress Ave, St. #1900, Austin, TX 78701

WITNESSETH, That the said first party, for good consideration and for the sum of
other VALUABLE CONSIDERATION & TEN Dollars (\$ 10.00)
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release
and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first
party has in and to the following described parcel of land, and improvements and appurtenances thereto in
the County of Blaine, State of Idaho to wit:
225 Sutton Place, Ketchum, Idaho, 83340
Gimlet Subdivison #9, Lot 1

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Signature of Witness

Benson, W
Print name of Witness

Signature of Witness

JERRY ALLRED
Print name of Witness

Signature of First Party

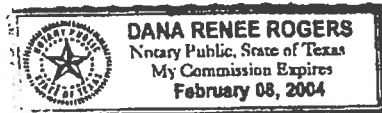
Theresa Sue Castellano, mng of TSC
Theresa Sue Castellano, Manager of TSC
Print name of First Party

Inv., LLC, Gen. Ptn. Michael's West End, LTD.
Print name of First Party

State of Texas
County of Harris
On 12.20.02
appeared

before me, Theresa Sue Castellano, mng of TSC, Inv. LLC,
General Partner of Michael's West End, LTD.
personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary



State of
County of
On

appeared

before me,
personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID _____ (Seal)

Affiant Known Produced ID
Type of ID _____ (Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

Instrument # 475948

HAILEY, BLAINE, IDAHO

2002-12-27

09:46:00 No. of Pages: 2

Recorded for : THERESA CASTELLANO

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

LF298-04
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 20th day of DECEMBER, 2002,

by first party, Grantor,

Michael's West End, Ltd., a Texas limited partnership

whose post office address is C/O Elizabeth M. Schurig, 301 Congress Ave, St. #1900, Austin, TX 78701

to second party, Grantee,

Snowy House, LLC, a Texas limited liability company

whose post office address is C/O Elizabeth M. Schurig, 301 Congress Ave, St. #1900, Austin, TX 78701

WITNESSETH, That the said first party, for good consideration and for the sum of
other VALUABLE CONSIDERATION + ten Dollars (\$ 10,00)
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release
and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first
party has in and to the following described parcel of land, and improvements and appurtenances thereto in
the County of Blaine , State of Idaho to wit:
221 Sutton Place, Ketchum, Idaho, 83340

Gimlet Subdivision #9, Lot 2

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

[Signature]
Signature of Witness

BENJAMIN WOOD
Print name of Witness

[Signature]
Signature of Witness

JERRY ALFRED
Print name of Witness

Theresa Sue Castellano, mgr. of TSC
Signature of First Party

Theresa Sue Castellano, Manager of TSC
Print name of First Party

Inv., LLC, Gen. Ptn. Michael's West End, LTD.
Print name of First Party

State of Texas
County of Dallas

On 12.20.02
appeared

before me, Theresa Sue Castellano, Mgr. of TSC Inv., LLC, Gen. Ptn. of Michael's West End, LTD.

personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Signature of Notary



State of
County of
On

before me,

appeared

personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant _____ Known _____ Produced ID _____
Type of ID _____ (Seal)

Affiant _____ Known _____ Produced ID _____
Type of ID _____ (Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

Order No. 50356

Instrument # 457622

HAILEY, BLAINE, IDAHO

2001-11-07 03:43:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/OC/CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

JUDITH THOMPSON, an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

MICHAEL'S WEST END, LTD., a Texas Limited Partnership

GRANTEE(s) whose address is: 3656 Maplewood Ave., Highland Park, TX 75205

the following described real property in Blaine County, Idaho, to wit:

Lots 1 & 2 of GIMLET SUBDIVISION NO. 9, according to the official plat thereof recorded as Instrument No. 162841, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 2, 2001


JUDITH THOMPSON

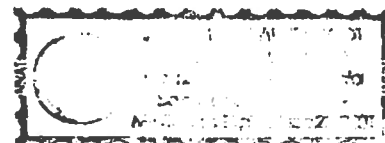
State of California

County of SAN FRANCISCO) ss.

On this 6th day of November, in the year 2001, before me, the undersigned, personally appeared JUDITH THOMPSON 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.


Notary Public
Commission Expires: 12-22-01



Order No. 50356

Instrument # 457621

HAILEY, BLAINE, IDAHO

2001-11-07

03:42:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

titles to WTY QC CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

FLORENCE J. EDER, an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

JUDITH THOMPSON, an unmarried woman

GRANTEE(s) whose address is: 375 Rhode Island St., San Francisco, CA 94103

the following described real property in Blaine County, Idaho, to wit:

Lots 1 & 2 of GIMLET SUBDIVISION NO. 9, according to the official plat thereof recorded as Instrument No. 162841, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 1, 2001

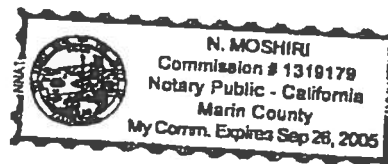
Florence J. Eder
FLORENCE J. EDER

State of CALIFORNIA }
County of MARIN } ss.

On this 4th day of November, in the year 2001, before me, the undersigned, personally appeared FLORENCE J. EDER 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.

N. Moshiri
Notary Public
Commission Expires: Sep-26, 2005





Order No. 98008469
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **SERENA REINELANDER STEWART**, an unmarried woman

the Grantor hereby grants, bargains, sells, conveys and warrants unto **FLORENCE J. EDER**, an unmarried woman

the Grantee whose current address is: **21 LAGOON VISTA, TIBURON, CA 94920**
the following described premises, to-wit:

Lots 1 and 2 of SIMLET SUBDIVISION NO. 9, Blaine County, Idaho, according to the official plat thereof, recorded in Book 11 of Plats, page 5, records of Blaine County, Idaho.

418352
Blaine Co. Request
St. Blaine County Title
98 SEP 2 PM 2 17
FEE \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 1998

SERENA REINLANDER STEWART

State of IDAHO

County of BLAINE

On this 28 day of August, 1998, before me, the undersigned, a Notary Public, in and for said State, personally appeared SERENA REINLANDER STEWART

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
Residing at: BLAINE COUNTY, IDAHO
Commission Expires: September 24, 2002





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

April 10, 2014

THE THERESA SUE CASTELLANO MANAGEMENT TRUST
THERESA SUE CASTELLANO TRUSTEE
THE BENJAMIN DAVID WOOD MANAGEMENT TRUST
BENJAMIN DAVID WOOD TRUSTEE
PO BOX 9050
KETCHUM, ID 83340

RE: Transfer No. 79196
Water Right No(s). 37-12121

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 **4/16/2014** and **4/23/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 5, 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

cc:

SPECK & AANESTAD
JAMES P SPECK
PO BOX 987
KETCHUM, ID 83340

Maline, Denise

From: Maline, Denise
Sent: Wednesday, April 09, 2014 4:58 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notice being submitted for publication on April 16th & 23rd, 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
Idaho Dept of Water Resources
Administrative Assistant, 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

April 9, 2014

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

RE: Transfer No. 79196
Water Right No(s): 37-12121

RE: Transfer No. 79228
Water Right No(s): 37-6, 37-7, 37-8

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 May 5, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79196**

THE THERESA SUE CASTELLANO MANAGEMENT TRUST, THERESA SUE CASTELLANO TRUSTEE; AND THE BENJAMIN DAVID WOOD MANAGEMENT TRUST, BENJAMIN DAVID WOOD TRUSTEE PO BOX 9050, KETCHUM, ID 83340; has filed Application No. 79196 for changes to the following water rights within BLAINE County(s): Right No(s). 37-12121. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes correcting the point of diversion and place of use for domestic water right 37-12121 that was originally claimed in the wrong tract. The existing well will divert up to 0.02 cfs for domestic use to an existing home located within Lot 2 of the Gimlet # 9 Subdivision approximately 3.0 mi. south and 0.75 mi. west of the city of Ketchum.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79228**

WILLIAM L MOLYNEUX, 027 DURFEE RD, CAREY, ID 83320; has filed Application No. 79228 for changes to the following water rights within BLAINE County(s): Right No(s). 37-6, 37-7, 37-8. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes modifying the authorized points of diversion for three Silver Creek water rights totaling 6.1 cfs for the irrigation of 280 acres on a farm located approximately 5.0 – 6.0 miles south and 2.0 - 2.5 miles west of the Highway 20 and Highway 93 intersection in Carey. The proposed point of diversion modifications consist of eliminating two authorized points of diversion from Silver Creek that are no longer used on the farm and the addition of a new point of diversion from Silver Creek approximately 0.25 mile downstream of the currently used diversion on the farm. This new point of diversion will be located approximately 5.5 miles south and 2.5 miles west of the Highway 20 and Highway 93 intersection in Carey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. 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 May 5, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 16th & 23rd, 2014

Maline, Denise

From: Maline, Denise
Sent: Wednesday, April 09, 2014 5:05 PM
To: Kevin Lakey
Subject: Comment Letters
Attachments: Comment Letter to WM37.pdf; Transfer 79228.pdf; Transfer 79196.pdf

Dear Kevin,

Attached please find a cover letter, recommendation forms, and a copy of Transfer 79196 and Transfer 79228. Please review the attached 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 Maline
Idaho Dept of Water Resources
Administrative Assistant, 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 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 9, 2014

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

Via E-mail

RE: Transfer No. 79196
Water Right No(s): 37-12121

RE: Transfer No. 79228
Water Right No(s): 37-6, 37-7, 37-8

Dear Mr. Lakey:

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)

MEMORANDUM

Date: April 3, 2014
To: Transfer 79196 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes correcting the point of diversion and place of use for domestic water right 37-12121 that was originally claimed in the wrong tract. The existing well will divert up to 0.02 cfs for domestic use to an existing home located within Lot 2 of the Gimlet # 9 Subdivision approximately 3.0 mi. south and 0.75 mi. west of the city of Ketchum.

The property and point of diversion involved with the application are located within Water District 37 so water master comments will be solicited.

- **Authority to File:**
The applicant is listed as the current owner of water right 37-12121 according to IDWR records.
- **Water Right Validity:**
Water right 37-12121 was decreed on 1/5/2001.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No hydrological impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED

MAR 19 2014

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

March 17, 2014

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, Idaho 83301

Re: Application for Transfer of Water Right No. 37-12121

Dear Allen:

Enclosed you will find our firm's check in the amount of \$100 to cover the filing fee shortage previously sent with the Application.

Please call if you have any questions or if anything further is needed. Thank you for your assistance.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By:


Jeanne E. Farnea, assistant to
James P. Speck

Enclosure

\$100 - rec'd 3/19/2014 DM

#S033894 : X-fer 79196

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

March 14, 2014

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, Idaho 83301

RECEIVED
MAR 17 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Application for Transfer of Water Right No. 37-12121

Dear Allen:

Enclosed you will find the original and a copy of the above-referenced Application for Transfer which I have prepared on behalf of my clients, Teresa Sue Castellano and Benjamin David Wood in their capacities as trustees of their respective management trusts. When I was recently retained to work on this property, I discovered that the ownership had not been changed through numerous conveniences of ownership and that the water right was decreed in the wrong location. We recently had the ownership updated to my clients and now wish to correct the point of diversion and place of use for this domestic water right. I believe all of the attachments are self-explanatory, but please give me a call if you have any questions about this Application.

Please receipt date-stamp the copy and return it to me in the postage pre-paid self addressed envelope I have included for that purpose. Thank you.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

DICTATED BY ATTORNEY AND SENT WITHOUT
REVIEW TO AVOID DELAY.

By: _____
James P. Speck

Enclosure

cc: Clients w/encl.