



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 29, 2013

Eldon Golightly
2414 South 1600 East
Preston, ID 83263

RE: Proposed Transfer 76349

Dear Mr. Golightly:

In March 2010, you filed an application for transfer (no. 76349), seeking to consolidate three water rights (13-62, 13-217, and a split portion of 13-216) onto a parcel owned by E&M Trust. According to conveyance documents, E&M Trust sold certain property to Seth and Bert Wheatley, but retained a portion of water right 13-216. The proposed transfer sought to move the retained water right off of the Wheatley property and onto the E&M Trust property.

After an initial review of the transfer, the Department determined that certain items on the application needed to be corrected. The original application was returned to you to make the corrections. The filing fee (\$250) was accepted and deposited in the Department's accounts. The signed application has never been returned to our office.

You and I have discussed the proposed transfer a number of times, but we have never gotten to a signed amended application. At this point, all we have in our file for your proposed transfer is a receipt for the \$250 filing fee. We don't have a signed transfer application. It is improper for the Department to continue to hold onto the filing fee without a signed application. Therefore, I have requested a refund of the \$250 filing fee. A check from the state of Idaho should arrive at your house in the next couple of weeks.

Because no water right transfer has been completed, your portion of water right 13-216 (numbered as right 13-7792) still remains appurtenant to the Wheatley property. I am happy to assist you in any way to prepare a new transfer application. Last time we spoke, you had mentioned the possibility of keeping the water right on the Wheatley property through a lease agreement. Please contact me with any questions or if you would like to discuss preparing a new transfer application.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cefalo'.

James Cefalo
Water Resources Program Manager
(208) 525-7161

Receipt Details for ID E035624

Status	Adjustment Type	Version
		1

General Information:

Date Received 3/3/2010 11:57:57 AM	Date Deposited 3/5/2010 3:59:57 PM	Region EASTERN	Total Amount \$250.00	Payment Type Check
Payee: Golightly Elk Farms LLC				

Account Information

Check Number 1088

Comment Application for transfer 13-62 and 13-217

Fee Details

Amount \$250.00	Description TRANSFERS	PCA 63105	Fund 0229	Fund Detail 21	Subsidiary	Object 1155
Refund(s) Amount \$250.00	Payee GOLIGHTLY ELK FARMS LLC	Date 4/1/2013 3:31:12 PM	Document Number REF1754			

Receipt Details for ID E035624

Status	Adjustment Type	Version
		1

General Information:				
Date Received	Date Deposited	Region	Total Amount	Payment Type
3/3/2010 11:57:57 AM	3/5/2010 3:59:57 PM	EASTERN	\$250.00	Check
Payee:	Golightly Elk Farms LLC			

Account Information	
Check Number	1088

Comment Application for transfer 13-62 and 13-217

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$250.00	TRANSFERS	63105	0229	21		1155

No. W 2741	Due no later than Aug 31, 2012 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. GOLIGHTLY FARMS, LLC ELDON C GOLIGHTLY 2414 S 1600 E PRESTON ID 83263		ELDON C GOLIGHTLY 2414 S 1600 E PRESTON ID 83263 3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	ELDON C GOLIGHTLY	2414 S 1600 E	PRESTON	ID	USA	83263
5. Organized Under the Laws of: ID W 2741		6. Annual Report must be signed.* Signature: Eldon C Golightly Name (type or print): Eldon C Golightly Date: 08/27/2012 Title: Manager				
Processed 08/27/2012		* Electronically provided signatures are accepted as original signatures.				