



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

January 18, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

HOWELL MURDOCH DEVELOPMENT CORPORATION
ATTN: KEVIN A HOWELL
4822 N ROSEPOINT WY, STE C
BOISE ID 83713

RE: Application for Transfer #75446 (formerly #73809) for Howell Murdoch Development Corp. and Kevin A. Howell Construction, Inc., Request for Information with Notice to Void

Dear Mr. Howell:

Idaho Department of Water Resources (IDWR) is in the process of reviewing the Application for Transfer of Water Right 63-2812, and some issues with the application have arisen that need to be resolved before proceeding. I have enclosed the original application along with the supporting documents for your reference and correction.

The warranty deed and assignment of permit for 63-11714 was included with the file, whose Place of Use (POU) is part of the Permissible Place of Use (PPU). In the field exam for 63-11714, it references transferring well #4. Was this water right left off of Transfer 75446? If so, it should be included on the Application for Transfer.

The Adjudication Recommendation for 63-2812 was recommended for 61.0 acres, not for 70.0 acres as indicated on the Application for Transfer. This would need to be corrected on the application. Another issue would be that a map needs to be submitted indicating where the changed and unchanged acres are located.

With the Application for Transfer, a map would need to be submitted indicating the changed and unchanged acres for 63-10435.

To summarize, these are the corrections that need to be made before proceeding with the Application for Transfer processing. They can either be corrected on the original submitted to the department, or the 10/09 revised form may be used to ensure all pertinent questions have been answered:

- 63-2812 Place of use **legal description** (page 3 and page 4 of 8) correction
- 63-2812 Place of **use total acres** (page 3 and page 4 of 8) correction

- Submit an **accurate map** for the acres involved with 63-2812 and 63-10438 at the new place of use.
- Submit an accurate **map for the unchanged acres** from 63-2812 and 63-10438.
- Confirm whether or not 63-11714 should be included within the Application for Transfer. If so, include this water right on the **revised application version 10/09**.
- If corrections are made on the original form, **cross out, correct, and initial** next to each correction made on the application, or submit all information on the revised application version 10/09,
[http://www.idwr.idaho.gov/WaterManagement/WaterRights/PDFs/APPLICATION FOR TRANSFER OF A WATER RIGHT.pdf](http://www.idwr.idaho.gov/WaterManagement/WaterRights/PDFs/APPLICATION_FOR_TRANSFER_OF_A_WATER_RIGHT.pdf)

IDWR will hold the processing of this application until these issues are addressed. If we do not receive the requested information within 30 days, the department will VOID the application for transfer. If you have any questions, please contact me at 208-287-4920.

Sincerely,



Sandy Hemenway
Sr. Water Resource Agent

Enclosures: Instructions for Filing an Application; version 10/09 Application
Copies of Water Rights 63-2812, 63-10438, and 63-11714.

Cc: Dave Shaw/ERO Resources