



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 1, 2005

CARL LUECK
C/O DARWIN VANDERSTELT
16931 STAR RD
NAMPA ID 83687

Re: Application for Transfer of Water Right Nos. 63-7460, 63-8230, 63-8239, 63-8256
and 63-21079

Dear Mr. Vanderstelt:

You recently submitted the above referenced application for transfer to change water rights for your client. Processing of the application must be delayed as explained below.

The application describes four water rights for which Snake River Basin Adjudication (SRBA) Claims have been filed. The application also includes one water right already decreed in the SRBA. SRBA Claims for the remaining rights in the area affected by the transfer application are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

The SRBA objection period for the area in question is expected to conclude sometime during the latter half of next year. Based on that schedule and the above reasoning, the application cannot be processed at this time. IDWR will hold the transfer application and will notify you at the appropriate time for it to be processed. The request included in your cover memo about processing the application by March 2006 unfortunately cannot be fulfilled. IDWR regrets the inconvenience undoubtedly caused by this necessary delay.

Additionally, the 8.14 cfs diversion rate proposed by the application requires a \$570 fee. The fee is based on the total diversion rate but not on the total diversion volume. (Fees based on volume only)

Carl Lueck
November 1, 2005
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apply to storage applications). The applicant paid \$1030. The \$460 overpayment is being refunded.

Please contact me at 334-2190 if you have any questions in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" written in a stylized, elongated script and the last name "Lester" following in a similar cursive style.

Steve Lester
Water Rights Supervisor

Idaho Department of Water Resources Receipt

Receipt ID W033556

Payment Amount \$1,030.00 Date Received 10/31/2005 2:15:19 PM Region Western Status ☐
Payment Type Check Check Number 182

Payer OBENDORF, GREG / ANN

Comment APPLICATION FOR TRANSFER: CARL LUECK

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,030.00	TRANSFERS	0229	21	62105	1155



Signature Line (Dept. Representative)