



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

March 13, 2009

GEM STATE ACADEMY
C/O LORI GRAVES
SPF WATER ENGINEERING LLC
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Ownership Change for Water Right No. 63-2880

Dear Lori:

This office received the transfer and permit applications for Gem State Academy along with the above referenced ownership split. The ownership change attempts to record a split for two acres to current owners McRae.

I understand and appreciate the academy's effort to correct the record for 63-2880. Please note the right was decreed on February 6, 2009 based on the lengthy adjudication process during which no party filed corrections to the record despite multiple chances to do so.

The ownership change as submitted is the reverse of the expected procedure in which the "new" owner files the change. Processing the ownership change will probably result in additional confusion for McRae. I imagine Mr. and Mrs. McRae use their own well to irrigate their property. Assuming that is correct, they can file a transfer application to split the right and add their own point of diversion for their portion. If they use the original well for 63-2880 to irrigate their property, they can submit an ownership change to simply split the right. In either case, McRae should initiate the process instead of the academy.

The ownership change is therefore returned. A \$100 refund will be issued under separate cover. The refund will be in the name of the Idaho Conference of Seventh-Day Adventists and will be sent to that entity care of your office.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water Rights Supervisor

Enclosure: Ownership Change 63-2880