



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 22, 2008

COPY

Russell Lloyd
26174 Moonglow Dr.
Middleton, ID 83644

Re: Application for Transfer of Water Right No. 73819

Dear Russell:

Your application for water right transfer referenced above is currently being processed. Upon review of your application, there are a few areas of the application that need correction and/or clarification. I have enclosed a copy of the original application with the areas that need to be addressed highlighted in yellow. I have enclosed a draft application to illustrate how these areas may be corrected. I address in further detail specific areas for correction or completion below. Enclosed is a blank application for your use. Please complete the application and submit it to the Department to allow for further processing.

The areas of your application that need to be addressed are as follows:

- The applicant name (Part 1 line 1). The applicant name should match warranty deed and other ownership documentation. The tax notice you submitted with your application indicates the property is in yours and your wife's name. If it is your intent to have the application be in the name of Russell and Tammy Lloyd both applicants must sign the application. If the connector "or" or "and/or" is used only one applicant signature is required for water right documentation. I can use the signature page from the original application if either of those connectors is used. Otherwise, the application will need to be signed by both applicants and notarized.
- The description of right or portion thereof, after the requested change (Part 1 B 1) is incorrect. One the application you indicated you are requesting a portion of two individual rights. However, 63-31779 is a parent right of 63-32443. In other words, 63-32443 is a portion of 63-31779. Since you filed your application,

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another transfer has been approved that split 63-32443 into two portions 63-32792 (Estate of Dan W. Clarke, owner) and 63-32793 (Jeanne L. Ross, owner). Therefore, your transfer application will affect water right 63-32792 as indicated on the draft application. Also, the amount of water you requested does not correlated with the rate per acre available under the water right. The original right established use of 0.01 cfs and 4.5 ac-ft per acre during the irrigation season. Consequently, for your 5 acres, the corresponding amount would be 0.05 cfs and 22.5 ac-ft total.

- The description of the diversion works (Part 1 B 6) was completed, but a little more detail is necessary. Please include additional information about the well proposed for the point of diversion. Please list the well tag number, well construction permit number, the driller, the original owner who the well was drilled for, or any other information known for reference of the construction.
- Description of right as recorded (Part 2) was completed for the two parent rights. I have printed out a summary sheet describing right 63-32792 as recorded. Please attach this sheet to your amended application and write "see attached" on Part 2 as illustrated in the draft application.
- Other water rights for the same purpose (Part 2 A 9). Water rights overlap analysis and the existing water right indicates the property is irrigated with Black Canyon Irrigation District water as indicated on the draft application.
- Department policy now requires a warranty deed be submitted with all ownership change requests for water rights. Please attach a copy of the warranty deed to document ownership of the property described as the place of use.
- The other small areas of the application that need correction are also highlighted in yellow. Please refer to the draft application for further indication of these areas and how to correct them.

Please submit the completed application to allow for further processing. Your response, or a request for more time to make your response, must be received within thirty (30) days from the date of this mailing. The application will be voided without a timely written reply.

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IDWR forms and other information are available on the Internet at www.idwr.idaho.gov.
Please contact me at 208-334-2190 if you have any questions. Thank you for your
attention to this matter.

Sincerely,


Angela M. Grimm
Water Resource Agent, Sr.

Enclosure(s): Copy of Application for Transfer of Water Right No. 73819
Draft Application for Transfer filed out according to understanding of
previous application.
Blank Application for Transfer
Instructions for Application for Transfer
Attachment for Application regarding water right affected by transfer
Copy of map submitted with original application