STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87959

This is to certify that: KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY, UT 84115

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
65-12469	WR/LICENSE	11/5/1981	0.040 cfs	1.2 af	N/A	N/A	SPRING

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-12469	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-12469	65-12469	0.040 cfs	1.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.040 cfs**	**1.2 af**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 18th day of August, 2023.

SCOTT STORMS, Water Rights Supervisor

SCANNED
AUG 23 2023

WATER RIGHT NO. 65-12469

As Modified by Transfer No. 87959

In accordance with the approval of Transfer No. 87959, Water Right No. 65-12469 is now described as follows:

Right Holder: KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY, UT 84115

Priority Date: 11/5/1981

Source: SPRING **Tributary:** SOUTH FORK PAYETTE RIVER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DOMESTIC	1/01	to	12/31	0.040 cfs	1.2 af
				0.040 cfs	1.2 af

LOCATION OF POINT(S) OF DIVERSION

SPRING L12 (SWSE) Sec 6 Twp 08N Rge 05E BOISE County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N	05E	6												X			X		
														L 11			L 12		
08N	05E	7		X															

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.65.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
AUG 23 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87959

Water Right: 65-12469

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Transfer POD
Transfer POU

N

0 305 610 Feet

SCANNED
AUG 2 3 2023

Rev. 07/18

RECEIVED
APR 21 2023
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87959

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Kristie Coe

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- [x] * Completed Application for Transfer of Water Right form, Part 1.
- [x] * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [ ] [x] Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- [x] * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- [x] * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- [ ] [x] #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- [ ] #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- [x] [ ] #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- [ ] [x] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- [ ] [x] #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- [x] * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- [ ] [x] #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- [ ] [x] #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- [ ] [x] #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- [ ] [x] #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- [ ] [x] #10 Other. Please describe: _____

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JUN 15 2023

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Kristie Coe Phone 801-910-6948

Mailing address 116 W Layton Ave, Salt Lake City, UT 84115 Email klgslc@gmail.com

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Kristie Coe	Kristie Coe	4/21/2023

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.

Moving place of use from neighbor's property to my property for use in future home

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑ ☐	65-12469	0.04 cfs 1.2 AF	domestic	1/01 to 12/31	spring / South Fork Payette River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs cfs and/or 1.2 AF acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 1.2 acre-feet per year.

3. Point(s) of Diversion:

☑ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	05E	6												D					
08N	05E	6															D		
08N	05E	7		D															

Total Acres (for irrigation use)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Connection to ~~South Fork Payette~~ Payette River South Fork Ranch HOA water system via outlet that has been transferred to my property

b. Who owns the property at the point(s) of diversion? Double J & D Ranch LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

HOA Bylaws grant me an easement ~~for~~ including access for ingress and egress for ~~use~~ installation, ~~repair~~ maintenance, and repair of water system.

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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IDAHO DEPARTMENT OF WATER RESOURCES **4/21/2023**
Proof Report

Water Right 65-12469

Owner Type	**Name and Address**
Current Owner	SHIRLEY LINDSTROM GOLLER PO BOX 427 GARDEN VALLEY, ID 83622 (208) 462-3801

Priority Date: 11/5/1981
Basis: License
Status: Active

Source	**Tributary**
SPRING	SOUTH FORK PAYETTE RIVER

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
DOMESTIC	1/01	12/31	0.040 CFS	1.2 AF
	Total Diversion		0.040 CFS	1.2 AF

Source and Point(s) of Diversion:

SPRING	L12(SWSE)	Sec. 6, Twp 08N, Rge 05E, BOISE County

Place Of Use:
DOMESTIC within BOISE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N	05E	6															X L12		

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. Domestic use is for 1 home.

Dates and Other Information:
Licensed Date: 4/4/1995
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:

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JUN 15 2023

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N/A

Water Supply Bank:

N/A

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State of Idaho
Department of Water Resources

Attachment to Water Right

65-12469

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- Taxlots

N

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JUN 15 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by DM Date 4-21-23 Preliminary check by_____ Date_____

Fee paid $225.00 Date 4-21-23 Receipted by DM Receipt # W051176

Add'l fee paid_____ Date_____ Receipted by_____ Receipt # SCANNED

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/orW-9 ☐ (originals to state office)

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87959

#2a

Instrument 282691
IDAHO CITY, BOISE COUNTY, IDAHO
04-21-2023 10:18:47 AM No. of Pages: 3
Recorded for: TITLEONE BOISE
MARY T. PRISCO Fee: $15.00
Ex-Officio Recorder Deputy shirley george
Index to: DEEDS
Electronically Recorded by Simplifile

TitleOne
a title & escrow co.

Order Number: 23468932

Warranty Deed

For value received,

Shirley Ann Lindstrom, an unmarried woman

the grantor, does hereby grant, bargain, sell, and convey unto

Kristie Coe, a married woman as her sole and separate property

whose current address is 116 W. Layton Ave., Salt Lake City, UT 84115

the grantee, the following described premises, in Boise County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

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TitleOne
a title & escrow co.

Order Number: 23468932

Warranty Deed

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See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

SCANNED
JUN 15 2023

87959

Dated: April 19, 2023

Shirley Ann Lindstrom

State of Idaho, County of Ada, ss.

On this 20th day of April in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Shirley Ann Lindstrom, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing In: Star. ID
My Commission Expires: 01.20.2027
(seal)

MELISSA JOHNSON
COMMISSION #21532
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
JUN 15 2023

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

A parcel of land being part of Government Lots 11 and 12, Section 6, and a Portion of the NE 1/4 of Section 7, Township 8 North, Range 5 East, Boise Meridian, Boise County, Idaho being more particularly described as follows:

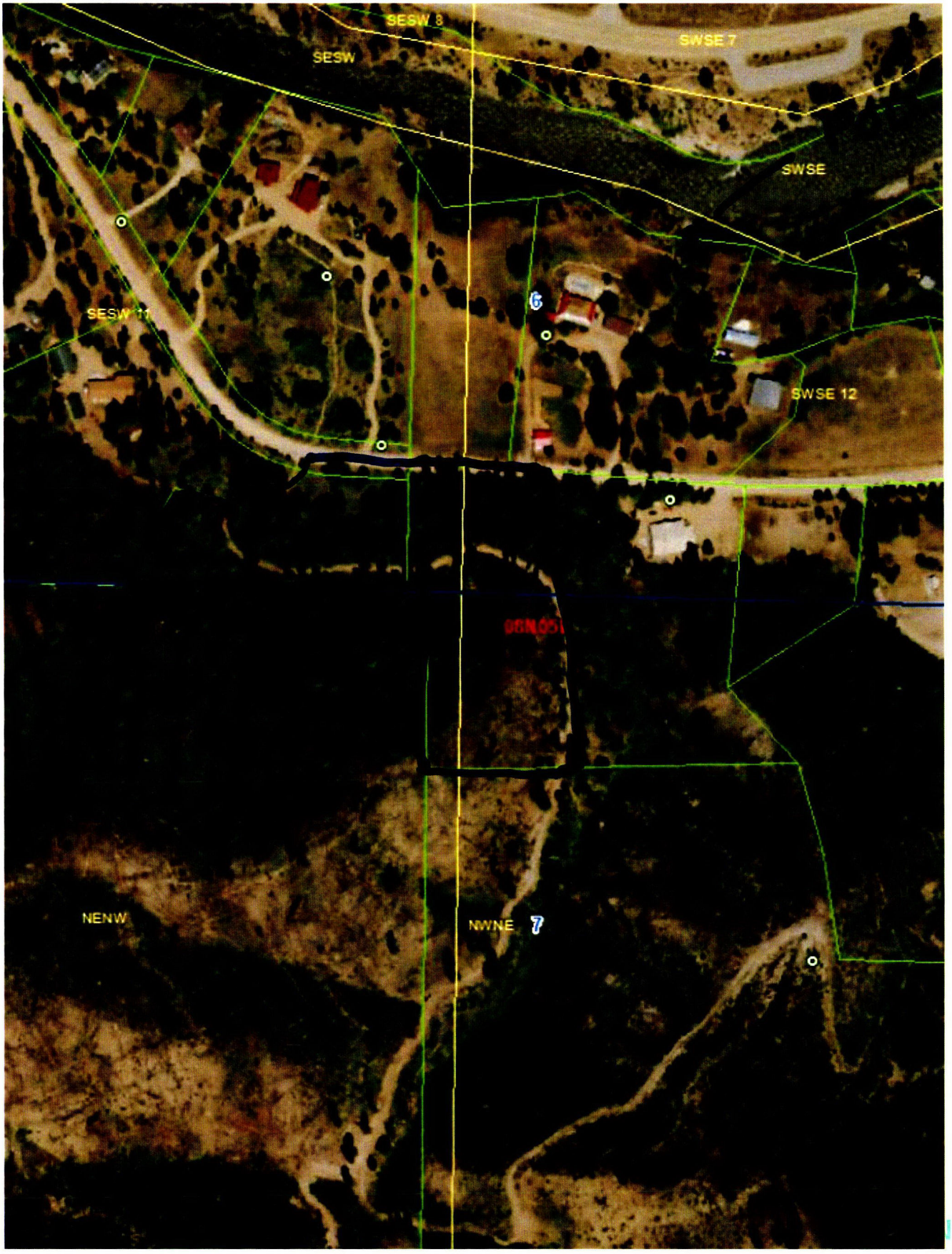
Commencing at the quarter corner common to Section 6 and 7, Township 8 North, Range 5 East, Boise Meridian, said corner being the TRUE POINT OF BEGINNING.

Thence a bearing of N 89°22'11" W, a distance of 40.00 feet to a found 5/8 inch rebar;
Thence a bearing of N 00°38'49" E, a distance of 204.88 feet to a found 5/8 inch rebar on the southerly prescribed right-of-way of South Fork Road;
Thence a bearing of N 00°38'49" E, a distance of 25.01 feet to a point on the centerline of South Fork Road;
Thence a bearing of S 88°00'00" E, a distance of 180.42 feet to a point;
Thence a bearing of S 88°00'00" E, a distance of 50.03 feet to a point (said point being witnessed by a set 5/8 inch rebar which bears S 07°26'52" E, a distance of 25.34 feet);
Thence a bearing of S 07°26'52" E, a distance of 539.40 feet to a point (said point being witnessed by a set 5/8 inch rebar which bears S 87°36'08" W, a distance of 10.00 feet);
Thence a bearing of S 87°36'08" W, a distance of 258.35 feet to a found 5/8 inch rebar;
Thence a bearing of N 00°50'05" W, a distance of 323.43 feet to the POINT OF BEGINNING.

TOGETHER WITH State of Idaho Department of Water Resources Water Right #65-12469

SCANNED
JUN 15 2023

#2b



House location still unknown

INED
JUN 15 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 21, 2023

KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY UT 84115-1812

Re: Transfer No: 87959
Water Right No(s).: 65-12469

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office

SCANNED
AUG 23 2023

of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED
AUG 2 3 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87959
Water Right No(s).: 65-12469

KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY UT 84115-1812

Lynne Evans
Administrative Assistant I

SCANNED
AUG 23 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED

AUG 2 3 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
AUG 2 3 2023

MEMORANDUM

TO: Transfer No. 87959
FROM: Clint Lindow
DATE: 08/15/2023
RE: Evaluation of Application

The transfer proposes moving the place of use (POU) of water rights 65-12469 that was sold to applicant. Changing the place of use in SESW Section 6, T08N, R05E, south of Highway 17 in Garden Valley, Idaho and approximately 0.13 miles south of the Payette River. The applicant is moving the place of use to property that the applicant owns.

Summary of Information Submitted

Authority to File:
IDWR records show that the current owner of water right no. 65-12469 is Shirley Lindstrom. The $25 Water Right Ownership change fee has been collected by IDWR and it will list the applicant as current owner once transfer is completed. The warranty deed submitted by applicant supports that water right 65-12469 was sold to the applicant which is listed on page 3 of page 3 of the warranty deed.

Water Right Validity:
Water right 65-12496 was licensed on 4/4/1995. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use was confirmed by the department via aerial imagery. Proof of beneficial use does not need to be added to the file, it is an IDWR product available to other staff.

Injury to Other Water Rights:
Transfer 87959 proposes no changes in nature of use or quantity diverted therefore is not expected to cause injury to any local water rights.

Enlargement of Use:
The proposed changes will not result in an increase of diversion rate or volume. Enlargement does not appear to be an issue.

Local Public Interest:
This transfer is not anticipated to cause potential water quality issues, impact current land use requirements on non-private land or impact fish/wildlife resources. The proposed changes appear consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:
The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

SCANNED
AUG 2 3 2023

Summary

Water Right Overlap
The proposed POU overlaps with existing permit 65-24003 for domestic and heating sourced from ground water, owned by Travis and Kristie Coe.

SCANNED
AUG 2 3 2023

THE IDAHO WORLD

P.O. Box 220
Idaho City, ID 83631
(208) 202-9288

RECEIVED
JUL 14 2023
WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Ada)

Elise Capson, being duly sworn, deposes and says: that she is the Billing Specialist for THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 21, 2023 and ending with the issue of June 28, 2023.

Elise Capson

State of Idaho)
)
County of Ada)

On this 11th day of July in the year 2023, before me, a notary public, personally appeared Elise Capson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Kathleen Pennington

Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires 8-15-2023

Kathleen Pennington
Notary Public
State of Idaho
Commission No. 44977

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87959

KRISTIE COE, 116 W LAYTON AVE, SALT LAKE CITY, UT 84115-1812 has filed Application No. 87959 for changes to the following water rights within BOISE County(s): Right No(s). 65-12469; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:
to change the place of use to an adjacent lot in the SESW and Lot 12 (SWSE) in Sec 6, T08N, R05E and NWNE in Sec 7, T08N, 05E.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 7/10/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published in the Idaho World on 6/21/2023 and 6/28/2023.

OK
LE
7/19/23

SCANNED
AUG 23 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082

Return Service Requested

PRESORTED
FIRST CLASS

US POSTAGE PITNEY BOWES
ZIP 83702 $ 000.47[1]
02 4W
0000382560 JUN 15 2023

RECEIVED
JUN 29 2023
WATER RESOURCES
WESTERN REGION

VAC

MARY F HAZELWORTH
10491 W WILDROSE CT
BOISE ID 83704-2745

Re: Transfer # 87959

NIXIE 980 DE 1306 0006/25/23
RETURN TO SENDER
VACANT
UNABLE TO FORWARD
BC: 837055B8235 *1695-04208-25-20

VAC

SCANNED
AUG 23 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 15, 2023

KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY, UT 84115-1812

RE: Transfer No. 87959
Water Right No(s). 65-12469

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 6/21/2023 and 6/28/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED
JUN 15 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, June 15, 2023 10:11 AM
To: Idaho World Editor
Subject: Legal Notice for Transfer No. 87959; Water Right No(s). 65-12469
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho World on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 7/10/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JUN 15 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87959

KRISTIE COE, 116 W LAYTON AVE, SALT LAKE CITY, UT 84115-1812 has filed Application No. 87959 for changes to the following water rights within BOISE County(s): Right No(s). 65-12469; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:
to change the place of use to an adjacent lot in the SESW and Lot 12 (SWSE) in Sec 6, T08N, R05E and NWNE in Sec 7, T08N, 05E.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 7/10/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 6/21/2023 and 6/28/2023

SCANNED
JUN 15 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, June 15, 2023 10:18 AM
To: neil.waterdistrict65@gmail.com
Subject: Application for Transfer No. 87959
Attachments: 87959 WM.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office by July 10, 2023.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by July 10, 2023, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JUN 15 2023

State of Idaho

Department of Water Resources

RECOMMENDATION FORM

RE: Transfer No. 87959
Water Right No(s). 65-12469

Transfer Applicant's Name: KRISTIE COE
116 W LAYTON AVE
SALT LAKE CITY, UT 84115-1812

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this _____ day of _____.

_____
Watermaster's Signature

SCANNED
JUN 15 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 15, 2023

MARY F. HAZELWORTH
10491 W WILDROSE CT
BOISE, ID 83704-2745

DAVE P. LINDO
12 BONNIE LN
GARDEN VALLEY, ID 83622-1048

DOUBLE J & D RANCH LLC
7 GOLLER LN
GARDEN VALLEY, ID 83622-1051

RE: Transfer No. 87959

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED
JUN 15 2023

March 2017

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) (maybe Workflow)

Application # 87959 **Reviewer** Clint **Date** _____

Acceptable Filing (TP Memo #24 Sect. 3) ✓ Y ____ N If "N" 30-day Deficiency Ltr Sent _____(date & initial)

Initial Review & Abbreviated Data Entry _____ (date & initial) Supervisor Notes ____Y ____N

Right(s) in Water Bank ____ Y ✓ N, Notify S.O. _____ (date) - WSB App Attachment _____

COMMENT LETTERS ✓ Y ____ N

Water District # ✓ 65 (Required even if No Legal Notice Required)

Other(s): ✓ list here or see attached Water Master, owners of WR's 65-12592, 6510378, 65-12775 - Mil Share POD

ADVERTISING ✓ Y ____ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo ___

Legal Notice Required - Saved as Legal Notice Remarks in Workflow ✓ Y *uncheck "Currently in Data Entry" flag

Statewide ads ____ Y ✓ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 7/10/23

Y	N			
____	✓	Protested	If Y: ____	Scan protest
✓	____	Affidavit received/published correctly	If N:____	Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade ____ Paid ____WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ____ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ____

E'folder w/ Draft Approval _____
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) _____ Y _____N

March 2017

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 214

~~WD~~
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.
DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
- ≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
- > 0.20 cfs - R43

~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME_____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 943 & WB7
Storage - R70
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077-218
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Boise above Star Bridge)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts

X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd rts not subject to SRBA

NOTES: