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JUL 12 2023

42-222 POD - 07/18

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

COPY

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Walker Investments Phone 602.432.6474
 2. **MAILING ADDRESS** 4718 E Goldstone Dr City Meridian
 State Id Zip 83642 Email bwalker@connxns.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-35420, 63-35419

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is (0.07 & .02) cubic feet per second and/or (32.0, 8.60) acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	SW	11	02N	03W	Canyon	Ground Water	#1
			NE	SE	11	02N	03W	Canyon	Ground Water	#2
Y			SW	SE	11	02N	03W	Canyon	Ground Water	Proposed Well

COPY

6. 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:

Proposed well will be used to serve pressurized irrigation from HOA pump system serving six residential lots.
PI system will be under HOA control with flow monitoring installed.

- b. Who owns the property at the point(s) of diversion? Walker Investments Trust

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

BOB WALKER

Signature of applicant or authorized agent

Robert Walker

Print name and title if applicable

07/07/2023

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by CC

Date 7-12-23

Fee paid \$100 Date 7-12-23

Receipted by CC

Receipt # W051380

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Ste B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130
Email: wmason@masonandassociates.us

WATER RIGHT
TRANSFER OF USE EXPLANATION

The current point of division for water right 63-35420, 63-35419 is located ~1900' from the proposed boundary for Walker Hills Subdivision. Relocating the point of diversion for the appropriate portion of water right will allow use access at the location of the current landowners proposed boundary of Walker Hills Subdivision. Proposed preliminary Plat drawing, pending Canyon County Review, is provided for reference of development.

Water Right Report : 63-35419(Decreed/Active)

COPY

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	WALKER INVESTMENTS TRUST	4718 E GOLDSTONE DR	MERIDIAN	ID	83642-5739
Original Owner	ESTATE OF REX S JENSEN	C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR	BOISE	ID	83709
Original Owner	MILLAR, BRYCE	RT 7 BOX 7380	NAMPA	ID	83651
Previous Owner	MC DONOUGH, MARK A	PO BOX 2265	BOISE	ID	83701-2265

Water Right Status

Priority Date : 4/13/1967

Basis : Decreed

Status : Active

Water Source

Source Source Qualifier Tributary Tributary Qualifier

GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	02N	03W	11	0		NW	SW	CANYON	
GROUND WATER	02N	03W	11	0		NE	SE	CANYON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.07 CFS	32.00 AFA
TOTAL			0.07 CFS	32.00 CFS

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (CANYON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	03W	11		SE	NE	2	
02N	03W	11		NE	SE	26	
02N	03W	11		SW	SE	34	
02N	03W	11		SE	SE	34	

Irrigation Totals

Total Acres	Acre Limit
96.00	8.00

Conditions

Code Conditions

- X61 The period of use for the right described in this approval may be extended to a term ending date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 2/6/2009.
- X27 This right is limited to the irrigation of 8.0 acres within the place of use described above in a single irrigation season.
- R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
- X35 Rights 63-3597F, 63-7156D, 63-35419 & 63-35420 when combined shall not exceed a total annual maximum diversion volume of 428.0 af for the irrigation of 95.1 acres.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- 004 This right does not grant any right-of-way or easement across the land of another.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

Licensed Date :
Decreed Date : 2/6/2009
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : TBD
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 4.5
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

7/6/2023

Water Right Report : 63-35420(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	WALKER INVESTMENTS TRUST	4718 E GOLDSTONE DR	MERIDIAN	ID	83642-5739
Original Owner	ESTATE OF REX S JENSEN	C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR	BOISE	ID	83709
Original Owner	MILLAR, BRYCE		NAMPA	ID	83651
Previous Owner	MC DONOUGH, MARK A	PO BOX 2265	BOISE	ID	83701-2265

Water Right Status

Priority Date : 10/7/1968

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	02N	03W	11	0		NW	SW	CANYON	
GROUND WATER	02N	03W	11	0		NE	SE	CANYON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.02 CFS	8.60 AFA
TOTAL			0.02 CFS	8.60 CFS

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (CANYON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	03W	11		SE	NE	2	
02N	03W	11		NE	SE	26	
02N	03W	11		SW	SE	34	
02N	03W	11		SE	SE	34	

Irrigation Totals

Total Acres	Acre Limit
96.00	2.00

Conditions

Code **Condions**

- X61 The period of use for the [redacted] described in this approval may be extended to a [redacted] ending date of 3/1 and end date of 11/15 provided [redacted] beneficial use of the water can be shown and other elements [redacted] the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2009.
- X27 This right is limited to the irrigation of 2.0 acres within the place of use described above in a single irrigation season.
- R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 af per acre at the field headgate for irrigation of the place of use.
- X35 Rights 63-3597F, 63-7156D, 63-35419 & 63-35420 when combined shall not exceed a total annual maximum diversion volume of 428.0 af for the irrigation of 95.1 acres.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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Dates

Licensed Date :

Decreed Date : 2/6/2009

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargement Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date:

Protest Deadline Date:

Other Information

State or Federal : S

Water District Number : TBD

Generic Max Rate Per Acre : 0.02

Generic Max Volume Per Acre : 4.5

Civil Case Number :

Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :

Cary Act Number :

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

7/6/2023

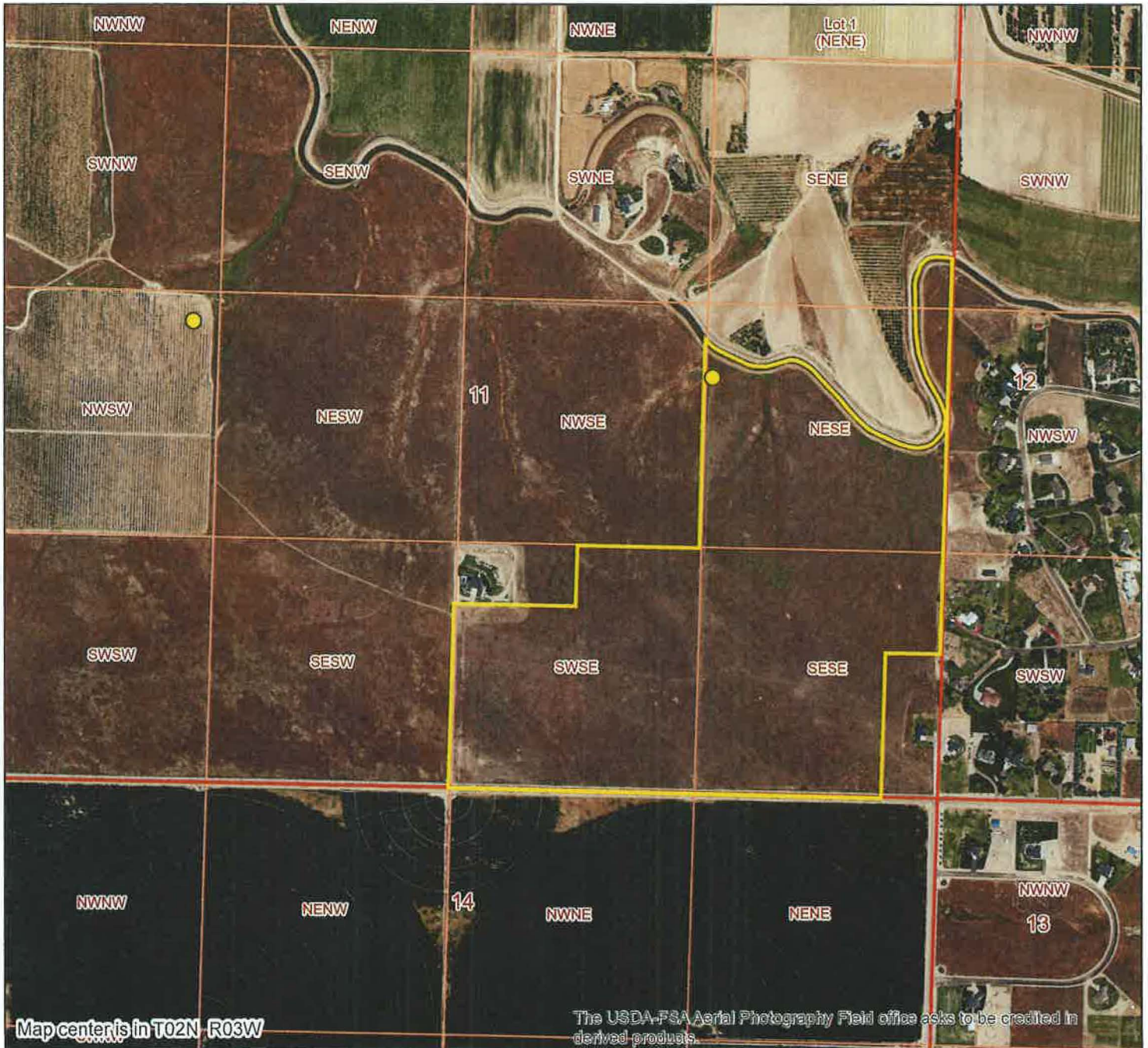
State of Idaho
Department of Water Resources

Water Right

63-35419

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 7/6/2023



Legend

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



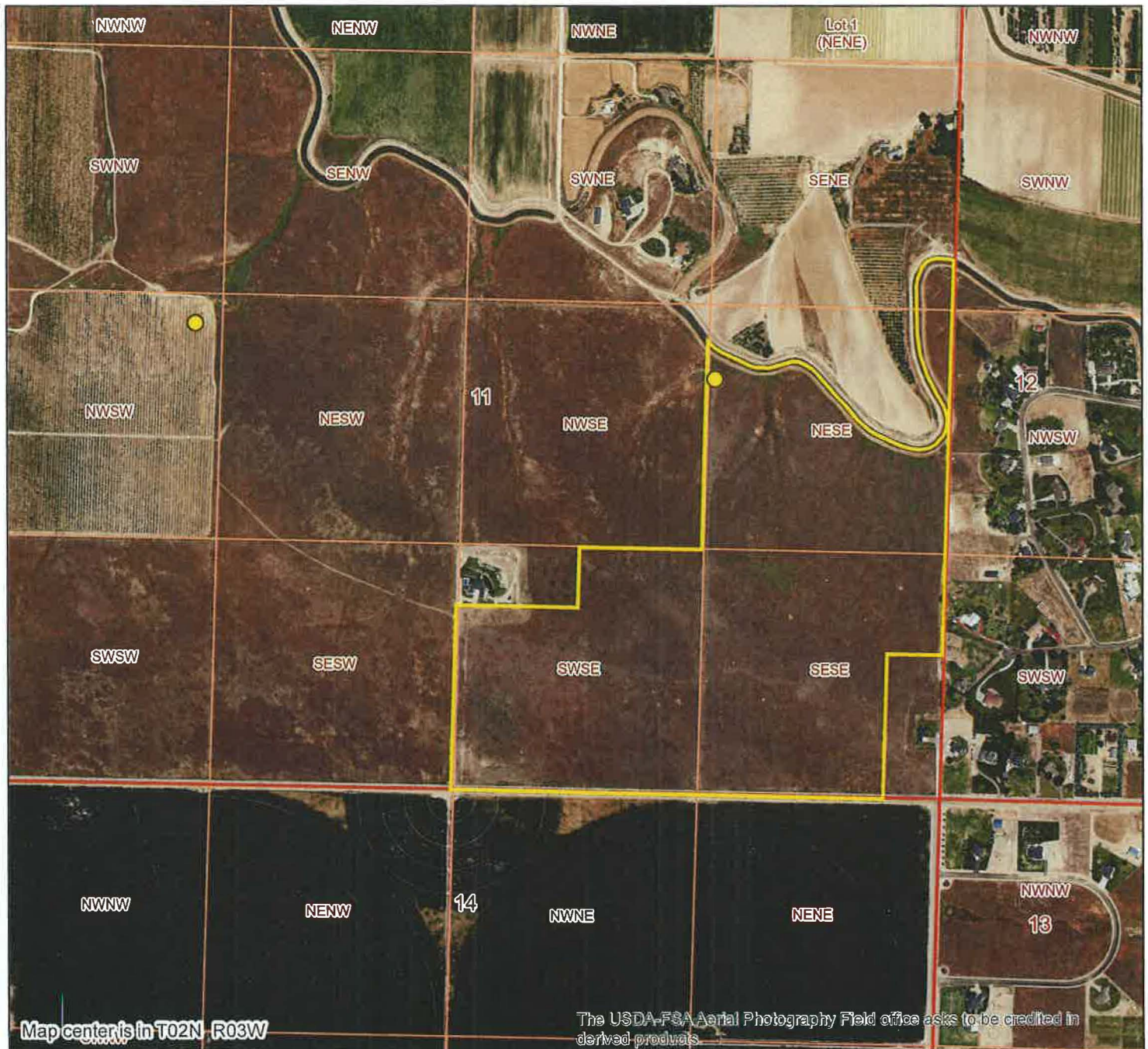
State of Idaho
Department of Water Resources

Water Right

63-35420

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

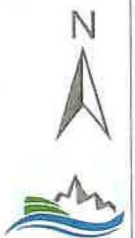


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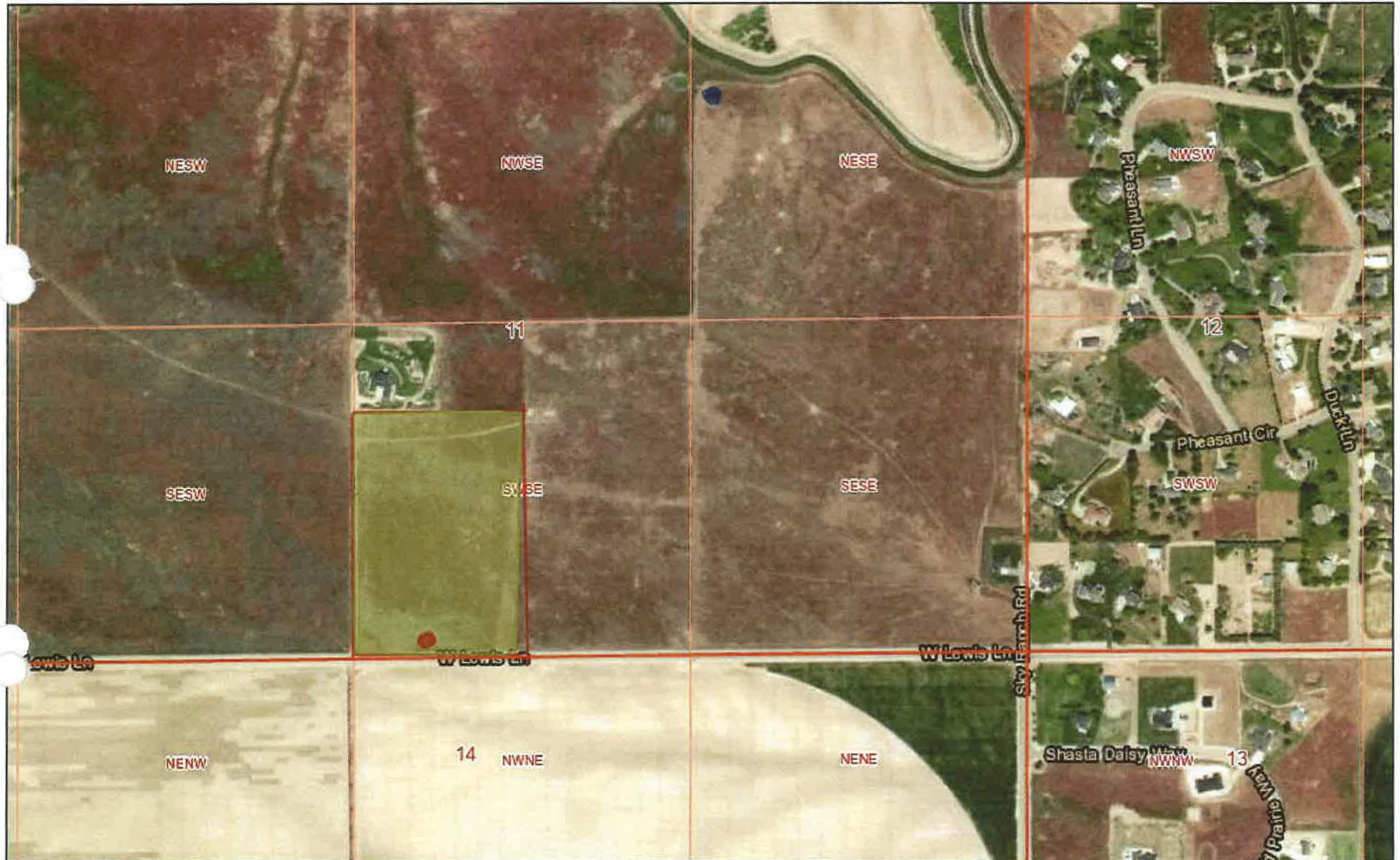
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 7/6/2023

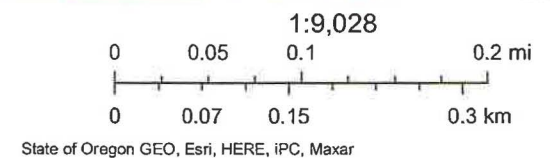


Walker Hills Subdivision



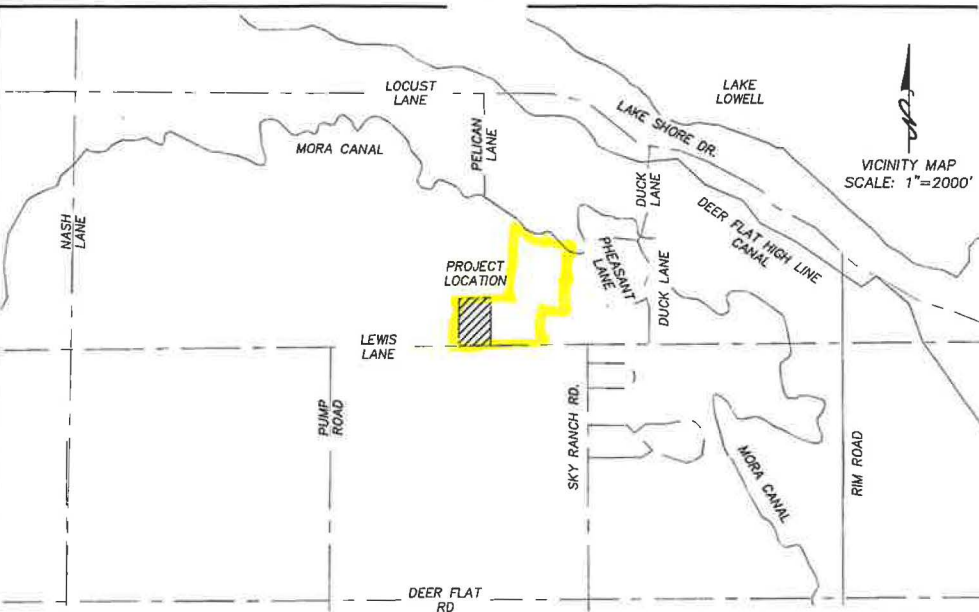
7/10/2023, 8:29:13 AM

- Counties
- PLS Sections
- Quarter Quarters
- Townships



WALKER HILLS SUBDIVISION
PRELIMINARY PLAT

A PART OF THE SW 1/4 SE 1/4, SECTION 11, T. 2 N., R. 3 W., B.M.,
CANYON COUNTY, IDAHO
2023

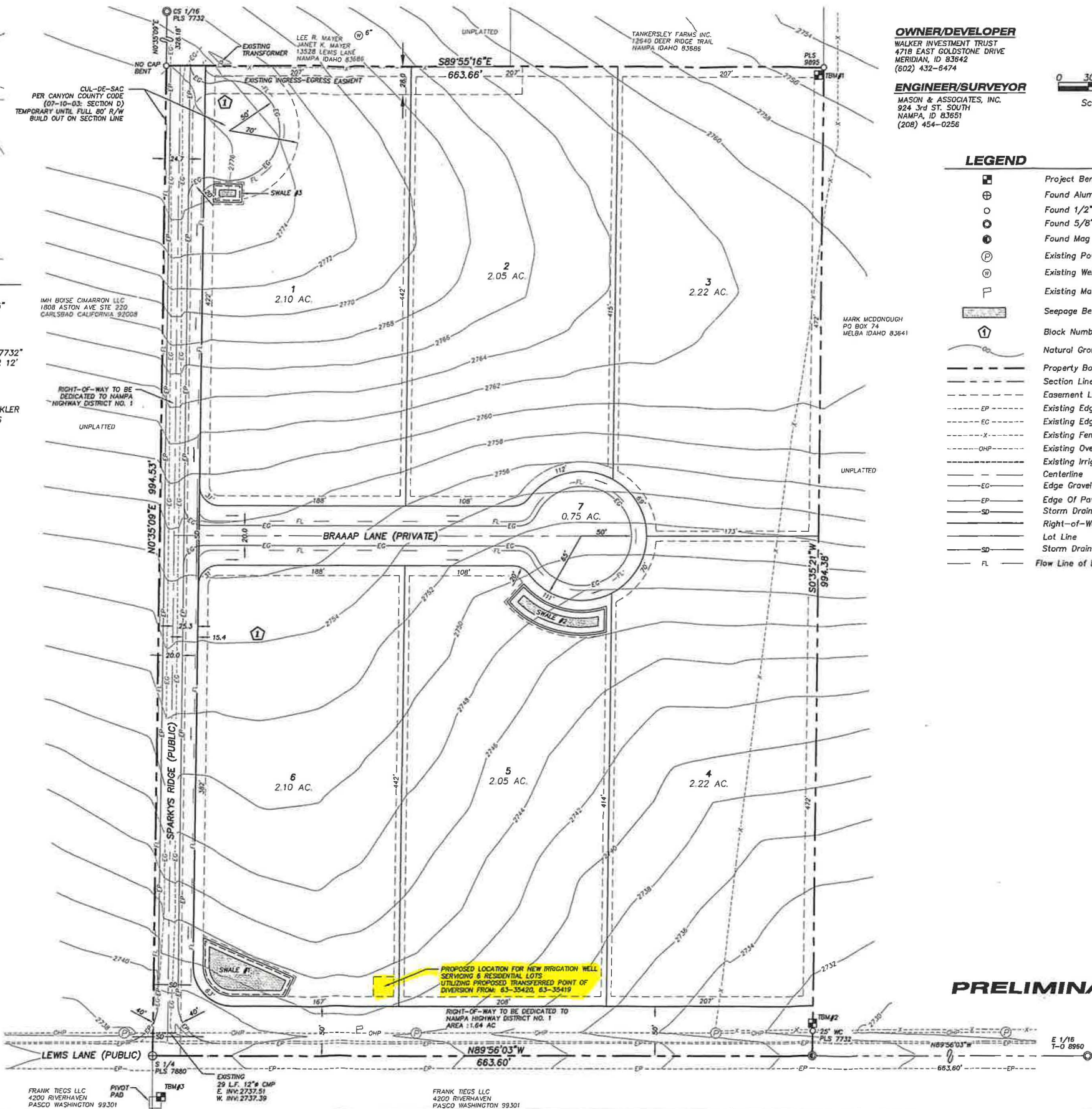
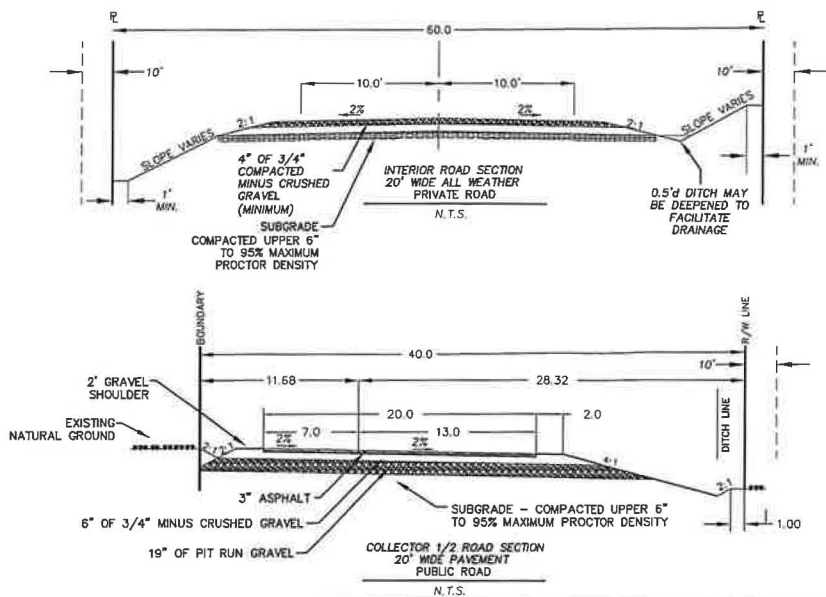


PROJECT NARRATIVE

- CURRENT CANYON COUNTY ZONE R-R.
- NO. OF RESIDENTIAL LOTS IS 6.
NO. OF COMMON LOTS IS 0.
NO. OF PRIVATE ROAD LOTS IS 1.
TOTAL NUMBER OF LOTS IS 7.
- AREA: ±15.15 ACRES (±13.51 AFTER NAMPA HIGHWAY DISTRICT NO. 1 DEDICATION)
- MINIMUM LOT SIZE: 2.00 ACRE
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH CANYON COUNTY STANDARDS FOR THE APPLICABLE ZONE.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE — EXCEPTION: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- PUBLIC UTILITY EASEMENTS TO BE PROVIDED
UNLESS OTHERWISE SHOWN:
SUBDIVISION BOUNDARY : 10 FEET
STREET FRONTAGE : 10 FEET
REAR LOTS : 10 FEET
SIDE LOTS : 5 FEET
- INDIVIDUAL PRIVATE WELLS WILL BE INSTALLED BY HOMEOWNER.
- INDIVIDUAL SEPTIC SYSTEMS WILL BE INSTALLED BY HOMEOWNER.
- IMPROVEMENTS SHOULD NOT SIGNIFICANTLY INCREASE STORM WATER RUNOFF. INCREASED RUNOFF WILL BE RETAINED VIA SWALES. PUBLIC STREET STORM DRAINAGE SHALL BE CONVEYED VIA ROADSIDE BARROW DITCHES INTO STORM DRAINAGE DISPOSAL FACILITIES. STORM DRAINAGE FACILITIES SHALL BE LOCATED WITHIN AN EASEMENT, OUTSIDE OF THE PUBLIC RIGHT OF WAY. THE HOMEOWNERS ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR THE APPLICATION OF PERIMETER LOT BERMING TO PREVENT DIRECT LOT STORMWATER DISCHARGE INTO IRRIGATION FACILITIES.
- FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
- PRIVATE ROAD TO BE MAINTAINED BY BRAAAP LANE ROAD USER'S AGREEMENT.

PROJECT BENCHMARKS

- TBM #1
FOUND 1/2" IRON PIN PLASTIC CAP "KHC 9895"
NORTHEAST PROPERTY CORNER.
NAVD88 ELEVATION=2754.80'
- TBM #2
FOUND 1/2" IRON PIN PLASTIC CAP "CLS PLS 7732"
25' WITNESS TO SOUTHEAST PROPERTY CORNER 12'
NORTH OF NORTH EP LEWIS LANE.
NAVD88 ELEVATION=2731.10'
- TBM #3
CHISELED "X" IN NORTHEAST CORNER OF SPRINKLER
PIVOT PAD 28' SOUTH OF THE SOUTH EP LEWIS
LANE AND 31.5' SOUTHEAST OF SOUTHWEST
PROPERTY CORNER ALSO S 1/4 SEC 11
NAVD88 ELEVATION=2735.75'



OWNER/DEVELOPER

WALKER INVESTMENT TRUST
4718 EAST GOLDSTONE DRIVE
MERIDIAN, ID 83642
(602) 432-6474

ENGINEER/SURVEYOR

MASON & ASSOCIATES, INC.
924 3rd ST. SOUTH
NAMPA, ID 83651
(208) 454-0256

LEGEND

- Project Benchmark
- Found Aluminum Cap Monument
- Found 1/2" Iron Pin
- Found 5/8" Iron Pin
- Found Mag Nail
- Existing Power Pole
- Existing Well
- Existing Mail Box
- Seepage Bed
- Block Number
- Natural Ground Contour Line
- Property Boundary Line
- Easement Line
- Existing Edge of Pavement
- Existing Edge of Gravel
- Existing Fence
- Existing Overhead Power
- Existing Irrigation Pipe
- Centerline
- Edge Gravel Road
- Edge Of Pavement
- Storm Drain
- Right-of-Way
- Lot Line
- Storm Drain
- Flow Line of Borrow Ditch

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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 Mathew Weaver

December 26, 2023

COPY

WALKER INVESTMENTS
C/O BOB WALKER
4718 E GOLDSTONE DR
MERIDIAN, ID 83642

Re: Withdrawal of Application for Transfer No. 88597

Dear Mr. Walker:

This letter is an acknowledgement of your recent withdrawal of the above referenced transfer application.

Please contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Allen Bradbury
Water Resource Agent, Sr.
Western Region

CC: Charlie Baser, Givens Pursley LLP

Evans, Lynne

From: Bob Walker <bwalker@connxns.com>
Sent: Thursday, December 21, 2023 7:46 PM
To: IDWR File; Evans, Lynne
Cc: Charlieq Baser
Subject: Water rights withdrawal
Attachments: Walker Water rights withdrawal Lewis Lane.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Please find attached my withdrawal.

Thank you,

Bob Walker

602.432.6474

RECEIVED

Dec 21, 2023

DEPARTMENT OF
WATER RESOURCES

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

I/We, WALKER INVESTMENTS and ROBERT WALKER
(Applicant's Printed Name) (Applicant's Printed Name)

____ and ____
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 88597 of Water Right

No(s). 63-35419 + 63-35420

Signed this 18th day of December, 2023

[Signature] CEO
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

Bradbury, Allen

From: Charlie S. Baser <charliebaser@givenspursley.com>
Sent: Tuesday, December 19, 2023 8:55 PM
To: Bradbury, Allen
Cc: Mary Barnes
Subject: FW: Withdrawal of Water Rights Application
Attachments: Walker Water rights withdrawal Lewis Lane.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Allen, further to our conversation at the end of last week, please see the attached withdrawal of transfer application from Walker Investments.

If you have any questions or want to discuss, please let me know. Again, thanks for giving us a little time to get this sorted out.

Best,
Charlie

CHARLIE SUZANNAH BASER

GIVENS PURSLEY LLP

601 W Bannock St, Boise, ID 83702

main 208-388-1200

direct 208-388-1271

fax 208-388-1300

charliebaser@givenspursley.com

www.givenspursley.com

CONFIDENTIALITY NOTICE: This communication is confidential and may contain privileged information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

From: Bob Walker <bwalker@connxns.com>
Sent: Tuesday, December 19, 2023 6:40 PM
To: westerninfo@idwr.idaho.gov
Cc: Charlie S. Baser <charliebaser@givenspursley.com>
Subject: Withdrawal of Water Rights Application

EXTERNAL

Attached please find my withdrawal of Application for transfer of Water Rights. Please confirm receipt and let me know if anything else is needed from my side.

Thank you,



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 Mathew Weaver

11/6/2023

Walker Investments
C/O Bob Walker
4718 E Goldstone Dr
Meridian, ID 83642

RE: Additional Information Request for Transfer

Dear Mr. Walker,

On July 12, 2023, you filed a transfer application to change the diversion point for water rights 63-35419 and 63-35420. Part of the transfer process is review for rights subject to forfeiture. Idaho Statute 42-222 states in part:

... (2) All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter; except that any right to the use of water shall not be lost through forfeiture by the failure to apply the water to beneficial use under certain circumstances as specified in section 42-223, Idaho Code.

I am now trying to verify the water use on your land. Water right 63-35419 authorizes irrigation with an acre limit of 8.0 acres within a total 96.0 acre place of use. Water right 63-35420 authorizes irrigation with an acre limit of 2.0 acres within a total 96.0 acre place of use. Remote sensing tools from satellites in 2016 to 2023 were used to show the areas described in your application may be subject to forfeiture.

Evidence of irrigation use in these areas is needed to complete processing of the transfer application. The circumstances outlined in section §42-223, Idaho Code, are attached to this letter. Please provide the Department a defense to forfeiture as outlined in that section.

Submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected or approved with partial forfeiture without a timely written reply within the next **thirty (30) days**. Refunds are not issued for rejected applications. You may also withdraw the application with the form enclosed in order to receive a refund for the filing. Thank you for your time and for your attention to these matters.

Respectfully,

Allen Bradbury
Water Resource Agent, Sr.

Enclosure(s): Idaho Statute §42-223
Withdrawal form



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WATER RESOURCES

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Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 14, 2023

Walker Investments
C/o Bob Walker
4718 E Goldstone Drive
Meridian, ID 83642

COPY

Re: Application for Transfer of Water Right – Point(s) of Diversion

Incomplete - Returned

Dear Applicant:

This office received your application on July 12, 2023. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **1 – Incorrect fee – an additional fee of \$100 for the transfer is needed**

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit together with an additional fee of \$100 within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-605-4620 and ask for the “office day person” if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff



**Idaho Department of Water
Resources**

P: (208) 605-4620

Idaho Dept. of Water Resources

idwr.idaho.gov

Enclosure: Original Application

Mason & Associates Inc.
 Phone (208) 454-0256 • Fax (208) 467-4130

**Professional Engineers,
 Land Surveyors
 & Planners**

924 3rd Street South, Suite B
 Nampa, ID 83651

LETTER OF TRANSMITTAL

Date <u>7-10-23</u>	Job No. <u>MY0122</u>
Attention: <u>IDWR Staff</u>	
Re: <u>Point of Diversion Transfer</u>	

TO:

IDWR

RECEIVED

JUL 12 2023

☐ Attached ☐ Under separate cover Via ☐ Hand delivery ☐ the following items **WATER RESOURCES WESTERN REGION**
☐ Shop drawings ☐ Prints ☐ Plans ☐ Engineer's report ☐ Specifications
☐ Copy of letter ☐ Original mylar ☒ Other us Postal

Copies	Date	No.	Description
	<u>7-10-23</u>	<u>1</u>	<u>Fee Check #14223 \$100.00</u>
			<u>Application for transfer - Point of Diversion</u>
			<u>Water Right Report 63-35419</u>
			<u>Water Right Report 63-35420</u>
			<u>IDWR Water Right Notice 3-27-23</u>
			<u>USE Explanation</u>
			<u>63-35419 -map IDWR</u>
			<u>63-35420 -map IDWR</u>
			<u>Walker Hills PP Point of Diversion Location</u>

Transmitted as checked below:

☒ For approval ☐ Approved as submitted ☐ Resubmit ☐ Copies for approval
☐ For your use ☐ Approved as noted ☐ Submit ☐ Copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return ☐ Corrected prints
☐ For review & comment
☐ For bid due by _____

REMARKS Please Contact Bob Walker or Dinn Lawson at
Mason & Associates as needed.

Thank You

Signed: Dinn Lawson

Copy to: _____

Received By: _____ Date: _____