

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87249**

This is to certify that: EUREKA WATER CO
C/O BILL CLAYTON
PO BOX 10
STAR, ID 83669-0010

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-145	WR/DECREED	6/1/1865	33.320 cfs	N/A	N/A	1816.7	BOISE RIVER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-16383	WR/DECREED	3/1/1890	2.310 cfs	N/A		N/A	PHYLLIS SLOUGH

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-145	NO	NO	NO	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-145	63-145	33.320 cfs	55.2 af	1809.7	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		33.320 cfs	55.2 af	1809.7	1809.7		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 31st day of January, 2024.


SCOTT STORMS, Water Rights Supervisor

Transfer No. 87249

WATER RIGHT NO. 63-145**As Modified by Transfer No. 87249**

In accordance with the approval of Transfer No. 87249, Water Right No. 63-145 is now described as follows:

Right Holder: EUREKA WATER CO
C/O BILL CLAYTON
PO BOX 10
STAR, ID 83669-0010

Priority Date: 6/1/1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
GROUND WATER RECHARGE	04/01	to 10/31	0.150 cfs	28.4 af
IRRIGATION	04/01	to 10/31	33.020 cfs	
MITIGATION BY DELIVERY	04/01	to 10/31	0.020 cfs	4.2 af
AESTHETIC STORAGE	04/01	to 10/31		22.6 af
DIVERSION TO STORAGE	04/01	to 10/31	0.130 cfs	
			33.320 cfs	55.2 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L6 (NWSENW) Sec 24 Twp 04N Rge 01W ADA County

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	22				X													
04N	01W	23							X	X									
																			0

PLACE OF USE: GROUND WATER RECHARGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	17																X	
04N	01W	20	X																

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

Transfer No. 87249

WATER RIGHT NO. 63-145

As Modified by Transfer No. 87249

CONDITIONS OF APPROVAL

2. This right is limited to the irrigation of 1809.7 of the 1826 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 71069 changed the nature of use of 8.1 acres to ground water recharge. Transfer 87249 changed the nature of use of 7 acres to diversion to storage and aesthetic storage. Additionally, 1.2 acres have been dedicated to mitigation by delivery for right 63-32811.
3. Use of water under this right will 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. 63.
4. This right mitigates for the depletion of water resulting from the diversion and use of water under Right 63-32811. To prevent injury to other water right holders, the right holder shall divert 0.02 cfs of this right but shall return that amount of water unused to the Boise River. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the use of Right 63-32811 that is being mitigated shall be reduced by the same proportion as the reduction to this right.
5. Rights 63-145 and 63-16383 authorize the diversion of an annual total of 28.4 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under Rights 63-31134, 63-31135, and 63-31136.
6. Transfer 87249 authorizes the diversion of water in the amount of 0.13 cfs and 22.6 af to be used for replacement losses caused by evaporation from two (2) ponds associated with Rights 63-12187 and 63-35350.
7. The right holder shall maintain measuring devices and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control at the point of diversion and at the inflow of the ground water recharge ponds. The right holder shall also maintain measuring devices at all discharge points from the ground water recharge ponds. Water shall not be diverted for irrigation from the recharge ponds at a rate or volume higher than the amount delivered to the ponds less any amount allocated to ground water recharge.
8. 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 lands above.
9. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

WATER RIGHT NO. 63-145

As Modified by Transfer No. 87249

CONDITIONS OF APPROVAL

10. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
11. Water is delivered through the Eureka Canal.
12. The following rights are diverted through point(s) of diversion described above: 63-161BU, 63-166A, 63-167A, 63-224, 63-225, 63-294, 63-295.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
16. This right originated as all or part of right no. 13 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-16383**As Modified by Transfer No. 87249**

In accordance with the approval of Transfer No. 87249, Water Right No. 63-16383 is now described as follows:

Right Holder: EUREKA WATER CO
C/O BILL CLAYTON
PO BOX 10
STAR, ID 83669-0010

Priority Date: 3/1/1890

Source: PHYLLIS SLOUGH

Tributary: BOISE RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
GROUND WATER RECHARGE	03/01	to 11/15	0.010 cfs	5.1 af
IRRIGATION	03/01	to 11/15	2.300 cfs	
STOCKWATER	01/01	to 12/31	0.240 cfs	
			2.310 cfs	

LOCATION OF POINT(S) OF DIVERSION

PHYLLIS SLOUGH SWNW Sec 22 Twp 04N Rge 01W ADA County

PLACE OF USE: GROUND WATER RECHARGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	17																	X
04N	01W	20	X																

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14											X	X			X		
													L 6	L 7			L 8		
04N	01W	15												X			X	X	
														L 6			L 7	L 8	
04N	01W	16									X	X	X	X			X		
											L 3	L 4	L 5	L 6			L 7		
04N	01W	17										X		X			X	X	
												L 4		L 5				L 8	
04N	01W	18													X		X	X	
															L 7		L 9	L 8	
04N	01W	19	X	X	X	X	X	X	X	X	X				X	X			
			L 6				L 5	L 4	L 3										
04N	01W	20	X	X	X	X	X	X	X	X	X	X			X	X			
								L 1											
04N	01W	21	X	X	X	X	X	X	X	X	X	X			X	X			
			L 1																
04N	01W	22	X	X	X	X	X	X	X	X									
								L 1											
04N	01W	23		X	X	X	X	X	X	X									
				L 2		L 3													
04N	01W	24							X										

Transfer No. 87249

WATER RIGHT NO. 63-16383
As Modified by Transfer No. 87249

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13							L 5					X			X		
														L 6			L 7		
04N	02W	24	X	X	X	X	X			X					X	X			
			L 1																

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. This right is limited to the irrigation of 1809.7 of the 1826 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 71069 changed the nature of use of 8.1 acres to ground water recharge. Transfer 87249 changed the nature of use of 7 acres to diversion to storage and aesthetic storage. Additionally, 1.2 acres have been dedicated to mitigation by delivery for right 63-32811.
3. Use of water under this right will 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. 63.
4. Rights 63-145 and 63-16383 authorize the diversion of an annual total of 28.4 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under Rights 63-31134, 63-31135, and 63-31136.
5. The right holder shall maintain measuring devices and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control at the point of diversion and at the inflow of the ground water recharge ponds. The right holder shall also maintain measuring devices at all discharge points from the ground water recharge ponds. Water shall not be diverted for irrigation from the recharge ponds at a rate or volume higher than the amount delivered to the ponds less any amount allocated to ground water recharge.
6. 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 lands above.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 63-16383
As Modified by Transfer No. 87249

CONDITIONS OF APPROVAL

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

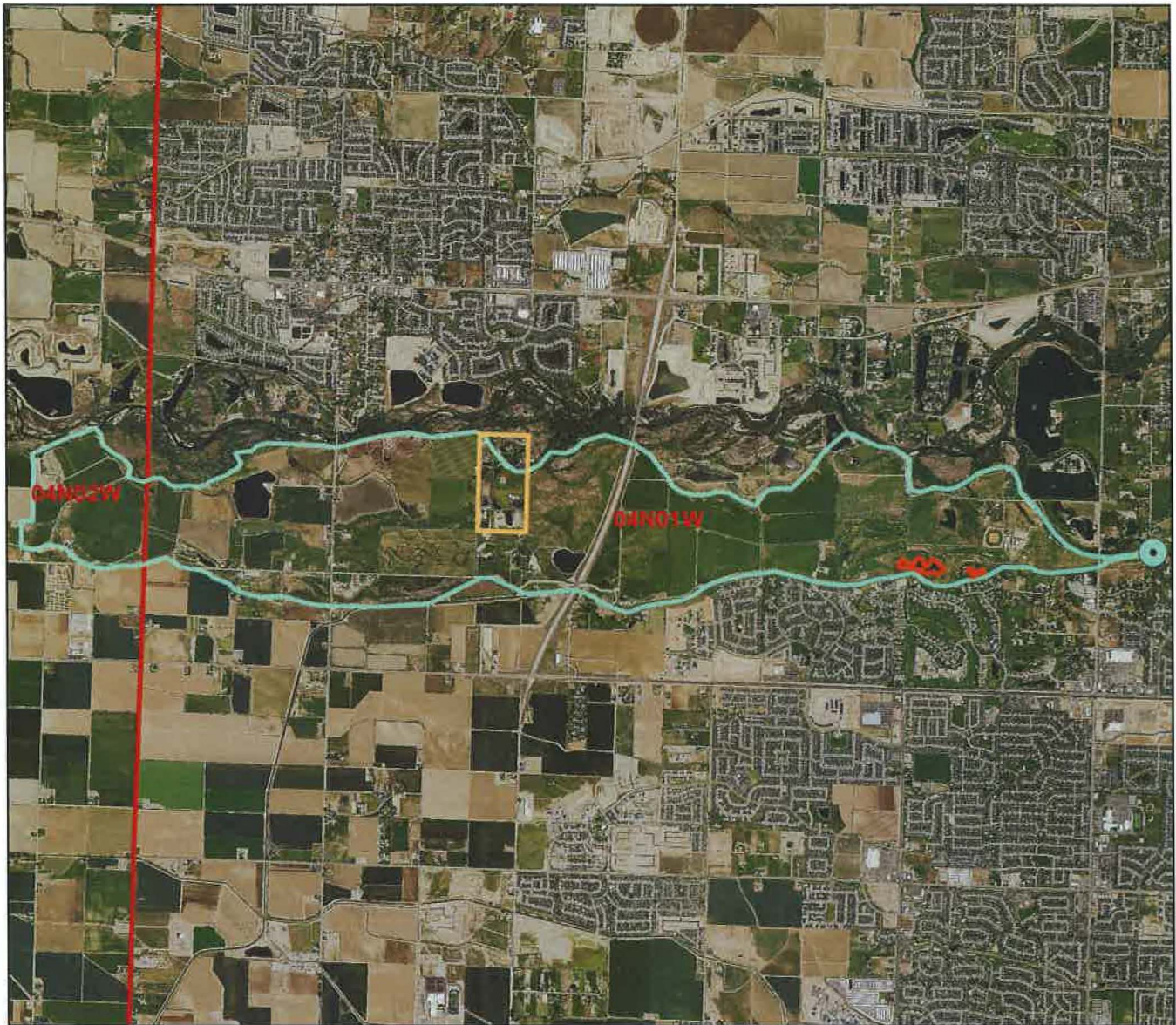


State of Idaho
Department of Water Resources

Attachment to Transfer No. 87249

Water Right(s): 63-145

This map depicts the IRRIGATION 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



Aesthetic Storage POU



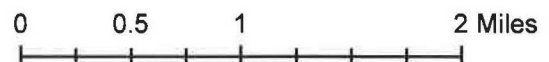
Groundwater Recharge POU



Irrigation POU



Township/Range



State of Idaho
Department of Water Resources

Attachment to Transfer No. 87249

Water Right(s):63-145

This map depicts the AESTHETIC STORAGE 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.



0 550 1,100 Feet



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

February 02, 2024

EUREKA WATER CO
C/O BILL CLAYTON
PO BOX 10
STAR ID 83669-0010

Re: Transfer No: 87249
Water Right No(s): 63-145, 63-16383

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 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,

A handwritten signature in black ink, appearing to read 'Lynne Evans' in a cursive style.

Lynne Evans
Administrative Assistant I

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 02, 2024 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.: 87249
Water Right No(s): 63-145, 63-16383

EUREKA WATER CO (Current Owner)
C/O BILL CLAYTON
PO BOX 10
STAR ID 83669-0010

ATTN: DANIEL V. STEENSON
SAWTOOTH LAW OFFICES PLLC (Representative)
1101 W RIVER ST STE 110
BOISE ID 83702-7067

ATTN: CARROLL C. CARLOCK
HONSINGER LAW PLLC (Attorney)
PO BOX 517
BOISE ID 83701-0517



Lynne Evans
Administrative Assistant I

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.

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.

MEMORANDUM

TO: Transfer No. 87249
FROM: Aaron Olson
DATE: 1/5/2024
RE: Evaluation of Application

The transfer proposes to change the nature of use of a portion of the identified water right from irrigation to diversion to storage and aesthetic storage to provide mitigation for evaporative losses from excavated ponds associated with water right 63-12187 and 63-35350.

The site is the Spurwing Championship Golf Course, the ponds are located approximately a half mile north of the intersection between Chinden Boulevard and 10 Mile Road.

Summary of Information Submitted

Authority to File:

IDWR records show the applicant as the current owner of the involved water rights. The application was signed by Bill Clayton, president of Eureka Water Company.

Water Right Validity:

The partial decree for water right no. 63-145 was issued on 07/19/2007. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence 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:

Other water rights should not be impacted by the proposed transfer. The quantity of water used for these rights will not change as a result. Consumptive losses due to pond evaporation will be offset by the change in nature of use and reduction in acres irrigated. The proposed transfer was advertised and no protests were received.

Enlargement of Use:

Enlargement does not appear to be an issue. The proposed changes will not result in an increase of diversion rate or annual volume diverted. 7 acres that have been historically irrigated by this right will no longer be irrigated since they will now be occupied by the ponds. The transfer will reduce the diversion rate for irrigation from 33.15 cfs to 33.02 cfs and the acres of irrigation reduced from 1816.7 to 1809.7 acres. The 7 acres and 0.13 cfs reduction will be changed to diversion to storage and aesthetic storage of 22.6 acre feet.

Local Public Interest:

This application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

This 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.

Summary

Water Right Overlap

The proposed aesthetic storage will overlap with Water Rights Permits 63-12187 (owned by Pacific Links LLC) and 63-35350 (owned by The Club at Spurwing). The proposed aesthetic storage is to mitigate for consumptive losses from the ponds due to evaporation so water right overlap will not be a concern as a result of this transfer. No other rights should be considered.

Mitigation

The transfer proposes to change the nature of use for seven historically irrigated acres from irrigation use into diversion to storage and aesthetic storage uses for purposes of mitigation. Consumptive losses due to evaporation from the two ponds are estimated to be 17.4 acre-feet annually (2.48 acre-feet per acre), and the transfer proposes to change 0.13 cfs/22.6 acre-feet. Peak daily evaporative losses from the pond are equivalent to 0.008 cfs per acre during the month of July, requiring a total diversion rate of 0.056 cfs for losses to be fully mitigated. The 0.13 cfs proposed for diversion to storage use will provide an available 0.019 cfs per acre ($0.13 \text{ cfs} / 7 \text{ acres}$) after the proposed change. If this right were to be cut back to 60% during the irrigation season due to a Stewart Decree flow reduction 0.011 cfs per acre would still be available, exceeding the peak evaporative loss amount.

Discussion

If approved the following changes should be made to the conditions of water right no. 63-145:
Add mitigation condition to explain this transfer is to mitigate for consumptive losses of ponds developed under water right permits nos. 63-12187 and 63-35350.

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Evans, Lynne

From: Mike Meyers <mike@wd63.org>
Sent: Monday, April 17, 2023 7:34 AM
To: Evans, Lynne
Cc: Daniel Hoke
Subject: RE: Application for Transfer No. 87249; Application for Permit No. 63-35387

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.

Lynne,

Water District 63 has no issues with these two

From: Evans, Lynne <Lynne.Evans@idwr.idaho.gov>
Sent: Friday, April 14, 2023 3:48 PM
To: Mike Meyers <mike@wd63.org>
Subject: Application for Transfer No. 87249; Application for Permit No. 63-35387

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 May 8, 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 passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by May 8, 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