

10/24/22, 2022

To: Idaho Department of Water Resources

From: Ronald E. Byers

Subject: Application for Water Right Transfers for Water Right Nos. 74-210A and 74-734A.

Ronald E. Byers ("Byers") is the owner of Water Right Nos. 74-210A and 74-734A. Two water right transfer applications concerning these rights have been filed by Rohn R. Nelson and Lori A. Nelson (the "Nelsons"). If the transfers are approved, the above-described water rights will be amended with places of use that cover property purchased by the Nelsons. Byers consents to these transfers, with the understanding that title to the water rights can only be transferred upon execution and recording of a deed for the water rights.

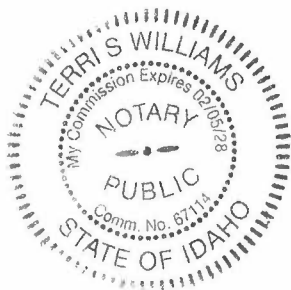
Ronald E. Byers
Ronald E. Byers

Date: 10/24/22

STATE OF IDAHO)

County of Lemhi)ss.

This record was acknowledged before me on the 24 day of Oct, 2022, by
Ronald E. Byers.



Terri S. Williams
Notary Public for Idaho
My Commission Expires: 02/05/2028

Cefalo, James

From: Rob Harris <rharris@holdenlegal.com>
Sent: Wednesday, October 19, 2022 3:45 PM
To: Cefalo, James; fullcurl@mtaonline.net
Cc: rb57-47@hotmail.com; Lance Schuster
Subject: RE: Applications for Transfer 86942 and 86951 (Nelson)
Attachments: Transfer Consent.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.

James:

Thanks for your email. I have emailed the attached consent to Mr. Byers' attorney (Lance Schuster) last month on September 26th, but it may not have been transmitted to him. Lance, could you have your client sign this document, and then scan and email it to those on this email chain?

Thanks,



Robert L. Harris
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From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Wednesday, October 19, 2022 3:42 PM
To: fullcurl@mtaonline.net; Rob Harris <rharris@holdenlegal.com>
Cc: rb57-47@hotmail.com
Subject: Applications for Transfer 86942 and 86951 (Nelson)

Dear Applicants:

Cefalo, James

From: Cefalo, James
Sent: Wednesday, October 19, 2022 3:42 PM
To: 'fullcurl@mtaonline.net'; Rob Harris
Cc: 'rb57-47@hotmail.com'
Subject: Applications for Transfer 86942 and 86951 (Nelson)

Dear Applicants:

On August 18, 2022, you filed Application for Transfer 86951, proposing to change the place of use and points of diversion for water rights 74-16256 and a portion of water right 74-734A. On the same day, you filed Application for Transfer 86942, proposing to update the place of use and points of diversion for water rights 74-210A and a portion of water right 74-734A. Water rights 74-734A and 74-210A are currently appurtenant to a parcel held by Ronald Byers. Mr. Byers is also the owner of record for water rights 74-734A and 74-210A.

An application for transfer proposing to move water rights off the Byers property must include a statement from Mr. Byers, consenting to the change, or evidence that the water rights have been conveyed to the applicants. The cover letter included with the applications, prepared by your attorney Rob Harris, stated that a written consent from Mr. Byers would be provided soon. Last week I got a phone call from Mr. Byers who informed me that he has not signed any agreement to sell or transfer the water rights. He stated that he has had discussions about conveying a portion of the water rights, but no agreement has been signed.

The applications for transfer are currently in the public notice phase. Our office has received multiple phone calls from people asking how to file a protest against the applications. Once the applications come out of the protest phase, the Department will not take any further action on the applications until you provide evidence of your authority to move the water rights. Feel free to call if you have any questions.

I've included Mr. Byers on this email so he could correct me if I mischaracterized our phone conversation.

James

 IDAHO DEPARTMENT OF
WATER RESOURCES
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