

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

86487

RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

JUN 29 2022

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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) Matthew Thornton

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.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * 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.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ 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.
- ☒ * 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).
- ☒ * 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.

- ☐ ☒ #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. **
- ☐ ☒ #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.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #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/>.
- ☐ ☒ #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.)
- ☒ * #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.)
- ☒ ☐ #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.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 29 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Matthew Thornton Phone 208-788-1236
Mailing address P.O. Box 751 Bellevue, ID 83313 Email _____

- ☐ 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 Zach Latham, Brockway Engineering PLLC Phone 208-736-8543
Mailing address 2016 Washington St. N Suite #4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.com

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

OR

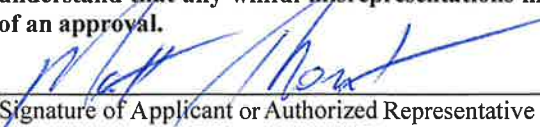
☒ Send original correspondence to the applicant and copies to the representative.

☒ 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

Matthew Thornton
Print Name and Title if applicable

6-22-22
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 **Part 1A.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 **Part 1A.3**.

Applicant seeks to move 37-21581, 37-21584, 37-21587 and ~~387~~-21590 currently at 124 Gannet Rd., to property owned by Applicant at 60 Gannet Rd. Identical acreage will be moved from 60 Gannet Rd. to 124 Gannet Rd., see previous application.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	37-21581	0.1 cfs /	Irrigation	04/15 to 10/31	Big Wood River/Malad River
☒ ☐	37-21584	0.1 cfs /	Irrigation	04/15 to 10/31	Big Wood River/Malad River
☒ ☐	37-21587	0.47 cfs /	Irrigation	04/15 to 10/31	Big Wood River/Malad River
☒ ☐	37-21590	0.06 cfs /	Irrigation	04/15 to 10/31	Big Wood River/Malad River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.73 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.73 cubic feet per second and/or _____ 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	
01N	18E	1				7.5									12.5				20
Total Acres (for irrigation use)																			*20

*Irrigation under rights above limited to 4.5 acres w/in PPU.

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:
Applicant seeks to move 4.5 acres of 37-21581, 37-21584, 37-21587 and 37-21590 from 124 Gannet Rd. to 60 Gannet Rd. Subsequent transfer will move 4.5 acres of 37-113N and 37-480A from 60 Gannet Rd. to 124 Gannet Rd. POD and or re-diversion will not change, nor will existing place of use.
- b. Who owns the property at the point(s) of diversion? Wood River Valley Irrigation District #45
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See attached authorizations.
- 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: N/A.
- 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:
None.
- 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:
None.
- 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:
N/A.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21581

Current Owner: TORQUEFLITE LLC
Priority Date: 8/1/1882
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

0.1 CFS

0.1 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER

BLAINE County

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S6 Lot 7 SWSW 4.50

Total Acres: 4.5

Conditions of Approval:

1. G05 Water diverted from Headgate #45 delivered through District Canal.
2. P21 This right is a split from former right 37-481A.
3. E56 The rights listed below are limited to the irrigation of a combined total of 4.5 acres in a single irrigation season. Combined Right Nos.: 37-21581, 37-21584, 37-21587, and 37-21590.
4. J01 Property is also known as Lot 1, Barker Subdivision.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. This right is a split from former right 37-21340.

Decreed Date: 9/24/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21584

Current Owner: TORQUEFLITE LLC
IRENE FAYE BARKER
Priority Date: 8/1/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.1 CFS

Annual Volume

Total Diversion

0.1 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S6 Lot 7 SWSW 4.50

Total Acres: 4.5

Conditions of Approval:

1. G05 Water diverted from Headgate #45 delivered through District Canal.
2. This right is a split from former right 37-21342.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E56 The rights listed below are limited to the irrigation of a combined total of 4.5 acres in a single irrigation season. Combined Right Nos.: 37-21581, 37-21584, 37-21587, and 37-21590.
5. P21 This right is a split from former right 37-482F.
6. J01 Property is also known as Lot 1, Barker Subdivision.

Decreed Date: 9/24/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21587

Current Owner: TORQUEFLITE LLC
Priority Date: 8/1/1902
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.47 CFS

Annual Volume

Total Diversion

0.47 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S6 Lot 7 SWSW 4.50

Total Acres: 4.5

Conditions of Approval:

1. J01 Property is also known as Lot 1, Barker Subdivision.
2. G05 Water diverted from Headgate #45 delivered through District Canal.
3. E56 The rights listed below are limited to the irrigation of a combined total of 4.5 acres in a single irrigation season. Combined Right Nos.: 37-21581, 37-21584, 37-21587, and 37-21590.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. P21 This right is a split from former right 37-483A.
6. This right is a split from former right 37-21344.

Decreed Date: 9/24/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21590

Current Owner: TORQUEFLITE LLC
Priority Date: 3/24/1883
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.06 CFS

Annual Volume

Total Diversion

0.06 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

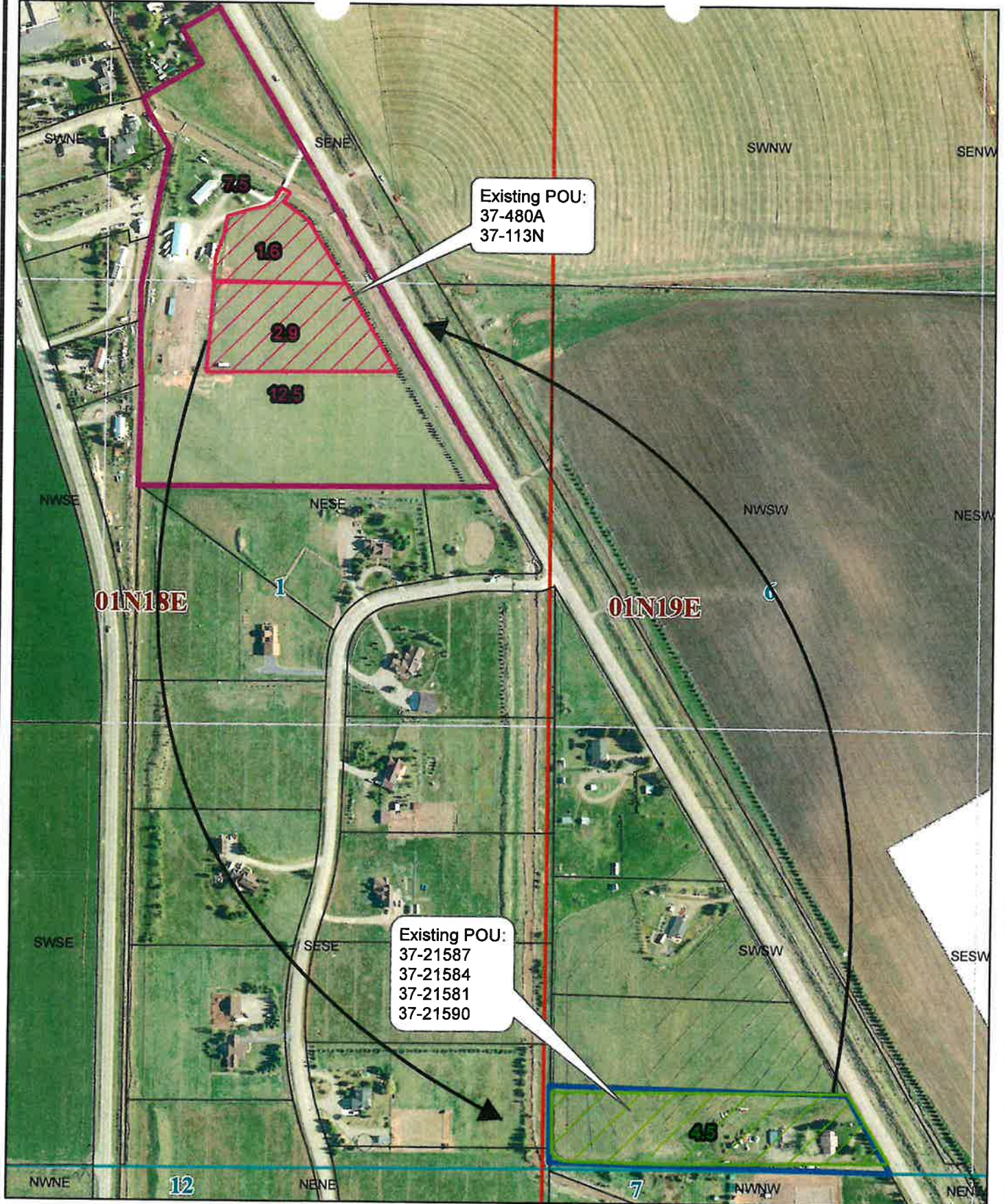
T01N R19E S6 Lot 7 SWSW 4.50

Total Acres: 4.5

Conditions of Approval:

1. This right is a split from former right 37-21346.
2. P21 This right is a split from former right 37-11961.
3. E56 The rights listed below are limited to the irrigation of a combined total of 4.5 acres in a single irrigation season. Combined Right Nos.: 37-21581, 37-21584, 37-21587, and 37-21590.
4. G05 Water diverted from Headgate #45 delivered through District Canal.
5. J01 Property is also known as Lot 1, Barker Subdivision.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 9/24/2010



MATTHEW THORNTON

2022 WR TRANSFER

BIG WOOD IMAGERY 2017

BROCKWAY ENGINEERING, PLLC.
JJJ - Date: 5/9/2022

-  Proposed PPU
-  Proposed POU
-  Proposed WR XFER Area
-  Proposed WR XFER Area

86487

From: [Sarah Gardner](#)
To: [Zach Latham](#)
Cc: [Charles.g.brockway@brockwayeng.com](#); [matt@thornton-heating.com](#); [wvrrigation45@gmail.com](#)
Subject: Re: Thornton WR Transfers (2) for Review and Approval
Date: Thursday, May 12, 2022 8:48:29 AM

Good morning Zach, at the triangle irrigation district meeting yesterday, the board unanimously approved Matt Thornton's request.
Thank you,
Sarah Gardner

On Mon, May 9, 2022 at 4:14 PM Zach Latham <zach.latham@brockwayeng.com> wrote:

WRVID#45 and TID-

Attached are two water right transfer applications drafted on behalf of Mr. Matt Thornton. Brockway Engineering is proposing to transfer 4.5 acres of 37-113N and 37-480A from Matt's 60 Gannet Rd. property, to his 124 Gannet Rd. property. In return, we are proposing to transfer all of 37-21581, 37-21584, 37-21587 and 37-21590 from 124 Gannet Rd., to 60 Gannet Rd. This "swap" in water rights will allow him to water his property at 60 Gannet Rd. with the most senior surface water right that he has. Both application packages have the map on the last page.

I am requesting each of your respective boards review these applications at your earliest convenience, we will need consent from each of your boards to file the applications with IDWR.

Please don't hesitate to call or email me with comments or questions, thanks and I really appreciate your time.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
[2016 Washington Street North, Suite 4](#)
[Twin Falls, ID 83301](#)
t. 208-736-8543

c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

--
Sarah Gardner, Chief Financial Officer

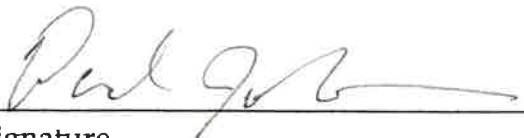
**CERTIFICATE OF ACTION TAKEN BY
THE WOOD RIVER VALLEY IRRIGATION DISTRICT #45**

**P.O. Box 2223
Hailey, Id 83333**

The undersigned hereby certifies that at the Wood River Valley Irrigation District #45 meeting on June 14th, 2022 , The directors accepted the Water Bank Transfer of Surface Water Rights. Matthew Thornton proposed to transfer 4.5 acres of surface water rights 37-113N and 37-480A from his 60 Gannett Road property to his 124 Gannett Road property. In return, he is proposing to transfer all surface water rights of 37-21581, 37-21584, 37-21587 and 37-21590 from his 124 Gannett Road property to his 60 Gannett Road property.

This "swap" in water rights will allow him to water his property at 60 Gannett Road with the most senior surface water rights that he owns.

DATED: June 14th, 2022



Signature
David Johnson, President and Director



Signature
Claire Casey, Director



STATE OF IDAHO

Office of the secretary of state, Lawrence Denney

ANNUAL REPORT

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00



0004629808

For Office Use Only

-FILED-

File #: 0004629808

Date Filed: 3/3/2022 9:43:35 AM

Entity Name and Mailing Address:

Entity Name:

TORQUEFLITE, LLC

The file number of this entity on the records of the Idaho

0003474381

Secretary of State is:

Address

PO BOX 751
BELLEVUE, ID 83313-0751

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of
the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent

MATTHEW THORNTON
Registered Agent

Physical Address

60 GANNETT RD
BELLEVUE, ID 83313

Mailing Address

PO BOX 751
BELLEVUE, ID 83313-0751

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
MATTHEW THORTON	Manager	PO BOX 751 BELLEVUE, ID 83313-0751

The annual report must be signed by an authorized signer of the entity.

Job Title: Attorney

*Steven D. Peterson**03/03/2022*

Sign Here

Date

B0081-2300 03/03/2022 9:43 AM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 28, 2022

MATTHEW THORNTON
PO BOX 751
BELLEVUE, ID 83313

RE: Transfer No. 86486
Water Right No(s). 37-113N, 37-480A

RE: Transfer No. 86487
Water Right No(s). 37-21581, 37-21584, 37-21587, 37-21590

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 MOUNTAIN EXPRESS on 8/3/2022 and 8/10/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **August 22, 2022**.

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,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 28, 2022 3:12 PM
To: Cyndi or Sunny (WD37)
Subject: Comment letters for Transfer No. 86486 & 86487; App. for Permit 37-23381
Attachments: Comment letter to WD37 for 86486, 86487 & 37-23381.docx; Transfer 86486 (Thornton).pdf; Transfer 86487 (Thornton).pdf; 37-23381 (Hiawatha Canal Co).pdf

Hi Cyndi & Sunny,

Attached are (3) application that are currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact our office.

Thank you in advance,

Denise Maline, IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 28, 2022

WATER DISTRICT 37
107 W 1ST
SHOSHONE, ID 83352

RE: Transfer No(s). 86486 and 86487 (Matthew Thornton)
Application for Permit No(s).: 37-23381 (Hiawatha Canal Water Users Assn.)

Dear 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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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 within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 28, 2022 3:10 PM
To: Dawson,Bradley
Subject: Comment Letters for Transfer Nos. 86486 & 86487; App. for Permit 37-23381
Attachments: Comment letter to F&G for 86486, 86487, 37-23381.docx; Transfer 86486 (Thornton).pdf; Transfer 86487 (Thorntom).pdf; 37-23381 (Hiawatha Canal Co).pdf

Hi Brad,

Attached are (3) application that are currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact our office.

Thank you in advance,

Denise Maline, IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 28, 2022

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

RE: Transfer No(s). 86486 and 86487 (Matthew Thornton)
Application for Permit No(s).: 37-23381 (Hiawatha Canal Water Users Assn.)

Dear Mr. Dawson:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires 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 after final publication (**on or before August 22, 2022**).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



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Governor Brad Little

Director Gary Spackman

July 28, 2022

TRIANGLE IRRIGATION DISTRICT
PO BOX 424
BELLEVUE ID 83313

RE: Transfer No(s). 86486 and 86487 (Matthew Thornton)

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires 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 after final publication (*on or before August 22, 2022*).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

July 28, 2022

WOOD RIVER VALLEY IRRIGATION DISTRICT #45
PO BOX 2223
HAILEY ID 83333-2233

RE: Transfer No(s). 86486 and 86487 (Matthew Thornton)

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires 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 after final publication (*on or before August 22, 2022*).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 28, 2022 12:22 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Attached please find (1) legal notice being submitted for publication on August 3rd & 10th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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Governor Brad Little

Director Gary Spackman

July 28, 2022

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340-0990

RE: Application for Permit No. 37-23381

RE: Transfer No. 86486
Water Right No(s). 37-113N, 37-480A

RE: Transfer No. 86487
Water Right No(s). 37-21581, 37-21584, 37-21587, 37-21590

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 August 22, 2022. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-23381

HIAWATHA CANAL WATER USERS ASSN OF LATERAL OR LATERALS

PO BOX 1604

HAILEY, ID 83333-1604

Point of Diversion SWNW S20 T03N R18E BLAINE County Source BIG WOOD RIVER Tributary
MALAD RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 63 CFS

Total Diversion: 63 CFS

Date Filed: 06-06-2022

Place Of Use: GROUND WATER RECHARGE

Place Of Use located within:

T02N R18E S3, S4, S9, S10, S15, S22, S23

T03N R18E S20, S21, S28, S29, S33

Application for permit proposes diversion of up to 63.0 cfs for ground water recharge from a point of diversion (Hiawatha Canal) on the Big Wood River located approximately 4.2 miles north and 1.4 miles west of the intersection of Main Street and Bullion Street in Hailey. The proposed place of use will be locations in the Hiawatha Canal and in off-canal recharge sites located approximately 4.3 miles north to 2.4 miles south of Hailey. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86486

MATTHEW THORNTON, PO BOX 751, BELLEVUE, ID 83313 has filed Application No. 86486 for changes to the following water rights within BLAINE County(s): Right No(s). 37-113N, 37-480A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.24 cfs, 4.5 acre portion of two Big Wood River irrigation rights approximately 0.5 miles to the southeast to a new place of use (POU). There will be no change to the point of diversion. Current POU is located approximately 0.6 to 0.9 miles south and 0.3 to 0.4 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue. Proposed POU is located approximately 1.2 to 1.3 miles south and 0.4 to 0.7 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue.

TRANSFER NO. 86487

MATTHEW THORNTON, PO BOX 751, BELLEVUE, ID 83313 has filed Application No. 86487 for changes to the following water rights within BLAINE County(s): Right No(s). 37-21581, 37-21584, 37-21587, 37-21590. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving four Big Wood River irrigation rights (0.73 cfs, 4.5 acres) approximately 0.5 miles to the northwest to a new place of use (POU). There will be no change to the point of diversion. Current POU is located approximately 1.2 to 1.3 miles south and 0.4 to 0.7 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue. Proposed POU is located approximately 0.6 to 0.9 miles south and 0.3 to 0.4 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **August 22, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 3rd & 10th, 2022

Mills, Bill

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Tuesday, July 26, 2022 10:31 AM
To: Mills, Bill
Subject: Thornton 206 Map

Bill-
Thanks for the call this morning. Per our conversation, the map submitted with the two Matthew Thornton water right transfer applications is intended to suffice as a 206 map. The area currently covered by 37-480A and 37-113N (1.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of T.01N R.18E Sec. 1) is intended to be the proposed place of use for 37-21587, 37-21584, 37-21581 and 37-21590, and vice versa, the area currently covered by 37-21587, 37-21584, 37-21581 and 37-21590 (4.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ T.01N R.19E Sec. 6) is intended to be the proposed place of use for 37-480A and 37-113N.

Hopefully this makes sense, please let me know if you need any further clarification, thanks again!

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506

zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

M E M O R A N D U M

Date: July 25, 2022
To: Transfer 86487 File
From: Bill Mills
Re: Transfer Proposal

Application proposes moving four Big Wood River irrigation rights (0.73 cfs, 4.5 acres) approximately 0.5 miles to the northwest to a new place of use (POU). There will be no change to the point of diversion. Current POU is located approximately 1.2 to 1.3 miles south and 0.4 to 0.7 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue. Proposed POU is located approximately 0.6 to 0.9 miles south and 0.3 to 0.4 miles east of the intersection of Chestnut St. and Hwy 75 in Bellevue.

POD, current and proposed POU are in Water District 37.
Watermaster comments will be solicited.

MEMORANDUM

Date: July 12, 2022
To: Transfer 86486 & 86487
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer applications #86486 & #86487 were based on the current transfer fee schedule and included \$500.00 for the 0.24 cfs being transferred in transfer application #86486 and \$500.00 for the 0.73 being transferred in transfer application #86487 (Receipt No. S039317; Total Fee Paid \$1000.00).



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 29 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

June 27th, 2022

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-3380

RE: Matthew Thornton; (2) Water Right Transfer Applications.

Dear Corey,

Enclosed are two water right transfer applications filed in the name of Matthew Thornton (Applicant) which seek to "swap" 4.5 acres of Big Wood River irrigation water rights 37-113N and 37-480A currently appurtenant to 60 Gannet Rd., with 4.5 acres of Big Wood River irrigation water rights 37-21581, 37-21584, 37-21587 and 37-21590 which are appurtenant to 124 Gannet Rd. Both the Wood River Valley Irrigation District #45 and The Triangle Irrigation District have consented to the proposed transfers and their comment letters are attached.

Please copy our office and Brockway Engineering on all correspondence regarding these two water right transfer applications. Also included is a check for \$1,000.00 to cover the cost of both water right transfer applications (\$500 for each application). Don't hesitate to give me a call should you have any further questions or comments.

Regards,

Zach Latham, M.S., Hydrologist.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Enclosures: (2) Water Right Transfer Applications and Maps.
(2) Irrigation District Consent Forms.
(1) Brockway Engineering Check # 116996.

Cc: Mr. Matthew Thornton

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506