

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85222**

This is to certify that: KATHLEEN C GOULEY AND
RICHARD W GOULEY
100 LEES GULCH RD
BELLEVUE, ID 83313-5091

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>
37-2468B	WR/DECREED	2/15/1945	0.050 cfs	N/A	N/A	2.7	LEES GULCH

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>
37-2468B	NO	YES	NO	NO	NO	NO

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>
37-2468B	37-2468B	0.050 cfs	N/A	N/A	2.7	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.050 cfs	N/A	N/A	2.7		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 30th day of September, 2021.


Southern Region Manager

Transfer No. 85222

WATER RIGHT NO. 37-2468B

As Modified by Transfer No. 85222

In accordance with the approval of Transfer No. 85222, Water Right No. 37-2468B is now described as follows:

Right Holder: RICHARD W GOULEY AND
KATHLEEN C GOULEY
100 LEES GULCH RD
BELLEVUE, ID 83313-5091

Priority Date: 2/15/1945

Source: LEES GULCH

Tributary: BIG WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **to** 10/31

Diversion Rate
0.050 cfs
0.050 cfs

LOCATION OF POINT(S) OF DIVERSION

LEES GULCH L3 (NENW) Sec 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	2		2.7															2.7
				L 2															

POU Total Acres: 2.7

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right does not grant any right-of-way or easement across the land of another.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 85222

WATER RIGHT NO. 37-2468B
As Modified by Transfer No. 85222

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 85222
37-2468b

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.

18E



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

0 0.035 0.07 0.14 Miles





October 4, 2021

RICHARD W GOULEY
KATHLEEN C GOULEY
100 LEES GULCH RD
BELLEVUE ID 83313-5091

Re: Transfer No: 85222
Water Right No(s): 37-2468B

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" being more prominent than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 37
KEVIN LAKEY
107 W 1ST ST
SHOSHONE ID 83352-5425

CERTIFICATE OF SERVICE

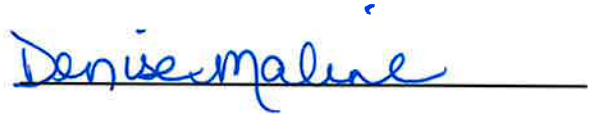
I hereby certify that on October 4, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85222

Water Right No(s): 37-2468B

RICHARD W GOULEY
KATHLEEN C GOULEY
100 LEES GULCH RD
BELLEVUE ID 83313-5091

WATER DISTRICT 37
KEVIN LAKEY
107 W 1ST ST
SHOSHONE ID 83352-5425



Denise Maline
Administrative Assistant

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

Date: September 23, 2021

To: Transfer #85222– Richard and Kathleen Gouley Transfer File

From: Jim Bitzenburg

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) for irrigation water right 37-2468B (0.05 cfs) which is currently authorized to divert water from Lee's Gulch at a point approximately 1.3 miles west and 0.2 mile south of the intersection of Gannett Road and Main Street in Bellevue. The proposed POD will be located approximately 0.3 mile downstream on Lee's Gulch.

Because the application proposes changing a POD on a stream, the transfer was advertised. No protests were filed. Since the transfer is within Water District 37, comments were solicited from the WD-37 Watermaster. The Watermaster did not submit comments on the transfer.

Although the right appears to be decreed at the same point of diversion as rights 37-2468C and 37-22595, the applicant has stated that the diversion has occurred at the proposed POD since 1990, thus reducing the possibility of injury to the other rights.

The proposed POD is located on a neighbor's property, so the applicant included a copy of a 1990 easement agreement with the landowner of the neighboring property which allowed for the diversion and pipeline.

- **Authority to File:**
The Department's database indicates that water right 37-2468B is owned by Richard and Kathleen Gouley. The application was signed by the Gouleys.
- **Water Right Validity:**
The water right was decreed in the SRBA in 2010. The Gouley property has numerous trees and bushes which appear to be well irrigated, so forfeiture is likely not an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen. Point of diversion is moving approximately 0.3 mile downstream. Other rights diverted from the authorized POD have been leased into the Water Supply Bank since 2015, so injury by moving from that location will probably not cause injury to the other rights. Additionally, it appears that the right has actually been diverted from the proposed POD since 1990, further reducing the possibility of injury.
- **Enlargement of Use:**
None anticipated. Transfer proposes no increase in volume of water used or acres irrigated.
- **Local Public Interest:**
No issues anticipated. The transfer was advertised. No protests were filed.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED

AFFIDAVIT of PUBLICATION SEP 10 2021

State of Idaho
County of Blaine

DEPT OF WATER RESOURCES
SOUTHERN REGION

Pam Morris

being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1 day of September, 20 21, and the date of the last publication was on the 8 day of September, 20 21

Subscribed and sworn to before me this 8 day of Sept., 20 21.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2024

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 69
Number of Insertions 2

Lines tabular at 9.0 cents/pica
69 Lines straight at \$63.48 8.0 cents/pica
69 Subsequent lines at \$55.55 7.0 cents/pica
TOTAL COST \$119.03

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 85219

MID VALLEY WATER COMPANY LLC, PO BOX 4380, KETCHUM, ID 83340-4380 has filed Application No. 85219 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8119. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to a municipal ground water right (0.97 cfs) to serve as a backup well for the delivery system. Place of use, proposed well and three existing wells are all located approximately 2.0 to 2.4 miles north and 0.0 to 0.2 miles west of the intersection of East Fork RD & HWY 75 in Hailey.

TRANSFER NO. 85222

RICHARD W GOULEY and KATHLEEN C GOULEY, 100 LEES GULCH RD, BELLEVUE, ID 83313-5091 has filed Application No. 85222 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2468B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for irrigation water right 37-2468B (0.05 cfs) which is currently authorized to divert water from Lee's Gulch at a point approximately 1.3 miles west and 0.2 mile south of the intersection of Gannett Road and Main Street in Bellevue. The proposed POD will be located approximately 0.3 mile downstream on Lee's Gulch.

✓ DM 9-10-2021

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 **September 20, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPT 1 & 8, 2021



✓ Sm 9.10.2021

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RECEIVED

AUG 30 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: Transfer No. 85222

Water Right No(s): 37-2468B

Transfer Applicant's Name:

RICHARD & KATHLEEN GOULEY
100 LEES GULCH RD
BELLEVUE ID 83313-5091

Recommendation:

- a) X I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 30 day of August, 2021

Dept of Fish & Game

Bradley Dawson
Signature

Bradley Dawson
Printed Name

LEGAL NOTICES

DATED: 8/24/2021.

/s/George R. Kirk, II, Personal Representative c/o
Jill Eshman Law
Post Office Box 4991
Ketchum, Idaho 83340

STATE OF IDAHO } ss.
COUNTY OF BLAINE }

This record was signed and sworn before me on August 24, 2021 by George R. Kirk, II

/s/D. Leigh Koonce
Notary Public

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IDAHO MOUNTAIN EXPRESS
SEPT 1, 8 & 15, 2021

SUMMARY OF
ORDINANCE NO. 2021-01

AN ORDINANCE OF THE WOOD RIVER FIRE PROTECTION DISTRICT, BLAINE COUNTY, IDAHO, ORDERING A SPECIAL BOND ELECTION TO BE HELD ON THE QUESTION OF THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$17,000,000 FOR THE PURPOSE OF CONSTRUCTING A NEW FIRE STATION AND THE RENOVATION OF EXISTING FACILITIES; ESTABLISHING THE DATE, TIME, AND PLACES OF THE SPECIAL BOND ELECTION; APPROVING A FORM OF BALLOT; PROVIDING FOR REGISTRATION OF VOTERS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

A summary of the principal provisions of Ordinance No. 2021-01, adopted on August 18, 2021:

Section 1: Defines the Project, estimates the total cost at \$17,000,000, and provides for the issuance of general obligation bonds, subject to approval of the qualified electors of the District, in an amount not to exceed \$17,000,000.

Section 2: Provides for a special municipal bond election to be held within the District on Tuesday, November 2, 2021, for the purpose of enabling the qualified and registered electors of the District to vote upon the proposition of issuing general obligation bonds.

Section 3: Provides that the polls for the special bond election shall open at 8:00 o'clock A.M. on November 2, 2021, and shall remain open until 8:00 o'clock P.M.

Section 4: Provides that the ballot proposition shall be substantially as follows:

SHALL THE DISTRICT BE AUTHORIZED TO INCUR AN INDEBTEDNESS AND ISSUE AND SELL ITS GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$17,000,000 TO PAY THE COST OF CONSTRUCTION OF A NEW FIRE STATION AND IMPROVEMENTS TO EXISTING FACILITIES, THE BONDS TO MATURE AND TO BE PAYABLE FROM A LEVY OF TAXES FOR A TERM WHICH MAY BE LESS THAN BUT WHICH SHALL NOT EXCEED TWENTY-FIVE (25) YEARS, ALL AS MORE FULLY PROVIDED IN ORDINANCE NO. 2021-01, ADOPTED ON AUGUST 18, 2021?

Section 5: Defines qualified electors as persons who are United States citizens, eighteen years of age or older, who have been bona fide residents of the District for at least 30 days immediately prior to the date of election, and who are registered as provided by law.

Section 6: Provides for preparation of official ballots.

Section 7: Provides for publication of notice of the special bond election.

Section 8: Provides for canvass of votes.

Section 9: Provides for execution of a debt disclosure statement pursuant to Idaho Code Section 34-439.

Section 10: Provides for the issuance

of general obligation bonds maturing not to exceed a term of twenty-five (25) years, and provides for other matters relating to the general obligation bonds.

Section 11: Authorizes the officers of the District to take appropriate actions to effectuate the provisions of this Ordinance.

Section 12: Ratifies previous actions.

Section 13: Provides for publication of a summary of the ordinance.

The full text of Ordinance No. 2021-01 is available at the District and will be provided to any citizen upon personal request during normal office hours.

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IDAHO MOUNTAIN EXPRESS
SEPT 1, 2021

PUBLIC NOTICE OF INTENT
TO PROPOSE OR PROMULGATE
NEW OR CHANGED AGENCY
RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

The proposed rule public hearing request deadline is September 15, 2021, unless otherwise posted.

The proposed rule written comment submission deadline is September 22, 2021, unless otherwise posted. (Temp & Prop) indicates the rule-making is both Temporary and Proposed.

(PH) indicates that a public hearing has been scheduled.

IDAHO 18 – DEPARTMENT
OF INSURANCE
PO Box 83720, Boise, ID
83720-0043

***18-0201-2101, Insurance Rates and Credit Rating.** (PH) New Zero Based Regulation (ZBR) Chapter prohibits insurers from using a customer's credit history or rating to determine premium rates or whether to issue, cancel, or nonrenew a property or casualty policy or coverage.

***18-0305-2101, Credit Life and Credit Disability Insurance.** (PH) New ZBR Chapter provides a system of rate, policy form, and operating standards for the transaction of credit life and credit disability insurance.

***18-0401-2101, Health Carrier External Review.** (PH) New ZBR Chapter sets forth requirements for health carriers and independent review organizations when implementing external review procedures in accordance with statutory provisions.

***18-0402-2101, Complications of Pregnancy, Newborn, and Adopted Children Coverage.** (PH) New ZBR Chapter defines coverage requirements in health plans for newborn and newly adopted children and involuntary complications of pregnancy.

***18-0407-2101, Restrictions on Discretionary Clauses in Health Insurance Contracts.** (PH) New ZBR Chapter restricts use of discretionary clauses by carriers in health insurance contracts – a contract for group coverage offered by an employer is not applicable under this rule.

***18-0410-2101, Medicare Supplement Insurance Standards.** (PH) New ZBR Chapter implements the NAIC Medicare Supplement Insurance Minimum Standards Model Act.

***18-0604-2101, Continuing Education.** (PH) New ZBR Chapter details qualifying programs, subjects, standards, and reporting requirements pertaining to continuing education for insurance licensees.

IDAHO 20 – IDAHO DEPARTMENT
OF LANDS
PO Box 83720, Boise, ID
83720-0050

Forestry and Fire Division / Board of Scaling Practices – 3284 W Industrial Loop, Coeur d'Alene, Idaho 83815

***20-0201-2101, Rules Pertaining to**

NOTICE OF PUBLIC HEARING
ORDINANCE 560 AMENDING ANNUAL APPROPRIATION ORDINANCE 546
CITY OF SUN VALLEY, IDAHO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020

NOTICE IS HEREBY GIVEN that the City Council of Sun Valley, Idaho, will hold a public hearing for consideration of an amendment to the 2021 fiscal year budget by appropriating additional monies by the City of Sun Valley. The hearing will be held at City Hall, 81 Elkhorn Road, Sun Valley, Idaho, at 4:05 PM on September 2, 2021.

CITY OF SUN VALLEY FY 2021 PROPOSED AMENDED BUDGET				
FUND SUMMARIES				
	FY 2020 AUDITED ACTUALS	FY 2021 ADOPTED BUDGET	FY 2021 AMENDED BUDGET	FY 2021 INCREASE/DECREASE FROM ORIGINAL APPROPRIATION ORDINANCE 546
REVENUES				
GENERAL FUND	\$ 5,777,094	\$ 6,010,924	\$ 7,096,808.00	\$ 1,085,884
FIXED ASSET FUND	-	275,328	195,000	(80,328)
DEBT SERVICE FUND	1,266,923	1,251,597	1,256,597	5,000
CAPITAL IMPROVEMENT FUND	539,308	-	186,086	186,086
WORKFORCE HOUSING FUND	-	-	-	-
1% LOT FUND	615,988	607,000	807,000	200,000
STREET & PATH FUND	70,725	57,400	3,405,900	3,348,500
2018 BOND CONSTRUCTION FUND	\$ 141,033	40,000	25,000	(15,000)
	\$ 8,410,971	\$ 8,242,249	\$ 12,972,371	\$ 4,730,122
EXPENDITURES				
GENERAL FUND	\$ 5,629,396	\$ 5,977,581	\$ 5,790,265	\$ (187,316)
FIXED ASSET FUND	326,565	252,895	257,195	4,300
DEBT SERVICE FUND	1,255,796	1,251,297	1,251,297	-
CAPITAL IMPROVEMENT FUND	95,162	339,260	23,000	(316,260)
WORKFORCE HOUSING FUND	68,340	70,500	73,625	3,125
1% LOT FUND	716,900	598,600	798,600	200,000
STREET & PATH FUND	-	20,000	-	(20,000)
2018 BOND CONSTRUCTION FUND	2,496,998	3,357,500	5,125,035	1,767,535
	\$ 10,589,157	\$ 11,867,633	\$ 13,319,017	\$ 1,451,384

At said hearing any interested person may appear and show cause, if any he has, why such proposed appropriation ordinance amendment should or should not be adopted.

Dated this 19th day of August 2021.

Nancy Flannigan, City Clerk/Asst. to the City Admin.

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IDAHO MOUNTAIN EXPRESS
AUG 25 & SEPT 1, 2021

the Idaho Forest Practices Act. (PH) New ZBR Chapter describes administrative procedures necessary to implement minimum standards for the conduct of forest practices on forest land in the state of Idaho.

20-0309-2101, Easements on State-Owned Submerged Lands and Formerly Submerged Lands. New ZBR Chapter applies to issuance of easements for all uses associated with navigable waterways, including dams regardless of purpose, with exceptions for Small Water Delivery Structures, uses authorized by lease, and short term uses with revocable temporary permits.

***20-0601-2101, Rules of the Idaho Board of Scaling Practices.** (PH) New ZBR Chapter governs assessments, payment for logging and hauling, licensing standards and renewals, method of scaling forest products for commercial purposes, and check scaling operations.

IDAHO 37 – IDAHO DEPARTMENT
OF WATER RESOURCES / IDAHO
WATER RESOURCE BOARD
PO Box 83720, Boise, ID
83720-0098

37-0307-2101, Stream Channel Alteration Rules. New ZBR Chapter provides minimum standards to process applications for alterations which do not impose environmental hazards to stream channels or adjacent property.

IDAHO 61 – IDAHO STATE PUBLIC
DEFENSE COMMISSION
816 W Bannock, Ste 201, Boise, ID
83702

***61-0101-2101, General Provisions and Definitions.** (PH) Amends definition of Vertical Representation due to stakeholder input.

***61-0102-2101, Requirements and Procedures for Representing Indigent Persons.** (PH) As a result of stakeholder input, changes regard: Defending Attorney Roster engagement, requirements, and continuing eligibility; selection recommendation committee and independence working group; independent contract negotiation; compensation; workload inquiry; appointment eligibility and qualifications; vertical representation; entry of

not guilty plea; case abilities and competence; CLE conditions; and situation for and appeal of emergency removal.

Please refer to the Idaho Administrative Bulletin September 1, 2021, Volume 21-9, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules Coordinator, Division of Financial Management, PO Box 83720, Boise, ID 83720-0032
Phone: 208-334-3900;
Email: adminrules@dfm.idaho.gov

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SEPT 1, 2021

IN THE DISTRICT COURT FOR THE
5TH JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND
FOR THE COUNTY OF BLAINE

IN RE: Esmee Franchesca Wiethorn
Legal Name

Case No. CV07-21-391
NOTICE NAME OF HEARING
OF NAME CHANGE HEARING
(Adult or Emancipated Minor)

A Petition to change the name of Esmee Franchesca Wiethorn, now residing in the City of Ketchum, State of Idaho, has been filed in the District Court in Blaine County, Idaho. The name will change to Esmee Franchesca Alistair. The reason for the name change is: The proposed name fits me better and therefore, I would like to be known by this name in all my personal and business affairs.

A hearing on this petition is scheduled for 9:30 o'clock a.m. on (date) 10/19/2021 at the Blaine County Courthouse. Objections may be filed by any person who can show the court a good reason against the name change.

Dated: August 11, 2021

CLERK OF THE DISTRICT COURT
By: /s/ April Pina
Deputy Clerk

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SEPT 1, 8, 15 & 22, 2021

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 85219

MID VALLEY WATER COMPANY LLC, PO BOX 4380, KETCHUM, ID 83340-4380 has filed Application No. 85219 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8119. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to a municipal ground water right (0.97 cfs) to serve as a backup well for the delivery system. Place of use, proposed well and three existing wells are all located approximately 2.0 to 2.4 miles north and 0.0 to 0.2 miles west of the intersection of East Fork RD & HWY 75 in Hailey.

TRANSFER NO. 85222

RICHARD W GOULEY and KATHLEEN C GOULEY, 100 LEES GULCH RD, BELLEVUE, ID 83313-5091 has filed Application No. 85222 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2468B. The purpose of the transfer is to change a portion of the above rights as follows:

Application for transfer proposes to change the point of diversion (POD) for irrigation water right 37-2468B (0.05 cfs) which is currently authorized to divert water from Lee's Gulch at a point approximately 1.3 miles west and 0.2 mile south of the intersection of Gannett Road and Main Street in Bellevue. The proposed POD will be located approximately 0.3 mile downstream on Lee's Gulch.

For additional information concerning the property location, contact Southern Registry office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of

Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 September 20, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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**ORDINANCE NO. 559
ANNUAL APPROPRIATION
ORDINANCE FOR THE CITY OF
SUN VALLEY, IDAHO FOR THE
FISCAL YEAR BEGINNING
OCTOBER 1, 2021**

AN ORDINANCE TITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF SUN VALLEY, IDAHO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, APPROPRIATING THE SUM OF THIRTEEN MILLION, SIX HUNDRED FIFTY-FOUR THOUSAND, FIVE HUNDRED AND SEVENTY-SEVEN DOLLARS (\$13,654,577) TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF SUN VALLEY FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

WHEREAS, the City of Sun Valley is a unit of local government organized and existing pursuant to Title 50 of the Idaho Code; and

WHEREAS, pursuant to Idaho Code Section 50-1001, the City of Sun Valley fiscal year begins on the first day of October; and

WHEREAS, pursuant to Idaho Code Section 50-1003, the City Council shall adopt an annual appropriation ordinance prior to the commencement of each fiscal year, which in no event shall be greater than the amount of the tentative budget; and

WHEREAS, the annual appropriation ordinance is prepared in accordance with Idaho Code Title 50 Chapter 10 governing finances; and

WHEREAS, the Sun Valley City Council considered said budget and has conducted a public hearing thereon and determined that said budget should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, COUNTY OF BLAINE, STATE OF IDAHO, AS FOLLOWS:

SECTION 1: That the sum of Thirteen Million, Six Hundred Fifty-four Thousand, Five Hundred and Seventy-seven Dollars (\$13,654,577) be, and the same is appropriated to defray the necessary expenses and liabilities of the City of Sun Valley, Blaine County, Idaho, for the fiscal year beginning October 1, 2021.

SECTION 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

General Fund	6,713,155
Fixed Asset Fund	996,895
Debt Service Fund	1,250,297
Capital Improvement Fund	
	439,260
Workforce Housing Fund	104,545
1% Local Option Tax Fund	641,600
Street & Path Fund	2,130,000
2018 Bond Construction Fund	
	1,378,825
Grand Total - All Funds	13,654,577

SECTION 3: That a general tax levy on all taxable property within the City of Sun Valley be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2021.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force upon its passage, approval and publication according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY AND APPROVED BY THE MAYOR THIS DAY OF AUGUST 2021.

Peter M. Hendricks, Mayor

ATTEST:

Nancy Flannigan, City Clerk

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ADVERTISEMENT FOR BIDS

Sealed Bids for the Environmental Improvements project will be received by The Senior Connection located at 721 3rd Avenue South, Hailey, ID 83333 until 9:00 a.m. MDT on Wednesday, September 15, 2021 at which time the Bids will be publicly opened and read.

The Project consists of three phases, Fungal Mitigation, HVAC improvements, and Site Improvements. The project requires a current public works license with the State of Idaho. Davis-Bacon wage rates are applicable.

Bids will be received for a single prime Contract and will be awarded based on a fixed, guaranteed maximum price lump sum bid. A pre-bid conference will be held at 2:00 p.m. MDT, on September 8, 2021 at The Senior Connection.

Request for Bid Documents including specifications or any questions regarding this Bid Request shall be submitted in writing by email to the project architect. Verbal questions will NOT be accepted. Questions will be answered by the architect and issued as applicable to all bidders on a weekly basis and not less than 48 hours before final bid submittal date.

Vital Ink Architecture
Contact: Jolyon H. Sawrey
Email: jolyon@vitalinkarchitecture.com
Phone: (208) 720-6315

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**LEGAL NOTICE
BLAINE COUNTY BOARD OF
COUNTY COMMISSIONERS
SEPTEMBER 21, 2021**

On Tuesday, September 21, 2021, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

1:30 p.m. ACTION ITEM: Title 9, Zoning Regulations Text Amendments. A public hearing and consideration of a county-initiated text amendment to amend Blaine County Code, Title 9, Chapter 29A, Outdoor Lighting. Amendments are proposed to applicability, definitions, lighting standards and exemptions. The amendments were initiated by the Board of Commissioners on February 2, 2021 and the Planning & Zoning Commission recommended approval on July 22, 2021. Staff notes for the Board's consideration the addition of holiday lighting to the exempted lighting section. This was inadvertently omitted by the P&Z Commissioners.

2:45 p.m. ACTION ITEM: 206 & 10 Meadowbrook Dr - East Fork - Stream Alteration. A public hearing and consideration of an application by Brockway Engineering, on behalf of Brockway Homan, to replace an existing private access bridge over East Fork of the Big Wood River. The 35' single span concrete girder bridge will have a 20' wide travel lane and is required to meet fire district access standards. The property is located at 206 & 210 Meadowbrook Dr (Lots 4/5A Thunder Meadows Sub), and is zoned Residential/Agricultural (R-5) with areas of Floodplain (FP), Riparian (R) and Wetland (WE) Overlay Districts.

This meeting is open to the public and attendees may attend by web access or in person, observing posted protocol for face coverings. The meeting agenda will be posted to the Blaine County website at <https://www.co.blaine.id.us/199/County-Commissioner-Hearing-Materials>. To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to przcounter@co.blaine.id.us, or by fax to (208) 788-5576.

The materials associated with this meeting are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at <https://www.co.blaine.id.us/199/County-Commissioner-Hearing-Materials>. To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to przcounter@co.blaine.id.us, or by fax to (208) 788-5576.

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**NOTICE OF PUBLIC HEARING
HAILEY PLANNING AND
ZONING COMMISSION
MONDAY, SEPTEMBER 20, 2021
5:30 P.M.**

PUBLIC NOTICE IS HEREBY GIVEN that the Hailey Planning and Zoning Commission will hold a Public Meeting at 5:30 p.m. on Monday, September 20, 2021, to be held in person, and virtually as a remote telecommunication meeting, and in compliance with the Open Meetings Law. The phone number to call in for the meeting will be posted on the agenda on the city website by September 17, 2021. The telephonic Public Hearing will be conducted on the following item(s):

- Consideration of a Planned Unit Development Application by 410 North River Street, LLC, represented by CK Property Group, LLC, for twelve (12), three-story single-family townhomes with a request for waivers and proposed benefits. This project is located at Lots 14-17, Block 58, Townsite, (410 North River Street), within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. The following waivers are requested:
 - o Waiver to minimum lots size for PUDs of 18,000 gross square feet to 14,404 square feet
 - o Waiver of DRO 10% useable open space requirements
 - o Waiver of subdivision park dedication
 - o In exchange for these waivers, the applicant is proposing two (2) deeded townhouse units to be restricted at 100% of Area Median Income.

This project will be heard concurrently with a Preapplication Design Review Application.

- Consideration of a Conditional Use Permit Application submitted by Broadford Beverage LLC, represented by Lawson and Laski, for a brewery (Hybrid Production Facility) to be located next to Powerhouse, an existing restaurant. This project is located at Lots 17-20, Block 64, Townsite (502 N. Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts.

Any and all interested persons are invited to attend this public hearing using telecommunication devices or submit written comments or direct questions to the Community Development Assistant at 115 South Main Street, Hailey, Idaho 83333, or planning@haileycityhall.org. For special accommodations or to participate in the noticed meeting, please contact the City Clerk 208.788.4221.

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**NOTICE OF PUBLIC HEARING
BEFORE THE KETCHUM
PLANNING & ZONING
COMMISSION**

The Ketchum Planning & Zoning Commission will meet on Tuesday, September 21st, 2021 at Ketchum City Hall, Council Chambers, 480 East Avenue N. Ketchum, ID 83340, beginning at 4:30 p.m. and hold a public

HAILEY ORDINANCE NO. 1292

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, APPROPRIATING THE SUM OF \$13,878,166 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF HAILEY FOR SAID FISCAL YEAR; WHICH APPROPRIATION DOES NOT CHANGE THE TAX LEVY UPON THE TAXABLE PROPERTY WITHIN THE CITY OF HAILEY FOR SAME PERIOD; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO AS FOLLOWS:

SECTION 1. The sum of \$13,878,166 shall be, and the same is hereby, appropriated to defray the necessary expenses and liabilities of the City of Hailey, Idaho, for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

SECTION 2. The objects and purposes for which such appropriation is made, and the amount of each object and purpose, are as follows:

GENERAL FUND EXPENDITURES	
General Fund Operating Expenses	\$6,021,987
G.O. Bond	-0-
Capital Improvement Fund	1,971,976
Total Expenditures	7,993,963

WATER & SEWER EXPENDITURES	
Water Fund Expenditures	\$1,356,072
Water Fund Capital Expenditures	680,000
Water Bond Expenditures	151,000
Sewer Fund Expenditures	1,692,130
Sewer Fund Capital Expenditures	660,000
Sewer Bond Expenditures	570,000
Water Replacement Expenditures	252,000
Sewer Replacement Expenditures	523,000
Total Expenditures	5,884,202

TOTAL EXPENDITURES ALL FUNDS \$13,878,166

SECTION 3. The general tax levy on all taxable property within the City of Hailey which was levied pursuant to Hailey Ordinance 1265, shall remain unchanged for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

SECTION 4. All ordinances and/or portions or parts of ordinances in any way inconsistent with or in conflict with this Ordinance are hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 30th DAY OF AUGUST, 2021.

Martha Burke, Mayor, City of Hailey

ATTEST:

Mary Cone, City Clerk

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hearing to consider and take action on proposed modifications to the project plans approved through Design Review Application File No. P20-031 and Building Permit Application File No. B20-79 for the Waddell/Roush duplex located at 3020 Warm Springs Road. The duplex is currently under construction and nearing completion. The applicant, property owners Doug & Stacey Waddell represented by architect Craig Lawrence, has proposed the addition of at-grade paver patios and hot tubs within each side yard.

NOTICE IS FURTHER GIVEN that at the aforementioned time all interested persons shall be given an opportunity to comment on the matter stated above. Comments on this project may be provided either in person at the meeting or remotely by dialing 1-253-215-8782 and entering meeting ID 851 2923 3689. Comments and questions prior to the hearing may be directed to the Ketchum Department of Planning and Building, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208)726-7812. Written comments received by 5:00 PM, seven (7) days prior to the hearing will be included as an attachment to the Staff Report. For additional information, please call (208) 726-7801. A copy of the Staff Report will be available on the City website at the following link <https://ketchumidaho.org/meetings>. The meeting will be livestreamed with the video feed accessible at the same link at 4:30 p.m. the day of the meeting.

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**NOTICE OF PUBLIC HEARING
BEFORE THE KETCHUM CITY
COUNCIL**

The Ketchum City Council will meet

on Monday, September 20th, 2021 at Ketchum City Hall, Council Chambers, 480 East Avenue N. Ketchum, ID 83340, beginning at 4:00 p.m. and hold a public hearing to consider and take action on a Lot Line Shift application submitted by Sean Flynn of Galena Engineering on behalf of property owners Mitchell Long & Margaret Dean, to amend the boundary of unit 2 within the Winter Sun Condominiums located at 420 Sage Road within the City's General Residential Low Density (GR-L) Zoning District as well as the Avalanche Zone and Mountain Overlay. This readjustment of lot lines will expand the condominium unit to accommodate a proposed 144-square foot addition.

NOTICE IS FURTHER GIVEN that at the aforementioned time all interested persons shall be given an opportunity to comment on the matter stated above. Comments on this project may be provided either in person at the meeting or remotely by dialing 1-253-215-8782 and entering meeting ID 897 6629 1813. Comments and questions prior to the hearing may be directed to the Ketchum Department of Planning and Building, P.O. Box 2315, Ketchum, Idaho, 83340, via email to participate@ketchumidaho.org, or via facsimile to (208)726-7812. Written comments received by 5:00 PM, seven (7) days prior to the hearing will be included as an attachment to the Staff Report. For additional information, please call (208) 726-7801. A copy of the Staff Report will be available on the City website at the following link <https://ketchumidaho.org/meetings>. The meeting will be livestreamed with the video feed accessible at the same link at 4:00 p.m. the day of the meeting.

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