

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84984**

This is to certify that: MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

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>
37-2443	WR/DECREED	8/29/1931	2.000 cfs	N/A	N/A	287.5	SPRING
37-738	WR/DECREED	3/30/1883	2.000 cfs	N/A	N/A	287.5	FISH CREEK
37-749C	WR/DECREED	3/30/1883	3.200 cfs	N/A	N/A	287.5	FISH CREEK

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>
37-2443	NO	NO	YES	NO	NO	NO
37-738	NO	NO	YES	NO	NO	NO
37-749C	NO	NO	YES	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>
37-2443	37-2443	2.000 cfs	N/A	N/A	287.5	N/A	N/A	N/A	N/A	N/A
37-738	37-738	2.000 cfs	N/A	N/A	287.5	N/A	N/A	N/A	N/A	N/A
37-749C	37-749C	3.200 cfs	N/A	N/A	287.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.200 cfs	N/A	N/A	287.5		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 18th day of August, 2021.



Southern Region Manager

SUPPORT DATA

Transfer No. 84984

IN FILE # 37-738

WATER RIGHT NO. 37-738

As Modified by Transfer No. 84984

In accordance with the approval of Transfer No. 84984, Water Right No. 37-738 is now described as follows:

Right Holder: MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

Priority Date: 3/30/1883

Source: FISH CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to 10/31

To

Diversion Rate

2,000 cfs

2,000 cfs

LOCATION OF POINT(S) OF DIVERSION

FISH CREEK

SENESE

Sec 33 Twp 01N Rge 22E 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	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

CONDITIONS OF APPROVAL

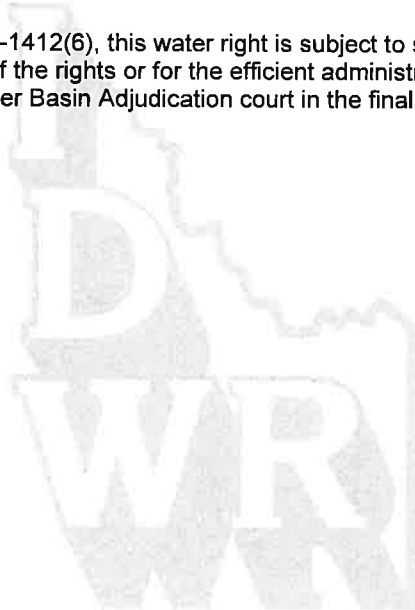
1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37U.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
3. Rights 37-738, 37-749C and 37-2443 when combined shall not exceed the irrigation of 287.5 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Water is delivered through Highline Canal.

Transfer No. 84984

WATER RIGHT NO. 37-738
As Modified by Transfer No. 84984

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 37-749C

As Modified by Transfer No. 84984

In accordance with the approval of Transfer No. 84984, Water Right No. 37-749C is now described as follows:

Right Holder: MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

Priority Date: 3/30/1883

Source: FISH CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
3.200 cfs
3.200 cfs

LOCATION OF POINT(S) OF DIVERSION

FISH CREEK SENESE Sec 33 Twp 01N Rge 22E 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	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

CONDITIONS OF APPROVAL

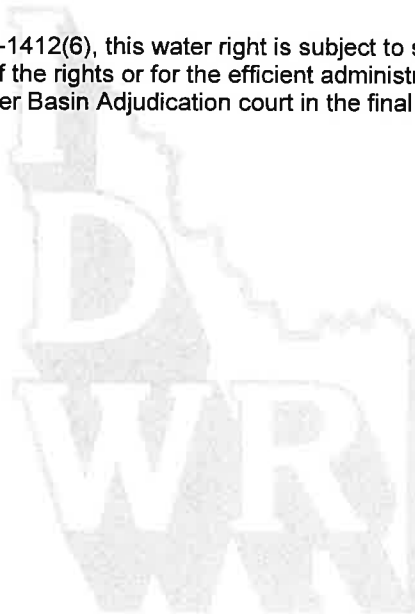
1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37U.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
3. Rights 37-738, 37-749C and 37-2443 when combined shall not exceed the irrigation of 287.5 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Water is delivered through Highline Canal.

Transfer No. 84984

WATER RIGHT NO. 37-749C
As Modified by Transfer No. 84984

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 37-2443**As Modified by Transfer No. 84984**

In accordance with the approval of Transfer No. 84984, Water Right No. 37-2443 is now described as follows:

Right Holder: MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE, ID 83701-0668

Priority Date: 8/29/1931

Source: SPRING

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.000 cfs
2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING SESESE Sec 14 Twp 01S Rge 21E 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	
01S	21E	13											24.0	35.0			36.0		95.0
01S	21E	14																5.5	5.5
01S	21E	23	2.4																2.4
01S	21E	24		34.0	30.0	40.0	35.0	40.0	5.6										184.6

POU Total Acres: 287.5

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. 37N.
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 diversions.
3. Rights 37-738, 37-749C and 37-2443 when combined shall not exceed the irrigation of 287.5 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84984

WATER RIGHT NO. 37-2443
As Modified by Transfer No. 84984

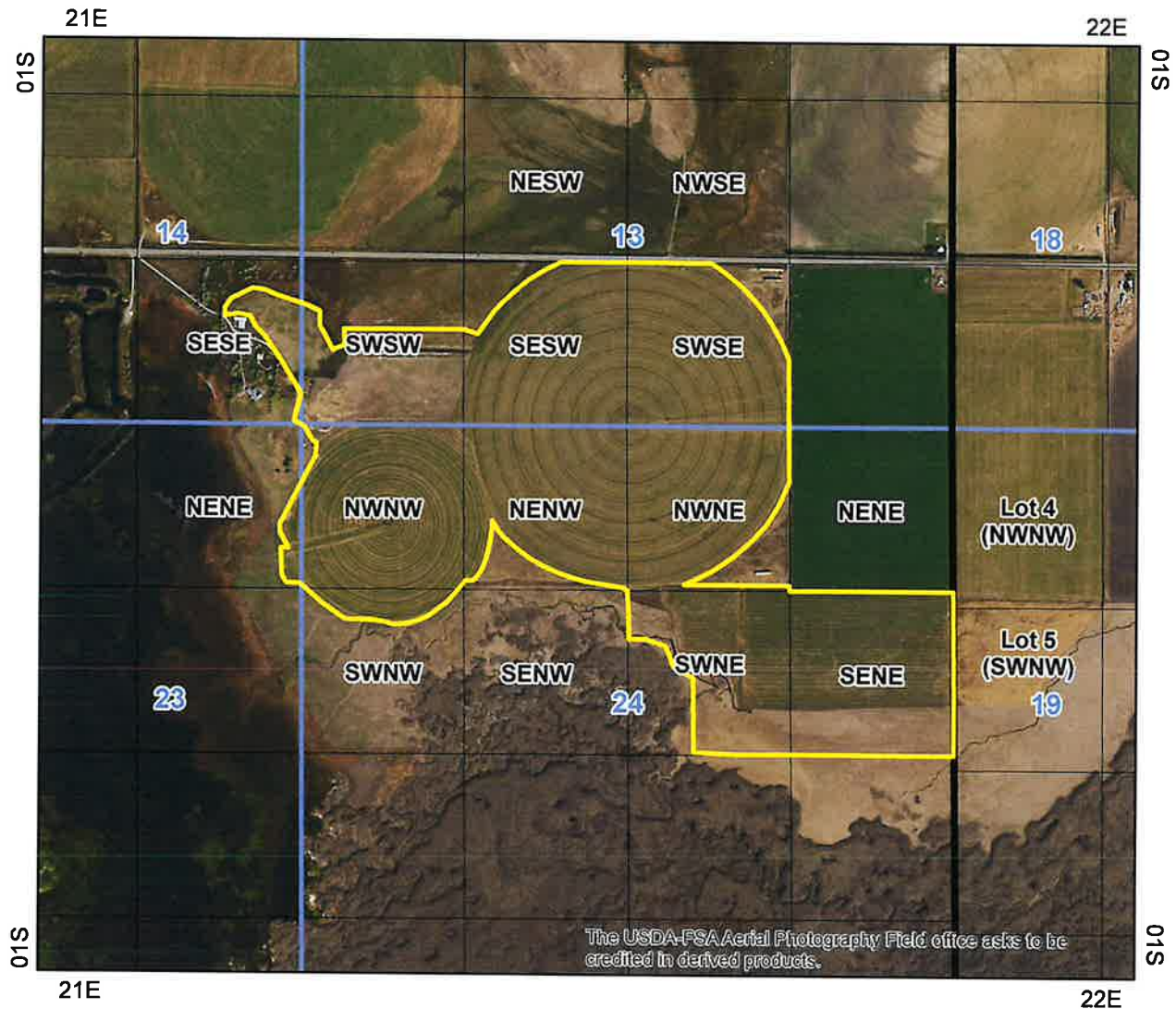
CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 # 84984
37-738, 37-749C, and 37-2443

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.175 0.35 0.7 Miles





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

August 23, 2021

MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE ID 83701-0668

Re: Transfer No: 84984
Water Right No(s): 37-738, 37-749C , 37-2443

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,



Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 37N
BRYAN WOOD
PO BOX 15
CAREY ID 83320-0015

WATER DISTRICT 37U
JERRY WEAVER
PO BOX 186
CAREY ID 83320-0186

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 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.: 84984

Water Right No(s): 37-738, 37-749C , 37-2443

MAURICE C ELLSWORTH
C/O MAURY ELLSWORTH
PO BOX 668
BOISE ID 83701-0668

WATER DISTRICT 37N
BRYAN WOOD
PO BOX 15
CAREY ID 83320-0015

WATER DISTRICT 37U
JERRY WEAVER
PO BOX 186
CAREY ID 83320-0186



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: August 4, 2021
To: Transfer 84984
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

The two Fish Creek water rights are administered by Water District 37U – Fish Creek and the spring water right is administered by Water District 37N – Upper Little Wood River. Watermaster comments were solicited and no responses were received.

- **Authority to File:** Applicant is the current owner of all water rights and properties involved in this transfer. Conveyance documents were provided for the new ground that is being added into the POU in the SESE1/4 of Section 14 and the NENE1/4 of Section 23, Township 01 South, Range 21 East.
- **Water Right Validity:** All water rights in this transfer were decreed in the SRBA on 9/29/2006. Recent aerial imagery indicates grounds associated with the water rights appears to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **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 on Agricultural Base of the Local Economy:**
None Anticipated.

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

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

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 7 day of

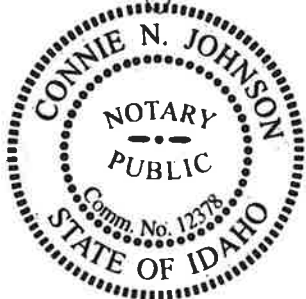
July, 20 21, and the date of the last publication was

on the 14 day of July, 20 21

Subscribed and sworn to before me this 14 day of

July, 20 21.

Connie N. Johnson
NOTARY PUBLIC



RECEIVED

JUL 19 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 82

Number of Insertions 2

Lines tabular at 82 9.0 cents/pica

Lines straight at \$75.44 8.0 cents/pica

Subsequent lines at \$66.01 7.0 cents/pica

TOTAL COST \$141.45

COPY OF NOTICE

Legal Notices
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84970

ELLSWORTH ENTERPRISES, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84970 for changes to the following water rights within BLAINE County(s): Right No(s). 37-1181, 37-2031, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 10 Fish Creek irrigation water rights and 1 Road Canyon irrigation water right. All eleven rights when combined are limited to the irrigation of 663.5 acres. All water rights when combined can provide a diversion rate of up to 11.82 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 2.2 to 4.0 miles north and 1.1 to 2.7 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

✓ Dm 7-27-2021 →

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 84984**

MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84984 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2443, 37-738, 37-749C. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

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 **July 26, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS**



✓ dm 7-27-2021

LEGAL NOTICES

NOTICE OF DRAFT PERMIT

Notice is given of draft permit(s) allowing the operation of an injection well as per provisions of Title 42, Chapter 39, Idaho Code for the following injection well(s) listed in this format // Well Number, Location, Operator, Injectate //

- // 37W083001, T1SR21ES27SWNE, Blaine County School District, Closed-Loop Heat Exchange //
- // 37W084001, T2NR18ES36NWNE, Blaine County School District, Closed-Loop Heat Exchange //
- // 37W085001, T2NR18ES9SESE, Blaine County School District, Closed-Loop Heat Exchange //
- // 37W086001, T2NR18ES10SWSE, Blaine County School District, Closed-Loop Heat Exchange //
- // 37W086002, T2NR18ES10SWSE, Blaine County School District, Closed-Loop Heat Exchange //
- // 37W086003, T2NR18ES10SWSE, Blaine County School District, Closed-Loop Heat Exchange //

Copies can be requested from the Idaho Department of Water Resources at (208) 287-4800. Comments or requests for fact-finding hearings must be filed with the Department within 30 days of the initial publication date of this notice. Gary Spackman, Director.

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

NOTICE OF LIEN

Storage Plus will execute its lien of the contents of the storage space(s) named below, with StoragePlus taking possession of items at the following location and time. Items to be sold to the highest bidder on www.storageplus.com

StoragePlus, Hailey, 11819 HWY 75, Hailey, ID 83333, (208) 578-4018
On Friday, July 23, 2021 at 10:00 a.m.

Unit	Tenant	Address	City	State	Zip	Items
B18	Lucille Fedenco	851 Shenandoah Dr	Hailey	ID	83333	Baby toys, bed, computer box, air hockey box
C56	Dan Newell	P.O. Box 3168	Sun Valley	ID	83353	Power tools, fishing equipment, camping gear, skis, ski boots, air compressor

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

way, manages the use of water on its acreage to protect water storage tank levels such that all the acreage is not being irrigated simultaneously; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will improve the experience of those using the parks and rights of way without compromising water conservation or water storage tank levels.

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

Section 1. Chapter 13.08.010 of the Hailey Municipal Code is hereby amended by the addition of the underlined and deletion of the stricken language, as follows:

13.08.010: IMPLEMENTATION OF CONSERVATION MEASURES FOR MUNICIPAL WATER USAGE CONSERVATION MEASURES:

A. Prohibition And Restriction Of Municipal Water Usage. The sprinkling or watering of outdoor plantings such as grass, lawns, gardens, ground cover, shrubbery, trees or other landscaping with water owned by the city shall be restricted upon all properties with even numbered street addresses to even numbered calendar dates and upon all properties with odd numbered street addresses to odd numbered calendar dates, and shall be prohibited between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. daily, except as provided below:

1. Upon written request made by a water user, the city's authorized agent may grant an exception to the prohibition and restriction of municipal water usage if the water user's water usage will be for the purpose of sprinkling or watering new plantings for a specified time period. The exception will only apply to the newly planted area.

B. Exclusions:

1. Sprinkling or watering by commercial nurseries on their own sites.

2. Sprinkling or watering by the City of its contractors on public parks and rights of way.

3. The use of water conservation irrigation devices, such as drip or bubbler style irrigation systems that minimize water evaporation losses.

C. Emergency Powers: The mayor may, upon notification by the Idaho department of water resources of curtailment of city of Hailey water rights, declare an emergency and restrict water use to domestic purposes only.

Section 2. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall

ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3. Repealer Clause. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this 28th day of June, 2021.

Martha Burke, Mayor

ATTEST:

Mary Cone, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7, 2021

NOTICE OF BOND RESOLUTION NO. 21-URA01

Public notice is hereby given by the Ketchum Urban Renewal Agency (the "Agency"), that on June 21, 2021, the Board of Commissioners of the Agency approved and adopted Bond Resolution No. 21-URA01 (the "Resolution").

The Resolution authorizes the issuance of the Agency's Revenue Allocation Refunding Bond, Series 2021 in the aggregate principal amount of \$4,815,958.70.

The Bond is being issued to refund certain prior bonds of the Agency and to pay costs of issuance of the Bond and other expenses as provided in the Resolution.

Under the Resolution, the Agency has pledged for the payment of the amount of interest coming due on each interest payment date and the principal coming due on each annual principal payment date of the Bond, all tax increment revenues received by the Agency, and moneys in the Revenue Allocation Fund, and the Bond Fund, all as defined in the Resolution. Pledged Revenues received by the Agency in excess of Debt Service on the Bond may be reserved by the Agency for future payments of Debt Service on the Bond, to redeem or purchase Outstanding Bonds on the open market, or for any other legal purpose of the Agency.

Neither the City of Ketchum, the State

of Idaho, its Legislature, nor any political subdivision thereof is liable for the payment of the principal of or interest or redemption premium, if any, on the Bonds.

The Resolution and other supporting material are available for public inspection at the offices of the Agency at 480 East Avenue N., Ketchum, Idaho, 83340 (telephone 208-726-7803), Monday through Friday, 8:30 a.m. to 5:00 p.m., Attention Suzanne Frick.

The Resolution became effective upon its passage and approval on June 21, 2021.

In accordance with the provisions of Sections 50-2027 and 50-2911 of the Idaho Code, no direct or collateral action attacking or otherwise questioning the validity of the Bond may be brought prior to the effective date of the Resolution authorizing such Bond or after the elapse of thirty (30) days from and after the effective date of the Resolution authorizing such Bond.

By Order of the Board of Commissioners of the Ketchum Urban Renewal Agency dated as of the 21st day of June, 2021.

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7, 2021

DEQ SEEKS PUBLIC COMMENT ON DRAFT WORK PLAN TO ADDRESS SOIL CONTAMINATION IN BELLEVUE, IDAHO

In compliance with the "Idaho Land Remediation Rules" (IDAPA 58.01.18), the Idaho Department of Environmental Quality (DEQ) has scheduled a 30-day public comment period on a draft work plan to address soil contamination at the J.E.T. Business Park property in Bellevue, Idaho. The property, consisting of three adjacent parcels located at 767, 791, and 821 South Main Street, is contaminated from past concentrated mining ore loading activities.

The purpose of the Voluntary Remediation Work Plan is to guide cleanup of the property and describe implementation of the proposed cleanup method. The proposed cleanup will employ excavation, treatment, and disposal of the contaminated soil. The draft work plan can be reviewed on DEQ's website at www.deq.idaho.gov/public-comment-opportunities, at DEQ's Twin Falls Regional Office (650 Addison Avenue West, Suite 110 in Twin Falls), and the Bellevue Public Library (117 Pine Street). Written comments will be accepted through August 6, at 5 p.m. MDT. Submit questions and/or written comments on DEQ's

LEGAL NOTICE OF PUBLIC MEETING

There will be a public hearing at 5:30 p.m. on Tuesday, July 13, 2021 at WMFD Station 2 (West Magic Road). A copy of the proposed budget is available for inspection at Station 2.

Proposed Budget for WEST MAGIC FIRE DISTRICT For the Fiscal Year 2021-2022

Estimated Revenue	\$19,236.00
Estimated Expenditures	
Major Equipment, Replacement/Repairs	2000.00
Clothing, New/Replacement	500.00
Fire Building Maintenance	1021.00
Grounds Maintenance	1030.00
Office Supplies/Subscriptions	500.00
Legal Publications	600.00
Utilities	3200.00
Fire Truck Fuel/Maintenance	3700.00
Fire Hydrant Maintenance/Install	400.00
Insurance	1685.00
Training	1000.00
Wages	500.00
Small Tools & Miscellaneous	1000.00
Radios	2100.00
Total	\$19,236.00

PUBLISH
IDAHO MOUNTAIN EXPRESS
JUNE 30 & JULY 7, 2021

website or by mail or email to:

Derek Young, Voluntary Cleanup Program Manager
Idaho Department of Environmental Quality
1410 N. Hilton, Boise, ID 83706
Email: derek.young@deq.idaho.gov

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7, 2021

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by MIKE COLLINS whose last known address is PO BOX 378, BELLEVUE, ID 83313.

The sale shall occur at 10:00 o'clock a.m. on the 17th day of July, 2021, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JULY, 2021

VALLEY SELF STORE

By _____
Lien Claimant

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by PETER LEWIS whose last known address is 65661 EAST ALPINE WAY, RHODODENDRON, OR 97049-9769.

The sale shall occur at 10:00 o'clock a.m. on the 17th day of July, 2021, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JULY, 2021

VALLEY SELF STORE

By _____
Lien Claimant

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

DECLARATION OF VALUE OF PROPERTY

On June 14, 2021, the City of Carey, Idaho, pursuant to Idaho Code 50-1402, did agree to the sale of the following real property owned by the city: WATERFORD PARK SUB LOT 1 BLK 1 and set the minimum price of said property at \$70,000. A Public hearing on this matter shall be held on the 20th day of July, 2021 at 7:00 pm at Carey City Hall.

Comments and questions should be directed to the City of Carey, 20482 N. Main St., Carey, ID 83320, via email to: cityclerk@cityofcarey.org. For additional information please call Tess Cenarrusa at (208) 309-1445.

BY ORDER OF THE CAREY CITY COUNCIL. DATED THIS 14th day of June, 2021

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that on Tuesday, July 20, 2021 at 7:00 P.M., at Carey City Hall, the Carey City Council will hold a public hearing upon the following:

An ordinance of the City of Carey, to provide for the installation and maintenance of backflow prevention devices and for inspection; by providing for a repealer clause; by providing for a severability clause and by providing an effective date of August 1, 2021.

NOTICE IS FURTHER GIVEN that at the mentioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matters stated above. Comments and questions, prior to the hearings, should be directed to the City of Carey - Public Works Department Attn: Bob Simpson 20482 N. Main St., Carey, ID 83320 or call 208-309-0319. The draft ordinance is on file at Carey City Hall and available for public review.

DATED THIS THE 30th DAY OF JUNE, 2021

Tess Cenarrusa, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 7 & 14, 2021

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84970

ELLSWORTH ENTERPRISES, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84970 for changes to the following water rights within BLAINE COUNTY(s): Right No(s) 37-1181, 37-2051, 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771. The purpose of the transfer is to change a por-

tion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 10 Fish Creek irrigation water rights and 1 Road Canyon irrigation water right. All eleven rights when combined are limited to the irrigation of 663.5 acres. All water rights when combined can provide a diversion rate of up to 11.82 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 2.2 to 4.0 miles north and 1.1 to 2.7 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84984

MAURICE C ELLSWORTH, C/O MAURY ELLSWORTH, PO BOX 668, BOISE, ID 83701-0668 has filed Application No. 84984 for changes to the following water rights within BLAINE County(s): Right No(s): 37-2443, 37-738, 37-749C. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres in the place of use (POU) for 2 Fish Creek irrigation water rights and 1 spring irrigation water right. All three rights when combined are limited to the irrigation of 287.5 acres. All water rights when combined can provide a diversion rate of up to 7.2 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles north and 1.4 to 2.5 miles east of the intersection of Hwy 26 and Hwy 93 in Carey.

For additional information concerning the property location, contact Southern Region office at (208) 796-3033; 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 July 26, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH IDAHO MOUNTAIN EXPRESS JULY 7 & 14, 2021

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Sun Valley Planning & Zoning Commission will hold a public hearing on Thursday, July 22nd, 2021 at 9:00 AM at City Hall Council Chambers, 81 Elkhorn Road, Sun Valley, ID to hear comments from the public concerning the following applications:

1. **SUBPP 2020-08:** Request to amend the existing Preliminary Plat approval for the Sunshine Townhomes, a 49-unit townhouse development. The requested amendment is to reduce the total number of units and revise the phasing plan and a Special Condition of Approval recommended by the Planning and Zoning Commission that was subsequently adopted by City Council. Applicant: Galena Engineering on behalf of TVIV Sunshine LLC Location: A 4.62-acre parcel Sun Valley Village, FR SWNE T1 8546, SEC 17, 4N 18E, bounded by Angani Way to the south, Village Way to the east, Indian Springs Lane to the north, and the Indian Springs Condominiums to the west, and the parcel that contains Indian Springs Lane, FR SWNE T1 8545, SEC 17, Road Access, 4N 18E.

2. **DR 2020-61:** Request to amend the existing design review approval for phase one of the Sunshine Townhomes. Applicant: SB Architects on behalf of TVIV Sunshine LLC Location: A 4.62-acre parcel Sun Valley Village, FR SWNE T1 8546, SEC 17, 4N 18E, bounded by Angani Way to the south, Village Way to the east, Indian Springs Lane to the north, and the Indian Springs Condominiums to the west, and the parcel that contains Indian Springs Lane, FR SWNE T1

8545, SEC 17, Road Access, 4N 18E.

3. **DR 2021-31:** Application for design review approval of a new single-family residence at 307 Juniper Road. Applicant: Matthew Zach for Living Sun Valley LLC (Property Owner). Location: 307 Juniper Road; Elkhorn Village Subdivision 1 Lot 28.

4. **DR 2021-55:** Application for design review approval of a new single-family residence at 98 Elkhorn Road. Applicant: Carmen Finegan for Amy & Michael Hoff (Property Owners). Location: 98 Elkhorn Road; Prospector Ridge Subdivision Lot 5A.

At the aforementioned time, all interested persons may appear and shall be given an opportunity to comment on the matters stated above. Comments and questions prior to the public meeting should be directed to the City of Sun Valley Community Development Department, at PO Box 416, Sun Valley, ID 83353, or emailed to cdcounter@sunvalleyidaho.gov. Written comments received prior to the meeting shall be made part of the public record at the meeting. Application materials are on file in the Community Development Department located in City Hall for public inspection during normal City Hall business hours and can be shared for public inspection through email by request.

PUBLISH IDAHO MOUNTAIN EXPRESS JULY 7, 14 & 21, 2021

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

IN THE MATTER OF THE ESTATE OF LORRAINE HEH, Deceased,

Case No. CV07-21-00271
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above named estate. All persons having claims against the said deceased decedent are required to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be presented to the undersigned personal representative of the estate at the address indicated below, and filed with the Clerk of the Court.

Dated this 25th day of June, 2021.

/s/ Lawrence J. Young, Personal Representative
C/O Edward Simon, Attorney
P.O. Box 540
Ketchum, ID 83340

PUBLISH IDAHO MOUNTAIN EXPRESS JULY 7, 14 & 21, 2021

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF LYNNE NICHOLSON, Deceased,

Case No. CV07-21-00285
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that Kimberly Jae Rollins has been appointed personal representative of the estate of Decedent LYNNE NICHOLSON. All persons having claims against the Decedent, or the Estate are required to present their claims within four (4) months after the date of the first publication of this Notice or said claims will be forever barred. Claims must either be presented to the undersigned attorney at his below address or filed with the Clerk of the Court.

Dated July 1, 2021.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Ketchum, Idaho, will hold a Public Hearing for consideration of an amendment to the 2020-21 fiscal year budget. The Council will consider appropriation of additional monies received by the City of Ketchum, Idaho, during the fiscal year. Said hearing will be held at Ketchum City Hall, 480 East Avenue North, at 4:00 p.m. on July 19, 2021.

That the following table sets forth the amounts appropriated to each fund for the current 2020-21 fiscal year, the amount of the revised appropriation for each fund for the 2020-21 fiscal year, and the proposed adjustment amount.

CITY OF KETCHUM, IDAHO

EXPENDITURES

	ADOPTED FY 2020-2021	REVISED FY 2020-2021	ADJUSTMENT
GENERAL FUND	10,307,770	12,840,939	2,533,169
ESSENTIAL SERVICES FACILITIES TRUST FUND	420,600	2,138,120	1,717,520
GENERAL CAPITAL IMPROVEMENT FUND	563,000	563,000	0
STREET CAPITAL IMPROVEMENT FUND	232,600	232,600	0
LAW ENFORCEMENT IMPROVEMENT FUND	250	250	0
FIRE CAPITAL IMPROVEMENT FUND	104,330	241,030	136,700
PARKS & RECREATION CAP. IMP. FUND	0	0	0
PARKS & RECREATION TRUST FUND	49,050	49,050	0
POLICE TRUST FUND	5,000	5,000	0
DEVELOPMENT TRUST FUND	150,000	150,000	0
ORIGINAL LOT FUND	1,817,247	2,217,247	400,000
ADDITIONAL 1%-LOT FUND	1,500,000	1,936,971	436,971
GO BOND DEBT SERVICE FUND	149,835	149,835	0
FIRE CONSTRUCTION FUND	9,500,000	9,500,000	0
FIRE GO BOND FUND	615,284	615,284	0
COMMUNITY HOUSING IN-LIEU FUND	2,250,000	2,250,000	0
WAGON DAYS FUND	85,650	85,650	0
WATER FUND	2,390,937	2,390,937	0
WATER CAPITAL IMPROVEMENT FUND	522,000	522,000	0
WASTEWATER FUND	2,587,242	2,587,242	0
WASTEWATER CAPITAL IMP. FUND	462,000	462,000	0
Total Expenditures	33,712,795	38,937,155	5,224,360

REVENUE

GENERAL FUND	4,339,021	4,339,021	0
GENERAL PROPERTY TAXES	5,968,749	8,197,968	2,229,219
FUND BALANCE APPLIED	0	511,000	511,000
TOTAL GENERAL FUND	10,307,770	13,047,989	2,740,219

ESSENTIAL SERVICES FACILITIES TRUST FUND	385,600	492,151	106,551
FUND BALANCE APPLIED	35,000	1,645,969	1,610,969
TOTAL ESF TRUST FUND	420,600	2,138,120	1,717,520

GENERAL CAPITAL IMPROVEMENT FUND	251,219	251,219	0
FUND BALANCE APPLIED	311,781	361,781	50,000
TOTAL GENERAL CAPITAL IMPRVMENT FUND	563,000	613,000	50,000

STREET CAPITAL IMPROVEMENT FUND	205,100	205,100	0
FUND BALANCE APPLIED	27,500	27,500	0
TOTAL STREET CAPITAL IMPRV. FUND	232,600	232,600	0

LAW ENFORCEMENT IMPROVEMENT FUND	900	900	0
FIRE CAPITAL IMPROVEMENT FUND	0	0	0
FUND BALANCE APPLIED	112,930	249,630	136,700

TOTAL FIRE CAPITAL IMPROVEMENT FUND	112,930	249,630	136,700
PARKS & RECREATION CAP. IMP. FUND	0	0	0
FUND BALANCE APPLIED	10,200	10,200	0

TOTAL PARKS & RECREATION CAP.IMP.FND	10,200	10,200	0
PARKS & RECREATION TRUST FUND	10,000	10,000	0
FUND BALANCE APPLIED	42,050	42,050	0

TOTAL PARKS & RECREATION TRUST FUND	52,050	52,050	0
POLICE TRUST FUND	3,500	3,500	0
FUND BALANCE APPLIED	1,500	1,500	0

TOTAL POLICE TRUST FUND	5,000	5,000	0
DEVELOPMENT TRUST FUND	150,000	150,000	0
ORIGINAL LOT FUND	0	0	0
FUND BALANCE APPLIED	1,817,247	2,400,000	582,753

TOTAL ORIGINAL LOT FUND	1,817,247	2,400,000	582,753
ADDITIONAL 1%-LOT FUND	1,500,000	1,936,971	436,971
GO BOND DEBT SERVICE FUND	149,835	149,835	0

FIRE CONSTRUCTION FUND	9,500,000	9,500,000	0
FUND BALANCE APPLIED	0	0	0
TOTAL FIRE CONSTRUCTION FUND	9,500,000	9,500,000	0

FIRE GO BOND FUND	615,284	615,284	0
FUND BALANCE APPLIED	615,284	615,284	0
TOTAL FIRE GO BOND FUND	1,230,568	1,230,568	0

COMMUNITY HOUSING IN-LIEU FUND	2,200,000	2,200,000	0
FUND BALANCE APPLIED	30,000	30,000	0
TOTAL COMMUNITY HOUSING IN-LIEU FND	2,230,000	2,230,000	0

WAGON DAYS FUND	0	0	0
FUND BALANCE APPLIED	85,650	85,650	0
TOTAL WAGON DAYS FUND	85,650	85,650	0

WATER FUND	0	0	0
FUND BALANCE APPLIED	2,494,522	2,494,522	0
TOTAL WATER FUND	2,494,522	2,494,522	0

WATER CAPITAL IMPROVEMENT FUND	0	0	0
FUND BALANCE APPLIED	522,000	522,000	0
TOTAL WATER CIP FUND	522,000	522,000	0

WASTEWATER FUND	0	0	0
FUND BALANCE APPLIED	2,796,861	2,796,861	0
TOTAL WASTEWATER FUND	2,796,861	2,796,861	0

WASTEWATER CAPITAL IMP. FUND	0	0	0
FUND BALANCE APPLIED	462,000	462,000	0
TOTAL WASTEWATER CAPITAL IMP. FUND	462,000	462,000	0

Total Revenue	34,028,449	39,692,612	5,664,163
---------------	------------	------------	-----------

PUBLISH IDAHO MOUNTAIN EXPRESS JULY 7 & 14, 2021

Shellie Rubel, City Treasurer