

RECEIVED
FEB 18 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

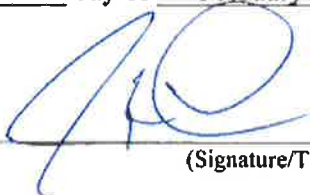
I/We, Animal Shelter of Wood River Valley and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

(Applicant's Printed Name) and _____,
(Applicant's Printed Name)

hereby withdraw our Application for Transfer No. ~~84370~~ 84730 of Water Right

No(s). 37-11960

Signed this 18th day of February, 20 21

 representative
(Signature/Title of Applicant)

(Signature/Title of Applicant)

**Animal Shelter of Wood River Valley
PO Box 1496
Hailey ID 863333-1496**

(Signature/Title of Applicant)

(Signature/Title of Applicant)

Database updated
2/22/2021



DEC 23 2020

DEC 14 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WEST OF WATER RESOURCES
SOUTHERN REGION

DEPARTMENT OF
WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Animal Shelter of Wood River Valley Phone 208-788-4351
Mailing address P.O. Box 1496 Hailey, ID 83333 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Jim Laski, Lawson Laski Clark, PLLC Phone 208-725-0055
Mailing address P.O. Box 3310, Ketchum, Idaho 83340 Email jrl@lawsonlaski.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

SALLY DNETTO BOARD PRESIDENT
Print Name and Title if applicable

12/09/20
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant seeks to transfer water right 37-11960 to new facility, also owned by applicant. Proposed point of diversion is an existing well associated with 37-22436.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	37-11960	0.02 cfs /	Domestic	01/01 to 12/31	Ground Water / NA
☐ ☐		0.02 cfs /	Stockwater	01/01 to 12/31	Ground Water / NA
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO		SW	NW	NE	17	02N	18E	Blaine	Ground Water	Existing Well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17		D,S	D,S														
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
37-11960 will be diverted out of an existing well that is currently metered and will be used in existing facility owned by applicant.
- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6. List the name of the entity and type of lien: See attached consent letter.**
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
37-22436, 37-23030 and 37-23058.
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |
- If yes, describe:**
N/A.

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

Current Water Right No.: 37-11960

Current Owner: ANIMAL SHELTER OF WOOD RIVER VALLEY

Priority Date: 12/31/1981

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.02 CFS	
DOMESTIC	1/01 to 12/31	0.02 CFS	
	<u>Total Diversion</u>	0.04 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4

Sec. 17, Twp 02N, Rge 18E B.M.

BLAINE County

Place of Use

STOCKWATER Within BLAINE County

T02N R18E S17 SENW

DOMESTIC Within BLAINE County

T02N R18E S17 SENW

Conditions of Approval:

1. N06 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. DOMESTIC USE IN ANIMAL SHELTER.
STOCKWATER FOR DOGS, CATS, ETC.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 5/31/2000

Attachment # 6

ZIONS FIRST NATIONAL BANK

A Division of Zions Bancorporation, N.A.

Idaho Resort Commercial Lending | 311 North Main | Ketchum, ID
83340
direct: (208) 806-3078
tracy.groll@zionsbank.com

December 9, 2020

Idaho Department of Water Resources
Idaho Water Center
322 E. Front St. Ste 648
Boise, ID 83702-7371

Re: Consent to Transfer Place of Use and Point of Diversion of Water Rights

To Whom it May Concern:

Zions Bancorporation, N.A. dba Zions First National Bank ("Lienholder") of a water right ("Water Right") owned by the Animal Shelter of Wood River Valley, Inc. ("Owner") and described under the following water right number:

37-11960

Pursuant to the attached Application for Transfer of Water Right, Owner desires to transfer the Water Right to a new facility owned by Owner located at 101 Croy Creek Road, Hailey, Blaine County Idaho. with parcel number RE001220000010 ("New Place of Use Property").

Lienholder has a lien pursuant to a Deed of Trust and Fixture Filing dated August 28, 2019, recorded as Instrument Number 662802 on August 29, 2019 with the Blaine County, Idaho, Recorder's office, covering the New Place of Use Property. Owner and Lienholder desire that Lienholder's lien in the Water Rights continue in the New Place of Use Property.

Lienholder consents to the transfer of the Water Right to the New Place of Use Property.

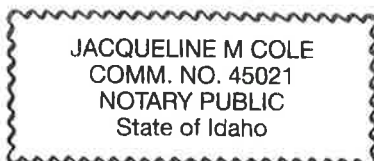
Sincerely,

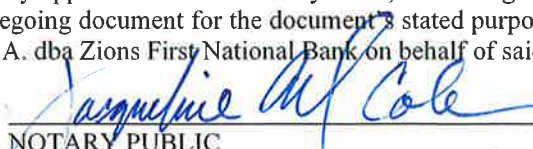


Tracy Groll

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On the 9th day of December, 2020, personally appeared before me Tracy Groll, who being by me duly sworn did acknowledge that he/she voluntarily executed the foregoing document for the document's stated purpose in his/her capacity as Senior Vice President of Zions Bancorporation, N.A. dba Zions First National Bank on behalf of said bank.




NOTARY PUBLIC

my commission expires Aug 8th 2023

Attachment # 7A and 7B



0 112.5 225 450 Feet

ANIMAL SHELTER OF WOOD RIVER VALLEY

WATER RIGHT TRANSFER APPLICATION
37-11960
NAIP 2019 AERIAL

BROCKWAY ENGINEERING, PLLC.
JJJ - Date: 7/8/2020

Legend
POU
POD





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 22, 2021

ANIMAL SHELTER OF WOOD RIVER VALLEY
PO BOX 1496
HAILEY ID 83333-1496

Re: Withdrawal of Application for Transfer No. 84730, Water Right No. 37-11960

Dear Applicant(s):

Thank you for your recent withdrawal of the above referenced application for transfer. No further action is required at this time.

A refund request in the amount of \$200.00 has been submitted for processing and will be sent to Lawson Laski Clark PLLC under separate cover.

Please contact our office at 208-736-3033 if you have additional questions on this matter. Also, more information about water rights and other matters administered by this agency is available on our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline

for: Corey Skinner
Southern Regional Manager

c: Lawson Laski Clark PLLC

Skinner, Corey

From: Skinner, Corey
Sent: Thursday, February 18, 2021 2:33 PM
To: IdwrPayable
Subject: Refund Request

We need to issue a \$200.00 refund to LAWSON LASKI CLARK, PLLC for a water right transfer application (# 84730) that was withdrawn. The filing fee was receipted under receipt # C109680. The refund can be mailed to....

LAWSON LASKI CLARK, PLLC
PO Box 3310
Ketchum, ID 83340

Thanks,

Corey

Skinner, Corey

From: Heather O'Leary <heo@lawsonlaski.com>
Sent: Thursday, February 18, 2021 1:47 PM
To: Skinner, Corey
Subject: RE: Animal Shelter Transfer Application

Thanks



HEATHER E. O'LEARY

Lawson Laski Clark, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055 Phone
208-725-0076 Fax

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From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Thursday, February 18, 2021 1:44 PM
To: Heather O'Leary <heo@lawsonlaski.com>
Subject: RE: Animal Shelter Transfer Application

Heather,

Thanks for getting this back to me. Our records indicate that Lawson Laski Clark PLLC paid the filing fee. The refund will be issued out of Boise, but will be sent to your office.

Corey

From: Heather O'Leary [<mailto:heo@lawsonlaski.com>]
Sent: Thursday, February 18, 2021 11:46 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: RE: Animal Shelter Transfer Application

See attached.

I assume you'll mail the refund to our office?

Thanks!



HEATHER E. O'LEARY

Lawson Laski Clark, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055 Phone
208-725-0076 Fax

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From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Thursday, February 18, 2021 10:44 AM
To: Heather O'Leary <heo@lawsonlaski.com>
Subject: RE: Animal Shelter Transfer Application

Heather,

Could you complete the attached form to formally withdraw the application and get it back to me? The transfer has been assigned a Transfer Number of 84730. It looks like Jim Laski can sign the form for the applicant if that speeds things up on your end. Once we have the completed and signed withdrawal form we can proceed with issuing the refund.

Thanks,

Corey

From: Heather O'Leary [<mailto:heo@lawsonlaski.com>]
Sent: Wednesday, February 17, 2021 5:27 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Animal Shelter Transfer Application

Hi Corey:

As a follow-up to our conversation about the application to transfer the water right for the Animal Shelter, can you please refund the application fee? We will not be proceeding with it.

Thanks,
Heather



HEATHER E. O'LEARY

Lawson Laski Clark, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055 Phone
208-725-0076 Fax

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LAWSON LASKI CLARK

ATTORNEYS AT LAW

RECEIVED

DEC 18 2020

DEPARTMENT OF
WATER RESOURCES

December 10, 2020

Re: Application for Transfer of Water Right

Our File No. 99999-014

To Whom it May Concern:

As per a telephone conversation on December 10th, please find a copy of a water rights transfer application with a new check, number 4785, to replace the unsigned check (number 4783) mailed with application on December 10th.

Thank you in advance for your assistance.

Sincerely,

LAWSON LASKI CLARK, PLLC

Sascha Leidecker
Assistant to Heather E. O'Leary

Enclosure(s): as reference

RECEIVED

DEC 23 2020

HEATHER E. O'LEARY

HEO@LAWSONLASKI.COM

DEPT OF WATER RESOURCES
SOUTHERN REGION

LAWSON LASKI CLARK

ATTORNEYS AT LAW

RECEIVED

DEC 14 2020

DEPARTMENT OF
WATER RESOURCES

December 10, 2020

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Application for Transfer of Water Right
Our File No. 99999-014

Dear Idaho Department of Water Resources:

We are counsel to Animal Shelter of Wood River Valley. The purpose of this letter is to submit an application for transfer of water right no. 37-11960. Accordingly, enclosed herewith is the application, along with the pertinent attachments, as well as our firm's check in the amount of \$200.00 for the application fee.

Once completed, please send me as well as the applicant confirmation that the application has been accepted. Thank you for your assistance in this matter and please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,

LAWSON LASKI CLARK, PLLC

Heather E. O'Leary

Enclosures
cc: client