

Memo

To: 37-20900
From: Jean Hersley
Date: 10/30/20
Re: Update attorney

The Department received an Application for Amendment of Permit on October 29, 2020. On the application, the only change to be made was to change the attorney of record. The attorney was updated from this application. There was also a fee of \$100 paid, which was refunded.

RECEIVED
OCT 29 2020
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) Sun Valley Water & Sewer District Phone (208)622-9507
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 2410 City Sun Valley
 State ID Zip 83353 Email: pat@swwsd.com

I am the owner of Water Appropriation Permit No. 37-20900 and request that the permit be amended as follows:

- ☐ Change point of diversion ☐ Add point of diversion ☐ Change period of use
☐ Change nature of use ☐ Change place of use ☒ Other attorney of record

1. Point of diversion: ☐ No changes to point(s) of diversion. Skip item #1 and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #

2. Period and nature of use: ☐ No changes to period and/or nature of use. Skip item #2 and proceed to #3.

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year) (water use) (month/day) (month/day)

3. Place of use or land to be irrigated: ☐ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

4. Property ownership: ☐ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.

- a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

5. Describe the proposed change in narrative form:

Remove James P. Speck as Attorney, replace with:

EVAN ROBERTSON

ROBERTSON & SLETTE PLLC

PO BOX 1906

TWIN FALLS, ID 83303-1906

2089330700

6. Map: ☐ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.

Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and $\frac{1}{4}$ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

7. Signature:

The information in this application is true to the best of my knowledge. I understand that any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

FRITZILL MCMAHON MGR
Print name (and title, if applicable)

10/22/20
Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

FOR DEPARTMENT USE ONLY

Received by _____

Date _____

Received by _____

Date _____

Receipt No. _____

Reviewed by _____

Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 19, 2020

SUN VALLEY WATER & SEWER DISTRICT
PO BOX 2410
SUN VALLEY ID 83353-2410

Re: Change in Ownership for Water Right No(s): 37-20900

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

A portion of water right(s) **37-20900** was leased to the Water Supply Bank (bank) in 2020. To date, part of the right(s) appurtenant to **0.066 cfs** and **6.3 acres (in the SWNW, Section 16, T04N, R18E)** remain leased to the bank. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. This portion will remain in the bank until **December 31, 2022** unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: James P Speck
Water District No. 37

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-20900

10/19/2020

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PC PO BOX 987 KETCHUM, ID 83340-0998 (208) 726-4421
Current Owner	SUN VALLEY WATER & SEWER DISTRICT PO BOX 2410 SUN VALLEY, ID 83353-2410 (208) 622-7610
Original Owner	SAGEWILLOW LLC PO BOX 569 SUN VALLEY, ID 83353-0569 (208) 720-0343

Priority Date: 1/6/1975
Basis: Decreed
Status: Active
Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.200 CFS	66.5 AF
	<u>Total Diversion</u>		0.200 CFS	66.5 AF

Source and Point(s) of Diversion
GROUND WATER NWSW Sec. 16, Twp 04N, Rge 18E, BLAINE County

Place Of Use
IRRIGATION within BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	16							19.0										19.0

POU Total Acres: 19.0

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7416B.
2. 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.

Comments:

1. tfawcett 2/1/2012 split right

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-20900

10/19/2020

This right was split into 37-20900 (Sage Willow) and 37-22681 (The Community School) pursuant to an ownership change.

2. tfawcett 2/1/2012 POU
Updated Shape
3. tfawcett 2/3/2012 POU
Updated Shape
4. jreeder 11/1/2012 POD
PODID 691976 correlated from SpatialDataID 383097 to SpatialDataID 470209
5. jhersley 10/19/2020 ownership change
ownership change to Sun Valley Water & Sewer District. Water Right only. No land was conveyed.

Dates and Other Information

Decreed Date: 9/24/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

Lessor Name: SAGEWILLOW LLC
Lease Status: Active



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 30, 2020

SUN VALLEY WATER & SEWER DISTRICT
PO BOX 2410
SUN VALLEY ID 83353

RE: Adding new attorney to Water Right 37-20900

Dear Water Right Holder:

The Department of Water Resources received an Application for Amendment of Permit from you on October 29, 2020. The change you wanted to make was replacing an attorney on the record in the Department's database. The update has been made. I have enclosed a water right report showing the update.

A couple of things for the future:

- Water right 37-20900 is a decreed right not a permit. If the District wants to make changes to the point of diversion or place of use, an Application for Transfer of a Water Right would be required.
- To update an attorney on the record, the Department only needs a letter from Sun Valley Water & Sewer District with the attorney's contact information. I will add the Application for Amendment of Permit form to the water right file as an update of attorney because it has the requested information on it.
- There is no fee to add an attorney to the water right record. A refund has been requested and will be sent to you under separate cover from the State Controller's Office within 10 days.

If you have any questions, please contact me at (208) 287-4942 or jean.hersley@idwr.idaho.gov. Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist II

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: October 30, 2020
RE: **Refund: Paid to add attorney to water right**

Please refund \$100.

NAME: SUN VALLEY WATER & SEWER DISTRICT
PO BOX 2410
SUN VALLEY ID 83353

RECEIPT #: C109422

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Friday, October 30, 2020 8:38 AM
To: IdwrPayable
Subject: refund
Attachments: SV Water & Sewer District.doc

Please process the attached refund. Thank you.

Jean