

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

84115

RECEIVED

JUN 01 2020

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Blaine County School District #61

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 01 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Blaine County School District #61 Phone 208-578-5000
Mailing address 118 W. Bullion St., 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 SPF Water Engineering Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.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

Gwen Carol H. Holmes, Supt.
Print Name and Title if applicable

5/22/20
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 Split right
- 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**.
The City quitclaimed 11.9 acres of water right 37-22019 to the School District for 9.5 acres irrigation from a proposed well at Hailey Elementary School and 2.4 acres irrigation from an existing well at Wood River Middle School. This transfer application represents the proposed irrigation system for Wood River Middle School.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input type="checkbox"/> <input checked="" type="checkbox"/>	37-22019	0.05/8.4	Irrigation	4/15 to 10/31	Ground Water
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 0.05 cfs and/or 8.4 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.05 cubic feet per second and/or 8.4 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 #
Y			NE	SW	4	2N	18E	Blaine	Ground Water	T-4508

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	
2N	18E	4											5	6					11
Total Acres (for irrigation use)																			*11

*2.4 acres irrigation within an 11-acre permissible place of 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:
Existing well, pump, pressurized system. Measuring device and lockable controlling works in place.
- b. Who owns the property at the point(s) of diversion? City of Hailey
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Memorandum of Understanding date October 10, 2019.
- 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:
- 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:
The 2.4 acres will no longer be irrigated.
- 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:
Existing pou: City of Hailey municipal water
Proposed pou: City of Hailey municipal water and Banked water rights 37-298C, 37-183A, 37-334E, 37-577BX
Proposed pod: 37-20831
- 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:
Water right was decreed in April, 2010 and an Extension of Time to Avoid Forfeiture was filed January, 2016 and approved March 17, 2016.

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

Current Water Right No.: 37-22019

Current Owner: CITY OF HAILEY
Priority Date: 3/29/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

9.01 CFS

9.01 CFS

Annual Volume

1635.2 AF

1635.2 AF

Location of Point(s) of Diversion

GROUND WATER

BLAINE County

SE1/4SW1/4

Sec. 10, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T02N R18E S10	SWSW	1.00	T02N R18E S10	SESW	8.50
T02N R18E S10	SWSE	30.00	T02N R18E S14	NWSW	14.00
T02N R18E S14	SWSW	26.80	T02N R18E S15	NWNE	38.70
T02N R18E S15	SWNE	34.90	T02N R18E S15	SENE	20.70
T02N R18E S15	NENW	28.00	T02N R18E S15	SENE	20.70
T02N R18E S15	NESE	37.70	T02N R18E S15	SENE	20.70
T02N R18E S15	SESE	22.90	T02N R18E S22	NENE	1.00
T02N R18E S23	NENW	32.40	T02N R18E S23	NWNW	32.30
T02N R18E S23	SWNW	4.00	T02N R18E S23	SENE	16.00
T02N R18E S23	NESW	11.00	T02N R18E S23	SESE	16.00
T02N R18E S23	SWSE	23.00	T02N R18E S23	SESE	16.00

Total Acres: 467.2

Conditions of Approval:

1. Use of this right is combined with water from Hiawatha Canal.
2. This right is licensed right 37-2659.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, 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

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

The 2.4 acres proposed for transfer were historically irrigated with "primary ground water" as supported by evidence provided by the City for recently approved Transfer No. 81494. The evidence and Department's acceptance memo are included as Attachment #8b.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by SG Date 6/1/20 Preliminary check by _____ Date _____

Fee paid \$300.00 Date 6/1/20 Received by SG Receipt # 5037946

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Recording Requested by and
After Recording Return to:

Blaine County School District #61
118 W. Bullion St.,
Hailey, ID 83333

Instrument # 668354

HAILEY, BLAINE, IDAHO
4-13-2020 02:23:30 PM No. of Pages: 2
Recorded for : CITY OF HAILEY
JOLYNN DRAGE Fee: 0.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

YB

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

FOR VALUE RECEIVED, City of Hailey, an Idaho municipal corporation ("Grantor"), does hereby convey, release, remise and quitclaim unto Blaine County School District #61 ("Grantee"), whose current address is 118 W. Bullion St., Hailey, Idaho 83333, all right, title and interest held by Grantor in in and to a portion of water right 37-22019 in the amount of 0.23 cubic feet per second and 41.7 acre-feet per year and heretofore appurtenant to 11.9 acres within the following-described real property situated in Blaine County, Idaho:

In Section 23, Township 2 North, Range 18 East, B.M.:

SWNW	0.5 acres
SENW	3.8 acres
NESW	2.0 acres
NWSE	2.6 acres
SWSE	2.6 acres
SESE	0.4 acres

No land is conveyed by this instrument.

IN WITNESS WHEREOF, Grantor has executed the within instrument as of the 27th day of March, 2020.

GRANTOR:

CITY OF HAILEY

By: Martha Burke
Martha Burke, Mayor

ATTEST:

Mary Cone
Mary Cone, City Clerk

QUITCLAIM DEED - 1



TRANSFER 84115

STATE OF IDAHO)
) ss.
County of Blaine)

On this 27th day of March, 2020, before me, a Notary Public in and for said State, personally appeared MARTHA BURKE, known or identified to me to be the Mayor of the City of Hailey, an Idaho municipal corporation, who subscribed said municipal corporation's name to the foregoing instrument, and acknowledged to me that she executed the same in said City of Hailey's name.



[Signature]
Notary Public for the State of Idaho
Residing at Hailey, Idaho
My Commission expires: 9/19/2020



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Attachment 7A

Blaine County School District #61
Transfer Application

DATE: 3/10/2020

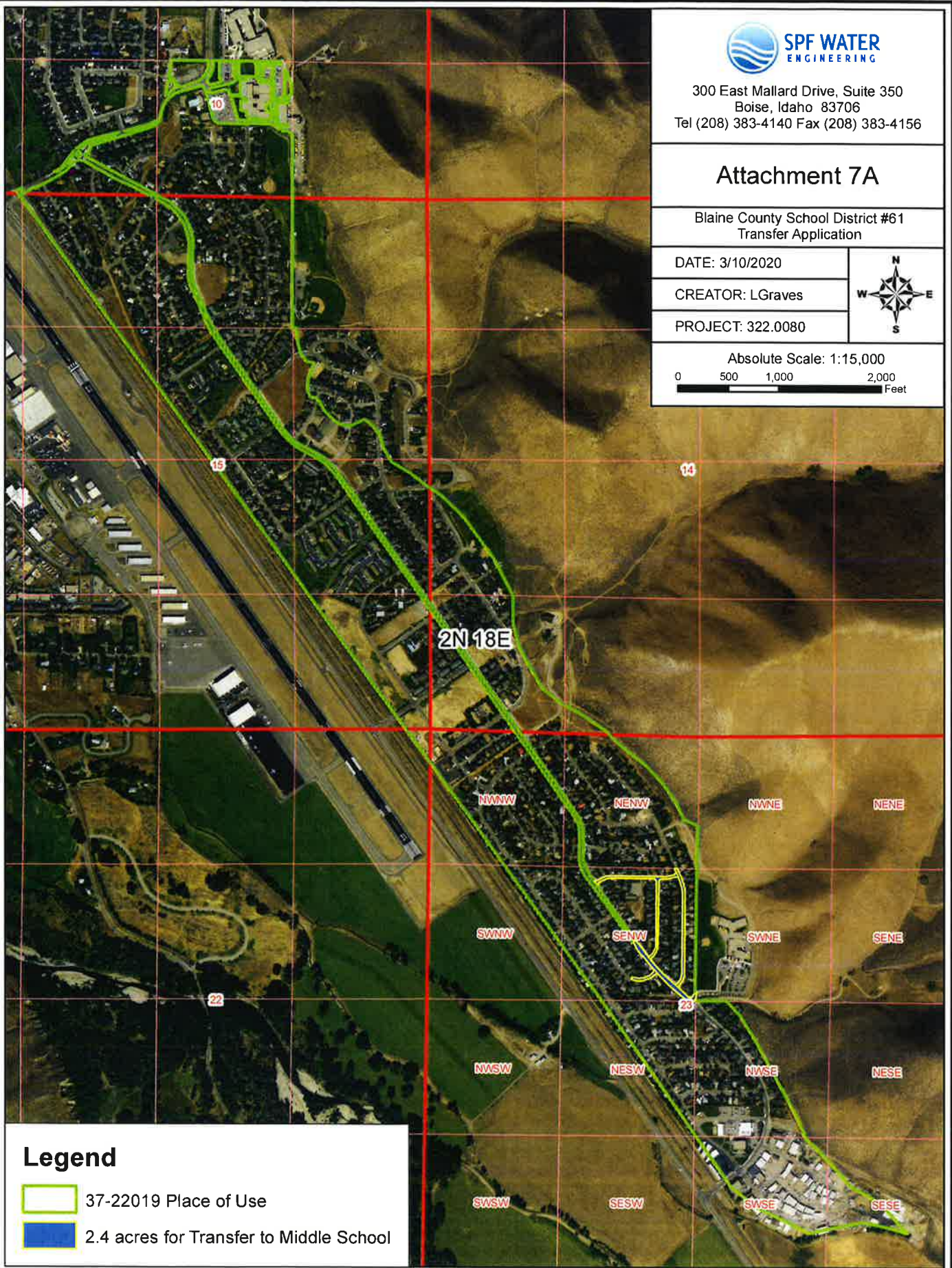
CREATOR: LGraves

PROJECT: 322.0080



Absolute Scale: 1:15,000

0 500 1,000 2,000
Feet



Legend



37-22019 Place of Use



2.4 acres for Transfer to Middle School

TRANSFER 84115



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Attachment 7B

Blaine County School District #61
Transfer Application

DATE: 3/11/2020

CREATOR: LGraves

PROJECT: 322.0080





Absolute Scale: 1:5,000

0 250 500
Feet



Legend

-  Proposed Point of Diversion (existing)
-  Proposed Permissible Place of Use

TRANSFER 84115

23

City of Hailey

115 MAIN STREET SOUTH, SUITE H
HAILEY, IDAHO 83333

(208) 788-1221
Fax: (208) 788-2924

October 5, 2017

RECEIVED

OCT 05 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Via E-mail

Corey Skinner, P.E.
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Re: City of Hailey / Hailey Cemetery water right transfer

Dear Mr. Skinner:

In response to your inquiry, the City of Hailey operates three pumping stations on the Hiawatha Canal which deliver irrigation water to parks within the city's service area. The parks served are Old Cutters (at the east end of Hiawatha Street), Deerfield (near the junction of Deerfield and Chestnut), and Curtis Park (at the east end of Carbonate St.)

Should you have any questions, please do not hesitate to contact me at 788-4221.

Sincerely,


Mariel Platt
Public Works Director

Cc: Cole Balis, Water Division Manager



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

Brad Little
Governor

Gary Spackman
Director

June 11, 2020

BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY, ID 83333

RE: Transfer No. 84114
Water Right No(s). 37-22019

RE: Transfer No. 84115
Water Right No(s). 37-22019

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **6/17/2020 and 6/24/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 6, 2020**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline
Administrative Assistant

c: Lori Graves @ SPF Water Engineering LLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 11, 2020 5:31 PM
To: Kevin Lakey (WD37); Cyndi WD37
Subject: Comment Letters for (3) transfer applications
Attachments: Comment Letter to WD37 for 84086, 84114 & 84115.docx; Transfer 84114.pdf; Transfer 84086.pdf; Transfer 84115.pdf

Hi Kevin,

Attached are (3) applications for transfer currently being processed within your Water District. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions regarding this application.

Thank you,

Denise

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

denise.maline@idwr.idaho.gov



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

Brad Little
Governor

Gary Spackman
Director

June 11, 2020

WATER DISTRICT 37
KEVIN D LAKEY
107 W 1ST
SHOSHONE, ID 83352

RE: Transfer No. 84086 (Sun Valley Water & Sewer District)

RE: Transfer No. 84114 & 84115 (Blaine County School District #61)

Dear Kevin:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

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

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 11, 2020 10:08 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Attached please find **(1)** legal notice being submitted for publication on June 17th & 24th, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

denise.maline@idwr.idaho.gov



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

Brad Little
Governor

Gary Spackman
Director

June 11, 2020

LEGAL NOTICE DEPARTMENT

IDAHO MOUNTAIN EXPRESS

PO BOX 1013

KETCHUM, ID 83340

RE: Transfer No. 84086
Water Right No(s). 37-23077

RE: Transfer No. 84114
Water Right No(s). 37-22019

RE: Transfer No. 84115
Water Right No(s). 37-22019

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 6, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84086**

WILLIAM T ROSE and LAURA L ROSE, PO BOX 4571, HAILEY, ID 83333-4571 has filed Application No. 84086 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23077. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to drill a new well for the diversion of 0.09 cfs and the irrigation of 4.7 acres. The application also proposes to update irrigated acres per quarter, quarter for the place of use. The property and point of diversion are located approximately 0.5 to 0.6 miles south and 0.3 to 0.4 miles east of the Hwy 75 and Broadford Rd intersection in the City of Bellevue.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84114**

BLAINE COUNTY SCHOOL DISTRICT #61, 118 W BULLION ST, HAILEY, ID 83333 has filed Application No. 84114 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22019. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.18 cfs, 9.5 acre portion of an irrigation ground water right to a proposed well at Hailey Elementary School. The transfer proposes changing the point of diversion (POD), place of use (POU) and changing the ownership of the portion of the right being transferred. Proposed POD and POU are located approximately 0.1 to 0.3 miles north and 0.0 miles to 0.1 miles west of the Friedman Memorial Airport in Hailey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84115**

BLAINE COUNTY SCHOOL DISTRICT #61, 118 W BULLION ST, HAILEY, ID 83333 has filed Application No. 84115 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22019. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.05 cfs, 2.4 acre portion of an irrigation ground water right to an existing well at Wood River Middle School. The transfer proposes changing the point of diversion (POD), place of use (POU) and changing the ownership of the portion of the right being transferred. Proposed POD and POU are located approximately 1.0 to 1.1 miles north and 0.5 miles to 0.6 miles west of the Friedman Memorial Airport in Hailey.

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 6, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on June 17th & 24th, 2020

MEMORANDUM

Date: June 3, 2020
To: Transfer 84115 File
From: Bill Mills
Re: Transfer Proposal

Application for transfer proposes moving a 0.05 cfs, 2.4 acre portion of irrigation ground water right 37-22019 to an existing well at Wood River Middle School. The transfer proposes changing the point of diversion (POD), place of use (POU) and changing the ownership of the portion of the right being transferred. Proposed POD and POU are located approximately 1.0 to 1.1 miles north and 0.5 miles to 0.6 miles west of the Friedman Memorial Airport in Hailey.

Overlap analysis indicates that the proposed place of use overlaps with Big Wood River irrigation water rights 37-183A, 37-298C, 37-334E and 37-577BX, all of which are currently leased to the Water Supply Bank. The proposed well currently serves as the authorized POD for water right 37-20831, an irrigation right currently owned by the City of Hailey that is utilized to irrigate 9.1 acres adjacent to the proposed POU for the transferred right. According to the cover letter for the transfer application, the city intends to assign the well and water right 37-20831 to the applicant.

POD and POU are located in Water District 37 and Watermaster comments will be solicited.

MEMORANDUM

Date: June 3, 2020
To: Transfer 84115
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84115 were based on the on the current transfer fee schedule and included \$200.00 for the 0.05 cfs being transferred in the application and an additional \$100.00 for splitting and changing ownership of the transferred portion of the right (Receipt No.S037946).



SPF WATER
ENGINEERING

RECEIVED

JUN 01 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

May 29, 2020

Corey Skinner
IDWR Southern Region Office
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Subject: Blaine County School District #61 Applications for Transfer (2)

Dear Corey,

Enclosed on behalf of the Blaine County School District #61 are two *Applications for Transfer* that involve City of Hailey's water right 37-22019. As part of a recent Memorandum of Understanding (MOU) between the School District and the City, the City quitclaimed a total of 11.9 acres of right 37-22019 to the School District to allow 9.5 acres irrigation at Hailey Elementary from a proposed well and 2.4 acres irrigation at Wood River Middle School from an existing well. Upon approval of the Middle School transfer, the School District will withdraw permit application 37-23098 currently subject to a processing delay order until August 5, 2020.

For your information:

- The existing well proposed for the Middle School transfer also serves City water right 37-20831 that currently allows irrigation on 9.1 acres at the school site. The 2.4 acres accounts for additional landscape irrigation around the school buildings. Per the MOU, the City plans to assign the well and water right 37-20831 to the School District.
- These two transfers are similar to transfer No. 81494 approved in 2017 for Hailey Cemetery Maintenance District involving the same water right.

Check No. 15152 for \$600 is enclosed for the filing fees (\$200/application and \$100/water right split). Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Howard Royal, Blaine County School District
Brian Yager, City of Hailey

Enclosures
SPF file number: 322.0080

MEMORANDUM

TO: Transfer # 81494 File

FROM: Corey Skinner

DATE: October 31, 2017

SUBJECT: Review and Approval

Transfer # 81494 proposes splitting off a 0.36 cfs and 18.8 acre portion of water right 37-22019 and changing the place of use. The application was originally approved on May 30, 2017, but a petition for reconsideration was filed on June 13, 2017. The petition and conversations with the applicant's consultant indicated that the main item of concern related to the "surface water combined use conditions" (the following conditions) being implemented as part of the approval...

- *Use of this right is combined with water from Hiawatha Canal.*
- *The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.*

Right 37-22019 was decreed in the SRBA as an irrigation right for the irrigation of a specific 486 acres. The right was decreed in the names of the City of Hailey and the Hailey Cemetery Maintenance District. The specific 486 acre place of use for right 37-22019 is located within the service area of the City of Hailey's municipal water rights. The water right record prior to the transfer included the following condition...

- *Use of this right is combined with water from Hiawatha Canal.*

This particular condition was carried forward as part of the transfer approval on the portion of the right being transferred along with the other surface water/supplemental condition.

Examination of the City of Hailey's water right records indicates that they have one right from the Big Wood River (delivered via the Hiawatha Canal), 37-10717, that potentially overlaps the 37-22019 place of use. Right 37-10717 was decreed for municipal use within the City of Hailey service area, meaning it can be used anywhere within the city's service area.

During conversations with the applicant's consultant, it was indicated that Hiawatha (Big Wood River) water was never used in connection with right 37-22019. I indicated that if they could demonstrate that right 37-10717 (the only potential right that would warrant the Hiawatha water condition) was used somewhere else in the city and not on the 37-22019 place of use the Department would consider removing the supplemental conditions on the portion of the right being transferred. They indicated that they were confident they could provide information indicating that right 37-10717 was not used with 37-22019. I agreed to withdraw the transfer approval (see June 20, 2017 order) to allow them more time to gather the information.

This past month, the applicant's consultant provided information from the City of Hailey indicating that they use their Hiawatha water (37-10717) on three specific parks that do not overlap the 37-22019 place of use. This information seems reasonable since the three locations are located closer to the Hiwatha Canal than the 37-22019 place of use. In addition, it seems prudent for a city to use their surface water on different lands and in a separate system than those served by their groundwater system due to potential water quality concerns with mixing their surface/river water and groundwater.

Based on this new information, it is appropriate to reissue the transfer # 81494 approval without the surface water/supplemental conditions on the portion of the right being transferred.

Skinner, Corey

From: Charles G. Brockway <charles.g.brockway@brockwayeng.com>
Sent: Thursday, October 12, 2017 10:30 AM
To: Skinner, Corey
Cc: Mariel Miller; Cole Balis
Subject: RE: City of Hailey / Cemetery transfer
Attachments: HiawathaCanal_IrrigParcels-reduced.jpg

Corey,

Per your request, attached is a map showing the three parcels served from the Hiawatha Canal.

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

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

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Thursday, October 05, 2017 3:16 PM
To: Charles G. Brockway
Subject: RE: City of Hailey / Cemetery transfer

Could you also provide a map, showing where these locations are (to insure that they do not overlap the current 37-22019 place of use)?

From: Charles G. Brockway [mailto:charles.g.brockway@brockwayeng.com]
Sent: Thursday, October 05, 2017 3:13 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Cc: Mariel Miller <mariel.miller@haileycityhall.org>; Cole Balis <cole.balis@haileycityhall.org>
Subject: City of Hailey / Cemetery transfer

Corey,

Attached please find a letter from the City of Hailey confirming our recent conversation about the City's canal usage. Please let me know if this will be sufficient to remove the surface water condition on the cemetery water right and issue a revised approval.

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com