

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83321**

This is to certify that: **KELLEY RUSHTON AND
KYLE RUSHTON
1721 HEROIC RD
HAILEY, ID 83333-8682**

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>
37-23162	WR/DECREED	1/5/1950	0.020 cfs	2.8 af	0.8	0.8	GROUND WATER
37-23172	WR/DECREED	6/1/1886	0.010 cfs	N/A	N/A	0.8	BIG WOOD RIVER
37-23182	WR/DECREED	5/4/1889	0.010 cfs	N/A	N/A	0.8	BIG WOOD RIVER
37-23192	WR/DECREED	5/21/1890	0.010 cfs	N/A	N/A	0.8	BIG WOOD RIVER

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>
37-23162	NO	YES	YES	NO	NO	NO
37-23172	NO	NO	YES	NO	NO	NO
37-23182	NO	NO	YES	NO	NO	NO
37-23192	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>
37-23162	37-23162	0.020 cfs	2.8 af	0.8	1.0	N/A	N/A	N/A	N/A	N/A
37-23172	37-23172	0.010 cfs	N/A	0.8	1.0	N/A	N/A	N/A	N/A	N/A
37-23182	37-23182	0.010 cfs	N/A	0.8	1.0	N/A	N/A	N/A	N/A	N/A
37-23192	37-23192	0.010 cfs	N/A	0.8	1.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.046 cfs	N/A	0.8	1.0		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 12th day of August, 2019.

SUPPORT DATA

IN FILE # 37-23162


Southern Region Manager

Transfer No. 83321

WATER RIGHT NO. 37-23162

As Modified by Transfer No. 83321

In accordance with the approval of Transfer No. 83321, Water Right No. 37-23162 is now described as follows:

Right Holder: KYLE RUSHTON AND
KELLEY RUSHTON
1721 HEROIC RD
HAILEY, ID 83333-8682

Priority Date: 1/5/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.020 cfs	2.8 af
			0.020 cfs	2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 33 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	33											0.6	0.4					1.0

Right Acre Limit: 0.8

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. The actual diversion rate for this right is 0.016 cfs.
2. This right is limited to the irrigation of 0.8 acre within the authorized place of use in a single irrigation season.
3. Rights 37-23162, 37-23172, 37-23182 and 37-23192 when combined shall not exceed the irrigation of 0.8 acre.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 83321

WATER RIGHT NO. 37-23162

As Modified by Transfer No. 83321

CONDITIONS OF APPROVAL

6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 37-23172

As Modified by Transfer No. 83321

In accordance with the approval of Transfer No. 83321, Water Right No. 37-23172 is now described as follows:

Right Holder: KYLE RUSHTON AND
KELLEY RUSHTON
1721 HEROIC RD
HAILEY, ID 83333-8682

Priority Date: 6/1/1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SESW Sec 20 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	33											0.6	0.4					1.0

Right Acre Limit: 0.8

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.8 acre within the authorized place of use in a single irrigation season.
2. Rights 37-23162, 37-23172, 37-23182, and 37-23192 when combined shall not exceed the irrigation of 0.8 acre.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right does not grant any right-of-way or easement across the land of another.

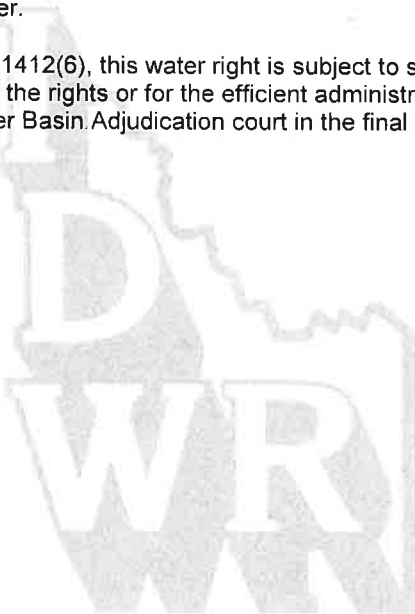
Transfer No. 83321

WATER RIGHT NO. 37-23172

As Modified by Transfer No. 83321

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. 37-23182

As Modified by Transfer No. 83321

In accordance with the approval of Transfer No. 83321, Water Right No. 37-23182 is now described as follows:

Right Holder: KYLE RUSHTON AND
KELLEY RUSHTON
1721 HEROIC RD
HAILEY, ID 83333-8682

Priority Date: 5/4/1889

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SESW Sec 20 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	33											0.6	0.4					1.0

Right Acre Limit: 0.8

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.8 acre within the authorized place of use in a single irrigation season.
2. Rights 37-23162, 37-23172, 37-23182, and 37-23192 when combined shall not exceed the irrigation of 0.8 acre.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right does not grant any right-of-way or easement across the land of another.

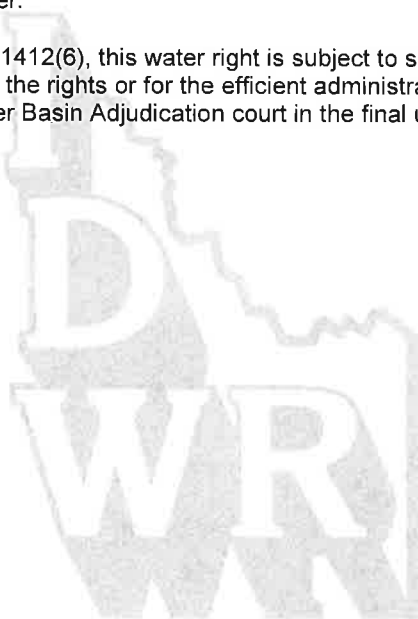
Transfer No. 83321

WATER RIGHT NO. 37-23182

As Modified by Transfer No. 83321

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. 37-23192

As Modified by Transfer No. 83321

In accordance with the approval of Transfer No. 83321, Water Right No. 37-23192 is now described as follows:

Right Holder: KYLE RUSHTON AND
KELLEY RUSHTON
1721 HEROIC RD
HAILEY, ID 83333-8682

Priority Date: 5/21/1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SESW Sec 20 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	33											0.6	0.4					1.0

Right Acre Limit: 0.8

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.8 acre within the authorized place of use in a single irrigation season.
2. Rights 37-23162, 37-23172, 37-23182, and 37-23192 when combined shall not exceed the irrigation of 0.8 acre.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right does not grant any right-of-way or easement across the land of another.

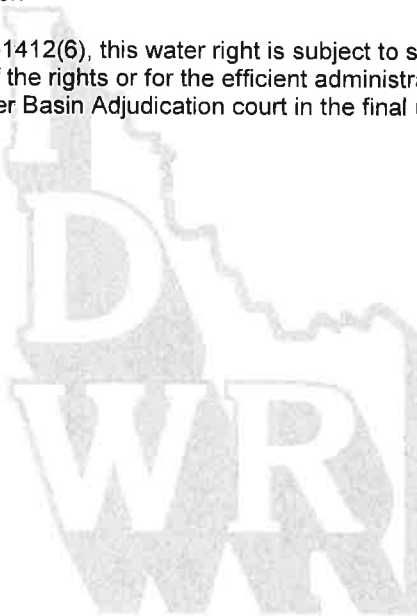
Transfer No. 83321

WATER RIGHT NO. 37-23192

As Modified by Transfer No. 83321

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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 83321
37-23162

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



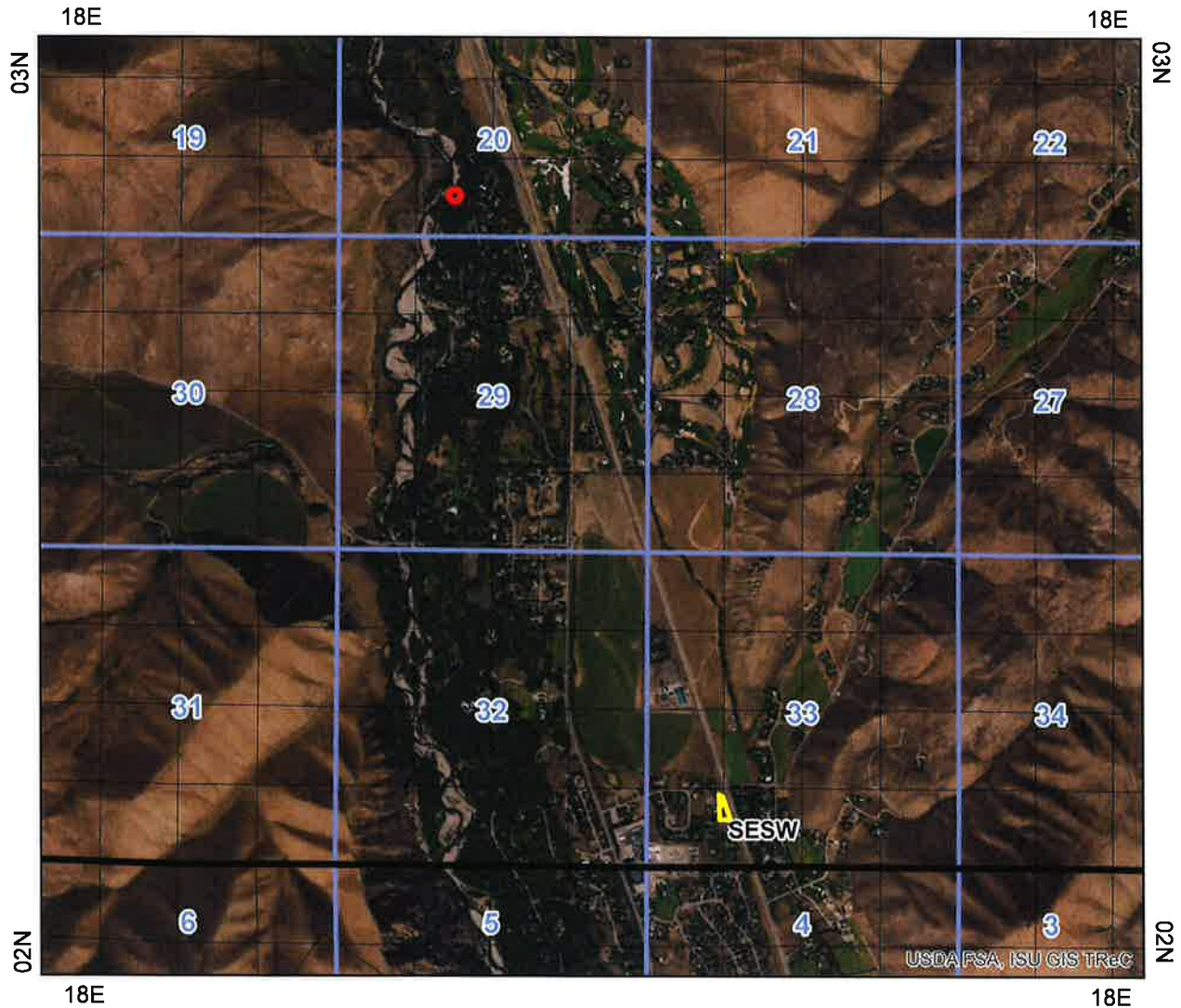
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 83321
37-23172, 37-23182, and 37-23192

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.



- 18E 18E
- 03N 03N
- 02N 02N
- 18E 18E
- Point of Diversion
 - Place Of Use Boundary
 - Townships
 - PLS Sections
 - Quarter Quarters

0 0.35 0.7 1.4 Miles





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

August 21, 2019

KYLE RUSHTON
KELLEY RUSHTON
1721 HEROIC RD
HAILEY ID 83333-8682

Re: Transfer No: 83321
Water Right No(s): 37-23162, 37-23172, 37-23182, 37-23192

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in blue ink that reads "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" and last name "Skinner" clearly distinguishable.

Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2019 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.: 83321

Water Right No(s): 37-23162, 37-23172, 37-23182, 37-23192

KYLE RUSHTON
KELLEY RUSHTON
1721 HEROIC RD
HAILEY ID 83333-8682

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: July 29, 2019
To: Transfer 83321
From: Allison Inouye
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23162 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be a new well located on the applicants' property approximately 1.7 miles north and 0.3 mile west of Hailey. The transfer also proposes to create a 1.0 acre irrigation permissible place of use (PPU) for the ground water right and three Big Wood River rights (0.03 cfs, 0.8 acre) on the applicants' property. After the transfer, the four rights will irrigate 0.8 acre within the 1.0 acre PPU.

The transfer was advertised and public comment sought. The transfer is located within Water District 37, so Watermaster comments were solicited.

The water rights involved are: 37-23162 (ground water, 0.016 cfs), 37-23172 (Big Wood River, 0.01 cfs), 37-23182 (Big Wood River, 0.01 cfs), and 37-23192 (Big Wood River, 0.01 cfs).

- **Authority to File**

The application is filed in the names of Kyle & Kelley Rushton, the current owners of the water rights being transferred per IDWR records.

- **Water Right Validity**

The four rights involved in this transfer were recently split pursuant to a change in ownership. Surface water right 37-23172 was split from 37-20843, 37-23182 was split from 37-21240, and 37-23192 was split from 37-21242. Parent rights 37-20843, 37-21240, and 37-21242 were decreed in the SRBA in 2010. Ground water right 37-23162 was split from right 37-22499, which was decreed in the SRBA in 2012. The four parent rights were leased to the Water Supply Bank from June 2012 – December 2016.

- **Injury to Other Water Rights**

None anticipated.

- **Enlargement of Use**

None anticipated. The diversion rates will be unchanged on the rights and a condition will be included on the rights limiting the number of acres that can be irrigated with the PPU. The combined limit condition will also remain on the right. The right will be subject to Water District 37 measurement requirements.

- **Local Public Interest**

No issues anticipated. Application was subject to public notice. No protests were received. Comments were solicited from the watermaster of Water District 37 but no response was received.

- **Beneficial Use/Conservation of Water Resources**

Proposed uses are recognized as beneficial uses of water.

- **Effect on the Economy of the Local Area**

None anticipated.

- **Effect on the Agricultural Base of the Local Area**

None anticipated.

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

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 3rd day of July, 20 19, and the date of the last publication was on the 10th day of July, 20 19

Subscribed and sworn to before me this 10 day of July, 20 19.

Connie N. Johnson
NOTARY PUBLIC



RECEIVED

JUL 15 2019

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 285
Number of Insertions 2

Lines tabular at _____ 9.0 cents/pica
285 Lines straight at \$262.20 8.0 cents/pica
285 Subsequent lines at \$229.43 7.0 cents/pica
TOTAL COST \$491.63

COPY OF NOTICE

Pg. 1

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83321

KYLE RUSHTON and KELLEY RUSHTON, 1721 HEROIC RD, HAILEY, ID 83333-8682; has filed Application No. 83321 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23162, 37-23172, 37-23182, 37-23192. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23162 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be a new well located on the applicants' property approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision. The transfer also proposes to create a 1.0 acre irrigation permissible place of use (PPU) for the ground water right and three Big Wood River rights (0.03 cfs, 0.8 acre) on the applicants' property. After the transfer, the four rights will irrigate 0.8 acre within the 1.0 acre PPU.

✓ OK pm
7-22-2019

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83322**

JULIE CORD and MICHAEL CORD, 161 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83322 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23164. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23164 (0.012 cfs, 0.6 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicants' property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83323**

PATRICIA DRAKE, 131 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83323 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23166. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23166 (0.018 cfs, 0.9 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83324**

DAVID WOHLWEND and TIFFANY WOHLWEND, 111 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83324 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23168. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23168 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicants' property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83325**

J P PROUTY, 170 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83325 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23170. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23170 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83326**

JODIE GOITIANDIA, PO BOX 33, KETCHUM, ID 83340-0001; has filed Application No. 83326 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23163, 37-23173, 37-23183,

37-23193. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23163 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be a new well on the applicant's property located approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision. The transfer also proposes to create a 1.0 acre irrigation permissible place of use (PPU) for the ground water right and three Big Wood River rights (0.03 cfs, 0.8 acre) on the applicant's property. After the transfer, the four rights will irrigate 0.8 acre within the 1.0 acre PPU.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83327**

MIGUEL GOITIANDIA and JENNIFER A GOITIANDIA, PO BOX 591, KETCHUM, ID 83340-0610; has filed Application No. 83327 for changes to the following water rights within BLAINE County(s): Right No(s).

37-23165. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23165 (0.018 cfs, 0.9 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicants' property located approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83328**

MARK FISHER and MARYANNE FISHER, 121 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83328 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23167. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23167 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicants' property located approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83329**

ROBIN DAVIS, 101 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83329 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23169. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23169 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicant's property located approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

✓ OK AM 7-22-2019

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83330**

✓
DELGADO FAMILY TRUST, PO BOX 3945, HAILEY, ID 83333-3945; has filed Application No. 83330 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23171. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23171 (0.018 cfs, 0.9 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicant's property located approximately 1.8 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

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 22, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 3 & 10, 2019**

✓ OK DM 7-22-2019

Inouye, Allison

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, July 11, 2019 2:55 PM
To: Inouye, Allison
Subject: FW: Silver Sage deed
Attachments: DAve.pdf

Allison,

See the attached document.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

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: Dave Stevens [mailto:dstevens@scottusa.com]
Sent: Thursday, July 11, 2019 2:07 PM
To: greg.sullivan@brockwayeng.com
Cc: 'Goitandia Mike' <mike@ccdisposal.com>
Subject: FW: Silver Sage deed

The latest warrant deed.

From: Ali Warner <ali@sunvalleytitle.com>
Sent: Thursday, July 11, 2019 12:34 PM
To: Dave Stevens <dstevens@scottusa.com>
Subject: Silver Sage deed

Here you are! Sorry-had a walk-in. Thx! Ali

Ali Warner
Escrow Officer
Sun Valley Title
PO Box 2365
271 1st Avenue North
Ketchum, Idaho 83340
SunValleyTitle.com

P: 208-726-9341
F: 866-405-4960

Keep your money safe at closing! Play [Fraud Racer](#) to learn how to stop wire fraud, before it starts.



BEWARE OF CYBER-FRAUD! Before wiring any funds, call the intended recipient at a number you know is valid to confirm the instructions and be wary of any request to change wire instructions you already received.

This email may be confidential. If you are not the intended recipient, please notify us immediately and delete this copy from your system.

In our ongoing focus on your security, we have changed our encryption provider to Proofpoint encryption. This may require you to create a new account.

RECEIVED

JUL 11 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Kneeland, Korb, Collier & Legg
Post Office Box 249
Ketchum, ID 83340
Our File No. 7945-D

Instrument # 548888

HAILEY, BLAINE, IDAHO
2007-06-21 10:38:00 No. of Pages: 2
Recorded for : KNEELAND, KORB & COLLIER
JOLYNN DRAGE Fee: 6.00
Ex-Officio Recorder Deputy *mp*
Index to: GRANT DEED

(Space above line for Recorder's Use)

GRANT DEED

GRANTOR, **DAVID L. STEVENS and JULIA M. STEVENS**, husband and wife, for a good and valuable consideration the receipt whereof is hereby acknowledged, does hereby GRANT and CONVEY in fee simple unto **KELLEY S. RUSHTON and KYLE J. RUSHTON**, wife and husband, whose current address is Post Office Box 955, Hailey, ID 83333-0955, as GRANTEE, and to Grantee's heirs and assigns, forever, all the following described real estate, situated in County of Blaine, State of Idaho, to wit:

Lot 1, Block 2 of Silver Sage Subdivision according to the official plat thereof, recorded as Instrument No. 434165, records of Blaine County, Idaho.

TOGETHER, with all tenements, hereditaments and appurtenances thereunto belonging.

GRANTOR warrants to the GRANTEE, and its successors in title, that GRANTOR has not created or permitted to be created any lien, charge of encumbrance against said real estate which is not shown herein, and GRANTOR covenants that he will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand this 13 day of June, 2007.

David L Stevens

David L Stevens

Julia M Stevens

Julia M. Stevens

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Blaine)

On this 13 day of June, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared, David L. Stevens and Julia M. Stevens, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



Karen Stevens
NOTARY PUBLIC
Residing at Hailey Idaho
Commission Expires 12/27/2010

FAWPDATA\stevens,d\grant deed stevens.wpd

GRANT DEED

Page 2

NOTICE OF PUBLIC HEARING

Public Notice is hereby given that the City Council of the City of Ketchum, Idaho will meet on Monday, July 15, 2019 at 4:00 P.M. at the City Hall, 480 East Avenue North, Ketchum, Idaho, for the purpose of considering and fixing a final budget and making appropriations to each fund for the next fiscal year (2019-20) at which time any taxpayer may appear and be heard upon any part or parts of said budget; and

That the following table sets forth the amount proposed to be appropriated to each fund for the 2019-20 fiscal year, the amounts appropriated to each fund for the current 2018-19 fiscal year, and the amounts expended by each fund during the previous 2017-18 fiscal year, to-wit:

CITY OF KETCHUM, IDAHO			
	Actual FY 17-18	Budgeted FY 18-19	Proposed FY 19-20
EXPENDITURES			
GENERAL FUND	11,740,061	10,553,599	10,616,271
GENERAL CAPITAL IMPROVEMENT FUND	1,065,343	725,960	649,663
ESSENTIAL SERVICES FACILITIES TRUST FUND	3,097,243	196,000	128,600
WAGON DAYS FUND	142,770	142,825	142,825
STREET CAPITAL IMPROVEMENT FUND	919,906	136,560	262,600
LAW ENFORCEMENT IMPROVEMENT FUND	0	0	1
FIRE CAPITAL IMPROVEMENT FUND	153,687	23,000	76,768
PARKS & RECREATION CAP. IMP. FUND	23,748	25,000	0
PARKS & RECREATION TRUST FUND	46,556	82,206	89,700
ORIGINAL LOT FUND	2,766,833	2,467,247	2,567,247
ADDITIONAL 1/4-LOT FUND	2,053,000	2,132,987	2,221,861
GO BOND DEBT SERVICE FUND	149,400	149,507	149,836
COMMUNITY HOUSING IN-USE FUND	89,073	2,175,000	2,275,000
WATER FUND	1,649,331	2,018,321	2,379,926
WATER CAPITAL IMPROVEMENT FUND	494,213	335,000	440,000
WASTEWATER FUND	3,424,255	2,810,435	2,939,149
WASTEWATER CAPITAL IMP. FUND	833,146	2,583,500	235,000
POLICE TRUST FUND	0	5,000	5,000
FIRE TRUST FUND	0	0	0
DEVELOPMENT TRUST FUND	66,107	150,000	150,000
Total Expenditures	28,706,572	26,582,740	24,953,648
REVENUE			
GENERAL FUND	4,832,537	4,731,784	4,881,631
GENERAL PROPERTY TAXES	6,864,486	5,904,855	5,762,450
OTHER REVENUE	0	0	0
FUND BALANCE APPLIED	0	0	0
TOTAL GENERAL FUND	11,697,023	10,636,639	10,644,081
GENERAL CAPITAL IMPROVEMENT FUND	1,242,141	319,819	386,049
FUND BALANCE APPLIED	0	353,000	383,654
TOTAL GENERAL CAPITAL IMPROVEMENT FUND	1,242,141	672,819	769,703
ESSENTIAL SERVICES FACILITIES TRUST FUND	2,695,376	237,000	237,250
FUND BALANCE APPLIED	0	0	0
TOTAL EST. TRUST FUND	2,695,376	237,000	237,250
WAGON DAYS FUND	149,519	142,825	142,825
FUND BALANCE APPLIED	0	0	0
TOTAL WAGON DAYS FUND	149,519	142,825	142,825
STREET CAPITAL IMPROVEMENT FUND	447,460	136,560	18,400
FUND BALANCE APPLIED	0	0	244,200
TOTAL STREET CAPITAL IMP. FUND	447,460	136,560	262,600
LAW ENFORCEMENT IMPROVEMENT FUND	2,592	0	300
FIRE CAPITAL IMPROVEMENT FUND	110,029	70,250	97,718
FUND BALANCE APPLIED	0	0	0
TOTAL FIRE CAPITAL IMPROVEMENT FUND	110,029	70,250	97,718
PARKS & RECREATION CAP. IMP. FUND	22,403	25,300	275
FUND BALANCE APPLIED	0	0	0
TOTAL PARKS & RECREATION CAP. IMP. FUND	22,403	25,300	275
PARKS & RECREATION TRUST FUND	24,722	34,550	52,050
FUND BALANCE APPLIED	0	19,559	19,559
TOTAL PARKS & RECREATION TRUST FUND	24,722	54,109	71,609
ORIGINAL LOT FUND	2,554,407	2,467,247	2,567,247
FUND BALANCE APPLIED	0	0	0
TOTAL ORIGINAL LOT FUND	2,554,407	2,467,247	2,567,247
ADDITIONAL 1/4-LOT FUND	2,153,100	2,132,987	2,221,861
GO BOND DEBT SERVICE FUND	150,202	149,507	149,836
COMMUNITY HOUSING IN-USE FUND	907,210	124,000	35,000
FUND BALANCE APPLIED	0	1,350,000	2,229,000
TOTAL COMMUNITY HOUSING IN-USE FUND	907,210	1,474,000	2,275,000
WATER FUND	2,104,562	2,276,449	2,382,561
FUND BALANCE APPLIED	0	0	0
TOTAL WATER FUND	2,104,562	2,276,449	2,382,561
WATER CAPITAL IMPROVEMENT FUND	184,039	335,000	440,000
FUND BALANCE APPLIED	0	0	33,632
TOTAL WATER CAPITAL IMPROVEMENT FUND	184,039	335,000	473,632
WASTEWATER FUND	2,141,205	2,825,519	2,950,068
FUND BALANCE APPLIED	0	0	0
TOTAL WASTEWATER FUND	2,141,205	2,825,519	2,950,068
WASTEWATER CAPITAL IMP. FUND	1,501,495	583,500	400,000
FUND BALANCE APPLIED	0	0	0
TOTAL WASTEWATER CAPITAL IMP. FUND	1,501,495	583,500	400,000
POLICE TRUST FUND	1,808	1,500	1,500
FUND BALANCE APPLIED	0	3,500	3,500
TOTAL POLICE TRUST FUND	1,808	5,000	5,000
FIRE TRUST FUND	0	0	0
DEVELOPMENT TRUST FUND	66,107	150,000	150,000
Total Revenue	27,695,404	24,307,183	25,670,526
Grant Gager Treasurer			

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IDAHO MOUNTAIN EXPRESS
JULY 3 & 10, 2019

FOLLOWS:

SECTION 1. Chapter 10, Sub-Section 10-6-5 C.1 the Bellevue City Code is hereby amended by addition of the underlined language, and by deletion of the stricken language, as follows:

10-6-5: DIMENSIONAL, BULK AND BUILDING COVERAGE STANDARDS AND REQUIREMENTS

C.1 Minimum distance of any building from the front lot line: Twenty-five feet (25') ~~Twenty (20') Feet, except all garage portions of a building shall~~

remain at twenty-five (25) feet (Ord. 2015-02, 4-20-2015).

SECTION 2. **SAVINGS CLAUSE:** If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstance 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:** Chapter 10, §10-6-5 C.1 of the Bellevue

NOTICE OF PUBLIC HEARING
KETCHUM URBAN RENEWAL AGENCY
PROPOSED BUDGET FOR FISCAL YEAR 2019-20

A public hearing for consideration of the Ketchum Urban Renewal Agency budget for the fiscal year that begins October 1, 2019, and ends September 30, 2020, will be held at the Ketchum City Council chambers, located at 480 East Avenue North, on July 15 at 2:00 p.m. pursuant to Idaho Code 50-1002. Written or oral comments about the proposed budget are welcome. Written comments may be submitted prior to the meeting to: Ketchum Urban Renewal Agency, PO Box 2315 Ketchum, Idaho 83340.

The Agency budget funds the program, services and capital projects that the Agency Board has determined to be important to meet the Agency's strategic goals and meet the needs of the residents and businesses within the Agency's boundaries.

The public hearing on the proposed budget is required for formal adoption of the FY2019-20 budget. The City Council chambers are accessible to persons with disabilities.

	Actual FY 17-18	Budgeted FY 18-19	Proposed FY 19-20
EXPENDITURES:			
URA Expenditures	3,420,677	1,028,835	1,049,422
URA Debt Service Expenditures	443,224	460,055	472,605
TOTAL URBAN RENEWAL AGENCY EXPENDITURES	3,863,901	1,488,890	1,522,027
REVENUE:			
Tax Increment Revenue	1,414,371	1,438,890	1,483,527
Other Revenue	73,370	50,000	38,500
Fund Balance	2,376,160	0	0
TOTAL URBAN RENEWAL AGENCY REVENUE	3,863,901	1,488,890	1,522,027

Grant Gager
Treasurer

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JULY 3 & 10, 2019

City Code shall be and the same are hereby repealed in its entirety and the above provisions are adopted in replacement thereof.

SECTION 4. EFFECTIVE DATE:
This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED by the
CITY OF BELLEVUE, IDAHO this 24th
day of June 2019.

Ned Burns, Mayor

ATTEST:
Marian Edwards, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 3, 2019

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83321

KYLE RUSHTON and KELLEY RUSHTON, 1721 HEROIC RD, HAILEY, ID 83333-8882; has filed Application No. 83321 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23162, 37-23172, 37-23182, 37-23192. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23162 (0.018 cfs, 0.9 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision. The transfer also proposes to create a 1.0 acre irrigation permissible place of use (PPU) for the ground water right and three Big Wood River rights (0.03 cfs, 0.8 acre) on the applicants' property. After the transfer, the four rights will irrigate 0.8 acre within the 1.0 acre PPU.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83322

JULIE CORD and MICHAEL CORD, 161 CLOVERLY LN, HAILEY, ID 83333-8711, has filed Application No. 83322 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23164. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23164 (0.012 cfs, 0.6 acre) which is currently diverted from a well located approximately

2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83323

PATRICIA DRAKE, 131 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83323 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23166. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23166 (0.018 cfs, 0.9 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83324

DAVID WOHLWEND and TIFFANY WOHLWEND, 111 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83324 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23168. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23168 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83325

J P PROUTY, 170 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83325 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23170. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23170 (0.016 cfs, 0.8 acre) which is currently diverted from a well located approximately 2.3 miles

north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well located on the applicant's property approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83326

JODIE GOITANDIA, PO BOX 33, KETCHUM, ID 83340-0001; has filed Application No. 83326 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23163, 37-23173, 37-23183, 37-23193. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23163 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be a new well on the applicant's property located approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision. The transfer also proposes to create a 1.0 acre irrigation permissible place of use (PPU) for the ground water right and three Big Wood River rights (0.03 cfs, 0.8 acre) on the applicant's property. After the transfer, the four rights will irrigate 0.8 acre within the 1.0 acre PPU.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83327

MIGUEL GOITANDIA and JENNIFER A GOITANDIA, PO BOX 591, KETCHUM, ID 83340-0610; has filed Application No. 83327 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23165. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23165 (0.018 cfs, 0.9 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicant's property located approximately 1.7 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 83328

MARK FISHER and MARYANNE FISHER, 121 CLOVERLY LN, HAILEY, ID 83333-8711; has filed Application No. 83328 for changes to the following water rights within BLAINE County(s):

Proof of
legal notice
received from
Id. Mtn.
Express
7/1/2019
(2 pgs)

dm

LEGAL NOTICES

Right No(s), 37-23167. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23167 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicants' property located approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83329

ROBIN DAVIS, 101 CLOVERLY LN, HAILEY, ID 83333-8711, has filed Application No. 83329 for changes to the following water rights within BLAINE County(s): Right No(s), 37-23169. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23169 (0.016 cfs, 0.8 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicant's property located approximately 1.6 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83330

DELGADO FAMILY TRUST, PO BOX 3945, HAILEY, ID 83333-3945, has filed Application No. 83330 for changes to the following water rights within BLAINE County(s): Right No(s), 37-23171. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for ground water irrigation right 37-23171 (0.018 cfs, 0.9 acres) which is currently diverted from a well located approximately 2.3 miles north and 0.7 mile west of the intersection of Main and Bullion Streets in Hailey. The proposed POD will be an existing well on the applicant's property located approximately 1.8 miles north and 0.3 mile west of Hailey in the Silver Sage Subdivision.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or 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 22, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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LEGAL NOTICE ADVERTISEMENT FOR BLAINE COUNTY EMERGENCY COMMUNICATIONS PUBLIC SAFETY SYSTEM (PSS).

In accordance with Idaho code, Title 67-2806A, Blaine County is accepting Requests for Proposals (RFP) for a Public Safety System (PSS), which will be utilized by the Blaine County Emergency Communications Department to provide unified services to multiple agencies, record events, track personnel, and equipment on an Esri-based map. Consideration will be given to all qualified vendors submitting a qualified proposal while also complying with RFP procedures and meeting the Scope of Work and Pre-qualifications, which are part of the Request for Proposal document package.

The Blaine County Clerk's Office, located at 206 First Avenue South, Suite 200, Hailey, Idaho 83333, will

accept sealed proposals until 5:00 p.m., local time, on August 6, 2019. All envelopes containing proposals shall be clearly marked "Blaine County Public Safety System (PSS) RFP". Proposals will be opened and entered into the public record at 9:15 a.m. on Tuesday, August 13, 2019, in the Old Courthouse Building, 206 First Avenue South, Suite 300. Final candidates will be notified no later than September 5, 2019, and will be required to present product demonstrations on September 26, 2019. The final contract will be awarded no later than October 15, 2019.

Email all questions to ldrewien@co.blaine.id.us; verbal questions will NOT be accepted. To obtain the Request for Proposal document package, you may submit your request via mail, email or in person at the address below. To download the complete Request for Proposal document package, go to the Blaine County website at <https://www.co.blaine.id.us> and select the Doing Business tab on the homepage to find the link under the Bid Opportunities tab.

Lyn Drewien, Grants & Procurement Specialist
Blaine County Administrative Services
206 First Avenue South, Suite 306
Hailey, Idaho 83333
Office: (208) 788-5586
Fax: (208) 788-5546
Email: ldrewien@co.blaine.id.us

Timeframe
July 3, 2019 First Publication of Legal Notice
July 10, 2019 Second Publication of Legal Notice
August 6, 2019 Last Day to Submit Proposals
August 13, 2019 Proposals entered into Public Record
September 5, 2019 Final Candidates notified
September 26, 2019 Final Presentations & Demonstrations
October 15, 2019 Final Contract Awarded

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JULY 3 & 10, 2019

LEGAL NOTICE
BLAINE COUNTY HEARING EXAMINER
JULY 18, 2019 AT 6:30 P.M.

On Thursday, July 18, 2019, the Blaine County Hearing Examiner will hold a public meeting beginning at 6:30 p.m. on the first floor of the County Courthouse Annex Building located at 219 First Avenue South in Hailey, Idaho. (Entrance is on the south side of the building on Walnut Street.) Public comment will be taken and entered into the record for the public hearing on the following:

ACTION ITEM: 145 Hyndman Peak Subdivision - Variance for an Existing Accessory Dwelling Unit (ADU): Public hearing and consideration of an application by Ian and Lindsey Jameson for a Variance for a pre-existing ADU. The existing ADU is 1,927 square feet; 727 square feet larger than the 1,200 as permitted by code (Title 9; Chapter 3, Section 11 B). The applicant claims an undue hardship. The ADU is located on 3.09 acres, Lot 11, Block 1, Hyndman Peak Subdivision. The property is located within the Residential Agricultural Zoning District (R-5).

ACTION ITEM: 98 Broadford Rd.-Conditional Use Permit for Horse Boarding Facility: Public hearing and consideration of an application by Megan Gruver for a conditional use permit (CUP) for a Tier 2 Home Occupation to operate a horse boarding facility located at 98 Broadford Rd., owned by Melanie McCray Nevins. Am. Lot 2C, Block 1, Silver Bell Sub. The 17.5-acre property is zoned Low Density Residential District (R-1), Residential/Agricultural District (R-5), with areas of Floodplain (FP) Overlay, potentially Riparian (R) Selback and Wetlands (WE) Overlay districts.

The materials associated with this hearing are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page

at www.blainecounty.org. To receive adequate consideration, written comment in excess of one page should be forwarded to Blaine County at least 4 days prior to public hearing by mail, email to pzcoun@co.blaine.id.us, or by fax to (208) 788-5576.

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LEGAL NOTICE
BLAINE COUNTY PLANNING AND ZONING COMMISSION
SPECIAL MEETING - JULY 18, 2019

On Thursday, July 18, 2019, the Blaine County Planning and Zoning Commission will hold a public meeting beginning at 5:00 p.m. upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Its agenda includes the following:

ACTION ITEM: Comprehensive Plan - Chapter 9, Special Areas and Sites. Public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. The proposed Chapter 9 - Special Areas and Sites would replace Section 6-Historical Background, in the current plan. The chapter will include an analysis of areas, sites, or structures of historical, archeological and architectural significance. This is a required element of a comprehensive plan per Idaho Code Section 67-6508.

The materials associated with this meeting will be available for review at least 15 days prior to the hearing at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at www.blainecounty.org. To receive adequate consideration, written comment in excess of one page should be forwarded to Blaine County at least 4 days prior to public hearing by mail, e-mail to pzcoun@co.blaine.id.us, or by fax to (208) 788-5576.

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LEGAL NOTICE
BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS
JULY 23, 2019

On Tuesday, July 23, 2019, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

2:45 PM ACTION ITEM: Right of Way Street Vacation of N. 3rd Street, Gannett. A public hearing to consider and consideration of an application by Richard Hoel and Judith Peterson to abandon and vacate North 3rd Street lying between Block 3: Lots 1,2,3 and Block 2: Lot 1A, Gannett, Idaho. These lots are zoned mid-density residential (R-4).

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

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IDAHO'S HOME INVESTMENT PARTNERSHIP & NATIONAL HOUSING TRUST FUND PROGRAMS

Notice of Funding Availability and Deadline for Multifamily Rental Housing Development Applications

Idaho Housing and Finance Association hereby gives notice of approximately \$3.5 Million in HOME Program funds and \$2.5 Million in HTF Program funds for multifamily rental housing development projects

in Idaho that will target low, very-low and extremely-low income AMI households.

Applications must meet minimum threshold requirements to receive a competitive score. Application requirements-Chapter 8 of the 2019 Annual Administrative Plan <https://www.idahohousing.com/federal-programs/home-program> Additional program and regulatory requirements are identified in the 2019 Annual Administrative Plan.

Applications must be received no later than 5:00 p.m. on August 2, 2019 by IHFA. Applications will only be accepted electronically. Developers of affordable housing interested in applying for HOME and/or HTF funds may contact the HOME Programs Department, Idaho Housing and Finance Association, 565 West Myrtle Street, Boise, ID 83702 or 208-331-4792 for access to the portal system for electronic application submission. Application forms are contained in the electronic portal.

Owner must be a non-profit housing development organization, a private rental housing development entity, or a unit of local government with previous experience financing, developing and managing federally-funded multifamily rental housing projects.

Commitment of funds is contingent on IHFA receiving the 2019 annual program allocations from HUD

For additional information, contact Laura@ihfa.org

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IDAHO MOUNTAIN EXPRESS
JULY 3, 2019

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

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

The proposed rule public hearing request deadline is July 17, 2019, unless otherwise posted.

The proposed rule written comment submission deadline is July 24, 2019, unless otherwise posted.

(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.

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

IDAHO 07 - DIVISION OF BUILDING SAFETY
1090 W. Watertower St. Ste. 150, Meridian, ID 83642

07-0202-1901, Rules Governing Plumbing Permits. Consolidates provisions from IDAPA 07.02.03, 07.02.04, and 07.02.07, which are being repealed in this Bulletin, into IDAPA 07.02.02; eliminates obsolete provisions and simplifies provisions of the consolidated rules.

07-0203-1902, Rules Governing Permit Fee Schedule. Chapter Repeal.

07-0204-1901, Rules Governing Plumbing Safety Inspections. Chapter Repeal.

07-0205-1901, Rules Governing Plumbing Safety Licensing. Aligns rule with the statute, allowing revival of a lapsed plumbing license without examination within two years of the lapse; eliminates obsolete rules and simplifies certain provisions.

07-0207-1901, Rules Governing Civil Penalties. Chapter Repeal.

07-0701-1901, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems. Updates incorporation by reference parts V and VI of the International Residential Code and the International Fuel Gas Code, with amendments; allows an out-of-state applicant to meet work experience requirement for license by providing satisfactory proof of 24 months of work experience as an HVAC journeyman in another jurisdiction or 48 months of work experi-

ence equivalent work experience of an Idaho HVAC journeyman; requires applicant to obtain an Idaho HVAC journeyman license, pay applicable fees, and pass the Idaho exam.

IDAHO 16 - DEPARTMENT OF HEALTH AND WELFARE
PO Box 83720, Boise, ID 83720-0036

***16-0208-1901, Vital Statistics Rules.** (Temp & Prop) An application for a change of sex designation on a minor's birth certificate requires an attestation from a medical or mental health professional confirming that the requested change of sex designation is the gender to which the minor identifies. (7-1-19)T

16-0309-1803, Medicaid Basic Plan Benefits. (Temp & Prop) Changes children's intervention services from waiver to state plan and moves services from 16.03.10 to this chapter. (7-1-19)T

16-0310-1806, Medicaid Enhanced Plan Benefits. (Temp & Prop) Changes children's intervention services from waiver to state plan and moves services from this chapter to 16.03.09. (7-1-19)T

IDAHO 39 - IDAHO STATE TAX COMMISSION
PO Box 36, Boise, ID 83722-0410

35-0101-1903, Income Tax Administrative Rules. Adds 2019 calendar year tax brackets; adds the amount of guaranteed payments that are sourced as compensation for services for calendar year 2019.

35-0201-1901, Tax Commission Administration and Enforcement Rules. Adds the interest rate for calendar year 2020 and the Revenue Ruling where the federal rate for the calculation can be found.

IDAHO 39 - IDAHO

TRANSPORTATION DEPARTMENT

Po Box 7129, Boise, ID 83707-1129
39-0349-1901, Rules Governing Ignition Interlock Breath Alcohol Devices. Requires the addition of a camera to accompany all ignition interlock devices and provides for a diversion program coordinated and run by county prosecuting attorneys. The prosecuting attorney, diversion program administrator or its designee were added as contacts for receiving documentation and notifications.

NOTICES OF ADOPTION OF TEMPORARY RULE

IDAHO 02 - DEPARTMENT OF AGRICULTURE

02-0301-1901, Rules Governing Pesticide Management Plans for Ground Water Protection (7-1-19)T

02-0303-1901, Idaho Department of Agriculture Rules Governing Pesticide and Chemigation Use and Application (eff. 7-1-19)T

02-0414-1901, Rules Governing Dairy Byproduct (7-1-19)T

02-0415-1901, Rules Governing Beef Cattle Animal Feeding Operations (7-1-19)T

02-0416-1901, Rules Governing Agriculture Odor Management (7-1-19)T

02-0417-1901, Rules Governing Dead Animal Movement and Disposal (7-1-19)T

02-0423-1901, Rules Governing Commercial Livestock Truck Washing Facilities (7-1-19)T

02-0430-1902, Rules Governing Nutrient Management (7-1-19)T

02-0431-1901, Rules Governing the Stockpiling of Agricultural Waste (7-1-19)T

02-0432-1901, Rules Governing Poultry Operations (7-1-19)T

IDAHO 39 - IDAHO

TRANSPORTATION DEPARTMENT

39-0203-1901, Rules Governing Vehicle Dealer's Principal Place of Business (7-1-19)T

39-0306-1901, Rules Governing Special Permits for Extra-Length/Excess Weight. Up to 129,000 Pound Vehicle Combinations (7-1-19)T

IDAHO 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0101-1904, Rules for the Control of Air Pollution in Idaho (6-30-19)T

58-0103-1902, Individual/Subsurface Sewage Disposal Rules (6-30-19)T

58-0109-1901, Individual/Subsurface Sewage Disposal Rules (6-30-19)T

58-0111-0901, Ground Water Quality Rule (6-30-19)T

58-0115-1901, Rules Governing the Cleaning of Septic Tanks (6-30-19)T