

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82556**

This is to certify that: LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
C/O LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM, ID 83340-3301

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>
37-22663	WR/DECREED	5/1/1892	1.100 cfs	N/A	55.0	N/A	LAKE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22663	NO	NO	NO	YES	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>
37-22663	37-22663	1.100 cfs	N/A	55.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.100 cfs	N/A	55.0	0.0		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 5th day of November, 2018.


Southern Region Manager

Transfer No. 82556

WATER RIGHT NO. 37-22663

As Modified by Transfer No. 82556

In accordance with the approval of Transfer No. 82556, Water Right No. 37-22663 is now described as follows:

Right Holder: LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
C/O LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM, ID 83340-3301

Priority Date: 5/1/1892

Source: LAKE CREEK

Tributary: BIG WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/31

Diversion Rate

1.100 cfs

1.100 cfs

LOCATION OF POINT(S) OF DIVERSION

LAKE CREEK	NESESE	Sec 25 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	SESESE	Sec 25 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	SWSESE	Sec 25 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	NWNENE	Sec 36 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	NENWNE	Sec 36 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	NENWNE	Sec 36 Twp 05N Rge 17E	BLAINE County
LAKE CREEK	NWNENW	Sec 20 Twp 05N Rge 18E	BLAINE County
LAKE CREEK	NWSWSW	Sec 30 Twp 05N Rge 18E	BLAINE County
LAKE CREEK	NWSWSW	Sec 30 Twp 05N Rge 18E	BLAINE County

(I)

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Place of use is within the area served by Lake Creek Meadows Homeowners Association, Inc.
3. This right is limited to the irrigation of 55 acres within the authorized place of use in a single irrigation season.
4. Rights 37-2418 and 37-22663 when combined shall not exceed a total annual maximum diversion volume of 180.0 af.
5. 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.

Transfer No. 82556

WATER RIGHT NO. 37-22663
As Modified by Transfer No. 82556

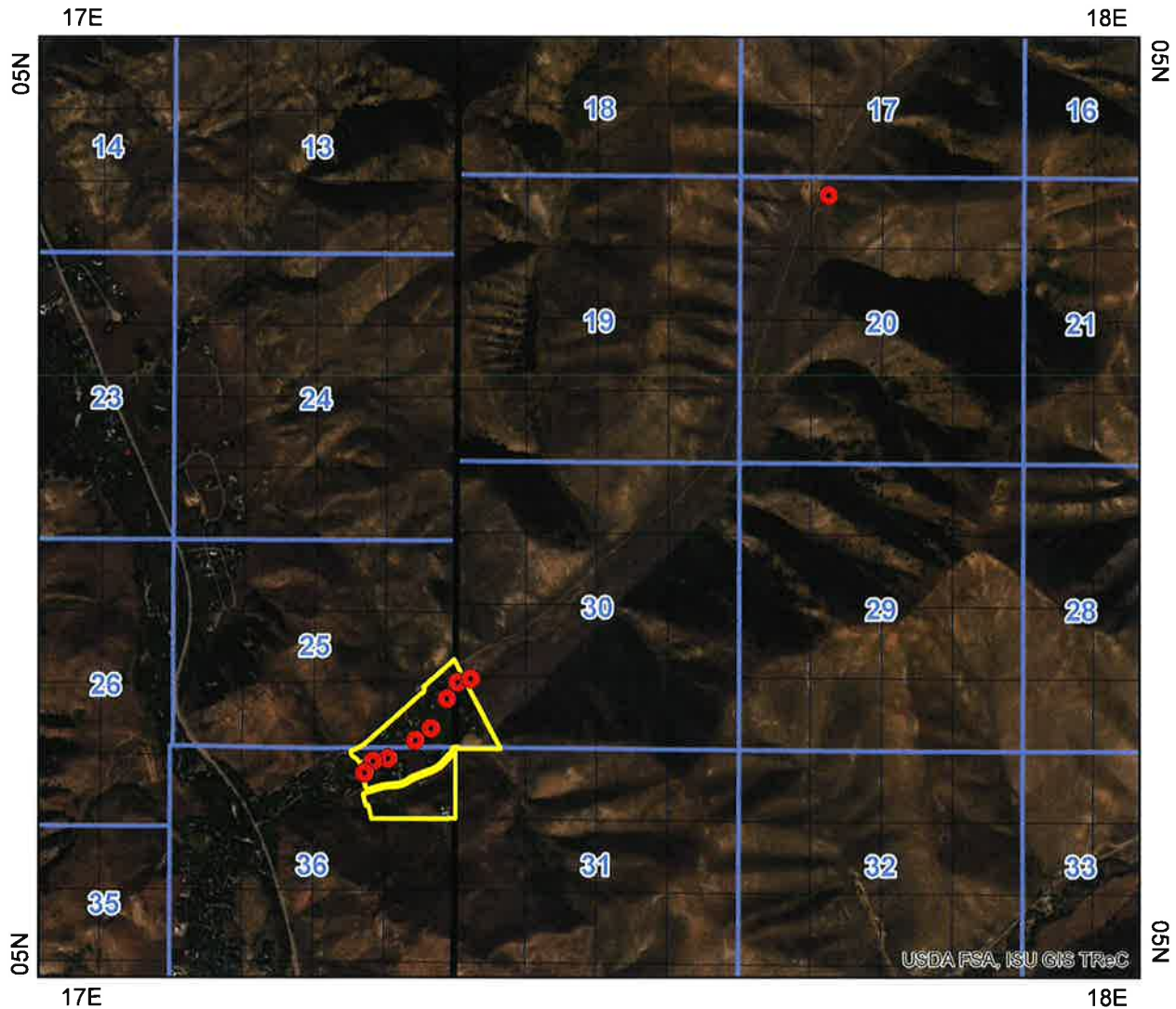
CONDITIONS OF APPROVAL

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 install and maintain a totalizing meter at the outflow of the pond located in T05N, R17E, S36, NWNE in accordance with Department specifications.
9. Pursuant to a call in times of scarcity, water may continue to be diverted from Lake Creek under water right nos. 37-2418 and 37-22663 provided that the average daily outflow from the pond located in T05N, R17E, S36, NWNE is not less than the sum of (a) 25% of the total quantity of water diverted under right no. 37-22663, and (b) the total quantity of water diverted under right no. 37-2418 less 0.16 cfs.
10. Use of water authorized under Transfer # 3610 shall comply with Idaho water quality standards, both in effluent quality and in temperature.
11. The Department of Water Resources retains jurisdiction over these water rights, and the uses approved by Transfer # 3610, to require a determination of losses in the delivery and pond systems by a method approved by the director of water resources. Losses over and above losses that were incurred prior to Transfer # 3610, if they exceed 0.16 cfs, shall be replaced by mitigation water released to the Big Wood River. This mitigation water shall be in the form of an additional consumptive use right purchased by the owner of the property.
12. A portion of the Lake Creek Meadows Subdivision is also known as Homestead Entry Survey No. 328.
13. The place of use does not include federal land.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.

Attachment to Transfer # 82556

37-22663

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

0 0.4 0.8 1.6 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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 7, 2018

LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
C/O LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM ID 83340-3301

Re: Transfer No: 82556
Water Right No(s): 37-22663

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 cursive script, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

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

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

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

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2018 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.: 82556
Water Right No(s): 37-22663

LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
C/O LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM ID 83340-3301

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

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

KEVIN LAKEY *via e-mail*
WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352



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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

RECEIVED

NOV 02 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

Water Right Number(s): 37-2418, 37-22663 (Transfer 82556)Name(s): Lake Creek Meadows Homeowners Assn IncOld Mailing Address: P.O. Box 3144Ketchum, ID 83340New Mailing Address: c/o Lawson Laski Clark & Pogue, PLLC.POB 3310Ketchum, Idaho 83340Telephone Number: 208-725-0055Email: eal@lawsonlaski.comSignature(s) of Owner(s) Karen MacMillan, President Lake Creek
(Include your title if on behalf of company or organization.)Meadows HOADate: 25 Oct 18

Send a signed original to your closest regional office:

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
(208) 736-3033



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

NOV 02 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 30, 2018

Allison Inouye
IDWR Southern Region
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Re: Lake Creek Meadows HOA Change in Address

Ms. Inouye,

On behalf of Lake Creek Meadows Homeowners Association, Inc. a signed change of address form is enclosed.

Thank you for your time and consideration to this request. Please include our office in future correspondence.

Sincerely,

Sheila Daniels
Administrative Assistant to Charles G. Brockway

Cc: Lawson, Laski, Clark & Pogue, PLLC

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Skinner, Corey

From: Charles G. Brockway <charles.g.brockway@brockwayeng.com>
Sent: Friday, November 02, 2018 10:01 AM
To: Inouye, Allison
Cc: Skinner, Corey
Subject: RE: Lake Creek Meadows HOA Transfer Application

They sent it to our office and we forwarded it to you on 10/30. Maybe you'll see it today.

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: Inouye, Allison [<mailto:Allison.Inouye@idwr.idaho.gov>]
Sent: Friday, November 02, 2018 9:11 AM
To: Charles G. Brockway
Cc: Skinner, Corey
Subject: RE: Lake Creek Meadows HOA Transfer Application

Hi Chuck – just checking in - we haven't seen that change of address form yet at our office. Any idea if it was being sent directly here or to your office?

Thanks,
Allison

From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Thursday, October 25, 2018 9:30 AM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: RE: Lake Creek Meadows HOA Transfer Application

I just heard back – it slipped through the cracks but will be signed and in the mail today.

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

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From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Thursday, October 25, 2018 9:16 AM
To: 'Inouye, Allison'
Cc: 'Skinner, Corey'
Subject: RE: Lake Creek Meadows HOA Transfer Application

Allison,

The Lake Creek people said they were sending it but I haven't seen anything. I'll send a reminder e-mail right now...

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: Inouye, Allison [<mailto:Allison.Inouye@idwr.idaho.gov>]
Sent: Tuesday, October 23, 2018 8:40 AM
To: Charles G. Brockway
Cc: Skinner, Corey
Subject: RE: Lake Creek Meadows HOA Transfer Application

Hi Chuck,

I just wanted to check in about that address change form. I assume you are still waiting for it? We haven't received anything here that I'm aware of.

Thanks,
Allison

From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Thursday, October 04, 2018 10:18 AM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: RE: Lake Creek Meadows HOA Transfer Application

Allison,

I am still waiting to receive back the address change form...expecting it any time. I think the HOA is trying to determine which address they want to use for official business.

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

From: Inouye, Allison [<mailto:Allison.Inouye@idwr.idaho.gov>]
Sent: Monday, September 24, 2018 8:41 AM
To: Charles G. Brockway
Cc: Skinner, Corey
Subject: RE: Lake Creek Meadows HOA Transfer Application

Hi Chuck,

I wanted to follow up to see if you received Corey's email regarding a change of address for the Lake Creek Meadows HOA. Once we get their address updated, Corey can get that transfer approved to add the new POD.

Thanks,
Allison

From: Skinner, Corey
Sent: Tuesday, September 11, 2018 10:49 AM
To: Charles G. Brockway <charles.g.brockway@brockwayeng.com>
Cc: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: RE: Lake Creek Meadows HOA Transfer Application

Chuck,

Allison forwarded me your e-mail regarding the Lake Creek Meadows HOA Transfer. There were no protests and Allison and I have this transfer almost ready for approval. There is one minor item that is holding us up....

The address for Lake Creek Meadows HOA is listed on the application and in our records as PO Box 3144 in Ketchum. However, our mailings to this address have been returned by the postal service. We sent out an address change form to PO Box 5524 in Ketchum (per the address on the Secretary of State's information). This mailing was not returned, but we did not receive the completed address change form. Could you get us a completed (signed) address change form for the Lake Creek Meadows HOA? Once we have a signed address change form, we should be able to get this approval issued. Just in case, here is a quick link to the address change form...

<https://idwr.idaho.gov/files/forms/change-in-address.pdf>

One other item of note, it appears that Jim Speck is listed as the attorney for the Lake Creek Meadows HOA on their water right records. Do they still want him listed? If not, this would be a good chance to remove him if they indicated so in writing when they submit their address change.

Let me know if you have any questions,

Corey

From: Inouye, Allison
Sent: Tuesday, September 11, 2018 10:32 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: FW: Lake Creek Meadows HOA Transfer Application

From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Monday, September 10, 2018 3:59 PM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: RE: Lake Creek Meadows HOA Transfer Application

Hi Allison,

Were there any protests filed on this transfer? Assuming not, what would be the approximate timeline for 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

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: Inouye, Allison [<mailto:Allison.Inouye@idwr.idaho.gov>]
Sent: Friday, July 27, 2018 2:28 PM
To: charles.g.brockway@brockwayeng.com
Subject: Lake Creek Meadows HOA Transfer Application

Hi Charles,

I am the agent who will be working on the Application for Transfer you recently submitted for Lake Creek Meadows HOA Inc. After initial review, I have a couple of minor issues that I am hoping we can clarify via email so that processing can continue.

- On Question 5 of the application regarding the PODs, the second to last entry does not identify the $\frac{1}{4}$ section for the point of diversion in Section 30 Twp 05N Rge 18E. Based on the map submitted with the application, it looks like the description for that POD should be NWSWSW of Section 30 Twp 05N Rge 18E. With your permission, I can update the application to reflect this.
- A copy of the water right as currently recorded was not submitted with the application. I have printed a copy of the right from our system (see attached). With your permission, I can add the attached document to the application.

Feel free to contact me with any concerns.

Best,
Allison

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

MEMORANDUM

Date: September 10, 2018

To: Transfer 82556

From: Allison Inouye

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to add a point of diversion (POD) to water right 37-22663 which allows for the diversion of 1.1 cfs out of Lake Creek for irrigation of 55 acres. The proposed POD is located downstream of the existing PODs authorized for this water right and is approximately 3 miles north of Ketchum east of Highway 75 in the Lake Creek Meadows Subdivision. The PODs and place of use are located within Water District 37 and watermaster comments were solicited.

- **Authority to File**

The application is filed in the name of Lake Creek Meadows Homeowners Assn Inc, the owner of the water right being transferred per IDWR records. Information from the IDSOS website indicates that the individual who signed the application can sign on behalf of the organization.

- **Water Right Validity**

Water right 37-22663 was decreed in the SRBA in 2012. The water right authorizes 55 acres of irrigation within the area served by the Lake Creek Meadows Homeowners Association, which is described by a digital boundary that is currently 96.9 acres per Department records. There are 3 additional irrigation water rights authorizing a total of 7 acres held by private landowners within the same service area. Recent aerial imagery indicates that the properties involved with this transfer appear irrigated.

- **Injury to Other Water Rights**

None anticipated. The proposed POD is located downstream of the existing PODs authorized on Lake Creek for this right. The applicant owns an additional water right for aesthetic purposes with one POD near the proposed POD; however, there are no other PODs located between the existing and proposed PODs for this water right.

- **Enlargement of Use**

None anticipated. The diversion rate and place of use will be unchanged on the right.

- **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 and the Idaho Department of Fish & Game but no responses were received.

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

Proposed use is recognized as a beneficial use of water.

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

None anticipated.

- **Effect on 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858



RECEIVED

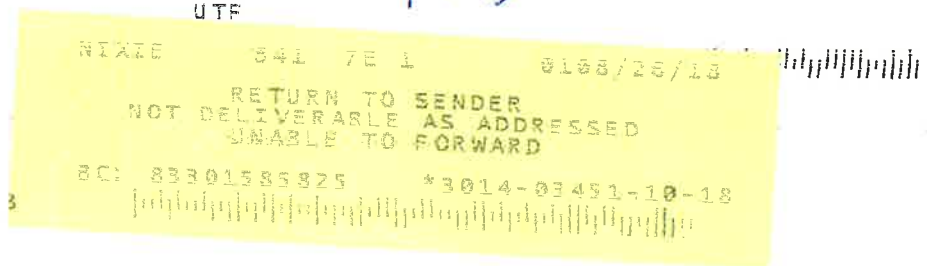
AUG 29 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

T# 82556 37-22663

LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
PO BOX 3144
KETCHUM, ID 83340

ANX //



August 9, 2018 Advertising Acknowledgement Letter

PER SECRETARY OF STATE INFO:

PO BOX 5524

KETCHUM ID 83340

Mailed again 8-29-2018 w/ address
change request.

DM

RECEIVED

AUG 27 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

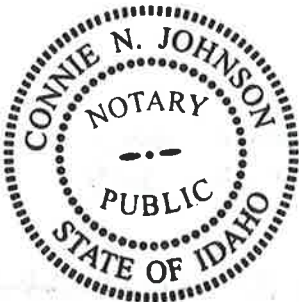
each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 15th day of

August, 20 18, and the date of the last publication was on the 22nd day of August, 20 18

Subscribed and sworn to before me this 22 day of August, 20 18.

Connie N Johnson
NOTARY PUBLIC



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 111
Number of Insertions 2

Lines tabular at 9.0 cents/pica
111 Lines straight at \$102.12 8.0 cents/pica
111 Subsequent lines at \$89.36 7.0 cents/pica
TOTAL COST \$191.48

COPY OF NOTICE

Legal Notice

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82556

LAKE CREEK MEADOWS
HOMEOWNERS ASSN INC, PO BOX
3144, KETCHUM, ID 83340; has filed
Application No. 82556 for changes to
the following water rights within BLAINE
County(s): Right No(s). 37-22663. The
purpose of the transfer is to change a
portion of the above rights as follows:
Application for transfer proposes to add
a point of diversion (POD) to water right
37-22663 which allows for the diversion
of 1.1 cfs out of Lake Creek for irrigation of
55 acres. The proposed POD is located
downstream of the existing PODs author-
ized for this water right and is approxi-
mately 3 miles north of Ketchum east of
Highway 75 in the Lake Creek Meadows
Subdivision.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82572

LOVAS TRUST, 13233 SNOWSHOE
THOMPSON CIR, TRUCKEE, CA
96161; has filed Application No. 82572
for changes to the following water rights
within BLAINE County(s): Right No(s).
37-21463, 37-2625A, 37-2638, 37-2700.
The purpose of the transfer is to change
a portion of the above rights as follows:
Applicant proposes adding a new point
of diversion for 2.2 cfs of groundwater for
irrigation from a well to be drilled approxi-
mately 3.9 miles south and 1.8 miles east
of the city center of Bellevue.

✓ OK Am 9-4-2018

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT**

TRANSFER NO. 82082

✓
WESTERN MORTGAGE & REALTY
CO, PO BOX 3110, PASCO, WA 99301;
has filed Application No. 82082 for
changes to the following water rights
within BLAINE, MINIDOKA County(s):
Right No(s). 36-10515, 36-10850A,
36-10863A, 36-10863B, 36-15217,
36-15264A, 36-15264B, 36-16042,
36-16309, 36-16473, 36-16816, 36-2069,
36-2090B, 36-2092, 36-2097, 36-2259,
36-2433, 36-2434, 36-2435, 36-2582A,
36-2582B, 36-2618, 36-7209, 36-7246A,
36-7246B, 36-7356C, 36-7627, 36-8227.

The purpose of the transfer is to change
a portion of the above rights as follows:
Application proposes creating a 7,037.5
acre permissible place of use (PPU) on
a farm located approximately 10.0 to 16.7
miles east and 7.6 to 13.2 miles north of
Rupert for 25 rights totaling 62.97 cfs and
4,953.5 acres currently diverted from 17
wells on the farm. The application also
proposes moving a 0.46 cfs and 59 acre
portion of an additional right from a farm
located approximately 9.7 to 10.1 miles
east and 10.0 to 10.6 miles north to the
17 wells and proposed PPU. In addition,
a portion of two water rights totaling 1.15
cfs and 96 acres are also proposed to be
moved from a farm located 16.5 to 17.0
miles east and 8.1 to 8.7 miles north to
the 17 wells and proposed PPU. In total
the 28 rights will allow for the diversion of
64.58 cfs from 17 wells for the irrigation
of 5,108.5 acres within the 7,037.5 acre
PPU. Published in the Idaho Mountain
Express on August 15th & 22nd, 2018.

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 [www.idwr.
idaho.gov/apps/wr/QueryNewTransfers/
QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). Protests
may be submitted based on the crite-
ria 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 **September 4, 2018**. The
protestant must also send a copy of the
protest to the applicant.

GARY SPACKMAN, Director

PUBLISH

IDAHO MOUNTAIN EXPRESS

AUG. 15 & 22, 2018

→ And Times News on
Aug. 16 & 23, 2018

No need to republish

✓ OK SM 9-4-2018