

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82359

MAY 04 2018

DEPT OF WATER RESOURCES
SOUTHERN REGIONMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

MAY 07 2018

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

Name of Applicant(s) Golden Eagle Ranch HOA Inc. c/o Sun Country ManagementCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes ☒ N/A ☐ * Means the item is always required and must be included with the application.

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

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

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

82359

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Golden Eagle Ranch HOA Inc. c/o Sun Country Management Phone 208-726-3858
Mailing address P.O. Box 1932 Ketchum, ID 83340 Email _____

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

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

☐ No Representative

Name of Representative Brockway Engineering PLLC c/o: Zach Latham Phone 208-736-8543
Mailing address 2016 Washington St. North Suite #4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.c

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

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


Signature of Applicant or Authorized Representative

DAVID K. SCAS JR. TREASURER
Print Name and Title if applicable

4/27/18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Applicant seeks to transfer a portion of the recreation and aesthetic uses to the Applicant's existing pump station as described in the irrigation use for 37-154C. Recreation and aesthetic uses will be non-consumptive and used in a portion of existing pond system. Water diverted for these uses will return to the river via Greenhorn Creek channel.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	37-154C	2.85 / 498.4	Irrigation	4/15 to 10/31	Big Wood River/Malad Riv
☐ ☒		3.0 / 128.8	Recreation	01/01 to 12/31	Big Wood River/Malad Riv
☐ ☒		3.0 / 128.8	Aesthetic	01/01 to 12/31	Big Wood River/Malad Riv
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.85 cfs and/or 756.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 3.0 cubic feet per second and/or 128.8 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			NE	NE	18	3N	18E	BLAINE	BIG WOOD RIVER	Existing Pump / POD

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	7												12.2			8.2	2.6	23.0
3N	18E	18	15.9	25.7	24.1	13.5	12.9			2.1					12.6	11.9	0.4	0.3	119.4
3N	18E	18	R,J	R,J	R,J										R,J	R,J			
Total Acres (for irrigation use)																			142.4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Applicant seeks to divert non-consumptive recreation and aesthetic uses through existing irrigation point of diversion off of Big Wood River. Water will run through a portion of Applicant's existing pond system and return to the Big Wood River through the Greenhorn Creek channel.

- b. Who owns the property at the point(s) of diversion? Applicant.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Water rights owned by applicant include 37-153A, 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-8881, 37-14260A, 37-20749, and 37-22060.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

N/A.

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

Current Water Right No.: 37-154c

Current Owner: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
Priority Date: 12/13/1887
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC	01/01 to 12/31	6 CFS	257.6 AF
IRRIGATION	04/15 to 10/31	2.85 CFS	498.4 AF
RECREATION	01/01 to 12/31	6 CFS	257.6 AF
	<u>Total Diversion</u>	8.85 CFS	756 AF

Location of Point(s) of Diversion

BIG WOOD RIVER BLAINE County	NE1/4NE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BIG WOOD RIVER BLAINE County	SE1/4NW1/4	Sec. 32,	Twp 03N,	Rge 18E B.M.

Place of Use

AESTHETIC Within BLAINE County

T03N R18E S32 SENW

IRRIGATION Within BLAINE County

T03N R18E S7	SESW	12.20	T03N R18E S7	SWSE	8.20
T03N R18E S7	SESE	2.60	T03N R18E S18	NENE	15.90
T03N R18E S18	NWNE	25.70	T03N R18E S18	SWNE	24.10
T03N R18E S18	SENE	13.50	T03N R18E S18	NENW	12.90
T03N R18E S18	SENE	2.10	T03N R18E S18	NESE	12.60
T03N R18E S18	NWSE	11.90	T03N R18E S18	SWSE	0.40
T03N R18E S18	SESE	0.30			

Total Acres: 142.4

RECREATION Within BLAINE County

T03N R18E S32 SENW

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.
2. To the extent that waste water from Clear Creek enters the Golden Eagle Ranch pond system, the amount diverted under the following rights shall be reduced accordingly: Rights nos. 37-153A, 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749 and 37-22060.
3. Rights 37-153A, 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-22060 when combined shall not exceed the irrigation of 172.5 acres; 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
4. That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.
5. Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Rights 37-02627D, 37-22807 and 37-22809 for irrigation of 5.0 acres, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.
6. The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.
7. The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.
8. A tabular analysis of the intended extent of overlap of the places of use for water right numbers 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749, and 37-22060 involved in prior administrative proceedings is contained in a document prepared by Brockway Engineering, PLLC, entitled "Golden Eagle Ranch POU Overlap Analysis", dated 3/29/2011, revised 12/16/2011, which will be maintained in IDWRs records for reference in future administrative proceedings.
9. T04 Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
11. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
12. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
13. T08 Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.
14. R63 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 lands above.

Decreed Date: 6/29/2012



0 250 500 1,000 Feet

GOLDEN EAGLE RANCH HOA INC

TRANSFER APPLICATION
WR 37-154C

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 4/23/2018

NAIP 2017 AERIAL

- POD37-154C
- POU37-154C
- Channels or Pipe
- ▨ Proposed Recreation & Aesthetic POU



82359

No. C 119551	Due no later than May 31, 2018 Annual Report Form	2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		JOHN FREY 675 E SUN VALLEY RD SUITE I-1 KETCHUM ID 83340	
1. Mailing Address: Correct in this box if needed. GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC. C/O SUN COUNTRY MANAGEMENT PO BOX 1932 KETCHUM ID 83340-1932		3. <u>New</u> Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).			
Office Held	Name	Street or PO Address	City State Country Postal Code
DIRECTOR	TILDEN SOKOLOFF	PO BOX 1276	KETCHUM ID USA 83340-1276
PRESIDENT	JOSEPH FASTOW	3 BETHESDA METRO CENTER #630	BETHESDA MD USA 20814
VICE PRESIDENT	BILL JOSEPH	175 S. GOLDEN EAGLE DRIVE	HAILEY ID USA 83333
SECRETARY	ANGIE TEGAN	PO BOX 7368	KETCHUM ID USA 83340-7368
TREASURER	DAVID SIAS	115 S. GOLDEN EAGLE DRIVE	HAILEY ID USA 83340
5. Organized Under the Laws of: ID C 119551		6. Annual Report must be signed.* Signature: JOHN FREY Date: 03/21/2018 Name (type or print): JOHN FREY Title: AGENT	
Processed 03/21/2018		* Electronically provided signatures are accepted as original signatures.	

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, June 14, 2018 9:49 AM
To: 'legalnotices@mtexpress.com'
Subject: Transfer No. 82359; Water Right No(s). 37-154C
Attachments: LegalNoticeTransferMerged.doc

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the State Office, PO Box 83720, Boise, ID, 83720 before 7/9/2018. Your cooperation is appreciated. If you have any questions, please contact me. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82359

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC, C/O SUN COUNTRY MANAGEMENT

PO BOX 1932, KETCHUM, ID 83340; has filed Application No. 82359 for changes to the following water rights within BLAINE County(s): Right No(s). 37-154C. The purpose of the transfer is to change a portion of the above rights as follows: change the place of use for 3.00 cfs of recreation & aesthetic flow to existing ponds located in Golden Eagle Ranch Subdivision, north of Hailey & west of the Big Wood River below the confluence with East Fork Wood River.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 07/09/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/20/2018 and 6/27/2018

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED
JUN 14 2018
DEPT OF WATER RESOURCES

Transfer Application No.: 82359

Water Right No(s): 37-154C

Transfer Applicant's Name: GOLDEN EAGLE RANCH HOA INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

Water master's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:

d) X Additional comments:

Water District 37 is monitoring use at the Big Wood Diversion and Ground Water Diversion. The District does not know whether irrigation diversion is taking place from the 4 ponds. If irrigation is taking place the District needs to be informed of any control and measuring devices on the Pond system.

Dated this 14 day of June, 2018 ~~2018~~

Water District No. 37

Kevin Lakey

Water master's Signature

Kevin Lakey

Printed Name

Hersley, Jean

From: watermanager@cableone.net
Sent: Thursday, June 14, 2018 11:45 AM
To: Hersley, Jean
Subject: RE: Transfer 82359 Water Right 37-154C
Attachments: transfer 82359 Golden Eagle 37-154C.pdf

Watermaster comments are attached.

Kevin Lakey
Water District 37

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Thursday, June 14, 2018 10:29 AM
To: Kevin Lakey <watermanager@cableone.net>
Cc: watermstr@cableone.net
Subject: Transfer 82359 Water Right 37-154C

Please see the attached documents.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 14, 2018

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM, ID 83340

RE: Transfer No. 82359
Water Right No(s). 37-154C

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO MOUNTAIN EXPRESS on 6/20/2018 and 6/27/2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Jean Hersley
Technical Records Specialist

CC: Robert E Williams
Fredericksen Williams Meservy
Brockway Engineering PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 14, 2018

IDAHO DEPT FISH AND GAME
MAGIC VALLEY REGIONAL OFFICE
324 SOUTH 417 EAST SUITE 1
JEROME, ID 83338

RE: Application for Transfer No. 82359
Water Right No. 37-154C

Dear Interested Party:

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

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

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

MEMORANDUM

Date: May 24, 2018

To: Water Right 37-154C Transfer No. 82359 Golden Eagle Ranch HOA

From: Rachael Smith

Re: Review & Evaluation of Sufficiency of Information

Purpose: The transfer proposes changing the point of diversion (POD) and place of use (POU) for a portion of the recreation and aesthetic uses of water right 37-154C. Brockway Engineering submitted the application on behalf of Golden Eagle Ranch HOA (GEHOA) and described the purpose of the transfer as follows, "The transfer application proposes to transfer half (3.0 cfs and 128.8 acre feet) of non-consumptive water right 37-154C from the Purdum Slough diversion off of the Big Wood River, to an existing pump station on the Big Wood River adjacent to and owned by the Golden Eagle Ranch subdivision.

The Golden Eagle Ranch HOA seeks to pump 3.0 cfs of Big Wood River water from the existing pump station where it will be conveyed to the north most of four existing ponds. Water will then flow via gravity through the remaining three ponds and returned to the Big Wood River through the existing Greenhorn Creek channel. The consumptive use associated with water stored in the existing four ponds listed on the application is already authorized under existing GEHOA water rights and therefore water identified under this transfer is non-consumptive flow through water only. No change to the irrigation use associated with 37-154C is proposed."

POUs: The current aesthetic and recreation place of use for water right 37-154C is along the Purdum Slough diversion off of the Big Wood River. At this location, no other rights overlap the place of use for recreation/aesthetic purposes. The *irrigation* POU for water right is within in the Golden Eagle Ranch Subdivision and no changes are proposed here.

At the proposed POU in Golden Eagle Ranch, water right 37-2632 currently exists for aesthetic storage, recreation storage and fire protection storage and no other rights overlap for recreation/aesthetic purposes.

According to available Blaine County tax parcel information, the ponds at the proposed POU are not owned in common by the HOA, rather the parcels are owned by individual homeowners and the parcels include portions of the ponds.

PODs: Water right 37-154C currently has two authorized PODs. One of the PODs is located in Section 18, T03N R18E at Golden Eagle Ranch and the other is located in Section 32 in the same township and range located on the Purdum Slough. The proposed POD that will be used for half of the current recreation and aesthetic use is the existing POD located in Section 18, T03N R18E. Golden Eagle Ranch Homeowners Association owns the property at this POD. Overlap exists with other rights used for irrigation including the following:

Water Right #	Owner	Source	Use
37-14260A	GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC; RINKER CO; WILLIAMS, ROBERT E	BIG WOOD RIVER	IRRIGATION
37-20749	GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC; RILEY, W T; WILLIAMS, ROBERT E; WOOD RIVER PROPERTIES INC	BIG WOOD RIVER	IRRIGATION
37-22060	GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC; RILEY, W T; RINKER CO; WILLIAMS, ROBERT E	BIG WOOD RIVER	IRRIGATION
37-22061	BARBER, GEORGE; BARBER, JULEE; RILEY, W T; RINKER CO	BIG WOOD RIVER	IRRIGATION
37-22062	ADARE TRUST; RILEY, W T; RINKER CO	BIG WOOD RIVER	IRRIGATION
37-22063	RILEY, W T; RINKER CO; SPECK, JAMES P; TIMBERVIEW TERRACE HOMEOWNERS ASSN	BIG WOOD RIVER	IRRIGATION
37-364D	BIRD, W PAULINE; GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC; RINKER CO; WILLIAMS, ROBERT E	BIG WOOD RIVER	IRRIGATION

Authority to File: The application for transfer was submitted by GEHOA, the owner of water right 37-154C. There are no ownership concerns.

Water Right Validity: Water right 37-154C was decreed in 2012. Transfer number 78396 (2013) moved the recreation and aesthetic portion of the water right to Purdum Slough. Based on Administrator's Memorandum- Multiple Programs No. 2, the right is not subject to forfeiture.

Injury to Other Water Rights: As noted above, POD overlaps exist with multiple irrigation water rights. The transfer will be conditioned to require measurement of flow as the water is diverted to the ponds as well as at the location where the flow through water is returned to the Big Wood River to ensure that water is only used for flow through and is not used to fill the ponds. The transfer will be advertised and comments will be requested from the watermaster of Water District 37 to assess whether injury to other water rights is anticipated as a result of this transfer.

Enlargement of Use: A previous transfer at the proposed POU location (transfer number 80658) includes conditions for the groundwater irrigation rights 37-8854, 37-2627C, 37-2632 which are pumped to the ponds for irrigation use. Conditions stipulate the following on transferred irrigation rights 37-2627C and 37-2632, "At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below [amount specific to the water right] af, irrigation the following year shall be reduced by [amount] acre for every [amount] af required to increase the volume to [amount]." An additional condition requires that the right holder shall maintain water level gauges for determining the difference in storage from full stage in each storage pond. The assumption for the irrigation water rights used from water storage in these ponds is that the ponds will be maintained full. Based on these assumptions and the associated conditions, as well as requiring measurement of the water being returned to the Big Wood River from the ponds, transfer of 37-154C should be for recreation and aesthetic purposes only and not cause enlargement of use.

Use of water under the right will be regulated by a watermaster.

Local Public Interest: There are no apparent issues with local public interest. IDWR will advertise the transfer.

Beneficial Use/Conservation of Water Resources: This transfer appears to be consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments: This water right is subject to Water District #37 and comments will be requested from the watermaster.

Effect on Economy the Local Area: No adverse impacts are anticipated.

Effect on Agricultural Base of the Local Area: The transfer shows no negative impacts on the local agriculture.

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.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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SOUTHERN REGION

RECEIVED

MAY 07 2018

DEPT OF WATER RESOURCES

April 30th, 2018

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-3380

RE: Golden Eagle Ranch HOA- Application for Transfer.

Dear Corey,

On behalf of the Golden Eagle Ranch HOA (GEHOA), Brockway Engineering is filing a water right transfer application which proposes to transfer half (3.0 cfs and 128.8 acre feet) of non-consumptive water right 37-154C from the Purdum Slough diversion off of the Big Wood River, to an existing pump station on the Big Wood River adjacent to and owned by the Golden Eagle Ranch subdivision north of Hailey, ID. The GEHOA seeks to pump 3.0 cfs of Big Wood River water from the existing pump station where it will be conveyed to the northern most of four existing ponds as seen on the accompanying map. Water will then flow via gravity through the remaining three ponds and will be allowed to return to the Big Wood River through the existing Greenhorn Creek channel. The consumptive use associated with water stored in the existing four ponds listed on the application is already authorized under existing GEHOA water rights and therefore water identified under this transfer is non-consumptive flow through water only. No change to the irrigation use associated with 37-154C is proposed.

Also included is a check from Brockway Engineering in the amount of \$660.00 to cover the water right transfer application. Please copy our office on all correspondence regarding this water right transfer application. Don't hesitate to call our office should you have any further questions or comments. Thanks for your time and assistance on this matter.

Regards,

Zach Latham, M.S., Hydrologist

Enclosures: (1) Water Right Transfer Application and Map.
(1) Brockway Engineering Check # 14054

Cc: Golden Eagle HOA c/o: Sun Country Management

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