

RECEIVED

JUN 01 2017

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. **81738****MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Bogus Basin Recreational Assn IncCheck 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: Applicant requests up to five (5) years to accomplish the transfer in order to have sufficient time to construct the diversion works and pond(s).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Bogus Basin Recreational Assn Inc Phone 208-332-5100
Mailing address 2600 Bogus Basin Rd, Boise, ID 83702 Email bwilson@bogusbasin.org

- ☐ 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 Chris M. Bromley, McHugh Bromley PLLC Phone 208-287-0991
Mailing address 380 S. 4th St., Ste. 103 Email cbromley@mchughbromley.com

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

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

 Brad Wilson, General Manager 6/1/17
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The transfer will add up to two (2) points of diversion from Bogus Creek within land privately owned by Bogus Basin Recreational Assn. Inc. to better capture and store water from Bogus Creek within currently licensed diversion rates and volumes in one or more ponds, and add places of use that will allow the extension of snowmaking further up the front side of the Bogus Basin ski area than is presently licensed, but is still within land permitted by the Special Use permit with the United States Forest Service for the ski area. To prevent enlargement of the right, but to allow flexibility in operations, applicant would limit snowmaking under 65-13382 to no more than 32 acres within the proposed "permissible place of use." See attached "POU Attachment."

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES
WESTERN REGION

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 ☒ ☐	65-13382	0.34/32.0	Commercial	11/1 to 3/31	Bogus Cr., Shafer Cr.
☐ ☐		32 AF	Commercial from Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐		32 AF	Commercial Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐		0.08 cfs	Commercial to Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.34 cfs and/or 32 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.34 cubic feet per second and/or 32 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y		SE	SW		16	05N	03E	Boise	Bogus Creek	
Y		SW	SW		16	05N	03E	Boise	Bogus Creek	
N		SE	SE		16	05N	03E	Boise	Bogus Creek	

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	
05N	03E	15										FS	FS						
05N	03E	16			BB	BB					BB			BB	BB	BB	BB	BB	
05N	03E	21	FS	FS	FS	FS	FS								FS	FS			
05N	03E	22						FS	FS			FS							
Total Acres (for irrigation use)																			

"BB" = Lands owned by Bogus Basin Recreational Assn Inc

"FS" = Lands operated by Bogus Basin Recreational Assn Inc pursuant to a Special Use Permit with USFS

See attached "POU Attachment"

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 ☒ ☐	65-13382	0.34/32.0	Commercial	11/1 to 3/31	Bogus Cr., Shafer Cr.
☐ ☐		32 AF	Commercial from Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐		32 AF	Commercial Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐		0.08 cfs	Commercial to Storage	1/1 to 12/31	Bogus Cr., Shafer Cr.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.34 cfs and/or 32 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.34 cubic feet per second and/or 32 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y		SE	SW		16	05N	03E	Boise	Bogus Creek	
Y		SW	SW		16	05N	03E	Boise	Bogus Creek	

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	
05N	03E	15										FS	FS						
05N	03E	16			BB	BB					BB			BB	BB	BB	BB	BB	
05N	03E	21	FS	FS	FS	FS	FS								FS	FS			
05N	03E	22						FS	FS			FS							

Total Acres (for irrigation use)

"BB" = Lands owned by Bogus Basin Recreational Assn Inc

"FS" = Lands operated by Bogus Basin Recreational Assn Inc pursuant to a Special Use Permit with USFS

See attached "POU Attachment"

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PAGE 3" RECEIVED 6-22-2017.

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:

Diversion works in Bogus Creek that presently divert and store water for snowmaking. The transfer will add up to two points of diversion from Bogus Creek on land privately owned by Bogus Basin to better capture and store water within currently licensed diversion rates and volumes in one or more ponds. A measuring device, if required, may be installed on the diversion works.

- b. Who owns the property at the point(s) of diversion? Bogus Basin Recreational Assn. Inc.

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

- 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: Some lands upon which snowmaking will occur are authorized by a Special Use Permit between Bogus Basin and the United States Forest Service.

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:

There are no water rights at the proposed point(s) of diversion. Water rights from the existing diversion are 65-4015A, 65-4036, 65-9408, and 65-9409. No changes are requested to water right nos. 65-4015A, 65-4036, 65-9408, and 65-9409, which supply potable water to the Bogus Basin ski area.

- 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:

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

Current Water Right No.: 65-13382

Current Owner: BOGUS BASIN RECREATIONAL ASSN INC

Priority Date: 5/7/1992

Origin: Water Right

Status: Active

Basis: License

Source

BOGUS CREEK

Tributary

SHAHER CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL FROM STORAGE	01/01 to 12/31		32 AF
COMMERCIAL STORAGE	01/01 to 12/31		32 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.08 CFS	
COMMERCIAL	11/01 to 03/31	0.34 CFS	32 AF
	<u>Total Diversion</u>	0.34 CFS	32 AF

Location of Point(s) of Diversion

BOGUS CREEK

SE1/4SE1/4

Sec. 16, Twp 05N, Rge 03E B.M.

BOISE County

Place of UseCOMMERCIAL FROM STORAGE Within BOISE County

T05N R03E S16	SWNE	T05N R03E S16	SESW
T05N R03E S16	NWSE	T05N R03E S16	SWSE
T05N R03E S16	SESE	T05N R03E S21	NWNE
T05N R03E S21	NENW		

COMMERCIAL STORAGE Within BOISE County

T05N R03E S16	SWNE	T05N R03E S16	SWSE
T05N R03E S16	SESE		

COMMERCIAL Within BOISE County

T05N R03E S16	SWNE	T05N R03E S16	SESW
T05N R03E S16	NWSE	T05N R03E S16	SWSE
T05N R03E S16	SESE	T05N R03E S21	NWNE
T05N R03E S21	NENW		

Place of Use: DIVERSION TO STORAGE same as COMMERCIAL FROM STORAGE

Page 6 of 20

Conditions of Approval:

1. 027 Use of water under this right shall be non-consumptive.
2. This water right does not establish any water right under the Federal Reserved Water Right Doctrine.
3. X05 Commercial use is for snowmaking at Bogus Basin Ski Resort.
4. X35 Rights 65-13381, 65-13382 and 65-13466 when combined shall not exceed a total diversion rate of 0.34 cfs and a total annual maximum diversion volume of 32.0 af at the field headgate.

Licensed Date: 1/30/2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

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

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings visible.

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 1 attachments.

Received by VC Date 6/1/17 Preliminary check by _____ Date _____

Fee paid \$500 Date 6/1/17 Received by VC Receipt # C103659

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

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



- Ski Area Boundary - Existing Point of Diversion (65-13382) - Proposed Point of Diversion - Proposed Pond - Snowmaking Permissible Place of Use	Attachment 7a
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

BOGUS BASIN RECREATIONAL ASSN INC
C/O BRAD WILSON
2600 BOGUS BASIN RD
BOISE, ID 83702

Application for Permit No. 65-23703 & Application for Transfer No. 81738

Dear Applicant(s):

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

A legal notice of the applications have been prepared and are scheduled for publication in the IDAHO WORLD on 11/1/2017 and 11/8/2017. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If either 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 either 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 permit.

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

Sincerely,

Rachel Neely
Administrative Assistant

CC:

CHRIS M BROMLEY
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE, ID 83702

Neely, Rachel

From: Neely, Rachel
Sent: Friday, October 27, 2017 8:43 AM
To: 'Idaho World Editor'
Subject: Boise Legal Ads
Attachments: Boise Cover Letter.docx; Boise Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 11/1/2017 & 11/8/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

October 27, 2017

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Application for Permit No. 65-23703
Application for Transfer No. 81738

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 11/20/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

65-23703

BOGUS BASIN RECREATIONAL ASSN INC

C/O BRAD WILSON

2600 BOGUS BASIN RD

BOISE, ID 83702

Points of Diversion SESW SWSW S16 T05N R03E BOISE County Source BOGUS CREEK Tributary SHAFER CREEK

Use: AESTHETIC STORAGE 01/01 to 12/31 80.3 AF

Use: COMMERCIAL FROM STORAGE 11/01 to 03/31 80.3 AF

Use: COMMERCIAL STORAGE 01/01 to 12/31 80.3 AF

Use: DIVERSION TO STORAGE 06/01 to 09/14 0.1 CFS

Use: DIVERSION TO STORAGE 09/15 to 05/31 3.5 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 80.3 AF

Use: RECREATION STORAGE 01/01 to 12/31 80.3 AF

Total Diversion: 3.5 CFS, 80.3 AF

Date Filed: 6/1/2017

Places of Use: COMMERCIAL STORAGE, FIRE PROTECTION STORAGE, AESTHETIC STORAGE, RECREATION STORAGE

T05N R03E S16 SENW NESW SWSW SESW

Place of Use: COMMERCIAL FROM STORAGE

T05N R03E S15 NWSW SWSW

T05N R03E S16 SWNE SENE NESW SESW SE(ALL)

T05N R03E S21 NE(ALL) NENW NESE NWSE

T05N R03E S22 NWNW SWNW NWSW

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81738

BOGUS BASIN RECREATIONAL ASSN INC, 2600 BOGUS BASIN RD, BOISE, ID 83702; has filed Application No. 81738 for changes to the following water rights within BOISE County(s): Right No(s). 65-13382. The purpose of the transfer is to redefine the commercial use for the purpose of snowmaking. The transfer will add two points of diversion on Bogus Creek, and establish a water storage system in connection with Application for Permit 65-23703. Water will be used at the current place of use within the Bogus Basin Ski Resort.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 11/20/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/1/2017 and 11/8/2017

Neely, Rachel

From: Neely, Rachel
Sent: Friday, October 27, 2017 11:01 AM
To: 'Ron Shurtleff'
Subject: Application for Transfer No. 81738 & Application for Permit No. 65-23703
Attachments: Watermaster Recommendation Form_F.pdf; Application for Transfer 81738.pdf; Application for Permit 65-23703.pdf

October 27, 2017

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Transfer No. 81738 & Application for Permit No. 65-23703

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **November 20, 2017**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

BEN DOBSON
PO BOX 125
HORSESHOE BEND ID 83624

Re: Application for Transfer No. 81738 & Application for Permit No. 65-23703

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Idaho World* for advertising. I have enclosed copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of either application, a written protest along with the \$25.00 protest fee must be received in this office by **November 20, 2017**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures