

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 05 2017

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

DEPT. OF WATER RESOURCES
SOUTHERN REGION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** Golden Eagle Ranch HOA Inc. c/o Sun Country Management Phone 208-726-3858

2. **MAILING ADDRESS** P.O. Box 1932 City Ketchum

State ID Zip 83340 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 37-153A

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 4.74 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
YES		NE	NW	SE	18	03N	18E	BLAINE	GREENHORN CREEK	NEW DIVERSION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) Golden Eagle Ranch HOA Inc. c/o Sun Country Management Phone 208-726-38582. MAILING ADDRESS P.O. Box 1932 City KetchumState ID Zip 83340 Email _____

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ The water rights or claims were divided specifically identified in a deed, contract, or other conveyance document.

☐ The water rights or claims were divided proportionately based on the portion of the place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 37-153A

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 4.74 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
YES		NE	NW	SE	18	03N	17E	BLAINE	GREENHORN CREEK	NEW DIVERSION

6. 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:

New diversion will be lockable, controllable and have an IDWR approved measurement device installed on it.

Existing two POD's will be abandoned.

- b. Who owns the property at the point(s) of diversion? Homeowner(s) within Golden Eagle Ranch HOA Inc. (applicant).

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

N/A.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

William L. Joseph
Signature of applicant or authorized agent

WILLIAM L. JOSEPH
Print name and title if applicable GEHOA BOARD
VICE PRESIDENT

9/25/2017
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by TF/DM

Date 9-27-2017

Fee paid \$820- Date 9-27-2017

Receipted by DM

Receipt # 2036385

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

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

Current Water Right No.: 37-153a

Current Owner: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC

Priority Date: 9/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

GREENHORN CREEK

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

4.74 CFS

Annual Volume

Total Diversion

4.74 CFS

Location of Point(s) of Diversion

GREENHORN CREEK

NE1/4SW1/4NW1/4

Sec. 18, Twp 03N, Rge 18E B.M.

BLAINE County

GREENHORN CREEK

SW1/4SW1/4NE1/4

Sec. 18, Twp 03N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T03N R18E S18	NENE	18.00	T03N R18E S18	NWNE	23.00
T03N R18E S18	SWNE	29.00	T03N R18E S18	SENE	17.00
T03N R18E S18	NESE	15.00	T03N R18E S18	NWSE	7.00

Total Acres: 109

Conditions of Approval:

1. 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.
2. 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.

Decreed Date: 6/29/2012



0 100 200 400 Feet

GOLDEN EAGLE RANCH HOA, INC.
GREENHORN GULCH CREEK POD TRANSFER 37-153A

NAIP 2015 AERIAL

- New POD 37-153A
- POU 37-153A
- Parcels



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

RECEIVED

OCT 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Via E-mail

Transfer Application No.: 81949

Water Right No(s): 37-153A

Transfer Applicant's Name: GOLDEN EAGLE RANCH H.O.A
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) ☐ Additional comments:

Dated this 27th day of October, 2017

Water District No. 37

Kevin Lakey

Water master's Signature

Kevin Lakey

Printed Name



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

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

RE: Transfer No. 81949
Water Right No(s). 37-153A

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 11/1/2017 and 11/8/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **November 20, 2017**.

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

cc: BROCKWAY ENGINEERING PLLC

Maline, Denise

From: Maline, Denise
Sent: Friday, October 27, 2017 9:12 AM
To: Kevin Lakey (WD 37); Cyndi WD37
Subject: Comment Letter for Transfer 81949 - Golden Eagle HOA
Attachments: Comment Letter to WM37 for 81949.docx; Transfer 81949 (Golden Eagle HOA).pdf

Hi Kevin,

Attached is a copy of an application for transfer, currently being processed within your district. Please review the information and provide any necessary comments within 21 days.

Please contact our office if you have any questions.

Have a good weekend,

Denise @ IDWR

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

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

via e-mail

RE: Transfer No. 81949
Water Right No(s): 37-153A

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive, flowing style.

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 26, 2017 3:29 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Ad.doc; Idaho Mtn Express Cover Letter.docx

Attached please find **(1)** legal notice being submitted for publication on November 1st & 8th, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you,

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
[*denise.maline@idwr.idaho.gov*](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 26, 2017

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 81949
Water Right No(s): 37-153A

Dear Legal Notice Department:

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81949**

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC, C/O SUN COUNTRY MANAGEMENT, PO BOX 1932, KETCHUM, ID 83340; has filed Application No. 81949 for changes to the following water rights within BLAINE County(s): Right No(s). 37-153A; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for a Greenhorn Creek irrigation right currently authorized to be diverted from two POD's into a single new POD on Greenhorn Creek. The currently authorized POD's are located approximately 2.4 miles west and 5.25 miles north of the City of Hailey (Main and Bullion streets) and approximately 1.9 miles west and 5.0 miles north of the City of Hailey. The proposed new point of diversion on Greenhorn Creek is to be located approximately 1.88 miles west and 4.98 miles north of the City of Hailey. This water right allows for the diversion of up to 4.74 cfs and the irrigation of 109 acres

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **November 20, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on November 1st & 8th, 2017

TRANSFER SYNOPSIS

Date: October 25, 2017
To: Transfer # 81949 File
From: Benny Walker
Re: Transfer Summary

Application for transfer proposes to change the point of diversion (POD) for a Greenhorn Creek irrigation right currently authorized to be diverted from two POD's into a single new POD on Greenhorn Creek. The currently authorized POD's are located approximately 2.4 miles west and 5.25 miles north of the City of Hailey (Main and Bullion streets) and approximately 1.9 miles west and 5.0 miles north of the City of Hailey. The proposed new point of diversion on Greenhorn Creek is to be located approximately 1.88 miles west and 4.98 miles north of the City of Hailey. This water right allows for the diversion of up to 4.74 cfs and the irrigation of 109 acres. Moving the 4.74 cfs for this right should have an insignificant effect on other rights, since the second currently authorized POD and the new proposed POD are only approximately 250 feet apart.

The points of diversion involved with the application are located within Water District 37 so water master comments will be solicited.

MEMORANDUM

TO: Transfer # 81949 File

FROM: Benny Walker

DATE: October 25, 2017

SUBJECT: Filing Fee

The filing fee of, \$820.00, for this transfer is based on the amount of water proposed to be transferred or changed, 4.74 cfs. The transfer fee schedule for a transfer involving 4.01-5.00 cfs indicates that the filing fee is \$820.00. The applicant representative, Brockway Engineering, submitted the fee of \$820.00 receipt S036385.

Walker, Benny

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Thursday, October 05, 2017 3:39 PM
To: Walker, Benny
Cc: Golden Eagle HOA
Subject: RE: Golden Eagle Ranch HOA
Attachments: Amended Golden Eagle Application-for-Transfer-POD CORRECT RANGE PG 1 Flat 10-5-17.pdf

Thanks Benny,

Attached is an amended page one with the change from Range 17E. to 18E. Please let me know what else you need to process this application, thank you for working with us on the application.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506

zach.latham@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: Walker, Benny [mailto:Benny.Walker@idwr.idaho.gov]
Sent: Thursday, October 05, 2017 3:25 PM
To: zach.latham@brockwayeng.com
Subject: Golden Eagle Ranch HOA

Zach,

During my review of Golden Eagle Ranch HOA Application for Transfer, Point of Diversion, it was discovered that the legal description is incorrect on the application. Per our conversation today and after consulting with Corey, a new page one with a corrected legal description that matches the map and your narrative showing the Range to be 18E and leaving the NE quarter, quarter, quarter would be acceptable (NE NW SE, Sec. 18, Rge. 18 E). Can be submitted to the department without a signature from the HOA. If you have any questions please feel free to contact me.

Sincerely,

Benny

Benny Walker
Water Resource Agent
Idaho Dept of Water Resources
Southern Regional Office
Phone (208) 736-3033
Fax (208) 736-3037
benny.walker@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

SEP 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

September 22nd, 2017

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

Re: Application for Transfer of Water Right- Point(s) of Diversion; Golden Eagle Ranch HOA.

Dear Corey,

Enclosed is an Application for Transfer of Water right- Point of Diversion(s) which proposes to move one point of diversion (POD) downstream and remove a second POD associated with irrigation water right 37-153A. The proposed POD will be located in T.3N R.18E Sec.18 NW ¼ SE ¼, very near the existing, second downstream POD. Due to the insignificant nature of moving the second POD a very short distance downstream and removing a POD from this water right, we request this application not be advertised so as to expedite processing.

Also enclosed is a check for \$820.00 to cover the cost of the point of diversion transfer application. Please do not hesitate to call if you have any further questions, thanks for your time.

Regards,

Zach Latham, Hydrologist, M.S.

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

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

Enclosures: (1) Application for Transfer of Water Right- Point(s) of Diversion and Map.
(1) Brockway Engineering Check # 14254

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506