

RECEIVED

Exchange No. B1775~~JUN 29 2017~~WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 14 2017

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant Trail Family Farms, LLC Telephone No: 208-366-7762
(Name of Applicant)
5308 E. Trail Rd King Hill ID 83633 Email: cmchugh@mchughbromley.com
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged 61-7236A and 61-7236B
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant N/A Telephone No: _____
(Name of Co-applicant)

(Mailing Address) (Zip Code) Email: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT -- Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION -- Complete Part A or Part B to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Part B-- For an exchange involving only the applicant's water right(s).

The applicant proposes to divert 1 cfs and/or _____ acre feet per year of water at SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____ Sec. 17 Township 5S Range 10E B.M., Elmore County. Additional points of diversion, if any: SE SE Sec. 18 T5S R10E

In exchange for authorization to divert water as described above, 0 cfs and/or 0 acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. diverted from wastewater at SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____ Sec. 18 Township 5S Range 10E B.M., Elmore County and injected into N/A at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

OR

2. released from storage by the applicant into N/A at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation – Attach additional sheets if necessary.

The water from the point of diversion listed on water right nos. 61-7236A and 61-7236B will be diverted under this exchange at the section 17 point of diversion as listed above.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. _____

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8½"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7½-minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Walter Gail - Purchased Gail Family Farm
Applicant's Signature (and title if application is for an organization)

June 23 2017
Date

FOR DEPARTMENT USE ONLY

This exchange application contains _____ pages, including attachments.

Received by [Signature] Date 6/28/17 Fee 4500.00

Receipted by [Signature] Date 6/28/17 Receipt No. W045433

Preliminary review by _____

Published in _____

Publication dates _____

Protests filed by _____

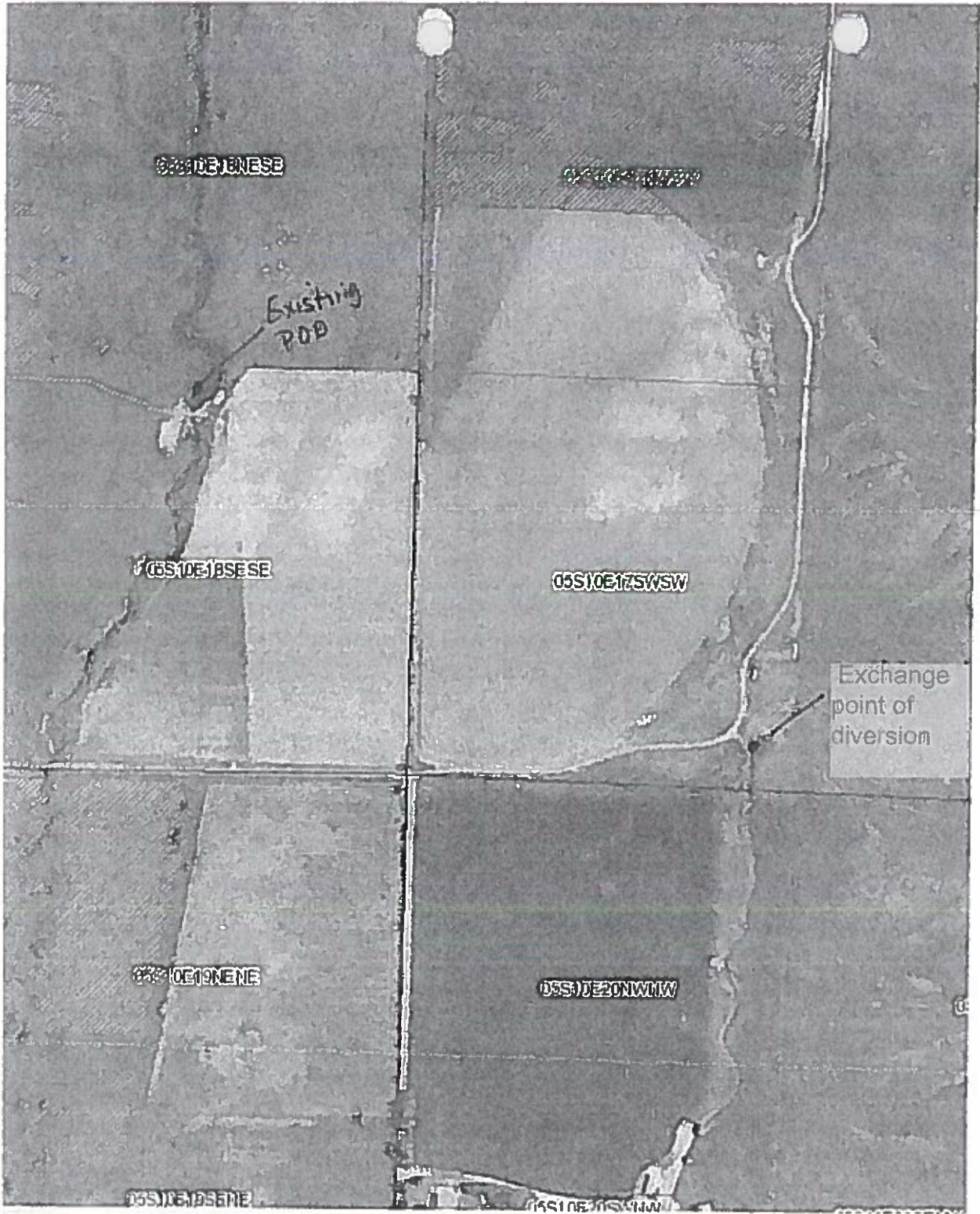
Copies of protests forwarded by _____

Watermaster recommendation requested on _____

Watermaster recommendation received on _____

Hearing held by _____ Date _____

Recommended for Approval _____ Denial _____ By _____



Item 5 - Map
Application
for Exchange
Trail -
61-7236A & B

RECEIVED

JUL 14 2017

WATER RESOURCES
WESTERN REGION



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

July 27, 2017

TRAIL FAMILY FARMS LLLP
5308 E TRAIL RD
KING HILL, ID 83633

RE: Application for Exchange of Water No. 81775
Water Right No(s). 61-7236A, 61-7236B

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the MOUNTAIN HOME NEWS on 8/2/2017 and 8/9/2017. 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,

Rachel Neely
Administrative Assistant

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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 27, 2017 9:46 AM
To: Swenson, Stacy
Subject: Elmore Legal Ads
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 8/2/2017 & 8/9/2017.

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

July 27, 2017

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Application for Transfer No. 81800
Application for Exchange of Water No. 81775

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 8/21/2017. 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:

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81800**

CASA DEL NORTE LP, 11204 N BAR 21 DR, GLENNS FERRY, ID 83623; has filed **Application No. 81800** for changes to the following water rights within **ELMORE County(s):** Right No(s). 61-301B. The purpose of the transfer is to change the place of use to consolidate from 215 to 160 acres. The transfer will also add/update the point of diversion record for ground water right 61-301B. Changes to surface water points of diversion are not proposed. Water will be used at the current place of use 13 miles east of Mountain Home, near the end of Bennet Road.

PROPOSED EXCHANGE OF WATER RIGHT(S)

Trail Family Farms, LLLP of 5308 E Trail Rd, King Hill, ID 83633 filed an **Application No. 81775** on July 14, 2017 to exchange Water Right(s) No. 61-7236A and 61-7236B with a 1975 priority date from wastewater totaling 1.00 cfs. The right(s) is diverted and used for irrigation from 4/1 to 11/1 off Morrow Res Road, north of Glens Ferry. The purpose of the exchange is to move the wastewater point of diversion from Little Canyon Creek to the end of a King Hill Irrigation District ditch approximately four tenths of a mile east from the current point of diversion. This is a permanent exchange proposal.

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) or exchange(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(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 8/21/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/2/2017 and 8/9/2017



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

July 27, 2017

PEARSON FARMS & RANCH LLC
2159 N MORROW RES RD
GLENN'S FERRY ID 83623

PEARSON FARMS & RANCH LLC
2240 E MAPLE DR
KING HILL ID 83633

KING HILL IRRIGATION DISTRICT
4183 N MERIDIAN ST
KING HILL ID 83633

Re: Application for Exchange of Water No. 81775

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Mountain Home News* for advertising. I have enclosed a copy of the application 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 the application, a written protest along with the \$25.00 protest fee must be received in this office by **August 21, 2017**. A copy of the protest must also be sent to the applicant.

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

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 27, 2017

CLIFF LISLE
4294 WASHINGTON AVE
KINGHILL ID 83633

RE: Application for Exchange of Water No. 81775

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this letter for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by **August 21, 2017**.

IDWR will assume you do not object to this application 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

McHUGH BROMLEY
ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

July 12, 2017

RECEIVED
JUL 14 2017
WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Patrick Kelly
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Exchange of Water Trail Family Farms, LLLP
Water Right Nos. 61-7236A and 61-7236B

Dear Patrick:

I filed an Application for Exchange of Water for the above listed water rights. Attached hereto, please find a map to accompany that application.

In addition, I am requesting that that transfer filed for the above listed water rights not be advertised at this time.

I appreciate your attention to this matter; please call or email me with any questions.

Very Truly Yours,



Candice M. McHugh

Enclosures
cc: Trails