

FEB 21 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION**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) Ridgeview Smith Properties LLC**Check 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: _____

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**FEB 21 2017****APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**DEPT OF WATER RESOURCES
SOUTHERN REGIONName of Applicant(s) Ridgeview Smith Properties LLC Phone 561-314-0800Mailing address 2200 Butts Rd #320 Boca Raton FL 33431 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 RepresentativeName of Representative Zach Latham; Brockway Engineering PLLC Phone 208-736-8543Mailing address 2016 Washington St. N 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.

 Thomas W. Smith 2/9/17
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**.

Applicant seeks to create permissible place of use while allowing for storage in proposed 3.4 ac-ft pond and adding existing and new points of diversion to 37-8372.

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Amended 4-11-17

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.

I.		Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part						
☐	☒	37-8372	0.034 / 9.75	Irrigation	4/01 to 10/31	Ground Water / N/A
☐	☒		0.006 /	Aesthetic	4/01 to 10/31	Ground Water / N/A
☐	☒		0.006 /	Recreation	4/01 to 10/31	Ground Water / N/A
☐	☒		0.006 /	Wildlife	4/01 to 10/31	Ground Water / N/A
☐	☒		0.006 /	Diversion to Storage	4/01 to 10/31	Ground Water / N/A
☐	☒		/ 0.75 AF	Aesthetic Storage	01/01 to 12/31	Ground Water / N/A
☐	☒		/ 0.75 AF	Recreation Storage	01/01 to 12/31	Ground Water / N/A
☐	☒		/ 0.75 AF	Wildlife Storage	01/01 to 12/31	Ground Water / N/A
☐	☒		/ 0.75 AF	Irrigation Storage	4/01 to 10/31	Ground Water / N/A

Total authorized under rights 0.04 cfs and/or 10.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 10.5 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 #
Yes			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Proposed Well # 3
No			SE	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well # 6
No			SE	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well #7
No			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well #1

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	
5N	17E	10			9.1	9.5										0.1			18.7
5N	17E	10			JRW	JRW													
Total Acres (for irrigation use)																			18.7

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DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

DEPT. OF WATER RESOURCES

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 ☐ ☒	37-8372	0.034 / 8.9	Irrigation	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Aesthetic	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Recreation	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Wildlife	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Diversion to Storage	4/01 to 10/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Aesthetic Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Recreation Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Wildlife Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Irrigation Storage	4/01 to 10/31	Ground Water / N/A

Total authorized under rights 0.04 cfs and/or 10.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 10.5 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Proposed Well # 3
No			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well # 6
No			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well #7
No			SW	NE	10	5N	17E	BLAINE	GROUND WATER	Existing Well #1

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	10			18.7														18.7
5N	17E	10			JRW														
Total Acres (for irrigation use)																			18.7

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 ☐ ☒	37-8372	0.034 / 9.75	Irrigation	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Aesthetic	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Recreation	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Wildlife	4/01 to 10/31	Ground Water / N/A
☐ ☒		0.006 /	Diversion to Storage	4/01 to 10/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Aesthetic Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Recreation Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Wildlife Storage	01/01 to 12/31	Ground Water / N/A
☐ ☒		/ 0.75 AF	Irrigation Storage	4/01 to 10/31	Ground Water / N/A

Total authorized under rights 0.04 cfs and/or 10.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 10.5 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Yes		SW	NE		10	5N	17E	BLAINE	GROUND WATER	Proposed Well # 3
No		SW	NE		10	5N	17E	BLAINE	GROUND WATER	Existing Well # 6
No		SW	NE		10	5N	17E	BLAINE	GROUND WATER	Existing Well # 7
No		SW	NE		10	5N	17E	BLAINE	GROUND WATER	Existing Well # 1

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	10			18.7														18.7
5N	17E	10			JRW														
Total Acres (for irrigation use)																			18.7

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 recently purchased three adjoining lots and seeks to authorize diversion of 37-8372 out of wells 1,3,6,7 appurtenant to property while allowing for a portion of 37-8372 to account for evaporation under accompanying water right permit. Wells 1, 3, 6, 7 will discharge into proposed pond, water will be re-pressurized for irrigation.

- 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, applicant seeks to be able to irrigate on all three lots.

- 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:
Applicant owns 37-8372, 37-10684 and 37-13375, see attached narrative.

- 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

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

Current Water Right No.: 37-8372

Current Owner: RIDGEVIEW SMITH PROPERTIES LLC

Priority Date: 8/9/1988

Origin: Water Right

Status: Water Supply Bank Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.04 CFS	10.5 AF
	<u>Total Diversion</u>	0.04 CFS	10.5 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4 Sec. 10, Twp 05N, Rge 17E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S10 NWSE 3.00

Total Acres: 3

Conditions of Approval:

1. 041 Irrigation use under this right is authorized only in connection with a domestic use.
2. Point of diversion and place of use are known as Lot 7, Barlow Subdivision.
3. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Licensed Date: 6/3/1999

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:

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains 1 pages and 0 attachments.

Received by TF/AM Date 9-21-2017 Preliminary check by _____ Date _____

Fee paid \$450- Date 2-21-2017 Received by DM Receipt # 5035959

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)

TRANSFER 81483



0 100 200 400 Feet

RIDGEVIEW SMITH PROPERTIES LLC

WATER RIGHT TRANSFER 37-8372
NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 2/6/2017

- Existing Well
- New well
- 4 inch pipe
- 6 inch overflow
- PPU
- 0.59 ac. pond
- Dry-up area



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DEPT OF WATER RESOURCES
SOUTHERN REGION

ATTACHMENT #8A: RIDGEVIEW SMITH PROPERTIES LLC

WATER RIGHT TRANSFER APPLICATION CALCULATIONS

Brockway Engineering PLLC

1/18/17 ZL

Physical Storage:

ID:	Surface Area (ft ²)	Avg. Depth (ft)	Volume (ft ³)	*Volume (ac-ft)
Proposed Pond	25750	5.8	148062.5	3.40
	25750.0	5.8	148062.5	3.40

* First fill will occur under 37-8372

Annual Evaporation:

ID:	Surface Area (ac)	*Open Water, Shallow Systems Annual Evap (ft)	Annual Evap Vol (ac-ft)
Proposed Pond	0.59	1.26	0.75
			0.75

*NWS Hailey Ranger Station Data.

Annual Seepage:

ID:	*Seepage (ft/d)	*Seepage (ac-ft/d)
Proposed Pond	0.0	0.0
* Pond will be lined.		0.00

Historic Consumptive Use: 37-8372

Crop Type:	*Annual Pdef (ft/ac):
Grass Pasture- Low Management	1.64
	1.64

*NWS Hailey Ranger Station Data.

Acres to be Permanently Dried up to Account for New Storage Permit Evaporation C.U.:

ID:	Annual Evap Vol (ac-ft)	Grass Pasture- Low Management Annual Pdef (ft/ac):	Acres of 37-8372 to be dried up (ac):
Proposed Pond	0.75	1.64	0.46
			0.46

Percentage of 37- 8372 to be dried up:	Discharge Dry Up (cfs):	Volume Dry Up for Evaporation (ac-ft):	Remaining 37- 8372 Discharge (cfs):	Remaining 37- 8372 Volume (ac- ft):
15.2%	0.006	0.75	0.034	9.75

TRANSFER 81483

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DEPT OF WATER RESOURCES
SOUTHERN REGION

ATTACHMENT 1A.

UNANIMOUS WRITTEN CONSENT OF
THE MANAGERS OF
RIDGEVIEW SMITH PROPERTIES LLC

The undersigned, being all of the Managers of RIDGEVIEW SMITH PROPERTIES LLC, a Delaware limited liability company (the "Company"), acting pursuant to the Limited Liability Company Act of the State of Delaware and in accordance with the Operating Agreement of the Company (the "Operating Agreement"), hereby consent in writing to the adoption of the following resolutions:

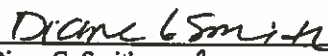
RESOLVED, that, effective as of November 20, 2014, Thomas W. Smith is hereby appointed as the President of the Company to assume the duties and responsibilities fixed by the Operating Agreement until his successor shall have been duly elected and qualified, or until his earlier death, resignation or removal; and it is further

RESOLVED, that any Manager or any officer of the Company be and is hereby authorized and directed to execute and deliver, on behalf of the Company, any and all other documents and instruments which the Manager or said officer may deem necessary or advisable to effect the purpose and intent of the foregoing resolutions and to certify the passage thereof; and it is further

RESOLVED, that any actions taken before the date hereof by the Manager or any officer of the Company, including without limitation, negotiations and the execution and delivery of, any and all documents, instruments and agreements on behalf of the Company to effect the purpose and intent of the foregoing resolutions within the authority conferred herein are hereby ratified, confirmed, adopted and approved as the actions and deed of the Company.

IN WITNESS WHEREOF, the undersigned Manager have executed this Written Consent as of the 23rd day of March, 2016


Thomas W. Smith


Diane G. Smith


Lori Smith Curley

RIDGEVIEW SMITH PROPERTIES, LLC
WATER SUPPLY BANK APPLICATION TO LEASE
ATTACHMENT 1D

TRANSFER 81483

RECEIVED

FEB 21 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Narrative in Support of Water Right Permit and Transfer Applications
Ridgeview Smith Properties LLC

Brockway Engineering, PLLC
Zach Latham, M.S., Hydrologist
Charles G. Brockway Ph.D., P.E.

February 2, 2017

Overview

The applicant, Ridgeview Smith Properties LLC ("LLC"), is the owner of water rights 37-8372, 37-10684 and 37-13375 appurtenant to land owned (Lot 7, Lot 8 and Amended Lot 9, Barlow Subdivision) by the LLC in T.5N R.17E Section 10 in Blaine County, ID. Ground water irrigation water right 37-8372 authorizes the diversion of 0.04 cfs from one point of diversion (well #1) for the irrigation of 3.0 acres from 4/1 through 10/31 annually. Ground water domestic right 37-10684 authorizes the diversion of 0.04 cfs from one point of diversion (well #2) for domestic use annually on Lot 7. Finally, domestic ground water right 37-13375 authorizes the diversion of 0.04 cfs from two points of diversion (wells 6 and 7) for domestic use annually on Lot 9A. Water right 37-8372 isn't combined with any other irrigation water right on lands owned by the LLC.

The new property owners desire to create permissible place of use (PPU) around their property, utilize existing well #4 (injection) and recently drilled well #5 for heating and cooling uses associated with a new residence. Additionally, the LLC proposes to create an aesthetic, wildlife, recreation and irrigation pump pond on the property. This desire necessitates filing the attached two water right permits which seek to authorize beneficial uses associated with heating and cooling of the residence (permit #1) and to allow a multiple wells to supply water to the proposed pond (permit #2) which will spill and allow water to enter the Oregon Gulch Creek channel. The proposed pond will have a surface area of 0.59 acres and will be 5.75 ft deep on average.

Multiple wells exist on what is now the LLC's property, Table 1 below describes current and proposed uses from the wells. The attached Well and Water Use Exhibit shows the locations of the wells relative to the rest of the property and also outlines the location and extent of irrigation proposed to occur, thus satisfying the 206 condition for the location of irrigation under 37-8372 within the proposed PPU.

Well ID:	Status:	Current Use:	Proposed Use:
Well #1	Existing	3 Ac. Irrigation under 37-8372	Pond Permit Source, 2.54 Ac. Irrigation Under 37-8372
Well #2	Existing	Domestic In-House Lot 7	0.5 AC. Domestic Exempt Irrigation and Domestic In-House Lot 7 Under 37-10684
Well #3	Proposed	None	Pond Permit Source, 2.54 Ac. Irrigation Under 37-8372

TRANSFER 81483

Well #4	Existing	Domestic In-House Lot 8	Injection under New G/L Permit
Well #5	Recently Drilled	Un-used, Idle	Domestic In-House Lot 8, Source under New G/L Permit
Well #6	Existing	Idle, Domestic under 37-13375	0.5 AC. Domestic Exempt. Irr. Under 37-13375, Pond Permit Source, 2.54 Ac. Irrigation Under 37-8372
Well #7	Existing	Domestic In-House Lot 9A	Domestic In-House Lot 9A, 0.5 AC. Domestic Exempt. Irr. Under 37-13375, Pond Permit Source, 2.54 Ac. Irrigation Under 37-8373

Table 1: Ridgeview Smith Properties LLC Current and Proposed Well Uses.

Additionally, the attached water right transfer application seeks to account for consumptive uses associated with the new pond permit while creating a PPU for water right 37-8372 owned by the LLC. The water right transfer application seeks to add existing well #1 and proposed well #3 on Lot 7 and the two existing wells 6 and 7 on Lot 9A to irrigation water right 37-8372 so that the right can be diverted out of any of these four wells owned by the LLC. All new proposed consumptive uses associated with the pond permit will be accounted for by drying up acreage associated with 37-8372; no new consumptive use is sought to be appropriated under the applications listed below.

Water Right Permit No. 1

The first of two water right permits seeks to authorize year round diversion from newly drilled well #5 on Lot 8 for non-consumptive heating and cooling use in a residence on Lot 8 that is currently being constructed. After water is run through the household, it will be injected back into the aquifer from which it came in existing domestic well #4 (injection well permit attached) that is also located on Lot 8. Of available well logs for this area, the log for well #4 could not be verified. This permit is intended to be non-consumptive as all water diverted will be returned to the same aquifer from which it came through the injection well.

Water Right Permit No. 2

The second of three water right permits seeks to authorize the year round diversion from exiting well #1 and proposed well #3 on Lot 7, and well #'s 6 and 7 for aesthetic, wildlife and recreation uses in the pond described above. Water will be diverted from these wells into the proposed pond. The proposed diversion to storage rate of 0.5 cfs will provide a turnover time of 3.4 days in the pond, which is adequate for maintaining water quality in the pond. The flow through rates for aesthetic, recreation and wildlife uses are also proposed to be 0.5 cfs as the pond will have inflow all year long. The pond will be lined and is anticipated to have a surface area of 0.59 acres and an average depth of 5.75 feet for a total storage volume of 3.4 acre-feet. Water will then exit the pond over a spillway and enter the Oregon Gulch Creek channel.

Ground water that is proposed to be pumped and discharged into Oregon Gulch Creek will infiltrate into the shallow aquifer or enter the Big Wood River at the confluence with Oregon Gulch Creek depending on the time of year, ambient ground water levels and the discharge in the Oregon Gulch Creek. Diversion of ground water under this application will potentially result in water discharged into Oregon Gulch Creek and the Big Wood River sooner than would otherwise occur through shallow ground water and surface water exchange.

Annual evaporative loss P_{def} values were taken from Allen and Robison¹ for open water shallow systems using monthly mean actual evapotranspiration values for the Hailey NWS station. The surface area of the proposed pond is 0.59 acres and the proposed average depth is 5.75 ft. Therefore, the total volume of the pond is approximately 3.4 acre-feet. At an evaporation of 385mm or 1.26 ft per year, the pond's consumptive use associated with evaporation is $0.59 \text{ ac} \times 1.26 \text{ ft} = 0.75 \text{ ac-ft}$.

Grass pasture, low management has historically been grown in association with 37-8372 where the pond is proposed to be located. Per Allen and Robison, the annual P_{def} value for grass pasture, low management taken from the Hailey NWS weather station is 500 mm or 1.64 ft. In order to mitigate for 0.75 acre-feet of annual evaporative loss from the pond, $0.75 \text{ acre-feet} / 1.64 \text{ ft} = 0.46 \text{ acres}$ will permanently be dried up under 37-8372, which is slightly smaller than the 0.59 acre pond foot print. This area to be permanently dried up will be where the pond will be dug and has been identified on an accompanying map. The remaining 0.13 irrigated acres that will be turned into open water, but not required to be dried up to meet the evaporative loss associated with the pond's surface area, will be irrigated elsewhere on the property inside the proposed PPU. Total irrigated area within the proposed PPU under 37-8372 will be limited to 2.54 acres. Additional irrigation within the PPU will include 0.5 acres under 37-10684, 0.5 acres under 37-13375 and 0.5 acres under a Lot 8 domestic exemption (4.04 acres total) as summarized on the Well and Water Use Exhibit.

The 3.4 acre-feet of physical pond storage identified in this water right permit requires a one year, first fill mitigation component. The Lot 8 domestic exempt 13,000 gallons per day will be used to fill the 3.4 acre-feet pond volume (first fill). This permit seeks 3.4 acre feet of storage for aesthetic, wildlife and recreation uses and 9.75 acre feet of irrigation storage (both volumes exclude 0.75 acre feet for evaporation per recent IDWR guidance on similar applications). Seepage and or consumptive use from seepage in the pond will not occur as the pond will be lined.

Water Right Transfer Application

The proposed water right transfer is intended to accomplish two objectives: the first is to create a permissible place of use around the property so that 37-8372 can be used on all

¹ Allen, Richard G. and Clarence W. Robison, 2012. *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008*, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

three lots; the second is to change the nature of use of a portion of 37-8372 to recreation, aesthetics and wildlife uses to account for the consumptive uses associated with permit #2. Wells 1, 3, 6 and 7 identified in the transfer application will deliver irrigation water to the pond described in permit #2. Irrigation water will then be re-pressurized and distributed through a buried irrigation system to the three lots for irrigation use. The repressurization from the pond will serve irrigation under 37-8372, the 0.5-acre domestic exemption on Lot 8, and the 0.5-acre domestic right 37-13376 on Lot 9A. The 0.5-acre irrigation on Lot 7 under 37-10684 will be served by a separate system from Well #2.

Water not used for in-house use under the domestic exemption, will be used for the first fill of the pond (total uses limited to 13,000 gpd). The total area requiring to be permanently dried up to account for evaporative losses is 0.46 acres. Therefore, 15.2% ($0.46 \text{ acres} / 3.0 \text{ acres} = 15.2\%$) of the flow rate associated with the irrigation use under 37-8372 is proposed to be changed to recreation, aesthetic and wildlife uses to account for the total consumptive use associated with the permit. The diversion volume limit of 10.5 acre-feet for irrigation and irrigation storage is proposed to be reduced by the evaporative consumptive use of 0.75 acre-feet to 9.75 acre feet. This total irrigated area under 37-8372 will also be reduced by 0.46 acres to 2.54 acres.

Proposed changes under the transfer application result in flow rates and diversion volumes associated with 37-8372 for new uses of $0.152 * 0.04 \text{ cfs} = 0.006 \text{ cfs}$ and 0.75 acre feet. The proposed irrigation use is then reduced to a flow rate of $0.04 \text{ cfs} - 0.006 \text{ cfs} = 0.034 \text{ cfs}$, and a diversion volume of $10.5 \text{ acre-feet} - 0.75 \text{ acre feet} = 9.75 \text{ acre feet}$. As mentioned, 2.54 acres will remain associated with the irrigation use under 37-8372 after the proposed water right transfer is approved (see attached calculations sheet). Additional uses are listed on the transfer to account for the annual evaporation of 0.75 acre-feet off the pond.

Permitting the pond will not result in an expansion in consumptive use or injury to any existing water right holders and the water right transfer accounts for losses associated with the pond. The proposed heating and cooling uses are non-consumptive and will also not result in an expansion in consumptive use or injury to any existing water right holders. These new water right permits are therefore approvable by IDWR.

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

RECEIVED

MAY 04 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Via E-mail

Transfer Application No.: 81483

Water Right No(s): 37-8372

Transfer Applicant's Name: RIDGEVIEW SMITH PROPERTIES LLC
2200 BUTTS RD #320
BOCA RATON FL 33431

Water master's Recommendation:

- a) X 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 4th day of May, 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

April 28, 2017

RIDGEVIEW SMITH PROPERTIES LLC
2200 BUTTS RD #320
BOCA RATON, FL 33431

RE: Application For Permit No. 37-23028, 37-23029

RE: Transfer No. 81483
Water Right No(s). 37-8372

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **5/3/2017** and **5/10/2017**. 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 **May 22, 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 permit.

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, April 28, 2017 9:45 AM
To: Kevin Lakey (WD 37); Cyndi WD37
Subject: Comment Letters
Attachments: Comment Letter to WM37 for 37-23007, 23008, 23028, 23029, 81483.docx; 37-23007 Rotarun.pdf; 37-23008 Rotarun.pdf; 37-23028 Ridgeview Smith.pdf; 37-23029 Ridgeview Smith.pdf; Transfer 81483 Ridgeview Smith.pdf

Good morning,

Attached are copies of (5) applications within your district, which are currently being processed. There is an explanatory narrative attached to each application, in which it applies. Further information will be available on our website by Monday.

Please review the information and provide any necessary comments within 21 days.

Thank you in advance,

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

April 28, 2017

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

via e-mail

RE: Application For Permit No.(s): 37-23007, 37-23008, 37-23028, 37-23029

RE: Transfer No. 81483
Water Right No(s): 37-8372

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 watermaster, 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,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 27, 2017 4:41 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.doc

Attached please find **(1)** legal notices being submitted for publication on May 3rd & 10th, 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 in advance,

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



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

April 27, 2017

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

RE: Application For Permit No.(s): 37-23007, 37-23008, 37-23028, 37-23029

RE: Transfer No. 81483
Water Right No(s): 37-8372

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 May 22, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23007

ROTARUN SKI CLUB INC

PO BOX 2083

HAILEY, ID 83333

Point of Diversion NWNE S19 T02N R18E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWNE S19 T02N R18E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 7/28/2016

Place Of Use: DOMESTIC

T02N R18E S19 L1(NWNW)

Application for permit seeks to divert 0.04 cfs from two existing wells for domestic use at a ski lodge located approximately 2.5 miles west and 1.6 miles south of the intersection of Main and Bullion Streets in Hailey.

37-23008

ROTARUN SKI CLUB INC

PO BOX 2083

HAILEY, ID 83333

Point of Diversion NWNE S19 T02N R18E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWNE S19 T02N R18E BLAINE County Source GROUND WATER Tributary

Use: COMMERCIAL FROM STORAGE 11/01 to 02/28 5.4 AF

Use: COMMERCIAL STORAGE 11/01 to 02/28 5.4 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.09 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.4 AF

Total Diversion: 0.09 CFS

Date Filed: 7/28/2016

Place Of Use: COMMERCIAL FROM STORAGE

T02N R17E S24 NENE

T02N R18E S19 L1(NWNW) L2(SWNW)

Place Of Use: COMMERCIAL STORAGE, FIRE PROTECTION STORAGE

T02N R17E S24 NENE

Application for permit seeks to divert 0.09 cfs from November 1 through February 28 from two existing wells, located approximately 2.0 miles west and 1.5 miles south of the intersection of Main and Bullion Streets in Hailey, into an existing 2.4 acre-foot storage reservoir where the water will be pumped out for commercial use from November 1 through February 28. The commercial use of 5.4 acre-feet is for snow making at the Rotarun Ski Club, located approximately 2.4 to 2.6 miles west and 1.6 to 1.9 miles south of Hailey, and allows for multiple fills and releases from the reservoir. The application also proposes year-round diversion of 0.09 cfs (2.4 acre-feet) into the same storage reservoir, located on the Rotarun Ski Club property, to be used for year-round Fire Protection Storage. The total diversion rate for the application is 0.09 cfs; the total volume is 5.4 acre-feet. The application proposes mitigation by the non-use of a 1.0 acre portion of irrigation water right 37-23032 which is diverted from the East Fork of the Wood River and is appurtenant to land located approximately 8.8 miles north and 5.0 miles east of Hailey.

37-23028

RIDGEVIEW SMITH PROPERTIES LLC

2200 BUTTS RD #320

BOCA RATON, FL 33431

Point of Diversion SWNE S10 T05N R17E BLAINE County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.12 CFS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: HEATING 01/01 to 12/31 0.12 CFS

Total Diversion: 0.16 CFS

Date Filed: 2/21/2017

Place Of Use: HEATING, COOLING, DOMESTIC

T05N R17E S10 SWNE

Application for permit proposes the diversion of ground water from a recently drilled well for domestic use at a residence to be constructed, and for non-consumptive heating and cooling uses at the same proposed residence. Point of diversion and place of use are located approximately 6.8 miles north and 2.3 miles west of the intersection of Sun Valley Rd and HWY 75 in Ketchum.

37-23029**RIDGEVIEW SMITH PROPERTIES LLC****2200 BUTTS RD #320****BOCA RATON, FL 33431**

Point of Diversion SWNE S10 T05N R17E BLAINE County Source GROUND WATER Tributary

Point of Diversion SWNE S10 T05N R17E BLAINE County Source GROUND WATER Tributary

Point of Diversion SENE S10 T05N R17E BLAINE County Source GROUND WATER Tributary

Point of Diversion SENE S10 T05N R17E BLAINE County Source GROUND WATER Tributary

Use: AESTHETIC 01/01 to 12/31 0.5 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 3.4 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.5 CFS

Use: IRRIGATION STORAGE 04/01 to 10/31 9.8 AF

Use: RECREATION 01/01 to 12/31 0.5 CFS

Use: RECREATION STORAGE 01/01 to 12/31 3.4 AF

Use: WILDLIFE 01/01 to 12/31 0.5 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 3.4 AF

Total Diversion: 0.5 CFS

Date Filed: 2/21/2017

Place Of Use: AESTHETIC, RECREATION, WILDLIFE, AESTHETIC STORAGE, IRRIGATION STORAGE,
RECREATION STORAGE, WILDLIFE STORAGE

T05N R17E S10 SWNE SENE

Application for permit proposes the appropriation of ground water from 3 existing wells and 1 proposed well for aesthetic, recreation, wildlife and storage uses associated with an excavated lined pond. Evaporative losses associated with this pond are proposed to be covered by converting irrigation acres to use(s) associated with the pond via companion transfer application #81483. Points of diversion and place of use are located approximately 6.8 miles north and 2.3 miles west of the intersection of Sun Valley Rd and HWY 75 in Ketchum.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81483

RIDGEVIEW SMITH PROPERTIES LLC, 2200 BUTTS RD #320, BOCA RATON, FL 33431; has filed Application No. 81483 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8372. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding points of diversion, changing place of use, changing nature of use and period of use for a portion of a ground water irrigation right that currently allows the diversion of 0.04 cfs for the irrigation of 3.0 acres. The transfer proposes adding three additional points of diversion, two existing wells and one new well to be drilled. The transfer proposes converting a 0.46 acre portion of the right to wildlife, recreation, and aesthetic for evaporative losses associated with a proposed pond described in companion application for permit 37-23029. The transfer also proposes creating an 18.7 acre permissible place of use for the remaining 2.54 acres of irrigation. Points of diversion and place of use are located approximately 6.7 to 6.9 miles north and 2.2 to 2.5 miles west of the intersection of Sun Valley Rd and HWY 75 in Ketchum.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **May 22, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 3rd & 10th, 2017

Mills, William

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Tuesday, April 11, 2017 2:24 PM
To: Mills, William
Subject: RE: POD locations for Ridgeview Smith Transfer #81483
Attachments: Ridgeview Smith Properties LLC Amended Transfer pg3 4-11-17.pdf

Thanks Bill, see the attached changes as you recommended below.

Will I need to make any amendments to the pond permit to rectify the POD POU locations per IDWR's PLSS map, similar to those made in the transfer? If so, let me know, thanks.

Also, I will notify Ridgeview Smith that it is likely we will see advertisement in the first week of May.

Let me know if we need anything else to get to advertising.

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: Mills, William [mailto:William.Mills@idwr.idaho.gov]
Sent: Tuesday, April 11, 2017 1:23 PM
To: Zach Latham
Subject: RE: POD locations for Ridgeview Smith Transfer #81483

Zach,
Looking over the amended page 3 and the acres are switched, it should be 9.0 acres in the SWNE and 9.5 acres in the SENE, see attached. I looked at the taxlot layer and ran another intersect rounding to the 10ths and still came up with 18.6 acres. However, the metadata indicates that there are 18.7 acres on the property. If you want the PPU to reflect the 18.7, I would just add 0.1 to the SWNE making it 9.1 acres; 9.5 in the SENE and 0.1 in the NWSE, or you can leave it at 18.6, that's up to you. The POD locations on the amended page are correct.

Thanks,

Bill

From: Zach Latham [mailto:zach.latham@brockwayeng.com]
Sent: Tuesday, April 11, 2017 11:28 AM
To: Mills, William <William.Mills@idwr.idaho.gov>
Subject: RE: POD locations for Ridgeview Smith Transfer #81483

Bill-

Per our recent telephone conversations regarding the updated PLSS locations for the POD's and POU associated with these water rights, please see the amended transfer page 3 which seeks to correctly identify the location for wells #6 and #7, as well as the POU acreage per 40 acre quarter-quarter and the WRJ uses associated with the proposed pond. One quick question, on the permit associated with the pond, the uses were only identified in the SWNE, as were all the wells. The pond on your photo is in the SWNE and SENE, and we know now that well #'s 6 & 7 are in the SENE. Do we

need to amend the POU/POD's listed on the permit, or do you have that data entered already? We didn't discuss this on the phone...please advise.

Please let me know if we need any additional changes to get to advertisement. It sounds like an advertisement in the first week of May is possible. Thanks again for all of your efforts.

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: Mills, William [<mailto:William.Mills@idwr.idaho.gov>]
Sent: Tuesday, March 21, 2017 2:20 PM
To: Zach Latham
Subject: POD locations for Ridgeview Smith Transfer #81483

Zach,
I was looking at the pod locations on the architects map, the transfer map and the transfer application and realized there were additional issues with those POD locations. The architects map and the transfer map indicate that wells #6 and #7 are in the SENE, while the transfer indicates they are in the SWNE and the domestic water right (37-13375) currently associated with those wells lists them as in the NWSE. Additionally, in ArcMap they are located in the SWNE. An email stating the correct location of wells #6 & #7 will suffice for the transfer, however that leaves water right 37-13375 with an incorrect description and both will need to be updated at the same time for this to work. Corey stated that if a transfer was filed to correct the description on 37-13375 to the SENE, we could process it without advertising since it is a correction and both could be approved at the same time. The attached map shows where the wells are currently located in ArcMap. Let me know what you think,
Bill



Virus-free. www.avg.com

MEMORANDUM

Date: March 13, 2017
To: Transfer 81483
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #81483 were based on the on the current transfer fee schedule and included \$200.00 for the 0.04 cfs being transferred in the application and \$250.00 for the proposed change in nature of use. (Receipt No.S035959).

MEMORANDUM

Date: March 10, 2017
To: Transfer 81483 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding points of diversion (PODs), changing the nature of use of a portion of an irrigation ground water right and creating an 18.7 acre permissible place of use (PPU). Water right 37-8372 currently allows for the diversion of 0.04 cfs for the irrigation of 3.0 acres. The application is proposing to add three PODs, 2 existing and 1 proposed well to the water right. The transfer also proposes to change the nature of use of a 0.006 cfs portion of the water right to Aesthetic, Recreation and Wildlife uses and 0.75 af to Aesthetic Storage, Recreation Storage and Wildlife Storage with a Diversion to Storage of 0.006 cfs for use in a proposed pond with a storage capacity of 3.4 af. The proposed storage component of 0.75 af is intended to account for evaporative losses from a 3.4 af pond that is proposed in a companion application for permit 37-23029. The proposed requested change in nature of use would reduce the irrigation to 0.034 cfs, 8.86 af for use on 2.54 acres with 0.46 acres of irrigation dried up. However, due to difficulties with rounding and the inability to round to 100ths in Workflow, the acres to be dried up will be rounded up to 0.5 acres, the 0.006 cfs portion transferred to other uses will be rounded up to 0.01 cfs and the remaining irrigation will be rounded down from 0.034 to 0.03 cfs.

Applicant has provided sufficient analysis for the proposed nature of use changes from irrigation to recreation, aesthetic and recreation uses. See Attachment #8A and Narrative provided with transfer for a more detailed breakdown of the analysis. Overlap review finds there are two domestic rights (37-10684 and 37-13375) and an application for permit for heating, cooling and domestic uses (37-23028) within the proposed PPU boundary. A "206" map was provided indicating which 2.5 acres will be irrigated within the 18.7 acre PPU during this upcoming irrigation season. PODs and PPU are located in Water District 37 and Watermaster comments will be solicited.

- **Authority to File:** IDWR records indicate the applicant is the current owner of the water right in this transfer.
- **Water Right Validity:** Water right 37-8372 was licensed on 6/3/1999. Recent aerial and satellite imagery indicates the properties involved with this transfer appear irrigated.
- **Injury to Other Water Rights:** None anticipated.

- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing



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Hydrology

Water Resources

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DEPT OF WATER RESOURCES
SOUTHERN REGION

February 15th, 2017

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

RE: Ridgeview Smith Properties LLC: Water Right Permit (2), Transfer (1)
and Injection Well (1) Applications.

Dear Corey,

Enclosed are two water right permit applications, one injection well permit application and one water right transfer application in the name of Ridgeview Smith Properties LLC (LLC). The LLC recently purchased Lots 7, 8 and 9A of the Barlow Subdivision, north of Ketchum Idaho. Ground water irrigation right 37-8372 currently authorizes 3.0 acres of irrigation and is appurtenant to Lot 7, Barlow Subdivision.

The first of two water right permit applications seeks non-consumptive heating and cooling uses from a recently drilled well on lot 8 (well #5). An existing well on lot 8 (well #4) will be used as the injection well, an injection well permit is attached. Well #5 will also provide the domestic in-house water supply for the residence under construction on Lot 8.

The second of two water right permit applications seeks to permit flow through and storage uses in a newly proposed lined pond from a proposed well (well #3). The pond will have a surface area of approximately 0.59 acres and a volume of 3.4 acre-feet. Evaporation off of the pond will be mitigated using 37-8372. Details relating to these permit and transfer filings are summarized in the attached memo in support of the applications.

The water right transfer application involving 37-8372 seeks to create a permissible place of use around property owned by the LLC (Lots 7, 8 and 9A) so that 37-8372 can be used anywhere on the lots. Additionally, the transfer application seeks to add three additional wells to 37-8372 while accounting for consumptive uses associated with the second permit for the proposed pond.

As mentioned, details associated with irrigated areas within the proposed PPU, existing and proposed well locations and their current and proposed uses, as well as other details are contained in the attached narrative in support

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of the applications. All applications are signed by Mr. Thomas Smith. Attachment 1A authorizes Mr. Smith to sign on behalf of the LLC.

The fee for the non-consumptive heating and cooling permit was calculated at \$100 for the 0.12 cfs diversion rate, the fee for the injection well is \$100, the fee for the pond permit was calculated at \$250 based on the 0.5 cfs diversion rate, and the fee for the transfer application was calculated at \$200 based on the diversion rate of 0.04 cfs, including an additional \$250 to account for the changes in natures of use on the application. Therefore, the total included application fee is \$900, in the form of two checks. One check is from Brockway Engineering PLLC for \$800 and the other from Thomas Smith for the \$100 injection well permit.

Please copy our office on all correspondence regarding the enclosed water right permit, injection well permit, and water right transfer applications. Don't hesitate to give me a call with comments or questions. Thanks for your time and assistance on this matter.

Regards,


Zach Latham, M.S., Hydrologist.

Enclosures:

- (1) Heating and Cooling Permit Application and Map.
- (1) Injection Well Permit Application.
- (1) Pond Permit Application and Map.
- (1) Well and Water Use Exhibit Lots 7, 8 & 9A.
- (1) Water Right Transfer Application and Map.
- (1) Narrative in Support of Water Right Permit and Transfer Applications.
- (1) Attachment 1A: Unanimous Written Consent of the Managers of Ridgeview Smith Properties LLC.
- (1) Water Right Transfer Application Calculations Sheet.
- (1) Brockway Engineering Check # 13838
- (1) Thomas Smith Check #4497

Cc: Ridgeview Smith Properties LLC c/o: Mr. Thomas Smith
Jim Speck
Verdone Landscape Architects PC c/o: Jim Verdone