

RECEIVED

Rev. 01/15

FEB 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81494**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) City of Hailey and Hailey Cemetery Maintenance DistrictCheck 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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 16 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) City of Hailey and Hailey Cemetery Maintenance District Phone _____Mailing address 115 S. Main St. #H (City); P.O. Box 4515 (Cemetery), Hailey, ID 83333 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 Charles G. Brockway, P.E. Phone (208) 736-8543Mailing address 2016 Washington St N, Ste 4, Twin Falls, ID 83301 Email _____

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

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

Signature of Applicant or Authorized Representative

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 Split right

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 necessary and label it **Part 1A.2**.

The transfer will move a portion of the right to irrigated lands within the Hailey Cemetery, to be irrigated using the same point of diversion as listed on the water right and in the same manner as has historically occurred for many years.

original



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

DEPT OF WATER RESOURCES
SOUTHERN REGION

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Name of Representative Charles G. Brockway, P.E. Phone (208) 736-8543

Mailing address 2016 Washington St N, Ste 4, Twin Falls, ID 83301 Email _____

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OR
- ☒ Send original correspondence to the applicant and copies to the representative.
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[Signature]
Signature of Applicant or Authorized Representative

Fritz X. Hammer
Print Name and Title if applicable

2/8/17
Date

[Signature]
Signature of Applicant or Authorized Representative

Raymond G. Grosvenor (CHAIRMAN)
Print Name and Title if applicable

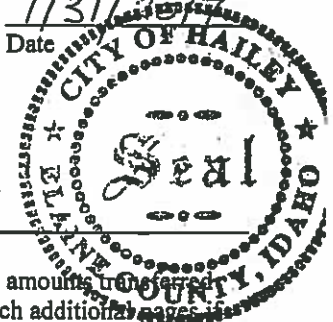
11/31/2017
Date

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☐ Change nature of use ☐ Change period of use ☒ Other Split right

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The transfer will move a portion of the right to irrigated lands within the Hailey Cemetery, to be irrigated using the same point of diversion as listed on the water right and in the same manner as has historically occurred for many years.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 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 ☐ ☒	37-22019	0.36 / 65.8	Irrigation	4/15 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.36 cfs and/or 65.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.36 cubic feet per second and/or 65.8 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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	
2N	18E	10										3.7	10.6	4.5					18.8
Total Acres (for irrigation use)																			18.8

Received 3-21-17
via email from
Chuck Bruckway

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 10 2017

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

DEPT OF WATER RESOURCES
SOUTHERN REGION

via Email

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.

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All or Part ☐ ☒	37-22019	0.36 / 65.8	Irrigation	4/15 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

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 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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	
2N	18E	10												2.5			9.0		11.5
2N	18E	14											1.2						1.2
2N	18E	15		1.3	1.1	0.3									1.3			0.1	4.1
2N	18E	23					0.6	0.7		0.7									2.0
Total Acres (for irrigation use)																			18.8

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 ☐ ☒	37-22019	0.36 / 65.1	Irrigation	4/15 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.36 cfs and/or 65.1 acre-feet.

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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 of 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 #

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	
2N	18E	10												2.5			9.0		11.5
2N	18E	14											1.2						1.2
2N	18E	15		1.3	1.1	0.3									1.3			0.1	4.1
2N	18E	23					0.6	0.7		0.7									2.0
Total Acres (for irrigation use)																		18.8	

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:

Existing well to irrigated lands. The pump discharge string will accommodate or can be modified to accommodate a measuring device and lockable valve.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien:

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:
18.8 acres will no longer be irrigated.

- 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:
Land is within the service area of the City of Hailey's municipal water rights.

- 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:

MAR 21 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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: 37-22019

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Received 3-21-17
via Email From
Chuck Brockway

AMENDED

Current Owner:	CITY OF HAILEY HAILEY CEMETERY MAINTENANCE DISTRICT
Priority Date:	3/29/1961
Origin:	Water Right
Status:	Active
Basis:	Decreed

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	9.37 CFS	1701 AF
	<u>Total Diversion</u>	9.37 CFS	1701 AF

GROUND WATER SE1/4SW1/4 Sec. 10, Twp 02N, Rge 18E B.M.
BLAINE County

IRRIGATION Within BLAINE County

T02N R18E S10	SWSW	1.00	T02N R18E S10	SESW	11.00
T02N R18E S10	SWSE	39.00	T02N R18E S14	NWSW	14.00
T02N R18E S14	SWSW	28.00	T02N R18E S15	NWNE	40.00
T02N R18E S15	SWNE	36.00	T02N R18E S15	SENE	21.00
T02N R18E S15	NENW	28.00	T02N R18E S15	SENW	4.00
T02N R18E S15	NESE	39.00	T02N R18E S15	NWSE	11.00
T02N R18E S15	SESE	23.00	T02N R18E S22	NENE	1.00
T02N R18E S23	NENW	33.00	T02N R18E S23	NWNW	33.00
T02N R18E S23	SWNW	4.00	T02N R18E S23	SENW	36.00
T02N R18E S23	NESW	11.00	T02N R18E S23	NWSE	34.00
T02N R18E S23	SWSE	23.00	T02N R18E S23	SESE	16.00

Conditions of Approval:

1. 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.
2. Use of this right is combined with water from Hiawatha Canal.
3. This right is licensed right 37-2659.

Page 1 of _____

Decreed Date: 4/1/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

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

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

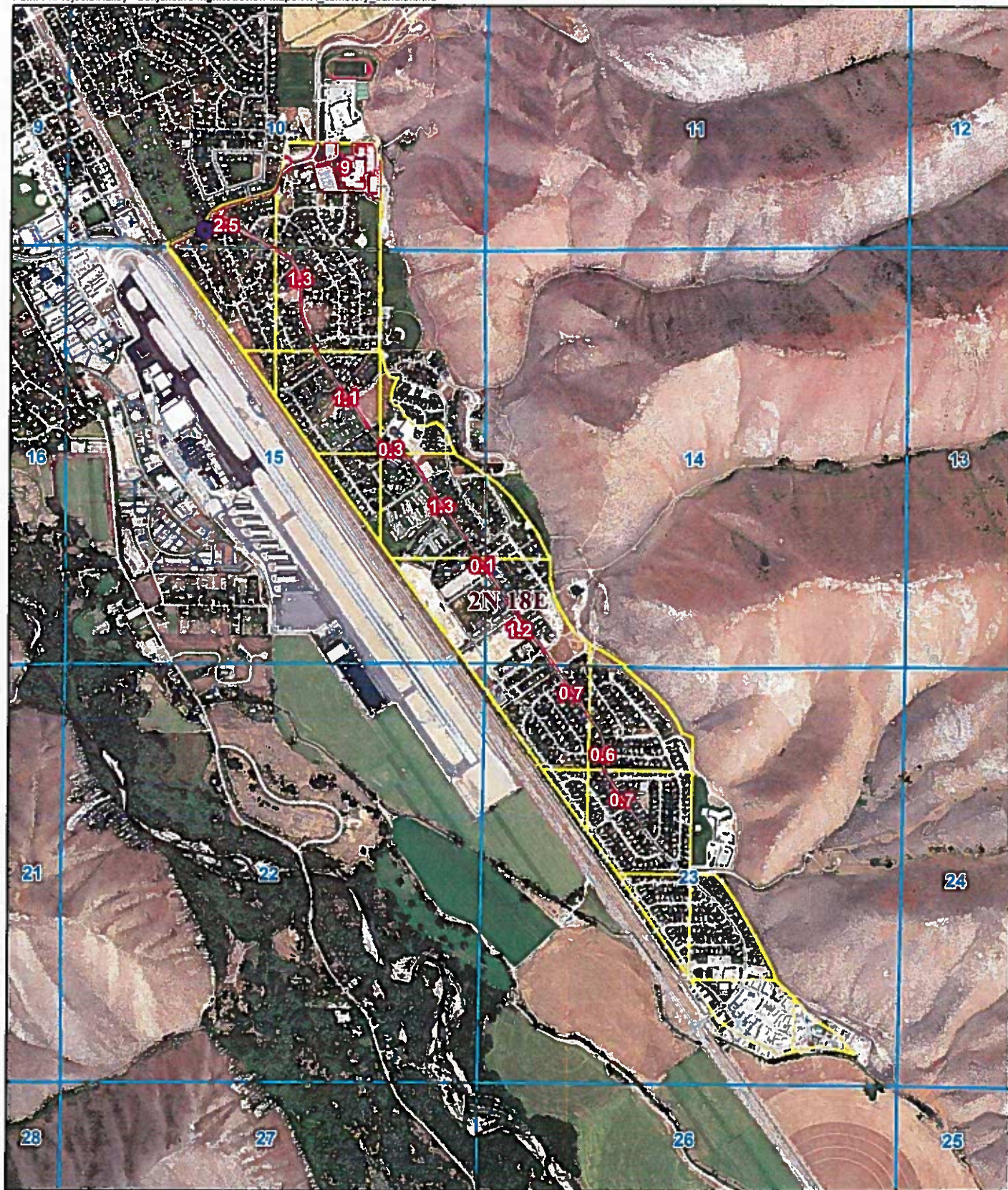
Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary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

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by DM Date 2/27/2017 Preliminary check by _____ Date _____
 Fee paid \$250- Date 2/27/2017 Received by DM Receipt # SO35967
 Add'l fee paid \$250- Date 3-13-2017 Received by DM Receipt # SD35992

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



0 500 1,000 2,000 Feet

CITY OF HAILEY/HAILEY CEMETERY DISTRICT

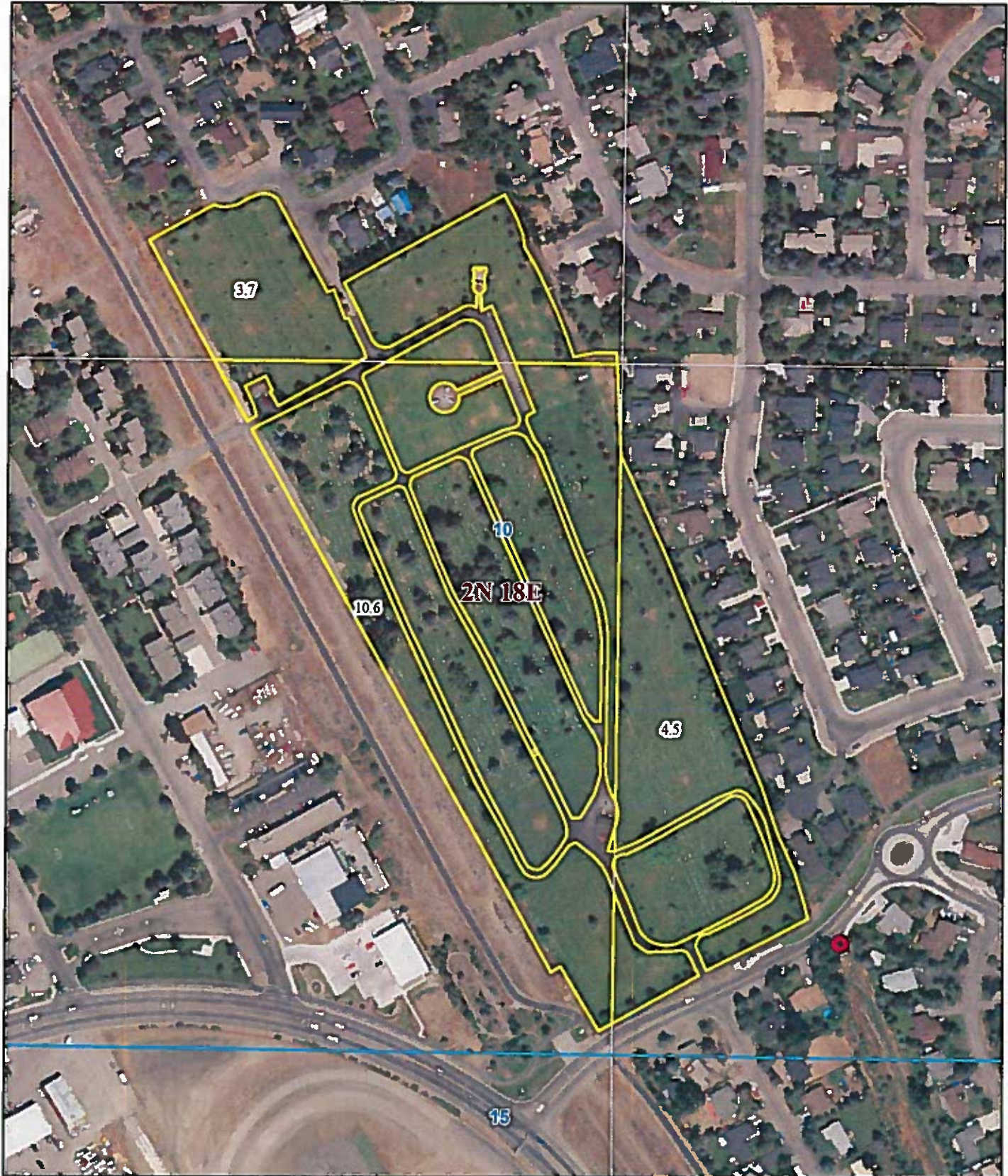
WR 37-22019 TRANSFER
NAIP 2015 AERIAL

TRANSFER 81494

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 1/23/2017

- POD 37-22019
- POU 37-22019 - IDWR
- 18.8 acre dryup





0 75 150 300 Feet

CITY OF HAILEY/HAILEY CEMETERY DISTRICT

WR 37-22019 TRANSFER
NAIP 2015 AERIAL

TRANSFER 81494

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 1/20/2017



37-22019 POD



18.8 ac. irrigated area





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

March 30, 2017

CITY OF HAILEY
115 S MAIN ST #H
HAILEY, ID 83333

HAILEY CEMETERY MAINTENANCE DISTRICT
PO BOX 4515
HAILEY, ID 83333

RE: Transfer No. 81494
Water Right No(s). 37-22019

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 **4/5/2017** and **4/12/2017**. 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 **April 24, 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
C/O CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 30, 2017 4:46 PM
To: Kevin Lakey (WD 37); Cyndi WD37
Subject: Comment Letters - Animal Shelter of Wood River Valley, City of Hailey et al
Attachments: Amendment of Permit 37-22436.pdf; 37-23030.pdf; Transfer 81494.pdf; Comment Letter to WM37 for 37-22436, 37-23030, 81494.docx

Good afternoon,

Attached are copies of applications within your district, which are currently being processed. Please review the information and provide any necessary comments within 21 days.

Thank you in advance,

Denise @ IDWR

*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

March 30, 2017

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

via e-mail

RE: Application to Amend Permit No. 37-22436

RE: Application For Permit No. 37-23030

RE: Transfer No. 81494
Water Right No(s). 37-22019

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, March 30, 2017 12:49 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICES
Attachments: Idaho Mtn Express cover letter.docx; Big & Little Wood Delivery Call ad (4-2017).docx; Idaho Mtn Express Ad.doc

Attached please find (2) legal notices being submitted for publication on April 5th & 12th, 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

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



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2017

LEGAL NOTICE DEPARTMENT

IDAHO MOUNTAIN EXPRESS

PO BOX 1013

KETCHUM, ID 83340

RE: Application to Amend Permit No: 37-22436

RE: Application For Permit No.(s): 37-23030

RE: Transfer No. 81494
Water Right No(s): 37-22019

RE: Notice of Water Right Delivery Call filed by the Big Wood & Little Wood Water Users Association

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 April 24, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to *amend* Permit to Appropriate Water:

37-22436

ANIMAL SHELTER OF WOOD RIVER VALLEY

PO BOX 1496

HAILEY, ID 83333

Point of Diversion NWNE S17 T02N R18E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWNE S17 T02N R18E BLAINE County Source GROUND WATER Tributary

Use: COMMERCIAL 01/01 to 12/31 0.64 CFS 68.4 AF

Total Diversion: 0.64 CFS

Date Filed: 2/27/2017

Place Of Use: COMMERCIAL

T02N R18E S17 NWNE SWNE

Application for Amendment of permit seeks to change the location of one of two authorized points of diversion for an existing permit and to change the nature of use from municipal to commercial use for use at a proposed animal shelter facility. Proposed points of diversion and place of use are located approximately 0.8 to 0.9 miles west and 0.5 to 0.8 miles south of the intersection of Hwy 75 and Bullion St in Hailey.

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

37-23030

ANIMAL SHELTER OF WOOD RIVER VALLEY

PO BOX 1496

HAILEY, ID 83333

Point of Diversion SWNE S17 T02N R18E BLAINE County Source GROUND WATER Tributary

Point of Diversion SWNE S17 T02N R18E BLAINE County Source GROUND WATER Tributary

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Point of Diversion SWNE S17 T02N R18E BLAINE County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.72 CFS

Use: HEATING 01/01 to 12/31 0.72 CFS

Total Diversion: 0.72 CFS

Date Filed: 2/27/2017

Place Of Use: HEATING, COOLING

T02N R18E S17 NWNE SWNE

Application proposes to appropriate up to 0.72 cfs of ground water for heating and cooling purposes associated with a new animal shelter facility. An existing well and three new wells are proposed to be drilled with the diverted water used and reinjected at the site. Proposed points of diversion and place of use are located approximately 0.8 to 0.9 miles west and 0.5 to 0.8 miles south of the intersection of Hwy 75 and Bullion St in Hailey.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81494

CITY OF HAILEY, 115 S MAIN ST #H, HAILEY, ID 83333; HAILEY CEMETERY MAINTENANCE DISTRICT, PO BOX 4515, HAILEY, ID 83333; has filed Application No. 81494 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22019. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to split ground water irrigation right 37-22019 (9.37 cfs) and modify its place of use. The right is currently appurtenant to 486.0 acres located approximately 0.7 to 2.3 miles east and 0.2 to 2.4 miles south of the intersection of Main and Bullion Streets in Hailey. The transfer proposes to split off 18.8 acres (0.36 cfs) which will irrigate land located approximately 0.5 to 0.7 miles east and 0.1 to 0.5 miles south of the center of Hailey (Hailey Cemetery). The current point of diversion for right 37-22019 will serve each right and ownership of both rights will remain with the City of Hailey and Hailey Cemetery Maintenance District.

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 **April 24, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 5th & 12th, 2017

MEMORANDUM

Date: March 21, 2017
To: Transfer 81494, City of Hailey/Hailey Cemetery Maintenance District File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to split ground water irrigation right 37-22019 (9.37 cfs) and modify its place of use. The right is currently appurtenant to 486.0 acres located approximately 0.7 to 2.3 miles east and 0.2 to 2.4 miles south of the intersection of Main and Bullion Streets in Hailey. The transfer proposes to split off 18.8 acres (0.36 cfs) which will irrigate land located approximately 0.5 to 0.7 miles east and 0.1 to 0.5 miles south of the center of Hailey (Hailey Cemetery). The current point of diversion for right 37-22019 will serve each right and ownership of both rights will remain with the City of Hailey and Hailey Cemetery Maintenance District.

The proposed transfer is located within Water District 37 so Watermaster comments will be sought from the Water District 37 Watermaster. The application will also be advertised.

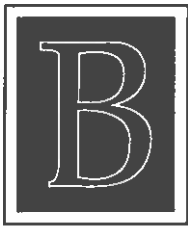
- **Authority to File:**
The Department's database indicates that water right 37-22019 is owned by the applicants, the City of Hailey and the Hailey Cemetery Maintenance District. The application was signed by Fritz Haemmerle, Mayor of Hailey, and Ray Grosvenor, Chairman of the Hailey Cemetery District. The Hailey Cemetery is owned by the Hailey Cemetery District.
- **Water Right Validity:**
Right 37-22019 was decreed in April of 2010 and an Extension of Time to Avoid Forfeiture was filed in January of 2016 and approved on March 17, 2016.
- **Injury to Other Water Rights:**
None anticipated or foreseen. Acres in the current decreed place of use will be dried up to replace the acres moved to the cemetery.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The transfer will be advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

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

FEE MEMORANDUM

Date: March 21, 2017
To: City of Hailey and Hailey Cemetery Maintenance District transfer #81494 file
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on 2/27/2017 and it splits irrigation right 37-22019 (ground water, 9.37 cfs), though the ownership will not change. The amount of acres being changed is 18.8, so the percentage being changed is $18.8/486 = 0.038683128 \times 9.37 \text{ cfs} = 0.36 \text{ cfs}$, and from the transfer fee schedule, the fee should be \$500.00. Brockway Engineering submitted check #13863 for \$250.00 with the transfer application (receipt #S035967). This left a shortfall of \$250.00, which was remitted by Brockway Engineering with check #13903 on 3/13/2017, receipt #S035992.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 17, 2017

Corey Skinner, P.E.
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Re: City of Hailey / Hailey Cemetery water right transfer

Dear Mr. Skinner:

Enclosed please find an Application for Transfer for the purpose of splitting water right 37-22019 and modifying its place of use. The water right is a groundwater irrigation right jointly owned by the City of Hailey and the Hailey Cemetery Maintenance District, and both entities have signed the application. After the transfer, 18.8 acres will be appurtenant to the cemetery lands. Correspondingly, 18.8 acres of unirrigated land is being removed from the decreed place of use as shown on the attached map. Irrigation on cemetery lands will occur as it has historically from the same decreed point of diversion. Please note that an Extension of Time to Avoid Forfeiture was approved on water right 37-22019, with a resumption date of July 1, 2021.

Please do not hesitate to contact me if any questions arise.

Cordially,


Charles G. Brockway, P.E.

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

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

Enc. Application for transfer and fee

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506