

RECEIVED

JAN 26 2016

DEPARTMENT OF
WATER RESOURCES

Form 42-222(4) Rev. 06/12
FEE \$100.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

- Water Right No. 37-22019 (one right per application)
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, *Water Right Transfers, Step 1*, or by contacting any Department office.
- Applicant City of Hailey and Hailey Cemetery Maintenance District Phone (208) 788-4221
- Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.
- Mailing address ☒ Same as water right record -- OR -- complete the following information:
Address _____ City _____
State _____ Zip code _____ Email _____
- Give the last date water was beneficially used decree issued in 2010
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
The city of Hailey and the Hailey Cemetery Maintenance District are co-owners. Authorized point of diversion is within Hailey Cemetery. City and District are currently negotiating ownership division of the water right and have not yet reached agreement. City will file transfer application to add this right to the City-owned distribution system.

The information contained in this application is true to the best of my knowledge.

<u>[Signature]</u> Signature of applicant or authorized agent	<u>Erin K. Hammond, Mayor</u> Print name (and title, if applicable)	<u>12/14/15</u> Date
<u>[Signature]</u> Signature of applicant or authorized agent	<u>MARSHA RIEMANN</u> Print name (and title, if applicable)	<u>12/17/15</u> Date

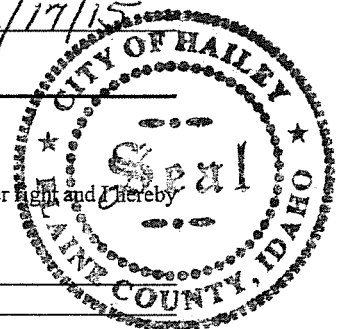
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby Approve said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before July 1, 2021.

Signed this 17th day of March, 2016. Shelley W. Kean
Title: Water Rights Section Manager

Stamped received ☒ Fee received by dh Date 1-26-16 Receipt # C101459





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 28, 2016

CITY OF HAILEY
HAILEY CEMETERY MAINTENANCE DISTRICT
115 S MAIN ST #H
HAILEY ID 83333

RE: Extension of Time to Avoid Forfeiture Water Right: 37-22019

Dear Water Right Holder:

Enclosed is a copy of the approved Application of Extension of Time to Avoid Forfeiture for water right **37-22019**. Please note that resumption of beneficial use of water for this right shall occur on or before July 1, 2021.

Please notify the Department as soon as you resume use of the water. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Please be advised that Idaho Code § 42-248 requires you or the owner of this water right maintain current ownership and address records on file with the Department. Please contact any office of the Department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. These forms are also available by accessing the department's website at: www.idwr.idaho.gov.

Please contact this office if you have any questions regarding this matter at 287-4881.

Sincerely,

 Sandra Thiel
Sr. Water Rights Agent

Enclosure

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 29 2016

State of Idaho
County of Blaine

Pam Morris

DEPARTMENT OF
WATER RESOURCES

sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 17 day of

Feb., 20 16, and the date of the last publication was

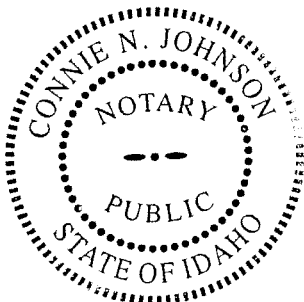
on the 24 day of Feb., 20 16

Subscribed and sworn to before me this 24 day of

Feb., 20 16

Pam Morris

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 47
Number of Insertions 2

Lines tabular at		9.0 cents/pica
<u>47</u> Lines straight at	<u>43.24</u>	8.0 cents/pica
<u>47</u> Subsequent lines at	<u>37.84</u>	7.0 cents/pica
TOTAL COST		<u>\$81.08</u>

RECEIVED

COPY OF NOTICE
MAR 04 2016

DEPARTMENT OF
WATER RESOURCES

Legal Notice

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR/Boise
BILL TO

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

CITY OF HAILEY, 115 S MAIN ST, HAILEY ID, 83333 and HAILEY CEMETERY MAINTENANCE DISTRICT, PO BOX 4515, HAILEY, ID, 83333, have filed an Extension of Time to Avoid Forfeiture for water right 37-22019, with a priority date of 3/29/1961 from Ground Water in the amount of 9.37 cfs and 1701.0 af for 486.0 acres. Water right 37-22019 was partially decreed on April 1, 2010. The extension is requested to avoid loss of the water right due to non-use. The City and Cemetery District are negotiating ownership and the City of Hailey will eventually be part of a transfer to add this right to the City owned distribution system. Water right 37-22019 is appurtenant to 486.0 acres of land located in Township 02N, Range 18E, Sections 10, 14, 15, 22 and 23 in Blaine County. For additional information concerning the property location, contact IDWR State Office at (208) 287-4800, or search under <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Protests may be submitted based on the criteria of Idaho Code §42-203A. Any protest against the approval of the proposed application must be filed with the Department of Water Resources, State Office, 322 E Front St., PO Box 83720, Boise, Idaho, 83720-0098 together with a protest fee of \$25.00 for each application on or before 03/07/2016. The protestant must also send a copy of the protest to the applicant.
Gary Spackman, Director

3-4-16

PUBLISH
IDAHO MOUNTAIN EXPRESS
FEB. 17 & 24, 2016

Thiel, Sandra

From: Kevin Lakey [watermanager@cableone.net]
Sent: Thursday, February 11, 2016 11:01 AM
To: Thiel, Sandra
Subject: RE: Extension of time to avoid forfeiture for right 37-22019

I HAVE NO CONCERNS WITH THIS APPLICATION.

Kevin Lakey
Water District 37

From: Thiel, Sandra [mailto:Sandra.Thiel@idwr.idaho.gov]
Sent: Thursday, February 11, 2016 9:28 AM
To: Kevin Lakey
Subject: Extension of time to avoid forfeiture for right 37-22019

Good Morning Kevin, The Department received an application for an extension of time to avoid forfeiture from the City of Hailey and the Hailey Cemetery Maintenance District. I wanted to give you an opportunity to comment. I've attached a scanned copy of the application, a map of the place of use and the point of diversion and the water right proof report. If you have any comments let me know. In the mean time I will send it out for advertisement.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, February 11, 2016 12:28 PM
To: 'legalnotices@mtexpress.com'
Subject: Legal Notice
Attachments: Extension of Time Legal Notice Template.docx

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 me immediately.

An affidavit of publication must be submitted to the IDWR State Office, PO Box 83720, Boise, Idaho, 83720-0098, along with the publication bill. Please send the affidavit and bill to this office before 3/7/2016. Your cooperation is appreciated.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

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Gary Spackman, Director

Published on Feb 17, 2016 and February 24, 2016

City of Hailey

115 MAIN STREET SOUTH, SUITE H
HAILEY, IDAHO 83333

RECEIVED (208) 788-4221
FAX: (208) 788-2924

JAN 26 2016

DEPARTMENT OF
WATER RESOURCES

January 22, 2016

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Subject: Submission of Two Water Right Applications

Dear Idaho Department of Water Resources:

Please find the following applications attached:

- Application to Sell or Lease a Water Right to the Water Supply Bank for Water Right No. 37-20831
- Application for Extension of Time to Avoid Forfeiture of a Water right for Water Right No. 37-22019

A check in the amount of \$350.00 is enclosed as payment for both applications.

Sincerely,



Mariel Miller
Director, Public Works

cc: file