

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80621**

This is to certify that: **CITY OF KETCHUM**
PO BOX 2315
KETCHUM, ID 83340

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2628	WR/DECREED	12/10/1959	0.440 cfs	N/A	N/A	N/A	GROUND WATER
37-4413	WR/DECREED	9/1/1954	2.672 cfs	N/A	N/A	N/A	GROUND WATER
37-4414	WR/DECREED	8/1/1955	2.227 cfs	N/A	N/A	N/A	GROUND WATER
37-7682	WR/DECREED	10/7/1977	3.000 cfs	N/A	N/A	N/A	GROUND WATER
37-8195	WR/LICENSE	10/5/1984	1.650 cfs	N/A	N/A	N/A	GROUND WATER
37-8269	WR/LICENSE	4/28/1986	4.410 cfs	102.2 af	N/A	N/A	GROUND WATER
37-8575B	WR/LICENSE	12/7/1989	0.800 cfs	125.9 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2628	NO	NO	NO	YES	NO	NO
37-4413	NO	NO	NO	YES	NO	NO
37-4414	NO	NO	NO	YES	NO	NO
37-7682	NO	NO	NO	YES	NO	NO
37-8195	NO	NO	NO	YES	NO	NO
37-8269	NO	NO	NO	YES	NO	NO
37-8575B	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2628	37-2628	0.440 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-4413	37-4413	2.672 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-4414	37-4414	2.227 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-7682	37-7682	3.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-8195	37-8195	1.650 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-8269	37-8269	4.410 cfs	102.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-8575B	37-8575B	0.800 cfs	125.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		14.760 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80621

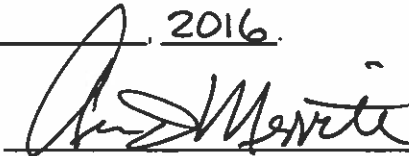
IN FILE # 37-2628

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80621

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 3rd day of March, 2016.



Southern Region Manager



WATER RIGHT NO. 37-7682

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-7682 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 10/7/1977

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
3.000 cfs
3.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

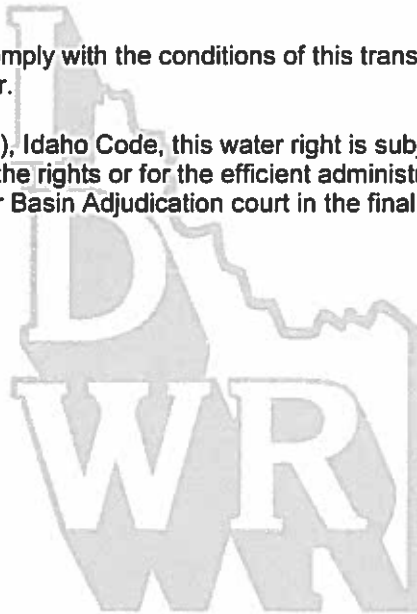
1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the decree dated 6/29/2011.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.

Transfer No. 80621

WATER RIGHT NO. 37-7682
As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Place of use does not include federal public lands.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-4413

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-4413 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 9/1/1954

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
2.672 cfs
2.672 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

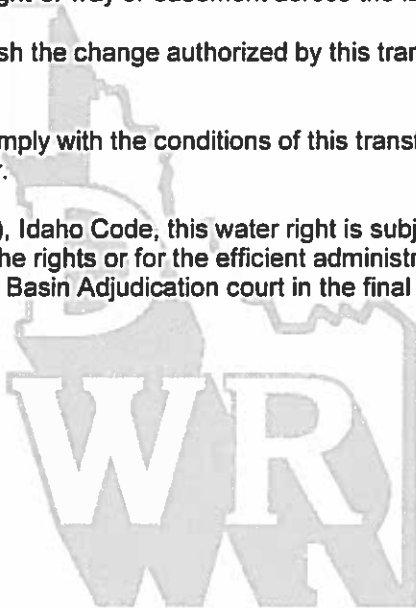
1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the decree dated 6/29/2011.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. Rights 37-2628, 37-4413 and 37-4414 when combined shall not exceed a total diversion rate of 4.90 cfs.

Transfer No. 80621

WATER RIGHT NO. 37-4413
As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.
8. Place of use does not include federal public lands.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-4414

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-4414 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 8/1/1955

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
2.227 cfs
2.227 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7	Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7	Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

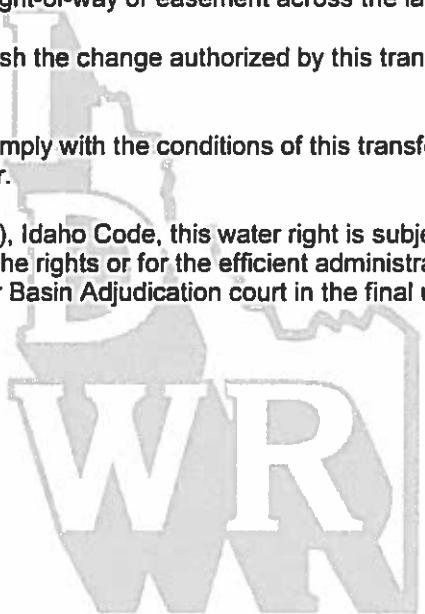
1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the decree dated 6/29/2011.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. Rights 37-2628, 37-4413 and 37-4414 when combined shall not exceed a total diversion rate of 4.90 cfs.

Transfer No. 80621

WATER RIGHT NO. 37-4414

As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.
 8. Place of use does not include federal public lands.
 9. This right does not grant any right-of-way or easement across the land of another.
 10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
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WATER RIGHT NO. 37-8269

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-8269 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 4/28/1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
FIRE PROTECTION	01/01	to 12/31	4.410 cfs	
MUNICIPAL	01/01	to 12/31	4.410 cfs	102.2 af
			4.410 cfs	102.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

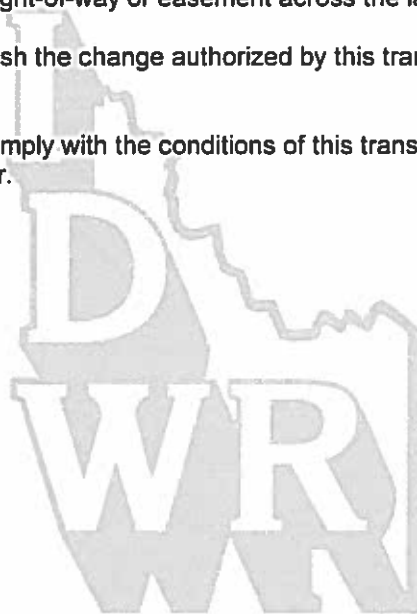
- Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
- A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
- To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the license dated 10/14/2011.
- Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
- Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
- The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.

Transfer No. 80621

WATER RIGHT NO. 37-8269
As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.
8. Place of use does not include federal public lands.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 37-8575B

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-8575B is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 12/7/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> 04/02	<u>To</u> to 10/14	<u>Diversion Rate</u> 0.800 cfs 0.800 cfs	<u>Diversion Volume</u> 125.9 af 125.9 af
MUNICIPAL				

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County

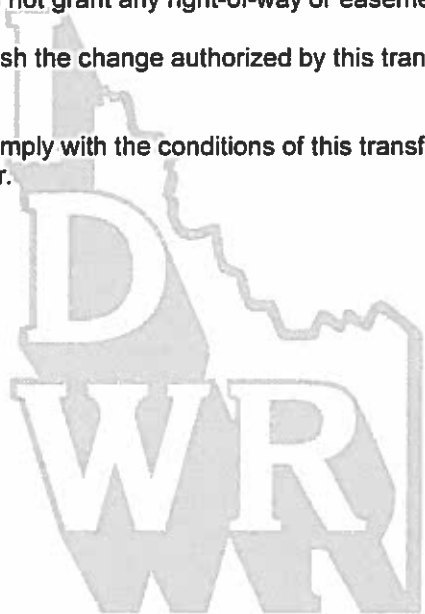
CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the license dated 5/29/2012.
4. The right holder is not authorized to divert or use any water under this right from October 15 to April 1.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.

WATER RIGHT NO. 37-8575B
As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.
8. Place of use does not include federal public lands.
9. The issuance of this right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 37-8195

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-8195 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 10/5/1984

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
1.650 cfs
1.650 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12	Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13	Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7	Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7	Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the license dated 6/18/2012.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.

Transfer No. 80621

WATER RIGHT NO. 37-8195

As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

7. Place of use does not include federal public lands.
8. This right does not grant any right-of-way or easement across the land of another.
9. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
10. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
11. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
12. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
13. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-2628

As Modified by Transfer No. 80621

In accordance with the approval of Transfer No. 80621, Water Right No. 37-2628 is now described as follows:

Right Holder: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Priority Date: 12/10/1959

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
0.440 cfs
0.440 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 1 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SESW	Sec 12 Twp 04N Rge 17E	BLAINE County
GROUND WATER	NWNE	Sec 13 Twp 04N Rge 17E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

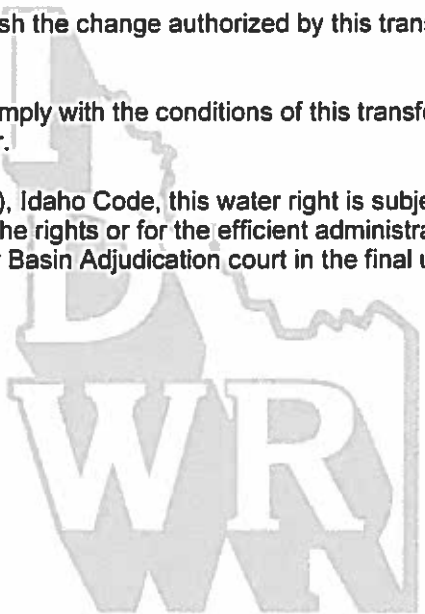
1. Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in the decree dated 2/3/2014.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. Place of use does not include federal public lands.
7. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 80621

WATER RIGHT NO. 37-2628
As Modified by Transfer No. 80621

CONDITIONS OF APPROVAL

8. Rights 37-2628, 37-4413 and 37-4414 when combined shall not exceed a total diversion rate of 4.90 cfs.
9. Rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B when combined shall not exceed a total diversion rate of 14.76 cfs.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

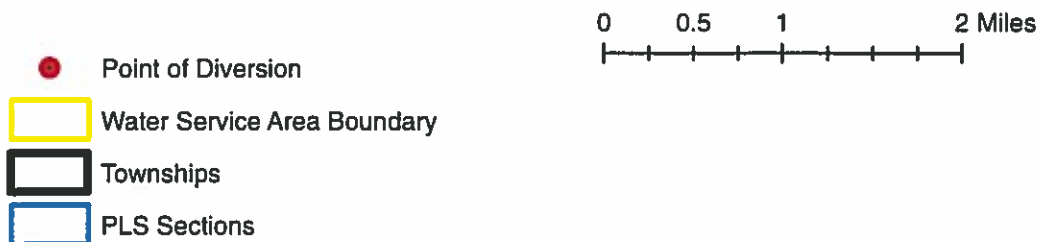
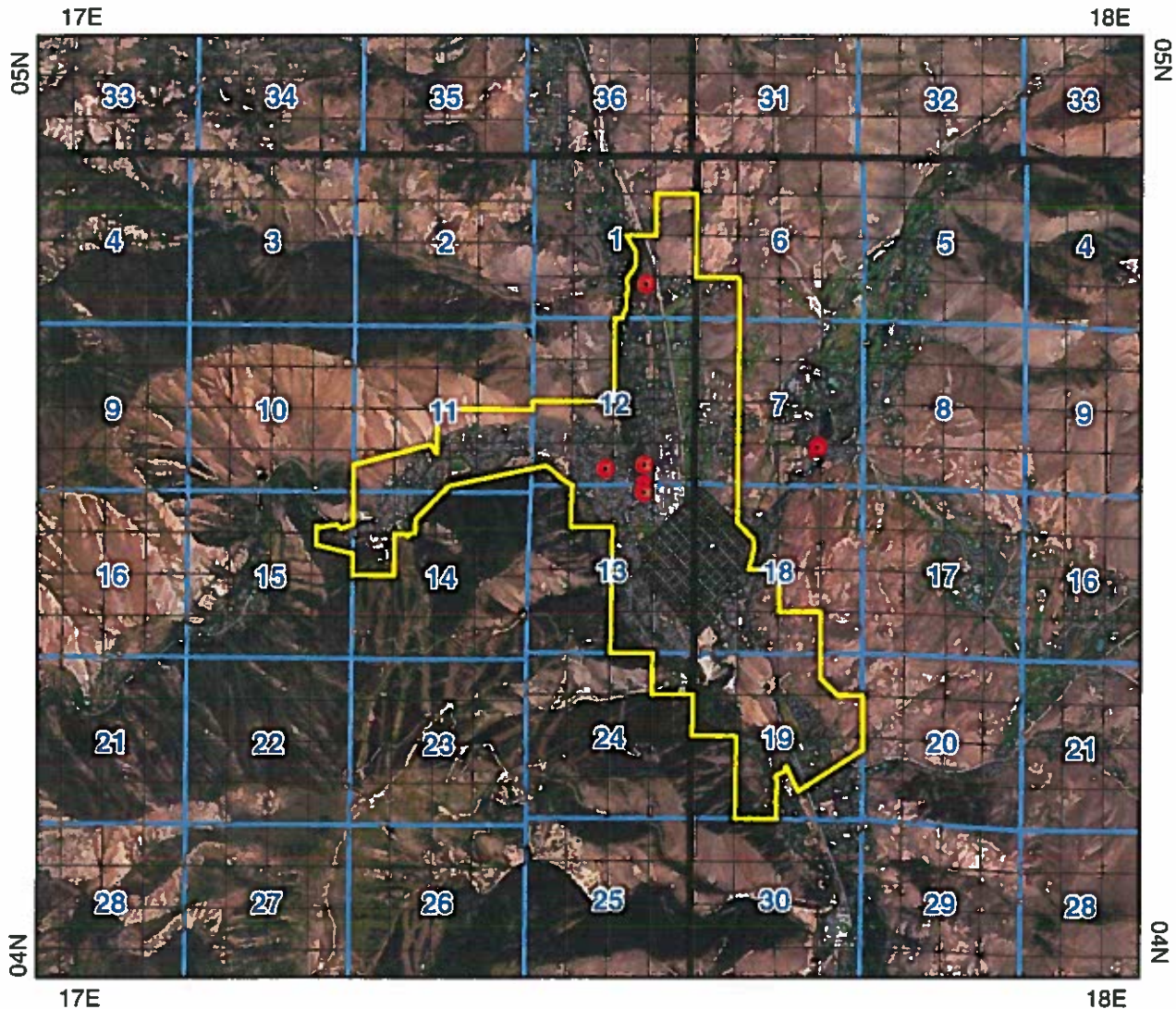


City Of Ketchum

Attachment to Transfer No. 80621

Riights: 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.





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 4, 2016

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

Re: Transfer No: 80621
Water Right No(s): 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269,
37-8575B

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a cursive "Merritt".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80621

**Water Right No(s): 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269,
37-8575B**

**CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340**

**BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

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

via e-mail

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in black ink and is positioned above a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT of PUBLICATION

RECEIVED

JAN 29 2016

State of Idaho
County of BlainePam MorrisDEPT. OF WATER RESOURCES
SOUTHERN REGION

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

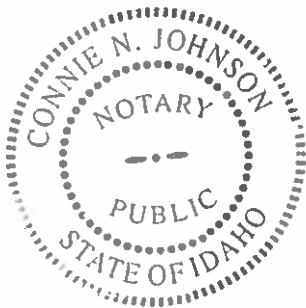
publication of said advertisement was on the 20 day of

Jan., 20 16, and the date of the last publication was on the 27 day of Jan., 20 16

Subscribed and sworn to before me this 27 day of

Jan., 20 16.

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 46

Number of Insertions 2

Lines tabular at 46 9.0 cents/pica

Lines straight at 42.32 8.0 cents/pica

Subsequent lines at 37.03 7.0 cents/pica

TOTAL COST \$ 79.35

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 80621

CITY OF KETCHUM, PO BOX 2315, KETCHUM, ID 83340; has filed Application No. 80621 for changes to the following water rights within BLAINE County(s): Right No(s): 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269, 37-8575B; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding seven existing municipal wells to seven municipal water rights (combined total of 14.76 cfs) to allow diversion for each water right from any and all wells within the municipal system. Place of use is the City of Ketchum's municipal water service area, five of the wells are located within the service area and two are located approximately 1.8 miles north and 0.7 miles east of the city center of Ketchum.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 8, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
JAN. 20 & 27, 2016

✓ OK DM
2-9-2016

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

RECEIVED

JAN 15 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 80621

Water Right No(s): 37-2628, 37-4413, 37-4414,
37-7682, 37-8195, 37-8269, 37-8575B

Transfer Applicant's Name: CITY OF KETCHUM
PO BOX 2315
KETCHUM, ID 83340

Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 15th day of January, 2016

Water District No. 37

Kevin Lekey

Water Master's Signature

Kevin Lekey

Printed Name