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JAN 29 2016

42-222 POD - 09/14

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 14 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) Golden Eagle Ranch HOA Inc. c/o Sun Country Management Phone _____2. MAILING ADDRESS P.O. Box 1932 City KetchumState ID Zip 83340 Email _____

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 37-2627C, 37-2632, 37-8854

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 3.89 cubic feet per second and/or 586.1 acre-feet per annum.
 (diversion rate) 2/25/16 (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, Water Right Transfers, Online Resources.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
NO			SW	NE	18	3N	18E	BLAINE	GROUND WATER	EXISTING WELL
NO			NW	SE	18	3N	18E	BLAINE	GROUND WATER	EXISTING WELL
NO			NE	SE	18	3N	18E	BLAINE	GROUND WATER	EXISTING WELL
YES			SW	NE	18	3N	18E	BLAINE	GROUND WATER	NEW WELL

6. 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:

Proposed new well will serve as an additional well along with the current irrigation well. Wells may be operated in a duplex mode, or with the old well as a backup. New discharge line will be connected to buried mainline.

- 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. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

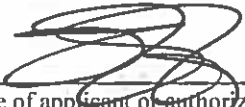
N/A.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

John Eary - Agent
Print name and title if applicable

1-6-16
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 11 pages of attachments.

Received by DM

Date 1-14-2016

Fee paid \$1,220 - Date 1-14-2016

Received by DM

Receipt # SO352016

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

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

Current Water Right No.: 37-2627c

Current Owner: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
 Priority Date: 12/9/1959
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FIRE PROTECTION STORAGE	01/01 to 12/31		144 AF
IRRIGATION	04/15 to 10/31	0.79 CFS	137.6 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.15 CFS	46 AF
AESTHETIC STORAGE	01/01 to 12/31		144 AF
RECREATION STORAGE	01/01 to 12/31		144 AF
	<u>Total Diversion</u>	1.15 CFS	183.6 AF

Location of Point(s) of Diversion

GROUND WATER BLAINE County	NE1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
GROUND WATER BLAINE County	NW1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
GROUND WATER BLAINE County	SW1/4NE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.

Place of Use

FIRE PROTECTION STORAGE Within BLAINE County

T03N R18E S7	SESW	T03N R18E S7	NWSE
T03N R18E S7	SWSE	T03N R18E S7	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

IRRIGATION Within BLAINE County

T03N R18E S7	SESW	3.80	T03N R18E S7	SWSE	24.20
T03N R18E S7	SESE	2.60	T03N R18E S18	NENW	8.70

Total Acres: 39.3

AESTHETIC STORAGE Within BLAINE County

T03N R18E S7	SESW	T03N R18E S7	NWSE
T03N R18E S7	SWSE	T03N R18E S7	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

RECREATION STORAGE Within BLAINE County

T03N R18E S7	SESW	T03N R18E S7	NWSE
T03N R18E S7	SWSE	T03N R18E S7	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

Place of Use: DIVERSION TO STORAGE same as FIRE PROTECTION STORAGE

Conditions of Approval:

1. A tabular analysis of the intended extent of overlap of the places of use for water right numbers 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749, and 37-22060 involved in prior administrative proceedings is contained in a document prepared by Brockway Engineering, PLLC, entitled "Golden Eagle Ranch POU Overlap Analysis", dated 3/29/2011, revised 12/16/2011, which will be maintained in IDWRs records for reference in future administrative proceedings.
2. 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.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 98.0 af, irrigation the following year shall be reduced by 1.0 acre for every 2.5 af required to increase the volume to 98.0 af.
5. The first year that water is diverted to recreation, fire protection and aesthetic storage uses as authorized under Transfer 5423, the irrigation use within Golden Eagle Subdivision II shall be limited to 23.1 total acres of the 80.7 acres allowed.
6. To the extent that waste water from Clear Creek enters the Golden Eagle Ranch pond system, the amount diverted under the following rights shall be reduced accordingly: Rights nos. 37-153A, 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749 and 37-22060.

7. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
8. T08 Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 5045 and the right holder.
11. Rights 37-153A, 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-22060 when combined shall not exceed the irrigation of 172.5 acres; 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
12. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
13. The rightholder shall maintain, in each storage pond, water level gauges for determining the difference in storage from full stage.
14. The total instantaneous diversion of water from all points of diversion under Right 37-02627C shall not exceed 1.15 cfs, nor total combined annual volume of 183.6 af.
15. The Director maintains jurisdiction of Transfer 5045 up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion located in the SWNE, S18, T03N, R18E.
16. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
17. T07 The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.
18. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Decreed Date: 6/29/2012

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

Current Water Right No.: 37-2632

Current Owner: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC

Priority Date: 3/29/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DIVERSION TO STORAGE	01/01 to 12/31	2.3 CFS	
AESTHETIC STORAGE	01/01 to 12/31		142 AF
RECREATION STORAGE	01/01 to 12/31		142 AF
IRRIGATION	04/15 to 10/31	1.94 CFS	339.5 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		142 AF
	<u>Total Diversion</u>	2.3 CFS	402.5 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NW1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NE1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				

Place of Use

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AESTHETIC STORAGE Within BLAINE County

T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	SWNE	T03N R18E S18	NESE
T03N R18E S18	NWSE		

RECREATION STORAGE Within BLAINE County

T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	SWNE	T03N R18E S18	NESE
T03N R18E S18	NWSE		

IRRIGATION Within BLAINE County

T03N R18E S7	SESW	8.40	T03N R18E S18	NENE	13.80
T03N R18E S18	NWNE	22.20	T03N R18E S18	SWNE	17.90
T03N R18E S18	SENE	9.20	T03N R18E S18	NENW	4.20
T03N R18E S18	SENW	1.50	T03N R18E S18	NESE	9.90
T03N R18E S18	NWSE	9.40	T03N R18E S18	SWSE	0.30
T03N R18E S18	SESE	0.20			

Total Acres: 97

FIRE PROTECTION STORAGE Within BLAINE County

T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	SWNE	T03N R18E S18	NESE
T03N R18E S18	NWSE		

Place of Use: DIVERSION TO STORAGE same as AESTHETIC STORAGE

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.
4. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point in a manner that will provide the watermaster suitable control of the diversions.
6. T08 Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.
7. The rightholder shall maintain, in each storage pond, water level gauges for determining the difference in storage from full stage.
8. 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.
9. T04 Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
11. T07 The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.
12. Rights 37-153A, 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-22060 when combined shall not exceed the irrigation of 172.5 acres; 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
13. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
14. The first year that water is diverted to aesthetic, recreation and fire protection storage uses approved under Transfer 4825, the irrigation use under this right shall be limited to 1.49 cfs and 260.5 afa.
15. The total instantaneous diversion of water from all points of diversion under Right 37-02632 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
16. To the extent that waste water from Clear Creek enters the Golden Eagle Ranch pond system, the amount diverted under the following rights shall be reduced accordingly: Rights nos. 37-153A, 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749 and 37-22060.
17. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
18. A tabular analysis of the intended extent of overlap of the places of use for water right numbers 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749, and 37-22060 involved in prior administrative proceedings is contained in a document prepared by Brockway Engineering, PLLC, entitled "Golden Eagle Ranch POU Overlap Analysis", dated 3/29/2011, revised 12/16/2011, which will be maintained in IDWRs records for reference in future administrative proceedings.

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Decreed Date: 6/29/2012

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

Current Water Right No.: 37-8854

Current Owner: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC

Priority Date: 2/20/1996

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.31 CFS	
IRRIGATION	4/15 to 10/15	0.44 CFS	
	<u>Total Diversion</u>	0.44 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NE1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NW1/4SE1/4	Sec. 18,	Twp 03N,	Rge 18E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T03N R18E S18	NENE	2.00	T03N R18E S18	NWNE	3.50
T03N R18E S18	SWNE	6.20	T03N R18E S18	SENE	4.30
T03N R18E S18	SENW	0.60	T03N R18E S18	NESE	2.70
T03N R18E S18	NWSE	2.50	T03N R18E S18	SWSE	0.10
T03N R18E S18	SESE	0.10			

Total Acres: 22

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. This right is specifically limited to use of water in connection with the Golden Eagle Ranch Subdivision.
Place of use is located within Lots 1-44, Golden Eagle Ranch Subdivision.
Domestic use is for 44 homes and does not include lawn, garden, landscape, or other types of irrigation.
This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 77.0 af at the field headgate for irrigation of the lands above.
Domestic use under this right is limited to a maximum annual diversion volume of 26.4 af.
The irrigation under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
Right 37-02632 is also diverted through the point(s) of diversion described above.
3. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

Licensed Date: 11/30/1998



GOLDEN EAGLE H.O.A.
TRANSFER, ADD POINT OF DIVERSION
37-2627C, 37-2632, & 37-8854
NAIP 2013 AERIAL

- Legend**
- Township
 - Sections
 - Adesc
 - Points of Diversion





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

February 11, 2016

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM, ID 83340

RE: Transfer No. 80658
Water Right No(s). 37-2627C, 37-2632, 37-8854

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 **2/17/2016** and **2/24/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 7, 2016**).

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 ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 11, 2016 1:11 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 notice being submitted for publication on February 17th & 24th, 2016. 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



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

February 11, 2016

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

RE: Transfer No. 80658
Water Right No(s): 37-2627C, 37-2632, 37-8854

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 March 7, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80658**

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC, C/O SUN COUNTRY MANAGEMENT
PO BOX 1932, KETCHUM, ID 83340; has filed Application No. 80658 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2627C, 37-2632, 37-8854; 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 proposes adding a new point of diversion to three ground water irrigation and storage rights. The transfer proposes diverting up to 3.89 cfs from the proposed point of diversion and three existing wells for irrigation and storage within the Golden Eagle Subdivision. The new point of diversion is located approximately 5.0 miles North and 2.1 miles West of the City of Hailey in the Golden Eagle Subdivision.

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 March 7, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 17th & 24th, 2016

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 11, 2016 4:33 PM
To: 'Kevin Lakey'
Subject: Comment Letter for transfer 80658 Golden Eagle Ranch HOA
Attachments: Transfer 80658.pdf; Comment Letter to WM37 for 80658.docx

Hi Kevin,

Attached is a copy of transfer 80658, in the name of Golden Eagle Ranch H.O.A. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise @ IDWR



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

February 11, 2016

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

Via e-mail

RE: Transfer No. 80658
Water Right No(s). 37-2627C, 37-2632, 37-8854

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)

MEMORANDUM

TO: Sascha Marston
FROM: Benny Walker / Denise Maline 
DATE: February 11, 2016
RE : Refund of partial fees for Application for Transfer 80658

On January 14, 2016, Brockway Engineering paid \$1,220.00 for an application for transfer in the name of Golden Eagle Ranch Homeowners Assn Inc. It was paid under S035206. On January 29, 2016, the application was amended and the amount of water being transferred was reduced; therefore reducing the filing fee to \$900.00.

Please issue a refund in the amount of \$320.00 to:

Brockway Engineering PLLC
2016 N Washington St, Ste 4
Twin Falls, ID 83301
(208) 736-8543

RECEIPT #

S035206, copy attached

Copy: transfer 80658

Receipt Details for ID S035206

Status	Adjustment Type	Version
		1

General Information:

Date Received 1/14/2016 1:51:49 PM	Date Deposited 1/14/2016 2:27:40 PM	Region SOUTHERN	Total Amount \$1,220.00	Payment Type Check
Payee: BROCKWAY ENGINEERING PLLC				

Account Information

Check Number 13123

Comment APPLICATION FOR TRANSFER FOR GOLDEN EAGLE RANCH HOA INC C/O SUN VALLEY MANAGEMENT: 37-2627C, 37-2632 & 37-8854 (5.75 CFS / 988.6 AF)

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,220.00	TRANSFERS	64106	0229	21		1155

- Transfer Amended 1/29/2016
+ reduced amount of water.

(fee = \$900-)

\$320- refund due

DM
2-11-2016

MEMORANDUM

Date: February 9, 2016
To: Transfer 80658 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes adding a new point of diversion to three ground water irrigation and storage rights. The transfer proposes diverting up to 3.89 cfs from the proposed point of diversion and three existing wells for irrigation and storage within the Golden Eagle Subdivision. The new point of diversion is located approximately 5.0 miles North and 2.1 miles West of the City of Hailey in the Golden Eagle Subdivision.

The points of diversion and the place of use are located within Water District 37 so watermaster comments will be requested.

- **Authority to File:**
The applicant is listed as the current owner of the water rights involved with the transfer according to IDWR records.
- **Water Right Validity:**
Water rights 37-2632, 37-2627C, were decreed in 2012 and 37-8854 was licensed in 1998. Current aerial photography indicates the place of use has been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Transfer subject to public advertisement.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local 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.

MEMORANDUM

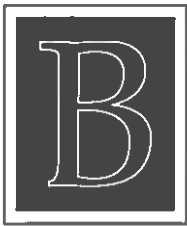
TO: Transfer # 80658 File

FROM: Benny Walker

DATE: February 9, 2016

SUBJECT: Filing Fee

The filing fee of, \$900.00, for this transfer is based on the amount of water proposed to be transferred or changed, 586.1 AF. The transfer fee schedule for a transfer involving 501-600 AF indicates that the filing fee is \$900.00. The applicant's representative submitted a fee of \$1,220.00 for this transfer (Receipt S035206). Brockway Engineering has requested a refund. A request to refund \$320.00 to the representative for overpayment will be sought during the advertisement process.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 29 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

January 25th, 2016

Mr. Benny Walker
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301

Re: Transfer of Water Right Application- Golden Eagle Ranch HOA Inc.

Dear Benny,

This letter seeks to answer questions raised in your January 15th 2016 letter (attached) regarding the Application for Transfer of Water Right- Points of Diversion filed by Brockway Engineering on January 11th, 2016, receipted by IDWR on January 14th 2016 in the name of Golden Eagle Ranch HOA Inc.

Although water right 37-8881 is diverted from the two existing southern HOA wells, it is not intended to be included in the transfer application and was intentionally left off. The two southern wells associated with this water right pump water into one half of a pump house where it is treated and delivered to the HOA residents via a dedicated domestic line. Irrigation water from these two wells authorized under 37-2627C, 37-2632 and 37-8854 bypasses the treatment system and is shunted into the adjacent pond. Irrigation from the existing northern well authorized under these same three water rights is also pumped directly into the pond system. The proposed new well will also pump directly into the pond system. The other half of the pump house serves as the irrigation system intake which re-pressurizes irrigation water from the pond and delivers it to each HOA lot via a dedicated irrigation system.

The transfer application submitted our office submitted incorrectly identified the discharge rate and storage volume on the original application. I have corrected these values to reflect the correct discharge rate of 3.89 cfs and storage volume of 586.1 acre-feet associated with the three water rights on the application. The correct fee for the application should be based on the storage volume or \$900.00. Because the correction amends both values down, we are requesting to be refunded the amount of \$320.00 as we had originally submitted a fee of \$1,220.00 (receipt #S035206).

Please do not hesitate to call if you have any further questions, thanks for your time.

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Regards,

A handwritten signature in black ink, appearing to read "Zach Latham", with a long horizontal stroke extending to the right.

Zach Latham, Hydrologist, M.S.

Enclosures: (1) Amended Application for Transfer of Water Right- Point(s)
of Diversion and Map.
(1) IDWR Letter Dated 1/15/16.

cc: Golden Eagle HOA c/o: Sun Country Management



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

January 15, 2016

Zach Latham
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, ID 83301

RECEIVED
JAN 19 2016

Re: Transfer of Water Right Application- Golden Eagle Ranch HOA Inc.

Dear Mr. Latham,

On January 14, 2016 the Department of Water Resources (Department) received an Application for Transfer submitted by you on behalf of Golden Eagle Ranch HOA Inc. A review of the transfer application has revealed some items that need clarification and/or corrected.

Water right 37-8881 appears to be part of the system, diverted from some of the same wells, and therefore needs to be added to the transfer.

The application lists 5.75 cfs and 988.6 af on item #4. Review of the water right records for the rights involved in the transfer indicate a different amount allowed under these rights, both cfs and af.

The fee submitted with the transfer appears to be incorrect. It is unclear what the submitted fee is based off of, the cubic feet per second or the acre-feet per annum.

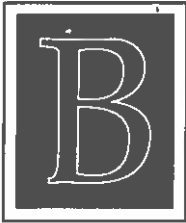
Therefore, the application is being returned. If a corrected application is not filed with the Department within 30 days from the date of this letter the Department will refund the application fee in the amount of \$1,220.00, receipt #S035206.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience

Sincerely,

Benny Walker
Water Resource Agent

Cc: Golden Eagle Ranch HOA Inc.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 14 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

January 11th, 2016

Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301

Re: Application for Transfer of Water Right- Point(s) of Diversion; Golden Eagle Ranch HOA.

Dear Allen,

Enclosed is an Application for Transfer of Water right- Point of Diversion(s) which proposes to add one well to water rights 37-2627C, 37-2632 and 37-8854. The new well will be drilled very near the existing well that is located in T.3N R.18E Sec.18 SW ¼ NE ¼ and authorized under these water rights. The new and existing well may be operated in duplex (if needed) and the old well may serve as a backup. Due to the insignificant nature of adding a well to these water rights, we request this application not be advertised so as to expedite processing.

Also enclosed is a check for \$1,220.00 to cover the cost of the point of diversion transfer application. Please do not hesitate to call if you have any further questions, thanks for your time.

Regards,

Zach Latham, Hydrologist, M.S.

CHARLES E.
BROCKWAY,
Ph.D., P.E.

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Enclosures: (1) Application for Transfer of Water Right- Point(s) of Diversion and Map.
(1) Brockway Engineering Check # 13123

cc: Golden Eagle HOA c/o: Sun Country Management