

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 06 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)** City of Ketchum c/o Robyn Mattison Phone 208-727-5080

2. **MAILING ADDRESS** P.O. Box 2315 City Ketchum

State ID Zip 83340 Email rmattison@ketchumidaho.org

- ☐ 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)** 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269, 37-8575B.

- ☒ 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 15.15 cubic feet per second and/or 228.1 acre-feet per annum.
(diversion rate) (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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			SE	SW	12	4N	17E	BLAINE	GROUND WATER	Warm Springs #1
NO			NW	NE	13	4N	17E	BLAINE	GROUND WATER	Rotary Park #2
NO			SW	SE	12	4N	17E	BLAINE	GROUND WATER	Northwood #3
NO			SW	SE	1	4N	17E	BLAINE	GROUND WATER	Big Wood #4
NO			SW	SE	7	4N	17E	BLAINE	GROUND WATER	Trail Creek #5A
NO			SW	SE	7	4N	17E	BLAINE	GROUND WATER	Trail Creek #5B
NO			SW	SE	12	4N	17E	BLAINE	GROUND WATER	Parkwood #6

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:

Applicant seeks to divert all water rights listed above from any and all wells listed above. All wells listed above are currently hydraulically connected and serve the City of Ketchum. All wells are metered and can be locked.

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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]
Signature of applicant or authorized agent

NINA JONAS, MAYOR
Print name and title if applicable

DEC. 14. 2015
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 _____ pages of attachments.

Received by TF/DM

Date 1-6-2016

Fee paid \$1,700 - Date 1-6-2016

Received by DM

Receipt # SO35192

Preliminary review by tw

Date 1-11-2016

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) *37-4414

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

Current Water Right No.: 37-2628

Current Owner: CITY OF KETCHUM

Priority Date: 12/10/1959

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

0.44 CFS

Total Diversion

0.44 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 12, Twp 04N, Rge 17E B.M.

BLAINE County

Place of Use

MUNICIPAL Within BLAINE County

T04N R17E S1		SENE	T04N R17E S1		NESE
T04N R17E S1		NWSE	T04N R17E S1		SWSE
T04N R17E S1		SESE	T04N R17E S11		NESW
T04N R17E S11		SWSW	T04N R17E S11		SESW
T04N R17E S11		NESE	T04N R17E S11	Lot 3	NESE
T04N R17E S11		NWSE	T04N R17E S11	Lot 4	NWSE
T04N R17E S11		SWSE	T04N R17E S11	Lot 5	SWSE
T04N R17E S11		SESE	T04N R17E S12		NENE
T04N R17E S12		NWNE	T04N R17E S12		SWNE
T04N R17E S12		SENE	T04N R17E S12		NESW
T04N R17E S12		NWSW	T04N R17E S12		SWSW
T04N R17E S12		SESW	T04N R17E S12		NESE
T04N R17E S12		NWSE	T04N R17E S12		SWSE
T04N R17E S12		SESE	T04N R17E S13		NENE
T04N R17E S13	Lot 1	NENE	T04N R17E S13		NWNE
T04N R17E S13		SWNE	T04N R17E S13	Lot 2	SWNE
T04N R17E S13		SENE	T04N R17E S13		NENW
T04N R17E S13		NESE	T04N R17E S13	Lot 3	NESE
T04N R17E S13		NWSE	T04N R17E S13		SWSE
T04N R17E S13		SESE	T04N R17E S13	Lot 4	SESE
T04N R17E S14		NWNE	T04N R17E S14		NENW
T04N R17E S14	Lot 10	NENW	T04N R17E S14		NWNW
T04N R17E S14	Lot 4	NWNW	T04N R17E S14		SWNW
T04N R17E S14	Lot 5	SWNW	T04N R17E S14		SENW
T04N R17E S15		NENE	T04N R17E S15		SENE
T04N R17E S24		NENE	T04N R18E S6	Lot 7	SWSW
T04N R18E S7	Lot 1	NWNW	T04N R18E S7	Lot 2	SWNW
T04N R18E S7	Lot 3	NWSW	T04N R18E S7	Lot 4	SWSW
T04N R18E S7		SESW	T04N R18E S18		NENW
T04N R18E S18		NWNW	T04N R18E S18	Lot 2	NWNW
T04N R18E S18		SWNW	T04N R18E S18		SENW
T04N R18E S18	Lot 3	SENW	T04N R18E S18		NESW
T04N R18E S18	Lot 4	NESW	T04N R18E S18		NWSW
T04N R18E S18	Lot 5	NWSW	T04N R18E S18		SWSW
T04N R18E S18	Lot 6	SWSW	T04N R18E S18		SESW
T04N R18E S18		NWSE	T04N R18E S18		SWSE
T04N R18E S19		NENE	T04N R18E S19		NWNE
T04N R18E S19		SWNE	T04N R18E S19		SENE
T04N R18E S19		NENW	T04N R18E S19	Lot 1	NWNW
T04N R18E S19	Lot 2	SWNW	T04N R18E S19		SENW
T04N R18E S19		NESW	T04N R18E S19		SESW
T04N R18E S19		NESE	T04N R18E S19		NWSE
T04N R18E S19		SWSE			

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. E51 Right Nos. 37-2628, 37-4413 and 37-4414 are limited to a total combined diversion rate of 4.90 cfs.
3. 208 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, ground water was first diverted under this right from Ketchum Spring Water Supply Co. Well No. 1 located in T04N, R18E, S08, SWNW.
4. U42 Place of use does not include federal public lands.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.

Decreed Date: 2/3/2014

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

Current Water Right No.: 37-4413

Current Owner: CITY OF KETCHUM

Priority Date: 9/1/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

2.672 CFS

Total Diversion

2.672 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4SW1/4

Sec. 7, Twp 04N, Rge 18E B.M.

BLAINE County

Place of Use

MUNICIPAL Within BLAINE County

T04N R17E S1		SENE	T04N R17E S1		NESE
T04N R17E S1		NWSE	T04N R17E S1		SWSE
T04N R17E S1		SESE	T04N R17E S11		NESW
T04N R17E S11		SWSW	T04N R17E S11		SESW
T04N R17E S11		NESE	T04N R17E S11	Lot 3	NESE
T04N R17E S11		NWSE	T04N R17E S11	Lot 4	NWSE
T04N R17E S11		SWSE	T04N R17E S11	Lot 5	SWSE
T04N R17E S11		SESE	T04N R17E S12		NENE
T04N R17E S12		NWNE	T04N R17E S12		SWNE
T04N R17E S12		SENE	T04N R17E S12		NESW
T04N R17E S12		NWSW	T04N R17E S12		SWSW
T04N R17E S12		SESW	T04N R17E S12		NESE
T04N R17E S12		NWSE	T04N R17E S12		SWSE
T04N R17E S12		SESE	T04N R17E S13		NENE
T04N R17E S13	Lot 1	NENE	T04N R17E S13		NWNE
T04N R17E S13		SWNE	T04N R17E S13	Lot 2	SWNE
T04N R17E S13		SENE	T04N R17E S13		NENW
T04N R17E S13		NESE	T04N R17E S13	Lot 3	NESE
T04N R17E S13		NWSE	T04N R17E S13		SWSE
T04N R17E S13		SESE	T04N R17E S13	Lot 4	SESE
T04N R17E S14		NWNE	T04N R17E S14		NENW
T04N R17E S14	Lot 10	NENW	T04N R17E S14		NWNW
T04N R17E S14	Lot 4	NWNW	T04N R17E S14		SWNW
T04N R17E S14	Lot 5	SWNW	T04N R17E S14		SENW
T04N R17E S15		NENE	T04N R17E S15		SENE
T04N R17E S24		NENE	T04N R18E S6	Lot 7	SWSW
T04N R18E S7	Lot 1	NWNW	T04N R18E S7	Lot 2	SWNW
T04N R18E S7	Lot 3	NWSW	T04N R18E S7	Lot 4	SWSW
T04N R18E S7		SESW	T04N R18E S18		NENW
T04N R18E S18		NWNW	T04N R18E S18	Lot 2	NWNW
T04N R18E S18		SWNW	T04N R18E S18		SENW
T04N R18E S18	Lot 3	SENW	T04N R18E S18		NESW
T04N R18E S18	Lot 4	NESW	T04N R18E S18		NWSW
T04N R18E S18	Lot 5	NWSW	T04N R18E S18		SWSW
T04N R18E S18	Lot 6	SWSW	T04N R18E S18		SESW
T04N R18E S18		NWSE	T04N R18E S18		SWSE
T04N R18E S19		NENE	T04N R18E S19		NWNE
T04N R18E S19		SWNE	T04N R18E S19		SENE
T04N R18E S19		NENW	T04N R18E S19	Lot 1	NWNW
T04N R18E S19	Lot 2	SWNW	T04N R18E S19		SENW
T04N R18E S19		NESW	T04N R18E S19		SESW
T04N R18E S19		NESE	T04N R18E S19		NWSE
T04N R18E S19		SWSE			

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Conditions of Approval:

1. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
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. U42 Place of use does not include federal public lands.

Decreed Date: 6/29/2011

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

Current Water Right No.: 37-4414

Current Owner: CITY OF KETCHUM

Priority Date: 8/1/1955

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use From To
 Total Diversion

Diversion Rate
2.227 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER
BLAINE County

SW1/4NE1/4SW1/4 Sec. 7, Twp 04N, Rge 18E B.M.

Place of Use

MUNICIPAL Within BLAINE County

T04N R17E S1		SENE	T04N R17E S1		NESE
T04N R17E S1		NWSE	T04N R17E S1		NWSE
T04N R17E S1		SESE	T04N R17E S11		NESW
T04N R17E S11		SWSW	T04N R17E S11		SESW
T04N R17E S11		NESE	T04N R17E S11	Lot 3	NESE
T04N R17E S11		NWSE	T04N R17E S11	Lot 4	NWSE
T04N R17E S11		SWSE	T04N R17E S11	Lot 5	SWSE
T04N R17E S11		SESE	T04N R17E S12		NENE
T04N R17E S12		NWNE	T04N R17E S12		SWNE
T04N R17E S12		SENE	T04N R17E S12		NESW
T04N R17E S12		NWSW	T04N R17E S12		SWSW
T04N R17E S12		SESW	T04N R17E S12		NESE
T04N R17E S12		NWSE	T04N R17E S12		SWSE
T04N R17E S12		SESE	T04N R17E S13		NENE
T04N R17E S13	Lot 1	NENE	T04N R17E S13		NWNE
T04N R17E S13		SWNE	T04N R17E S13	Lot 2	SWNE
T04N R17E S13		SENE	T04N R17E S13		NENW
T04N R17E S13		NESE	T04N R17E S13	Lot 3	NESE
T04N R17E S13		NWSE	T04N R17E S13		SWSE
T04N R17E S13		SESE	T04N R17E S13	Lot 4	SESE
T04N R17E S14		NWNE	T04N R17E S14		NENW
T04N R17E S14	Lot 10	NENW	T04N R17E S14		NWNW
T04N R17E S14	Lot 4	NWNW	T04N R17E S14		SWNW
T04N R17E S14	Lot 5	SWNW	T04N R17E S14		SENW
T04N R17E S15		NENE	T04N R17E S15		SENE
T04N R17E S24		NENE	T04N R18E S6	Lot 7	SWSW
T04N R18E S7	Lot 1	NWNW	T04N R18E S7	Lot 2	SWNW
T04N R18E S7	Lot 3	NWSW	T04N R18E S7	Lot 4	SWSW
T04N R18E S7		SESW	T04N R18E S18		NENW
T04N R18E S18		NWNW	T04N R18E S18	Lot 2	NWNW
T04N R18E S18		SWNW	T04N R18E S18		SENW
T04N R18E S18	Lot 3	SENW	T04N R18E S18		NESW
T04N R18E S18	Lot 4	NESW	T04N R18E S18		NWSW
T04N R18E S18	Lot 5	NWSW	T04N R18E S18		SWSW
T04N R18E S18	Lot 6	SWSW	T04N R18E S18		SESW
T04N R18E S18		NWSE	T04N R18E S18		SWSE
T04N R18E S19		NENE	T04N R18E S19		NWNE
T04N R18E S19		SWNE	T04N R18E S19		SENE
T04N R18E S19		NENW	T04N R18E S19	Lot 1	NWNW
T04N R18E S19	Lot 2	SWNW	T04N R18E S19		SENW
T04N R18E S19		NESW	T04N R18E S19		SESW
T04N R18E S19		NESE	T04N R18E S19		NWSE
T04N R18E S19		SWSE			

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Conditions of Approval:

1. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
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3. U42 Place of use does not include federal public lands.

Decreed Date: 6/29/2011

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

Current Water Right No.: 37-7682

Current Owner: CITY OF KETCHUM

Priority Date: 10/7/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

3 CFS

Total Diversion

3 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4NE1/4

Sec. 13, Twp 04N, Rge 17E B.M.

BLAINE County

GROUND WATER

SE1/4SW1/4

Sec. 12, Twp 04N, Rge 17E B.M.

BLAINE County

Place of Use

MUNICIPAL Within BLAINE County

T04N R17E S1		SENE	T04N R17E S1		NESE
T04N R17E S1		NWSE	T04N R17E S1		SWSE
T04N R17E S1		SESE	T04N R17E S11		NESW
T04N R17E S11		SWSW	T04N R17E S11		SESW
T04N R17E S11		NESE	T04N R17E S11	Lot 3	NESE
T04N R17E S11		NWSE	T04N R17E S11	Lot 4	NWSE
T04N R17E S11		SWSE	T04N R17E S11	Lot 5	SWSE
T04N R17E S11		SESE	T04N R17E S12		NENE
T04N R17E S12		NWNE	T04N R17E S12		SWNE
T04N R17E S12		SENE	T04N R17E S12		NESW
T04N R17E S12		NWSW	T04N R17E S12		SWSW
T04N R17E S12		SESW	T04N R17E S12		NESE
T04N R17E S12		NWSE	T04N R17E S12		SWSE
T04N R17E S12		SESE	T04N R17E S13		NENE
T04N R17E S13	Lot 1	NENE	T04N R17E S13		NWNE
T04N R17E S13		SWNE	T04N R17E S13	Lot 2	SWNE
T04N R17E S13		SENE	T04N R17E S13		NENW
T04N R17E S13		NESE	T04N R17E S13	Lot 3	NESE
T04N R17E S13		NWSE	T04N R17E S13		SWSE
T04N R17E S13		SESE	T04N R17E S13	Lot 4	SESE
T04N R17E S14		NWNE	T04N R17E S14		NENW
T04N R17E S14	Lot 10	NENW	T04N R17E S14		NWNW
T04N R17E S14	Lot 4	NWNW	T04N R17E S14		SWNW
T04N R17E S14	Lot 5	SWNW	T04N R17E S14		SENW
T04N R17E S15		NENE	T04N R17E S15		SENE
T04N R17E S24		NENE	T04N R18E S6	Lot 7	SWSW
T04N R18E S7	Lot 1	NWNW	T04N R18E S7	Lot 2	SWNW
T04N R18E S7	Lot 3	NWSW	T04N R18E S7	Lot 4	SWSW
T04N R18E S7		SESW	T04N R18E S18		NENW
T04N R18E S18		NWNW	T04N R18E S18	Lot 2	NWNW
T04N R18E S18		SWNW	T04N R18E S18		SENW
T04N R18E S18	Lot 3	SENW	T04N R18E S18		NESW
T04N R18E S18	Lot 4	NESW	T04N R18E S18		NWSW
T04N R18E S18	Lot 5	NWSW	T04N R18E S18		SWSW
T04N R18E S18	Lot 6	SWSW	T04N R18E S18		SESW
T04N R18E S18		NWSE	T04N R18E S18		SWSE
T04N R18E S19		NENE	T04N R18E S19		NWNE
T04N R18E S19		SWNE	T04N R18E S19		SENE
T04N R18E S19		NENW	T04N R18E S19	Lot 1	NWNW
T04N R18E S19	Lot 2	SWNW	T04N R18E S19		SENW
T04N R18E S19		NESW	T04N R18E S19		SESW
T04N R18E S19		NESE	T04N R18E S19		NWSE
T04N R18E S19		SWSE			

Page 14 of 25

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. 01B The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.
3. U42 Place of use does not include federal public lands.
4. 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.

Decreed Date: 6/29/2011

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

Current Water Right No.: 37-8195

Current Owner: CITY OF KETCHUM

Priority Date: 10/5/1984

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

1.65 CFS

Total Diversion

1.65 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 1, Twp 04N, Rge 17E B.M.

BLAINE County

Place of Use

MUNICIPAL Within County

Page 16 of 25

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
2. X59 Point of diversion is located within Blk. 20 of Bigwood Subdivision.
3. 180 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.
4. 102 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.
5. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 075 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
7. 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.
8. 022 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.

Licensed Date: 6/18/2012

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

Current Water Right No.: 37-8269

Current Owner: CITY OF KETCHUM

Priority Date: 4/28/1986

Origin: Water Right

Status: Active

Basis: License

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	4.41 CFS	102.2 AF
FIRE PROTECTION	01/01 to 12/31	4.41 CFS	
	<u>Total Diversion</u>	4.41 CFS	102.2 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4 Sec. 12, Twp 04N, Rge 17E B.M.

BLAINE County

Place of UseMUNICIPAL Within BLAINE County

T04N R17E S1	Lot 1	NENE	T04N R17E S1	SWNE
T04N R17E S1		SENE	T04N R17E S1	SWNW
T04N R17E S1		SESW	T04N R17E S1	NESW
T04N R17E S1		NWSW	T04N R17E S1	SWSW
T04N R17E S1		SESW	T04N R17E S1	NESE
T04N R17E S1		NWSE	T04N R17E S1	SWSE
T04N R17E S1		SESE	T04N R17E S2	Lot 5 SENE
T04N R17E S2	Lot 6	NESE	T04N R17E S2	Lot 7 SESE
T04N R17E S10		NESE	T04N R17E S10	Lot 2 SWSE
T04N R17E S10	Lot 1	SESE	T04N R17E S11	Lot 1 NENE
T04N R17E S11	Lot 2	SENE	T04N R17E S11	NESW
T04N R17E S11		NWSW	T04N R17E S11	SWSW
T04N R17E S11		SESW	T04N R17E S11	SESW
T04N R17E S11	Lot 5	SESW	T04N R17E S11	NESE
T04N R17E S11	Lot 3	NESE	T04N R17E S11	NWSE
T04N R17E S11	Lot 4	NWSE	T04N R17E S11	SWSE
T04N R17E S11	Lot 5	SWSE	T04N R17E S11	Lot 6 SWSE
T04N R17E S11		SESE	T04N R17E S11	Lot 7 SESE
T04N R17E S12		NENE	T04N R17E S12	NWNE
T04N R17E S12		SWNE	T04N R17E S12	SENE
T04N R17E S12		NENW	T04N R17E S12	NWNW
T04N R17E S12		SWNW	T04N R17E S12	SENE

[illegible]

[illegible][illegible]

T04N R17E S13		NESE
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T04N R17E S13	Lot 3	NESE
T04N R17E S13		NWSE
T04N R17E S13		NWSE
T04N R17E S13		NWSE
T04N R17E S13	Lot 3	NWSE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S13	Lot 4	SESE
T04N R17E S14		NWNE
T04N R17E S14		NENW
T04N R17E S14	Lot 9	NENW
T04N R17E S14		NWNW
T04N R17E S14	Lot 4	NWNW
T04N R17E S14		SWNW
T04N R17E S14	Lot 5	SWNW
T04N R17E S15		NENE
T04N R17E S15		NENE
T04N R17E S15		NWNE
T04N R17E S15	Lot 5	SWNE
T04N R17E S15		SENE
T04N R17E S24		NENE

T04N R17E S13		NENE
T04N R17E S13		NENE
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T04N R17E S13		NWSE
T04N R17E S13		NWSE
T04N R17E S13		NWSE
T04N R17E S13		NWSE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S13		SESE
T04N R17E S14	Lot 1	NENE
T04N R17E S14	Lot 2	NWNE
T04N R17E S14		NENW
T04N R17E S14	Lot 10	NENW
T04N R17E S14		NWNW
T04N R17E S14		SWNW
T04N R17E S14		SWNW
T04N R17E S14		SENW
T04N R17E S15		NENE
T04N R17E S15	Lot 1	NENE
T04N R17E S15	Lot 2	NWNE
T04N R17E S15		SENE
T04N R17E S15	Lot 6	SENE
T04N R17E S24		NWNE

[illegible]

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[illegible][illegible]

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T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SWSW	T04N R18E S18	SWSW
T04N R18E S18	SESW	T04N R18E S19	NWNE
T04N R18E S19	Lot 2 SWNW	T04N R18E S19	SENW
T04N R18E S19	NESW		

Place of Use: FIRE PROTECTION same as MUNICIPAL

Conditions of Approval:

1. 180 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.
2. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
3. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

Licensed Date: 10/14/2011

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

Current Water Right No.: 37-8575b

Current Owner: CITY OF KETCHUM

Priority Date: 12/7/1989

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>
MUNICIPAL	04/02 to 10/14	0.8 CFS	125.9 AF
	<u>Total Diversion</u>	0.8 CFS	125.9 AF

Location of Point(s) of Diversion

GROUND WATER
BLAINE County

SW1/4SE1/4 Sec. 12, Twp 04N, Rge 17E B.M.

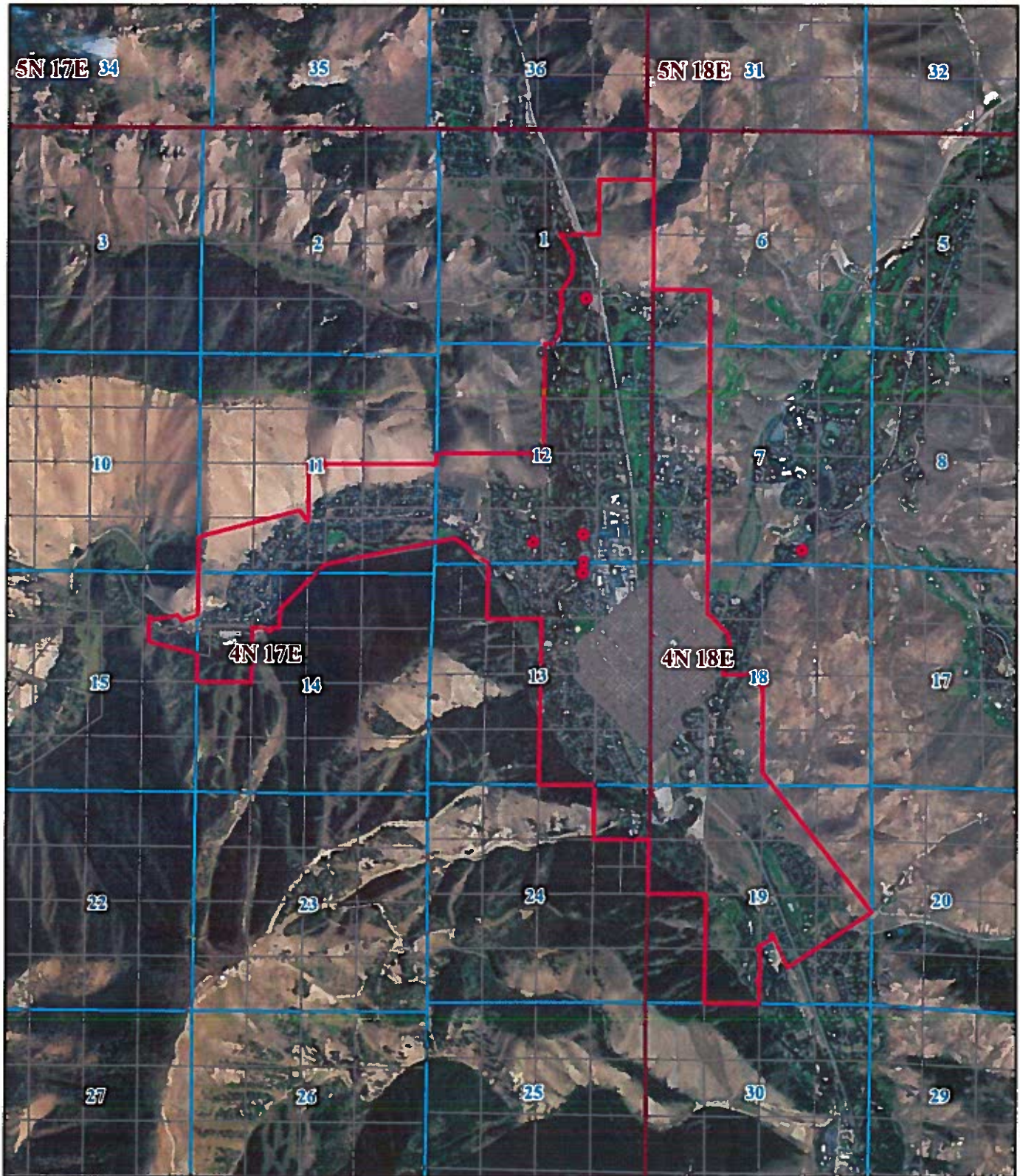
Place of Use

MUNICIPAL Within County

Conditions of Approval:

1. 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.
2. 180 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. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
4. 124 Place of use is within the service area of the City of Ketchum municipal water supply system as provided for under Idaho Law.
5. The right holder is not authorized to divert or use any water under this permit from October 15 to April 1.

Licensed Date: 5/29/2012



0 0.5 1 Miles

CITY OF KETCHUM
P.O.D. CONSOLIDATION TRANSFER
NAIP 2013 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 12/31/2015

LEGEND

- Points of Diversion
- POU - Service Area
- twshp
- Section_Lines
- Isdsc





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 13, 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

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 **1/20/2016** and **1/27/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 8, 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: Wednesday, January 13, 2016 10:41 AM
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 January 20th & 27th, 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.

Please note – I will be out of the office on medical leave from January 15th until approximately the 25th; therefore I will not be able to proof-read the legal notice prior to publication. I will trust that it will be published correctly.

Thank you in advance,

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 13, 2016

**LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
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

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 February 8, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**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
Published on January 20th & 27th, 2016

Maline, Denise

From: Maline, Denise
Sent: Wednesday, January 13, 2016 3:21 PM
To: 'Kevin Lakey'
Subject: Comment Letter for transfer 80621 City of Ketchum
Attachments: Comment Letter to WM37 for 80621.docx; Transfer 80621 City of Ketchum.pdf

Hi Kevin,

Attached is a copy of transfer 80621, in the name of City of Ketchum. Please review the information and provide any necessary comments within 21 days. If you have any questions – you can contact Bill Mills at our office; as he is the agent processing this transfer.

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 13, 2016

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

Via e-mail

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

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

Date: January 12, 2016
To: Transfer 80621 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding seven existing municipal wells to seven municipal water rights: 37-2628; 37-4413; 37-4414; 37-7682; 37-8195; 37-8269 (municipal & fire protection) and 37-8575B, that provide a total combined rate of 14.76 cfs. All wells are hydraulically connected and approval of this transfer will allow the diversion of each of these water rights from any and all wells allowing for more flexibility in the City of Ketchum's management of the municipal water supply. Five of the wells are located within the city's municipal water service area and two wells are located adjacent to Trail Creek, approximately 1.8 miles north and 0.7 east of the Ketchum city center.

Water rights 37-4413 and 37-4414 were decreed with an inaccurate point of diversion (POD) and this transfer will remediate that inaccuracy by dropping the POD from the water rights. The recorded POD is listed as located in the SWNESW of Sec. 7, Twp 04N, Rge 17E, which the consultant for the applicant has verified is inaccurate. It is likely that the one or both of the wells adjacent to Trail Creek, located in the SWSE of Sec. 7 should have been listed as the POD(s) for these rights. Water right 37-8269 also lists fire protection as a beneficial use

Water right 37-4414 is currently leased to the Water Supply Bank (lease beginning 1/1/2014; expiring 12/31/2018). Water Supply Bank staff was notified and indicated the water is also rented by the City of Ketchum and is diverted from the Fuld well located in the SWSE 4N 18E Sec 19 on private property subject to an NOV in the absence of the rental. I inquired with the city's representative, Zach Latham of Brockway Engineering, and he indicated that the city specifically requested the Fuld well not be included in the transfer as it is a private well and is not connected to the city's water delivery system. Since this application is only adding PODs, and will have no impact on the lease of this water right and this transfer can continue normal transfer processing.

POD and place of use are both located within Water District 37, and Watermaster comments will be solicited.

- **Authority to File:**
IDWR records indicate the applicant currently owns the water rights in this transfer.
- **Water Right Validity:**
Water rights 37-4413, 37-4414 and 37-7682 were decreed in the SRBA on 6/29/2011. Water right 37-2628 was decreed on 2/3/2014. The following water

rights were licensed: 37-8195 on 6/18/2012; 37-8269 on 10/14/2011 and 37-8757B on 5/29/2012. Water rights 37-4413 and 37-4414 are within 5 years of their decree date and all other rights are currently used to provide municipal water within the municipal service area for the City of Ketchum.

- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application will be subject to public notice and protest.
- **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 on Agricultural Base of the Local Economy:**
None Anticipated.

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

MEMORANDUM

Date: January 12, 2016
To: Transfer 80621 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #80621 are based on the on the current transfer fee schedule. \$1700.00 was paid for 15.15 cfs (Receipt No.S035192). After considering combined limits on the water rights, it was determined the fee should be based on 14.76 cfs, which would make the fee \$1620.00. A refund request for \$80.00 to be issued to Brockway Engineering will be processed.

MEMORANDUM

Date: January 12, 2016
To: Sascha Marston
From: Bill Mills
Re: Refund Fees for Transfer #80261

Brockway Engineering submitted a check (check no. 13109) in the amount of \$1700.00 (see receipt no. S035192) for a transfer application for the City of Ketchum on Jan 6, 2016. After evaluating the transfer application, I determined the fee should have been \$1620.00 for the 14.76 cfs being transferred. Please issue a refund check in the amount \$80.00 to Brockway Engineering PLLC

Mills, William

From: Mills, William
Sent: Tuesday, January 12, 2016 2:15 PM
To: Marston, Sascha
Subject: RE: Refund for Transfer Overpayment

Oh, Okay, it is:

Brockway Engineering PLLC
2016 North Washington Street STE 4
Twin Falls, ID 83301

Bill

From: Marston, Sascha
Sent: Tuesday, January 12, 2016 2:10 PM
To: Mills, William
Subject: RE: Refund for Transfer Overpayment

Bill,

I also need the address for Brockway Engineering.

Sascha

From: Mills, William
Sent: Tuesday, January 12, 2016 2:07 PM
To: Marston, Sascha
Subject: Refund for Transfer Overpayment

Sascha,

Brockway Engineering submitted a check (check no. 13109) in the amount of \$1700.00 (see receipt no. S035192) for a transfer application for the City of Ketchum on Jan 6, 2016. After evaluating the transfer application, I determined the fee should have been \$1620.00 for the 14.76 cfs being transferred. Please issue a refund check in the amount \$80.00 to Brockway Engineering PLLC.

Thanks

Bill

Mills, William

From: Zach Latham [zach.latham@brockwayeng.com]
Sent: Monday, January 11, 2016 1:21 PM
To: Mills, William
Subject: RE: City of Ketchum Municipal Rights Transfer

Bill-

1. Wells "Trail Creek #5A and Trail Creek #5B" are in fact located in the SWSE of Section 7, T.04N R.18E per the map. The application incorrectly identifies these in R.17E.
2. Right, this is an error. Those two wells are presently incorrectly identified and that PLSS location you noted below should be dropped/discontinued. This application correctly identifies wells "Trail Creek #5A and Trail Creek #5B" per this email in SWSE of Section 7, T.04N R.18E.

Please let me know if you have any additional comments or questions, thanks again for your time.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Mills, William [<mailto:William.Mills@idwr.idaho.gov>]
Sent: Monday, January 11, 2016 12:45 PM
To: Zach Latham
Subject: City of Ketchum Municipal Rights Transfer

Zach,

I have a couple questions about this transfer:

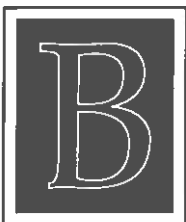
1. Are the wells located in the SWSE of S. 7, Twp 04N Rge 17E as indicated in the transfer application or are they in the SWSE of S. 7, Twp 04N, Rge 18E, as shown on the provided map?
I need something in writing stating where they are located for the transfer file in order to proceed with processing of the application.
2. On water rights 37-4413 & 37-4414, the current POD is listed as in the SWNESW of S. 7, Twp 04N Rge 18E. According to IDWR staff this may be an error, do you know? I'm assuming since that POD isn't listed on the transfer application that I'm supposed to drop that particular legal description from both of those water rights anyway.

Let me know how to proceed,
Thanks,
Bill

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7303 / Virus Database: 4489/11377 - Release Date: 01/11/16



BROCKWAY
ENGINEERING
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Water Resources

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JAN 06 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

December 28th, 2015

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

RE: Application for Transfer of Water Right- Point(s) of Diversion; City of Ketchum.

Dear Allen,

Enclosed is an Application for Transfer of Water Right- Point(s) of Diversion filed on behalf of the City of Ketchum which proposes to add all existing ground water points of diversion to water rights 37-2628, 37-4413, 37-4414, 37-7682, 37-8195, 37-8269 and 37-8575B owned by the City of Ketchum, located in Blaine County, ID. Currently, seven wells provide water under these water rights to the City of Ketchum's service area although not every well is listed on each individual water right. The intent of the application is to add all seven wells to each of these seven City of Ketchum water rights. The wells are all interconnected and are hydraulically capable of serving the existing service area/place of use.

Also enclosed is a check for \$1700.00 to cover the cost of the point of diversion transfer application. Please copy our office on all correspondence regarding the enclosed point of diversion transfer application. Don't hesitate to give me a call should you have any further questions or comments. Thanks for your time and assistance on this matter.

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,

Zach Latham, M.S., Hydrologist.

Enclosures: (1) Application for Transfer of Water Right- Point(s) of Diversion, Water Right Part 2A's, Map.
(1) Brockway Engineering Check # 13109.

Cc: Robyn Mattison, City of Ketchum