

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 13 2015

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) The Valley Club INC Phone (208) 788-0997

2. MAILING ADDRESS PO BOX 252 City Sun Valley

State ID Zip 83353 Email barry@thevalleyclub.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) 37-2623

- ☒ 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 2.84 cubic feet per second and/or 399 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 #
		NE	SE	NW	20	03N	18E	Blaine	Groundwater	
Yes			NW	NW	28	03N	18E	Blaine	Groundwater	

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:

Diversion currently in place in 03N 18E Sec. 20 NESENW, no change to existing diversion. New diversion will have lockable controlling works when required.

- b. Who owns the property at the point(s) of diversion? The Valley Club INC

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

- 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:

NA

- 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/Transfer/ApplicationLayouts 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

Barry D. Berers, General Manager 7-9-2015
Print name and title if applicable 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 17 pages of attachments. Received by DM Date 7-13-2015

Fee paid \$6600- Date 7-13-2015 Received by DM Receipt # S034903

Preliminary review by HS Date 7-14-15 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.: 37-2623

Current Owner: THE VALLEY CLUB INC

Priority Date: 10/12/1959

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>
IRRIGATION	04/15 to 10/31	2.6 CFS	399 AF
RECREATION	04/15 to 10/31	0.24 CFS	
	<u>Total Diversion</u>	2.84 CFS	399 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4NW1/4 Sec. 20, Twp 03N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T03N R18E S20	NWNE	2.00	T03N R18E S20	SWNE	18.00
T03N R18E S20	SENE	9.60	T03N R18E S20	NENW	0.20
T03N R18E S20	SENW	5.00	T03N R18E S20	NESE	16.00
T03N R18E S20	NWSE	20.00	T03N R18E S20	SWSE	18.00
T03N R18E S20	SESE	15.00	T03N R18E S21	SWSW	15.00
T03N R18E S28	NENW	13.00	T03N R18E S28	NWNW	27.00
T03N R18E S28	SWNW	18.00	T03N R18E S28	SENW	12.00
T03N R18E S28	NESW	9.40	T03N R18E S28	NWSW	13.00
T03N R18E S28	SESW	2.60	T03N R18E S29	NENE	15.00
T03N R18E S29	NWNE	6.40	T03N R18E S29	SENE	23.00
T03N R18E S29	NESE	18.00			

Total Acres: 276.2

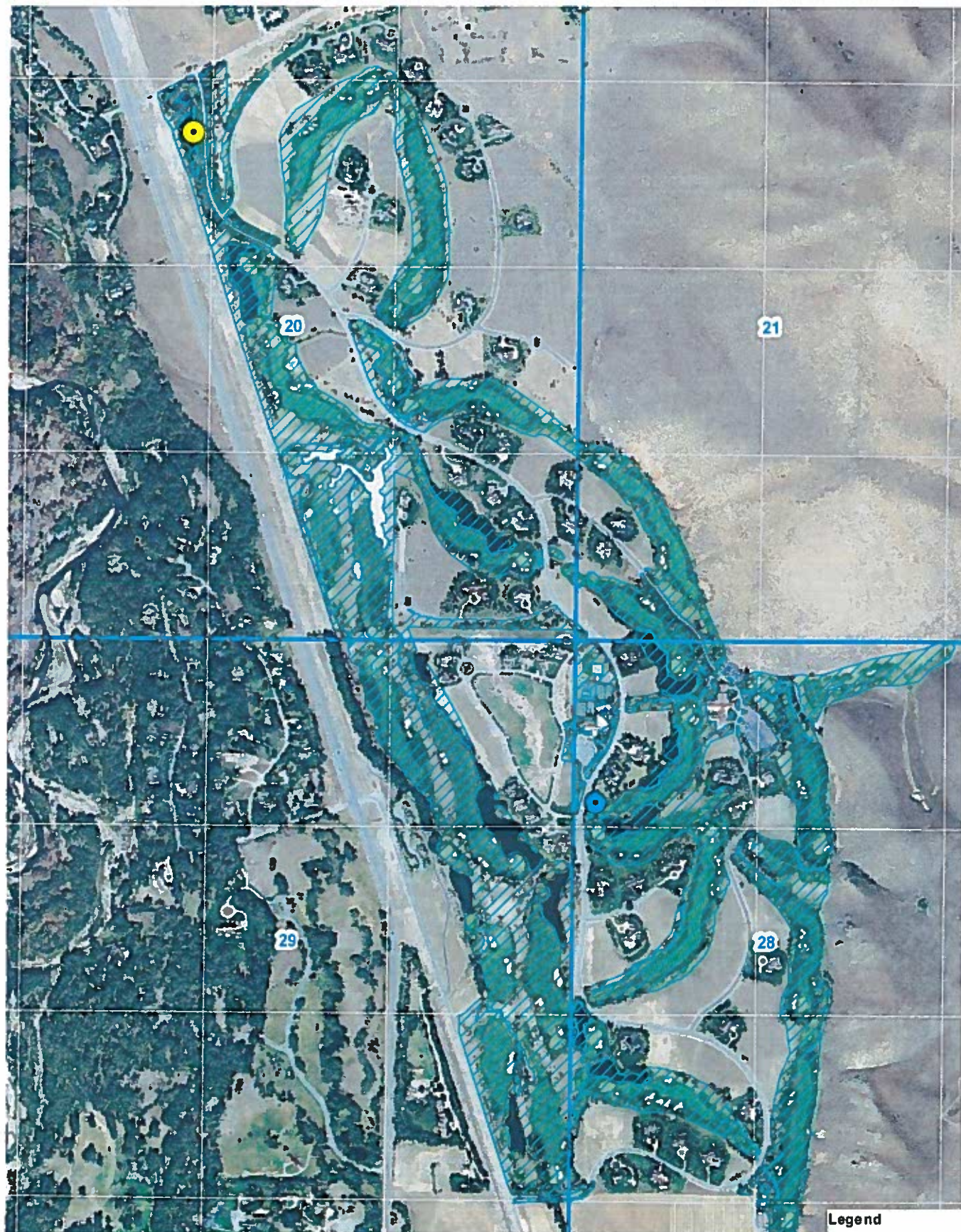
RECREATION Within BLAINE County

T03N R18E S20	SWNE	T03N R18E S20	SENW
T03N R18E S20	NESE	T03N R18E S20	NWSE
T03N R18E S20	SESE	T03N R18E S21	SWSW
T03N R18E S28	NWNW	T03N R18E S28	SWNW
T03N R18E S28	NWSW		

Conditions of Approval:

1. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. R05 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.
3. The amount of ground water recharge use under rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K, as modified by Transfer 78255, is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply authorized for irrigation is not available or otherwise reasonably reasonably sufficient to irrigate the place of use authorized under this right.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 aia per acre at the field headgate for irrigation of the place of use.
6. 115 Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. 206 Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 208.3 acres to be irrigated within the 276.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. X35 Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.
11. X27 This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 1/26/2010



Legend

37-2623 POD

● EXISTING WELL

● PROPOSED WELL

▨ Irrigation POD

**TRANSFER MAP FOR THE VALLEY CLUB, INC.
WATER RIGHT NO. 37-2623
NEW POINT OF DIVERSION
NAIP 2013 AERIAL PHOTO**

BROCKWAY ENGINEERING, PLLC.
GEP - Date: 5/8/2015

TRANSFER 80226

Project No. 665-02-2010

Big Wood Aquifer and River Simulated Response to Proposed Valley Club Addition of a Groundwater Point of Diversion Using a Big Wood River Aquifer Groundwater Model

Prepared for:

Valley Club, Inc.
P.O. Box 252
Sun Valley, Idaho 83353

May 21, 2015

For information concerning this report, contact
G. Erick Powell, Ph.D., P.E.



CHARLES E. BROCKWAY, Ph.D., P.E.
CHARLES G. BROCKWAY, Ph.D., P.E.
2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS, IDAHO 83301

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Big Wood Aquifer and River Simulated Response to Proposed Valley Club Addition of a Groundwater Point of Diversion Using a Big Wood River Aquifer Groundwater Model

Prepared by: Brockway Engineering, PLLC
G. Erick Powell, Ph.D., P.E.
Date: May 21, 2015

A. Introduction

Valley Club, Inc. is proposing to add a well as an additional point of diversion for ground water for irrigation of The Valley Club golf course. The existing well provides water under water rights 37-2623. The existing well is located in NESENW Sec20 03N 18E and pumps ground water for irrigation on the golf course. Groundwater irrigation is provided to the system after being pumped by flowing through a series of ponds and streams approximately 1.12 miles to the south. An irrigation pump, in one of the golf course ponds, pumps water from the pond and pressurizes the irrigation system to the golf course.

A water right transfer application has been prepared and is being filed with the Idaho Department of Water Resources (IDWR) by The Valley Club to add a new well near the pond from which irrigation water is pumped (see Figure 1). Approval and use of the new well will decrease the seepage from the ponds and 1.12 miles of stream from the northwest corner of the golf course south to the irrigation pump station (see Figure 1). Approval of the proposed transfer will add a well where pumping can occur and decrease losses from the surface water delivery system. It is expected that, depending on the water year, up to half of the groundwater currently pumped from the north well may be pumped from the new well.

In order for IDWR to fully evaluate the impacts of the proposed addition of a new well to aquifer levels and Big Wood River reaches, Brockway Engineering used a calibrated MODFLOW groundwater model of the Big Wood River Aquifer (Brockway Engineering, 2009). This model is currently the only adequate tool available to evaluate water right transfers and permit applications in the area. The model was reviewed by a technical

review committee, including personnel at IDWR and IWRR. This report contains the simulated results of the proposed project.

Groundwater right 37-2623 authorizes the Valley Club to pump a maximum of 399 acft at the existing well from April 15th through October 31st. The proposed transfer simulation compares the current situation of pumping 399 acft at the current POD to the situation where half of the volume is pumped at the current POD and half is pumped at the proposed POD. Table 1 presents the season volume distribution used for the pumping scenarios, which is based on irrigated turf in Hailey published by Allen and Robison (2012).

Table 1: Monthly extraction volumes for model simulation. Trend based on published precipitation deficit values for irrigated turf in Hailey, Idaho (Allen and Robison, 2012).

	April	May	June	July	August	September	October	Total
Days	16	31	30	31	31	30	31	200
Prec. Deficit^b (mm/day^a)	0.14	2.12	4.07	5.51	4.50	2.76	0.35	597 mm/yr ^a
Current Simulation (acft/month^a)	1.50	44.1	82.0	115	93.7	55.6	7.29	399 acft/yr ^a
Transfer Simulation Current POD (acft/month^a)	0.75	22.1	41.0	57.4	46.9	27.8	3.64	199.5 acft/yr ^a
Transfer Simulation Proposed POD (acft/month^a)	0.75	22.1	41.0	57.4	46.9	27.8	3.64	199.5 acft/yr ^a

^a Units for values are shown under the row header, except for the total column. The time duration for the total is over the entire irrigation season.

^b Published Precipitation Deficit values for irrigated turf in Hailey by Allen and Robison (2012).

The simulation is conservative in nature, as it assumes that the groundwater well is pumped continuously during the irrigation season. However, the groundwater irrigation right is stacked with six water rights from the Big Wood River (37-494, 37-495, 37-577BU, 37-577BV, 37-657B, and 37-833K), which have a variety of priority dates, the earliest being 5/1/1881. The reality is that the groundwater pumping, when it does occur, usually occurs in the late part of the irrigation season only. The simulation is also conservative because it assumes that all of the pumped groundwater will be consumptively used, which is not the case. According to Allen and Robison (2012), the irrigation season precipitation deficiency is 597 mm/year or 1.96 ft/year. The groundwater right allows for 3 ft/acre/year diversion volume (399 acft/year), but the consumptive use volume is calculated to be 260.68 acft/year. Furthermore, the Valley Club holds recharge water rights to protect a certain volume of groundwater irrigation, and the recharge water rights are not considered or simulated in this analysis.

In our modeling scenario, we have simulated the full allowable diversion rate to show the maximum effect of the groundwater pumping, but it needs to be emphasized that the impact of groundwater pumping will be smaller because of the stacked nature of the groundwater right and the consumptive use volume is smaller than the authorized 3 ft/acre/year diversion volume.

B. Results

The groundwater model (Brockway Engineering, 2009) was developed to evaluate the impacts to the Big Wood River Aquifer and River. The model was reviewed by IDWR and has been used previously for transfer/permit evaluations. The baseline model results (existing POD only) were compared to the results due to changes in pumping half the volume at the new well and half of the volume at the existing well. Changes to the aquifer and Big Wood River were noted to provide IDWR necessary information to evaluate and process the applications.

Figure 2 indicates the location of the model nodes used to evaluate the impact from the proposed project. Points A, B, C, D, and E are shown with locations ranging from north of the proposed project, within the Heatherlands development, to south of the proposed project, at the mouth of Indian Creek. All five nodes were used to evaluate the changes of groundwater surface elevations from the baseline model data and the Valley Club, Inc. scenarios with the new well.

Figures 3 through 7 show the groundwater elevations of the baseline data and the model results. The largest increase in water surface elevation occurs at point B, located immediately north of the current POD near Ohio Gulch road, of 0.77 ft. The largest decrease in water surface elevation occurs at point D, located at the north end of the old KSKI property, of -0.38 ft. These changes in water surface elevations are less than the annual variation of water surface levels of all of the references points, which range from 1.07 ft to 1.75 ft. The proposed project will likely result in undetectable impacts at surrounding wells. Figure 8 shows the extent of groundwater change contours that occur at the maximum time during the year (August). Included in Figure 8 are the nearby wells (IDWR well shapefile). There are several wells near the current POD that benefit from increase in groundwater levels. There is only one well located within a half mile of the proposed POD. This well is owned by the Valley Club.

Six Big Wood River reaches were evaluated to quantify the change in the river/aquifer exchange based on the proposed scenarios. Figure 9 identifies the location of the river reaches. Figure 10 shows annual changes in river reach gain/loss based on the original and proposed project in acre-feet. The zero line represents the baseline model data; The cumulative impact is shown along with the specific reach impact, if the scenario reach data produced different results than the baseline model, then the difference for each river reach was plotted relative to the baseline model (positive = river gain; negative = river loss).

Results show a slight annual gain of the Big Wood River above Hailey of less than 1 ac-ft/year (0.1 ac-ft/year) in Reaches 1, 2, 3, and 4 (Northern Boundary to Hailey). There was a slight annual loss of the Big Wood River below Hailey of less than 1 ac-ft/year (-0.1 ac-ft/year) in Reaches 5 and 6 (Hailey to Southern Boundary). The model showed that there is no appreciable change in the river or in the minimum stream flow at Hailey.

C. Summary

1. Valley Club, Inc proposes to add a point of diversion (well) to water right 37-37-2623. This report outlines the results of a ground water model simulation of the aquifer-river effects of the proposed new well operation.
2. Of the five locations that simulated the impact of the proposed project, the greatest positive impact was seen at Point B with a maximum season impact of 0.77 ft. The greatest negative impact was seen at Point D with a maximum season impact of -0.38 ft. The simulated seasonal fluctuation at the sites range from 1.07 ft to 1.75 ft. The proposed extraction will likely result in undetectable impacts at surrounding wells.
3. Only 1 existing well is within a half-mile radius the new proposed well and it is owned by the applicant.
4. Model results indicate a slight positive impact to Big Wood River above Hailey, as shown, with no net annual volume change to the River.

D. References

Allen, R.G. and C.W. Robison, 2012. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008. Research Technical Completion Report, Kimberly Research and Extension Center. University of Idaho. Moscow, ID.

Brockway Engineering, 2009. Development of a Groundwater Flow Model for the Big Wood River Aquifer: East Fork to Bellevue. Submitted to IDWR – Feb. 3. 2009. Brockway Engineering, PLLC. Twin Falls, Idaho.



**FIGURE 1: MAP FOR THE VALLEY CLUB, INC.
WATER RIGHT NO. 37-2623
NEW POINT OF DIVERSION
NAIP 2013 AERIAL PHOTO**

Legend
37-2623 POD
● EXISTING WELL
● PROPOSED WELL



FIGURE 2: MODFLOW NODES USED FOR AQUIFER EVALUATION

VALLEY CLUB, INC POD TRANSFER

NAIP 2006 AERIAL PHOTO

LEGEND

- o MODFLOW Obs Nodes
- MODFLOW Boundary

Point A: Heatherlands

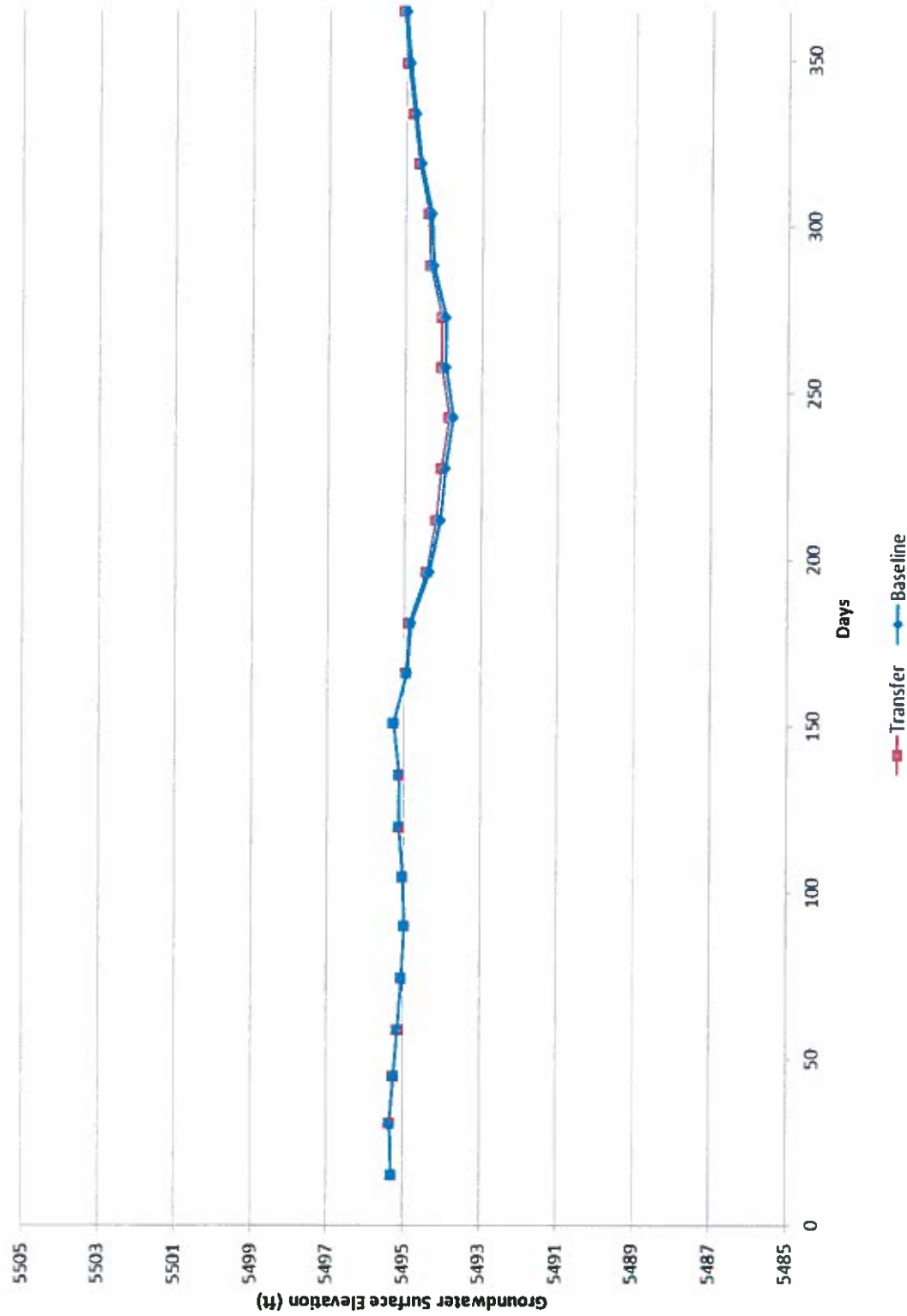


FIGURE 3: SIMULATED GROUNDWATER ELEVATIONS AT POINT A: HEATHERLANDS
 VALLEY CLUB, INC POD TRANSFER
 BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

Point B: North of Valley Club

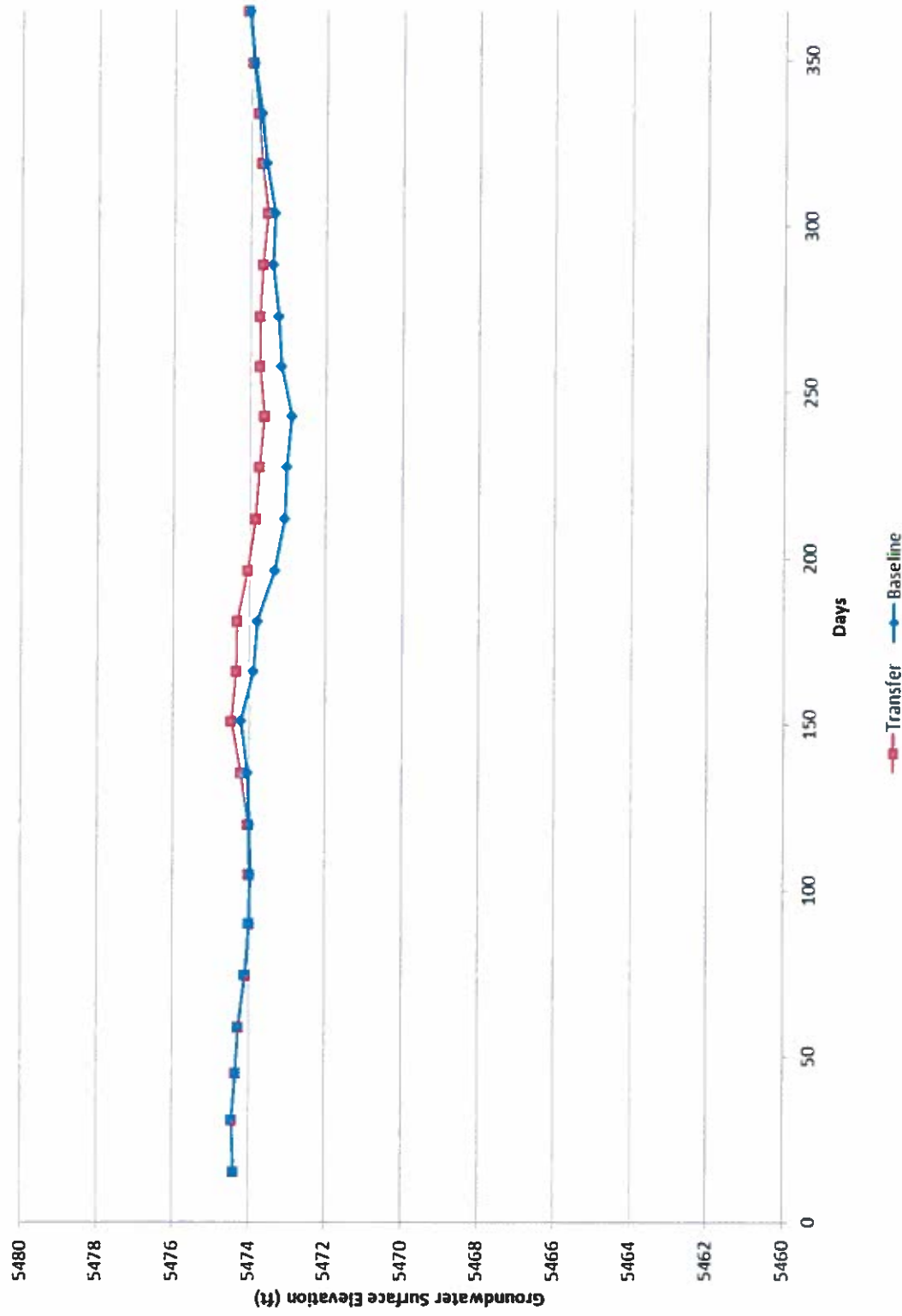


FIGURE 4: SIMULATED GROUNDWATER ELEVATIONS AT POINT B: NORTH OF VALLEY CLUB
VALLEY CLUB, INC POD TRANSFER
BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

Point C: South of Valley Club

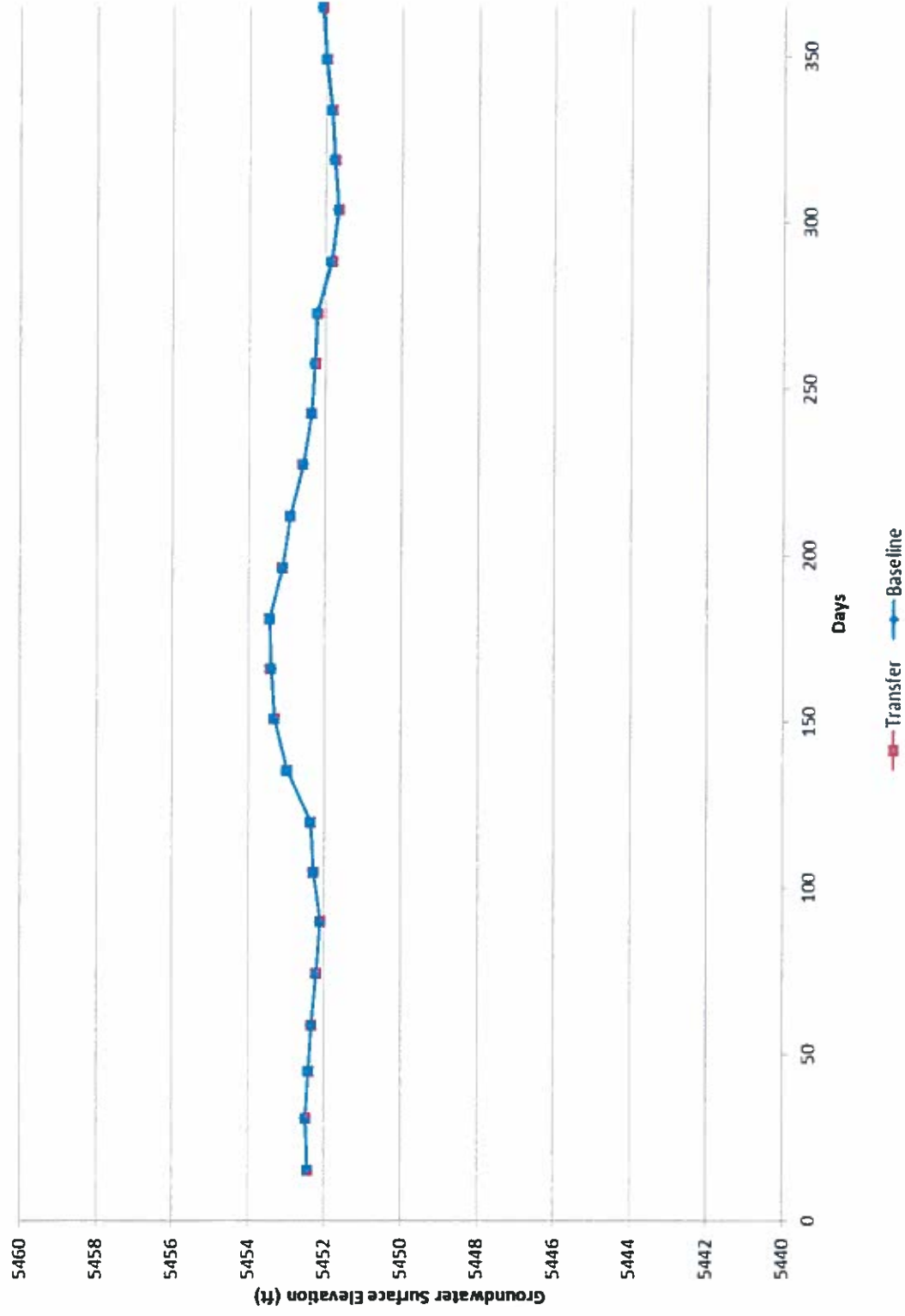


FIGURE 5: SIMULATED GROUNDWATER ELEVATIONS AT POINT C: SOUTH OF VALLEY CLUB
VALLEY CLUB, INC POD TRANSFER
BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

Point D: North of KSKI

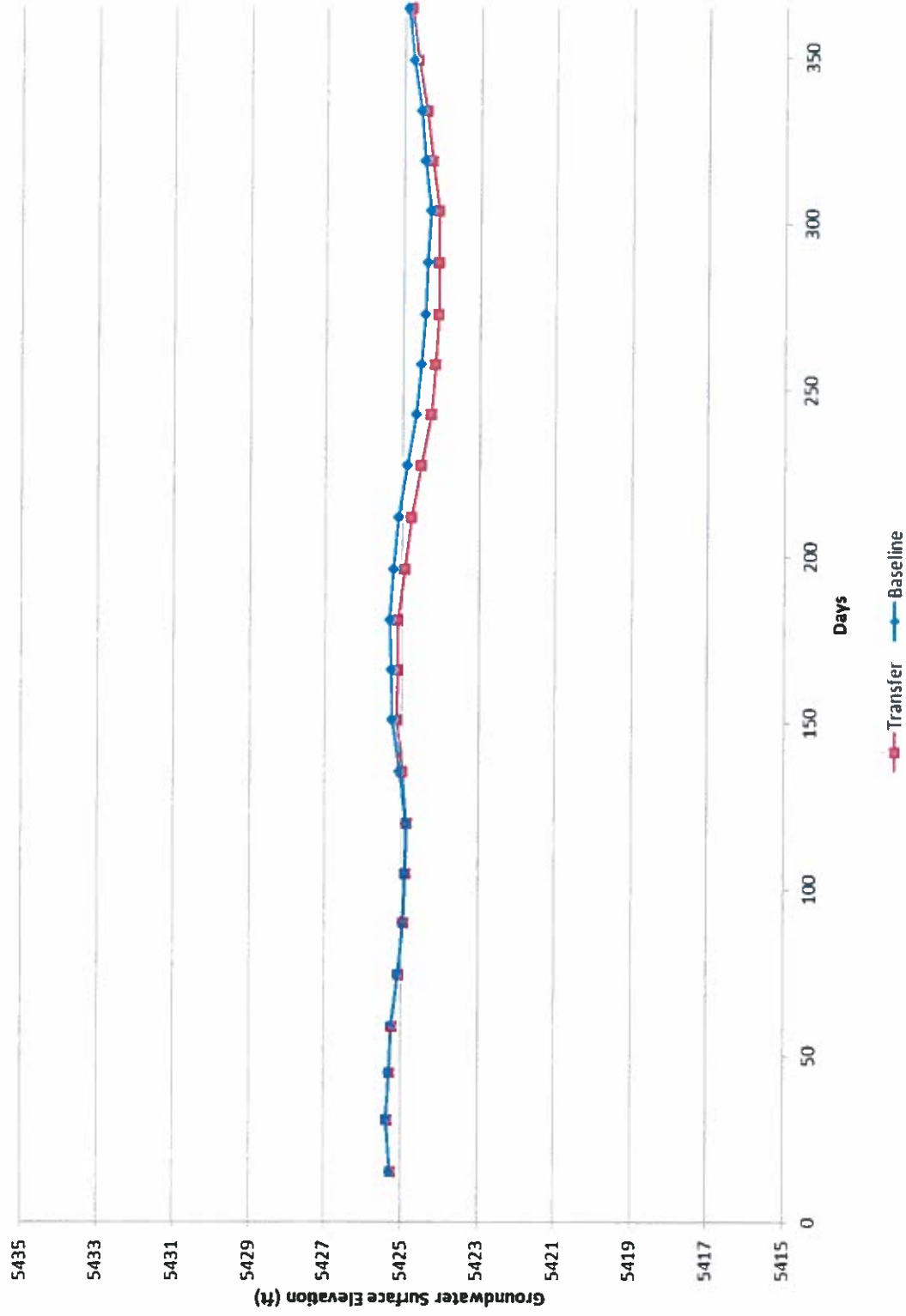


FIGURE 6: SIMULATED GROUNDWATER ELEVATIONS AT POINT D: NORTH OF KSKI PROPERTY
 VALLEY CLUB, INC POD TRANSFER
 BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

Point E: Indian Creek

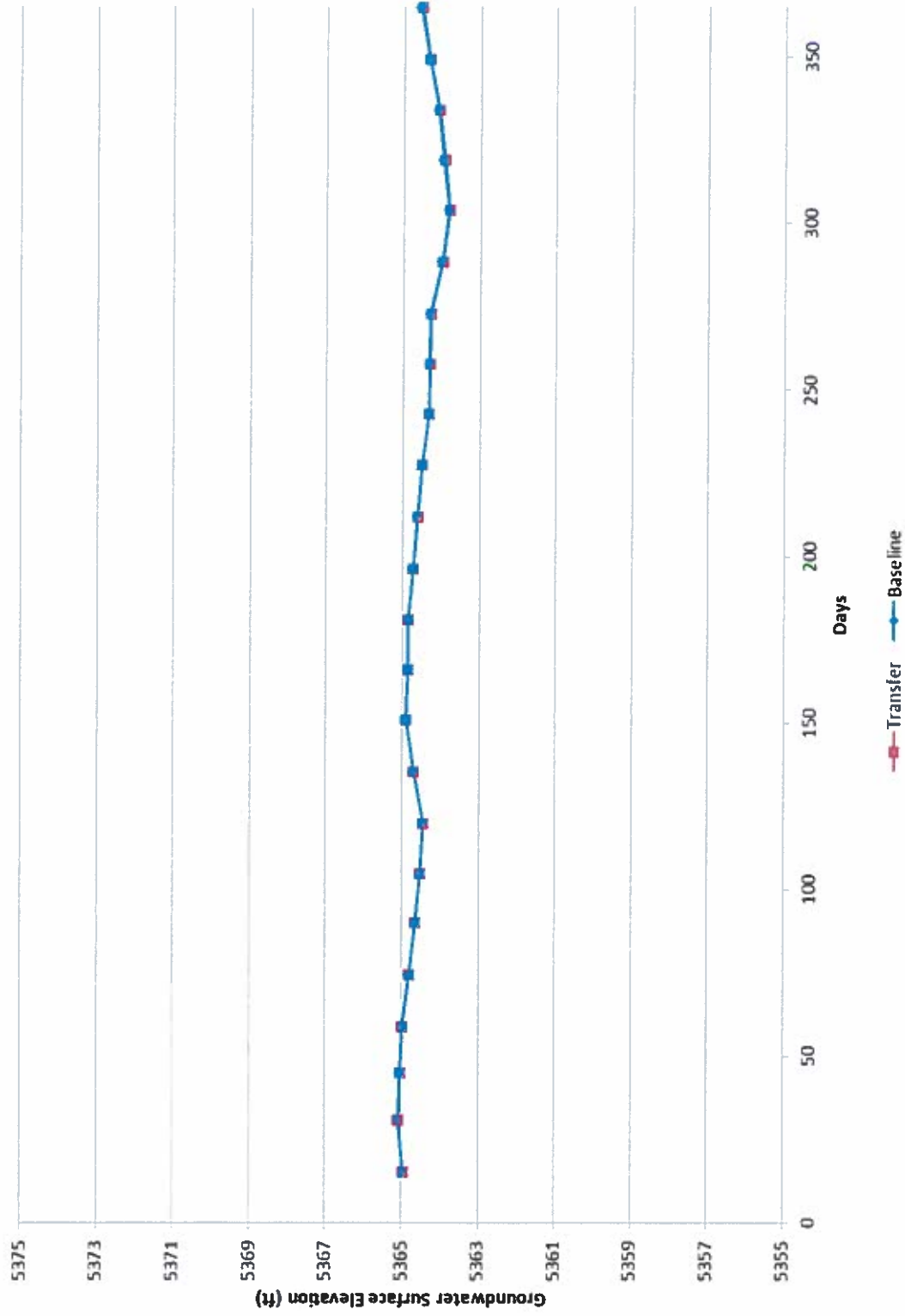


FIGURE 7: SIMULATED GROUNDWATER ELEVATIONS AT POINT E: INDIAN CREEK

VALLEY CLUB, INC POD TRANSFER
BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

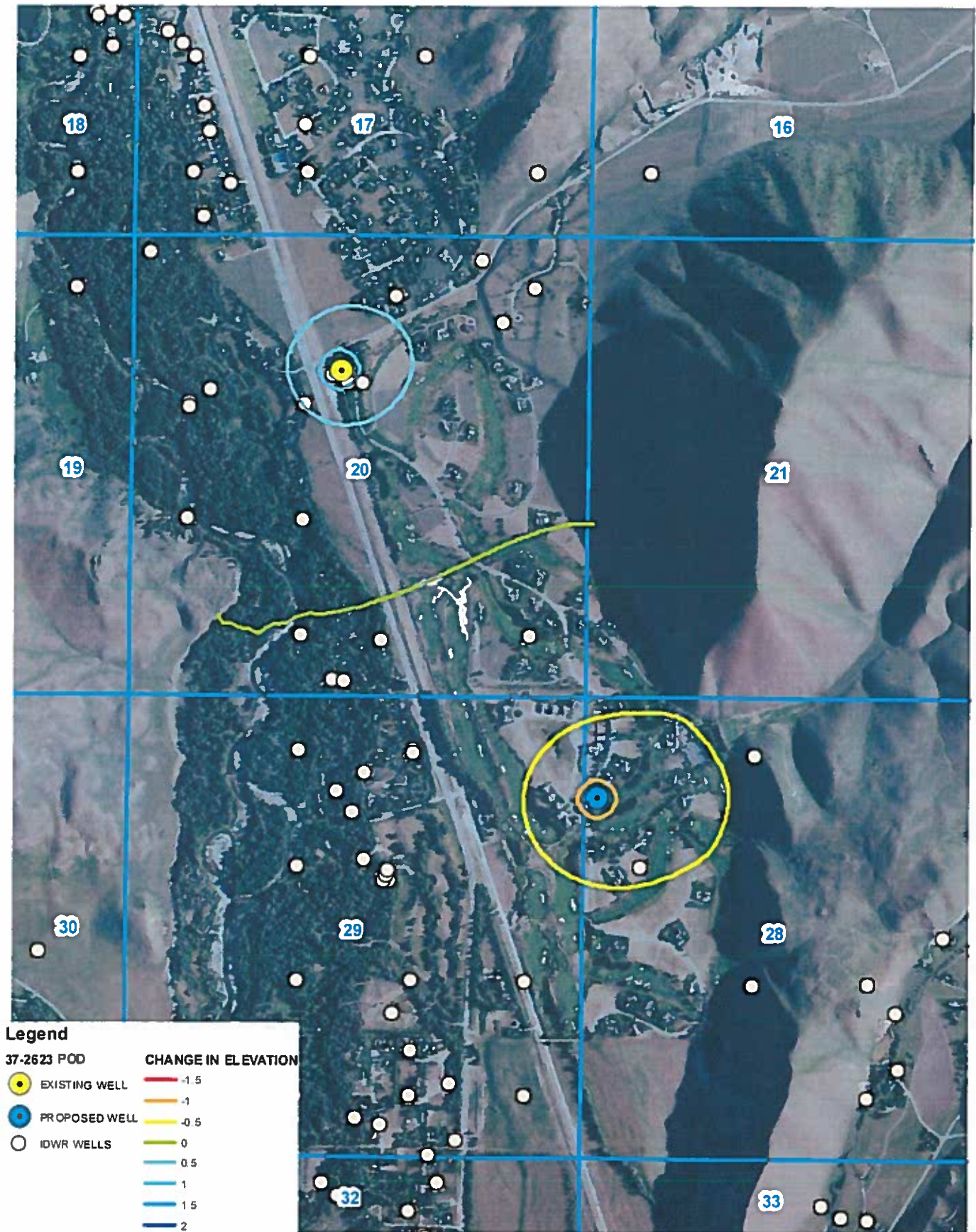
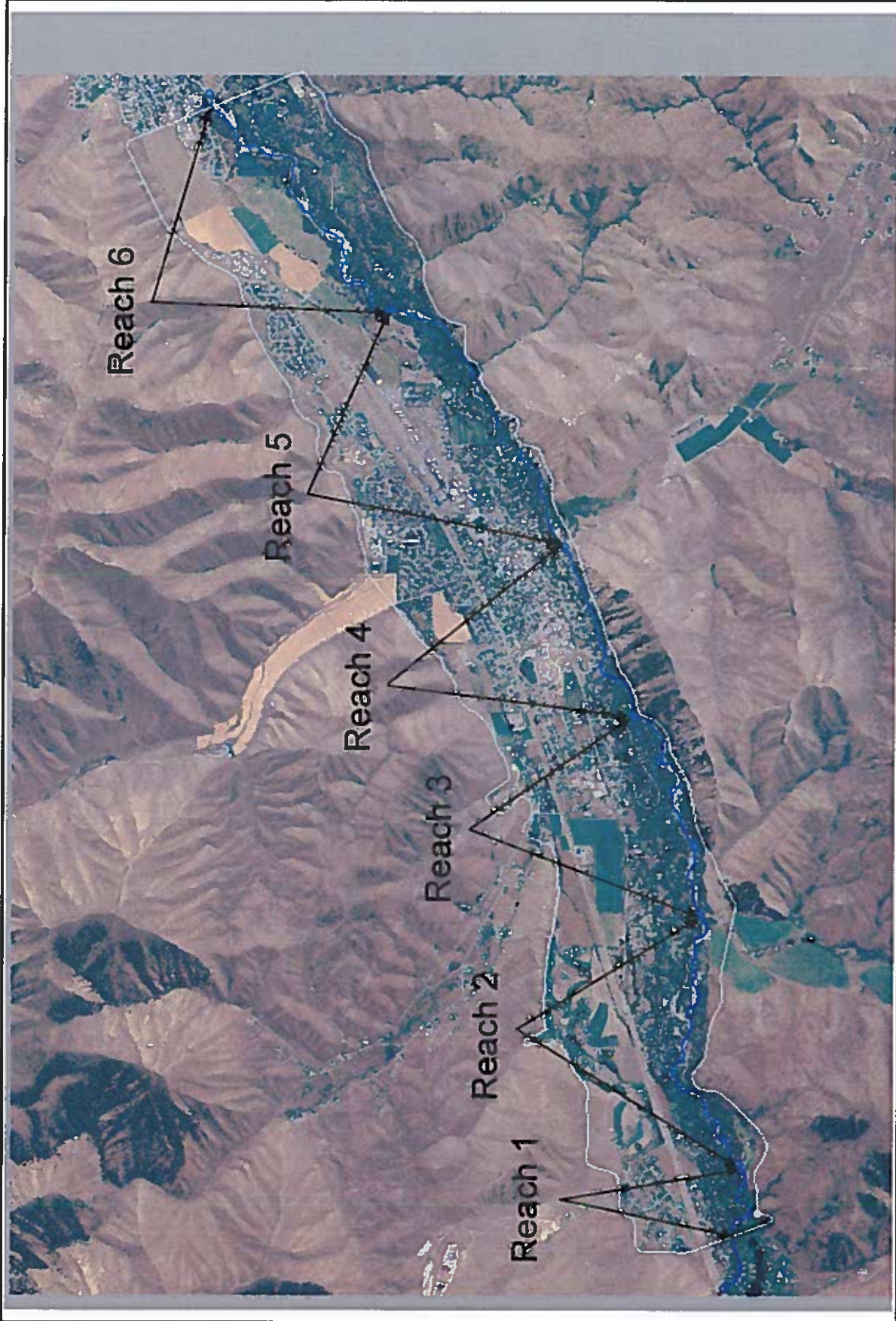


**FIGURE 8: MAP FOR THE VALLEY CLUB, INC.
SIMULATED IMPACT OF WATER RIGHT NO. 37-2623 TRANSFER
NEW POINT OF DIVERSION
NAIP 2013 AERIAL PHOTO**



LEGEND
 — MODFLOW Boundary
 — Big Wood River
 → River Reach

FIGURE 9: BIG WOOD RIVER REACHES
VALLEY CLUB, INC POD TRANSFER

NAIP 2006 AERIAL PHOTO

2

Big Wood River Reach Gain/Loss

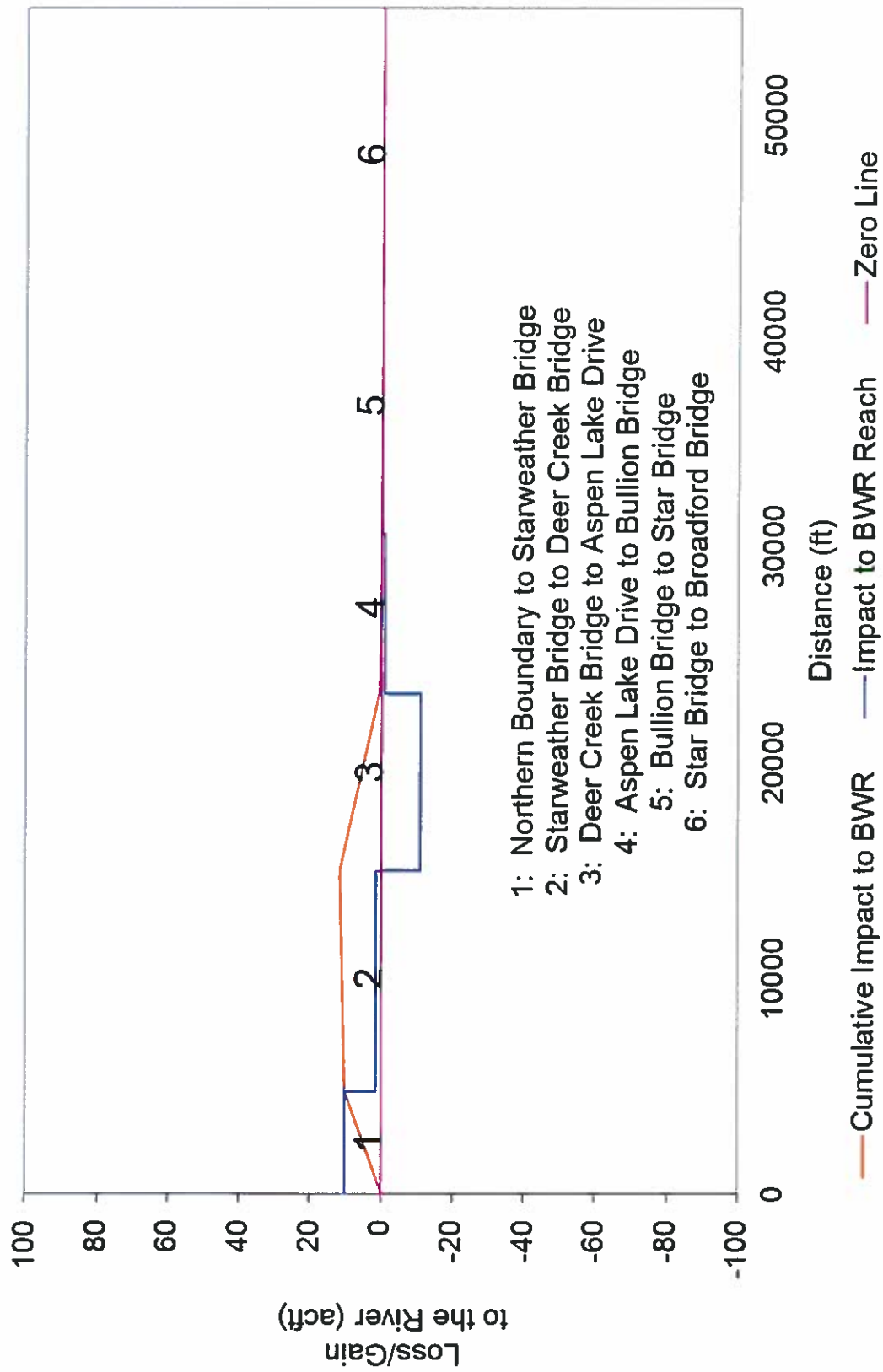


FIGURE 10: SIMULATED ANNUAL BIG WOOD RIVER REACH GAIN/LOSS
 VALLEY CLUB, INC POD TRANSFER
 BIG WOOD VALLEY AQUIFER GROUNDWATER MODEL

No. C 106031		Due no later than Apr 30, 2015		2. Registered Agent and Address (NO PO BOX)		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form		BARRY BEVERS 100 CLUB VIEW DR N HAILEY 83333		
		1. Mailing Address: Correct in this box if needed. VALLEY CLUB, INC. (THE) JENNIFER SCHULTZ PO BOX 252 SUN VALLEY ID 83353				
				3. New Registered Agent Signature: *		
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
TREASURER	LOU ANN TERRY	P.O. BOX 252	SUN VALLEY	ID	USA	83353
PRESIDENT	JOHN ASHTON	P.O. BOX 252	SUN VALLEY	ID	USA	83353
VICE PRESIDENT	KURT FUNKHOUSER	P.O. BOX 252	SUN VALLEY	ID	USA	83353
5. Organized Under the Laws of: ID C 106031		6. Annual Report must be signed.* Signature: Jennifer Schultz Name (type or print): Jennifer Schultz				Date: 04/02/2015 Title: Controller
Processed 04/02/2015		* Electronically provided signatures are accepted as original signatures.				



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

July 30, 2015

THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY, ID 83353

RE: Transfer No. 80226
Water Right No(s). 37-2623

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 **8/5/2015** and **8/12/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 24, 2015**).

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

Maline, Denise

From: Maline, Denise
Sent: Wednesday, July 29, 2015 4:02 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express Cover Letter.docx; Idaho Mountain Express Ad.doc

Attached please find (1) legal notice being submitted for publication on August 5th & 12th, 2015. 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

July 29, 2015

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

RE: Application For Permit No.(s): 37-22964, 37-22965, 37-22967, 37-22968

RE: Transfer No. 80114

Water Right No(s): 37-115F, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643,
37-20645, 37-20647, 37-20649, 37-20651, 37-2502, 37-2568, 37-2581, 37-2599,
37-2604, 37-2616, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-7758,
37-804

RE: Transfer No. 80226

Water Right No(s): 37-2623

RE: Transfer No. 80245

Water Right No(s): 37-11850, 37-1201A, 37-1201B, 37-22830

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 August 24, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

37-22964

ANDREW N KEETER
SHARON D KEETER
334 BUCKINGHAM DR
TWIN FALLS, ID 83301

Point of Diversion SWNE S31 T02N R19E BLAINE County Source GROUND WATER Tributary

Use: IRRIGATION 04/15 to 10/31 0.07 CFS

Total Diversion: 0.07 CFS

Date Filed: 5/15/2015

Place Of Use: IRRIGATION

T02N R19E S31 SWNE

Total Acres: 2.3

Application proposes to appropriate 0.07 cfs of groundwater from an existing well for irrigation of 2.3 acres of land on Lot 35A of Muldoon Ranch Subdivision # 2 just east of Bellevue. Companion transfer # 80245 proposes to offset the new appropriation by converting irrigation right 37-1201A to allow for groundwater recharge use at a location approximately 2.2 miles east of the center of Bellevue.

37-22965

KYLE BENNETT
ANNA BENNETT
110 RIDGEVIEW DR
BELLEVUE, ID 83313

Point of Diversion SWNE S31 T02N R19E BLAINE County Source GROUND WATER Tributary

Use: IRRIGATION 04/15 to 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 5/15/2015

Place Of Use: IRRIGATION

T02N R19E S31 SWNE

Total Acres: 1.2

Application proposes to appropriate 0.03 cfs of groundwater from an existing well for irrigation of 1.2 acres of land on Lot 34 of Muldoon Ranch Subdivision # 2 just east of Bellevue. Companion transfer # 80245 proposes to offset the new appropriation by converting irrigation right 37-22830 to allow for groundwater recharge use at a location approximately 2.2 miles east of the center of Bellevue.

37-22967

CARLITA F SEVERE MC IVER
330 BAYHORSE RD
BELLEVUE, ID 83313

Point of Diversion SENW S31 T02N R19E BLAINE County Source GROUND WATER Tributary

Use: IRRIGATION 04/15 to 10/31 0.06 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.06 CFS

Date Filed: 5/15/2015

Place Of Use: IRRIGATION, STOCKWATER

T02N R19E S31 SWNE SENW

Total Acres: 3.1

Application proposes to appropriate 0.06 cfs of groundwater from an existing well for irrigation of 3.1 acres of land and stockwater use on Lot 33 of Muldoon Ranch Subdivision # 2 just east of Bellevue. Companion transfer # 80245 proposes to offset the new appropriation by converting irrigation and stockwater right 37-11850 to allow for groundwater recharge use at a location approximately 2.2 miles east of the center of Bellevue.

37-22968

GLORIA CAMILLE MC CRAY 1965 TRUST

C/O WHITTIER TRUST CO

520 PIKE ST STE 1415

SEATTLE, WA 98101-4040

Point of Diversion L6(NESW) S31 T02N R19E BLAINE County Source GROUND WATER Tributary

Use: AESTHETIC STORAGE 01/01 to 12/31 0.3 AF

Use: DIVERSION TO STORAGE 04/15 to 10/31 0.03 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 0.3 AF

Total Diversion: 0.03 CFS

Date Filed: 5/15/2015

Place Of Use: WILDLIFE STORAGE, AESTHETIC STORAGE

T02N R19E S31 L6(NESW)

Application proposes to appropriate 0.03 cfs and 0.3 ac-ft of groundwater from an existing well for diversion to storage and wildlife & aesthetic storage uses on Lot 28 of Muldoon Ranch Subdivision # 2 just east of Bellevue. Companion transfer # 80245 proposes to offset the new appropriation by converting storage right 37-1201B to allow for groundwater recharge use at a location approximately 2.2 miles east of the center of Bellevue.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80114**

THOMAS M O GARA FAMILY TRUST, C/O BRIAN BARSOTTI, PO BOX 370, KETCHUM, ID 83340; has filed Application No. 80114 for changes to the following water rights within BLAINE County(s): Right No(s). 37-115F, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, 37-20651, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-7758, 37-804. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding two water rights, 37-804 and 37-11830, and their current 91.2 acre place of use (POU) to an existing 3,345.0 acre permissible place of use (PPU) that is served by 12 Big Wood River rights and 10 groundwater rights that currently allow for the irrigation of 2028.7 acres. The transfer will also add two existing points of diversion (PODs) currently used as part of the PPU ground water system to ground water right 37-804. PODs and POU are located 6.7 to 10.1 miles south and 1.0 to 3.7 miles east of the center of Bellevue. After the transfer, up to 55.70 cfs will be utilized from the 24 rights to irrigate 2119.9 acres within a proposed 3,437.0 acre PPU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80226**

THE VALLEY CLUB INC, PO BOX 252, SUN VALLEY, ID 83353; has filed Application No. 80226 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2623. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer seeks to add a proposed well as an authorized point of diversion to a 2.84 cfs irrigation (2.6 cfs) and recreation (0.24 cfs) ground water right. The location of the proposed well will be approximately 3.3 miles north and 0.5 miles west of the intersection of Bullion St. and Hwy 75 in Hailey.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80245**

CARLITA F SEVERE MC IVER, 330 BAYHORSE RD, BELLEVUE, ID 83313; ALVIN V SHOEMAKER and SALLY P SHOEMAKER, PO BOX 550, BELLEVUE, ID 83313; GLORIA CAMILLE MC CRAY 1965 TRUST, C/O WHITTIER TRUST CO, 520 PIKE ST STE 1415, SEATTLE, WA 98101-4040; KYLE BENNETT and ANNA BENNETT, 110 RIDGEVIEW DR, BELLEVUE, ID 83313; ANDREW N KEETER and SHARON D KEETER, 334 BUCKINGHAM DR, TWIN FALLS, ID 83301; has filed Application No. 80245 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11850, 37-1201A, 37-1201B, 37-22830. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing four Seamans Creek water rights that currently allow for irrigation and water storage on four parcels within the Muldoon Ranch Subdivision # 2 along the east edge of Bellevue. The application will change the authorized points of diversion, places of use and nature of use to allow for the rights to be diverted and used for groundwater recharge use at a location approximately 2.2 miles east of the center of Bellevue. The application proposes allowing 0.18 cfs of Seamans Creek water to be diverted and used for groundwater recharge purposes as part of a mitigation plan to offset groundwater diversion proposed by companion applications for permit 37-22964, 37-22965, 37-22967, and 37-22968.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before August 24, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 5th & 12th, 2015

Maline, Denise

From: Maline, Denise
Sent: Wednesday, July 29, 2015 5:09 PM
To: Kevin Lakey
Subject: Comment letters - 37-22964, 37-22965, 37-22967, 37-22968, transfer 80114, 80226 & 80245
Attachments: Comment Letter to WM37 for 37-22964, 22965, 22967, 22968, 80114, 80226, 80245.docx; 37-22964 app & maps.pdf; 37-22965 app & maps.pdf; 37-22967 app & maps.pdf; 37-22968 app & maps.pdf; Transfer 80114.pdf; Transfer 80226 app & maps.pdf; Transfer 80245 app & maps.pdf

Kevin,

Attached is a cover letter, recommendation forms and copies of several applications, for your review. Please note that several of these applications have lengthy attachments in the file, which can be viewed via our website in the next few days. Also, the explanatory attachment is the same for the following apps: 37-22964, 37-22965, 37-22967, 37-22968 & transfer 80245.

Please contact our office if you have any questions, and any of the water right agents can help you.

Thank you in advance,

Denise @ IDWR

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 29, 2015

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

Via E-mail

RE: Application for Permit No.: 37-22964, 37-22965, 37-22967 & 37-22968

RE: Transfer No. 80114

Water Right No(s): 37-115F, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643,
37-20645, 37-20647, 37-20649, 37-20651, 37-2502, 37-2568, 37-2581, 37-2599,
37-2604, 37-2616, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-7758,
37-804

RE: Transfer No. 80226

Water Right No(s): 37-2623

RE: Transfer No. 80245

Water Right No(s): 37-11850, 37-1201A, 37-1201B, 37-22830

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: July 21, 2015
To: Transfer 80226
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #802260 were based on the on the current transfer fee schedule and included \$660.00 for the 2.84 cfs being transferred in the application (Receipt No.S034903).

MEMORANDUM

Date: July 20, 2015
To: Transfer 80226
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding a new well to ground water right 37-2623 (2.84 cfs total; 2.6 cfs and 399.0 af for irrigation and 0.24 cfs for recreation). The irrigation component of this right (along with 5 surface water rights) authorizes the irrigation of 133.0 acres within a 276.2 acre permissible place of use (PPU). The proposed well will be located approximately 3.3 miles north and 0.5 miles west of the intersection of Bullion St. and Hwy 75 in Hailey.

This right currently has only one authorized point of diversion. The 5 surface water rights (37-494; 37-495; 37-577BU; 37-577BV and 37-833K) that are combined with this right for irrigation of the same 133 acres also authorize ground water recharge for a combined total of 0.59 cfs and a volume of 12.8 acre feet between March 15 and October 31. The recharge is intended to offset an annual out-of-priority consumptive use of ground water under this water right and was authorized by transfer #78255. Based on the information provided with transfer #78255, the ground water recharge may be sufficient to mitigate for a delivery call and may prevent curtailment of right 37-2623. However, the sufficiency of the recharge use to mitigate for consumptive use by this right will not actually be determined until there's a delivery call, a determination of injury and an analysis of the adequacy of this recharge as mitigation to prevent injury has been made.

Brockway Engineering provided a model analysis simulating aquifer and river response to pumping from the proposed well along with the transfer application. Overall, the model indicated there would be no appreciable change in the river or minimum stream flow at Hailey and the pumping would likely result in undetectable impacts at surrounding wells.

Overlap review indicates there is one other irrigation surface water right within the 276.2 acre PPU, 37-657B (1.53 cfs) that provides for irrigation of 75.3 acres in addition to the 133.0 acres irrigated by the rights listed above. There is a combined limit on all the rights involved limiting irrigation to 208.3 acres within the PPU.

The POU and POD are located within Water District 37, and Watermaster comments will be solicited.

- **Authority to File:** The applicant is listed as the current owner of the water right in this transfer and IDWR records indicate they are the owners of all properties involved in this transfer.
- **Water Right Validity:** Water Right 37-2623 was decreed in the SRBA on 1/26/2010. Recent aerial and satellite imagery indicate that the property involved with this transfer appears to be irrigated.
- **Injury to Other Water Rights:**
None anticipated. Model analysis was provided in an attempt to address the potential for injury to other water rights.
- **Enlargement of Use:**
None anticipated.

- **Local Public Interest:**
No issues anticipated. Application is 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