

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79688

This is to certify that: CREG HANSEN
LETA HANSEN
PO BOX 44
CAREY, ID 83320

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2515A	WR/DECREED	9/30/1950	1.600 cfs	280.0 af	N/A	80.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

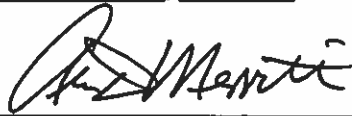
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2515A	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2515A	37-2515A	1.600 cfs	280.0 af	N/A	80.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.600 cfs	280.0 af	N/A	80.0		N/A	N/A	N/A	N/A

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

Dated this 1st day of July, 2015.


Southern Region Manager

WATER RIGHT NO. 37-2515A
As Modified by Transfer No. 79688

In accordance with the approval of Transfer No. 79688, Water Right No. 37-2515A is now described as follows:

Right Holder: LETA HANSEN AND
 CREG HANSEN
 PO BOX 44
 CAREY, ID 83320

Priority Date: 9/30/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	1.600 cfs	280.0 af
			1.600 cfs	280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWSE	Sec 16 Twp 01S Rge 21E	BLAINE County
GROUND WATER	NESENE	Sec 21 Twp 01S Rge 21E	BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Tw	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	21	40.0	40.0															80.0

POU Total Acres: 80.0

CONDITIONS OF APPROVAL

1. 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. 130.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 79688, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 79688

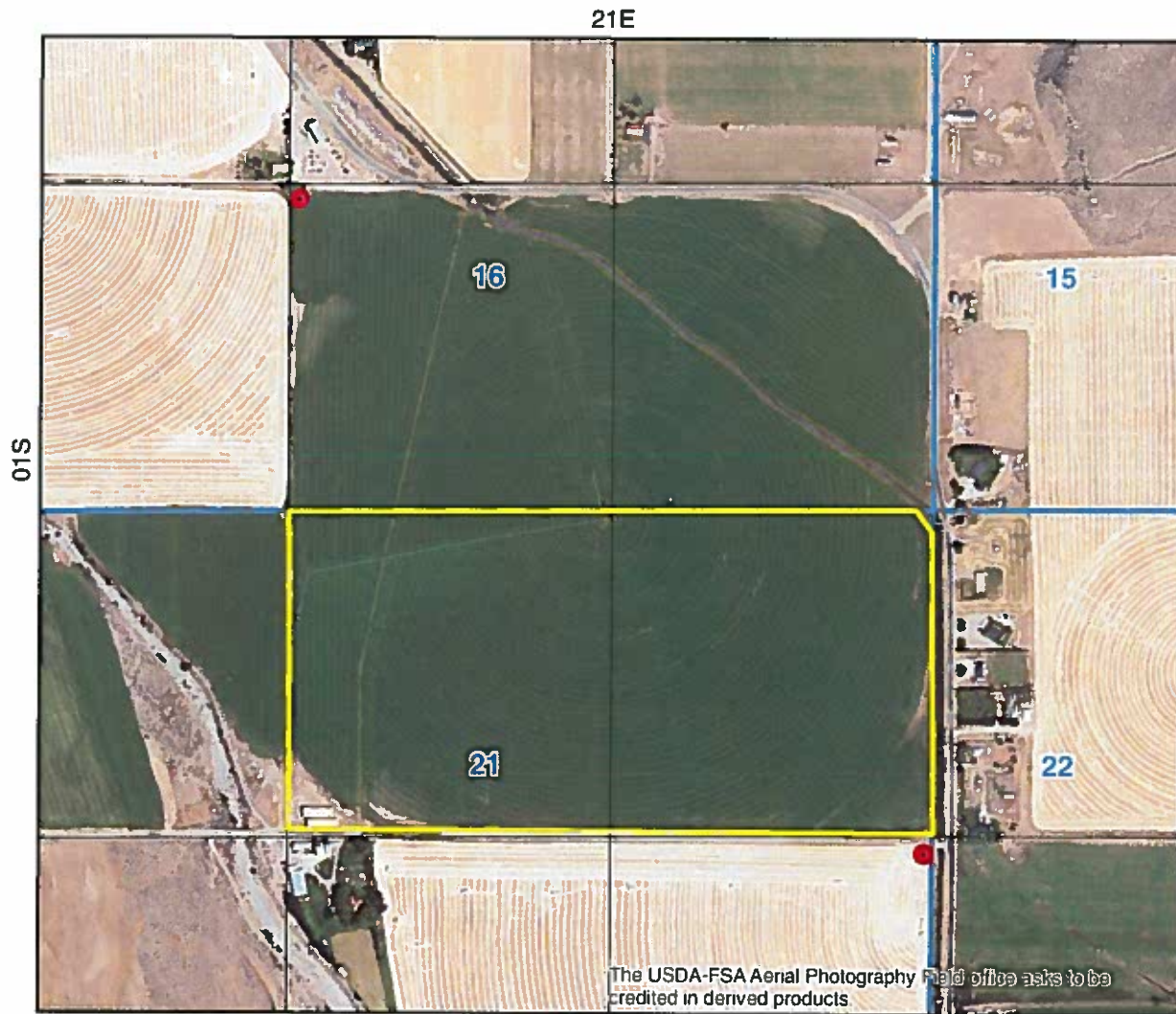
WATER RIGHT NO. 37-2515A
As Modified by Transfer No. 79688

CONDITIONS OF APPROVAL

5. 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 place of use.
6. Use of this right is combined with water from Little Wood River Irrigation District.
7. This right does not grant any right-of-way or easement across the land of another, or access to use conveyance facilities of the Little Wood Irrigation District. Rediversion from the East Canal for irrigation is under the control and regulation of the Little Wood Irrigation District, the managers of the East Canal, and is subject to the delivery rules of the District which may include the assessment of ditch losses.
8. 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 is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

State of Idaho
Department of Water Resources
Attachment To Transfer No. 79688
Right: 37-2515A

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles





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 1, 2015

CREG HANSEN
LETA HANSEN
PO BOX 44
CAREY ID 83320

Re: Transfer No: 79688
Water Right No(s): 37-2515A

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

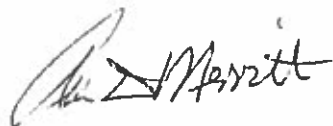
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and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

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

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

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

Sincerely,

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

Allen Merritt
Southern Regional Manager

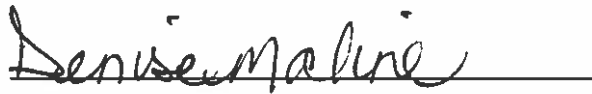
Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79688
Water Right No(s): 37-2515A

CREG HANSEN
LETA HANSEN
PO BOX 44
CAREY ID 83320

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



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 1, 2015

NATHAN ERICKSON WATERMASTER
WATER DISTRICT # 130
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

Hand-delivered

Re: **APPROVED Transfer No. 79688 (Creg & Leta Hansen)**

Dear Nathan:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer(s) within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 1, 2015

ROBERT SIMPSON WATERMASTER
WATER DISTRICT # 37-N
PO BOX 355
CAREY, ID 83320

Re: **APPROVED Transfer No. 79688 (Creg & Leta Hansen)**

Dear Mr. Simpson:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

MEMORANDUM

Date: June 24, 2015
To: Transfer 79688 File
From: Douglas Jones
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to add a second, already existing, well to water right 37-2515A, a supplemental right for 1.6 cfs, 160 acre feet and for use on 80 acres. The well to be added is 3/4 mile north and west of Carey along Little Wood Reservoir Rd, located in SENE Sec 21, T01S, R21E. Water District 130 watermaster comments were solicited and returned with no special concerns noted.

- **Authority to File:**
The application is filed in the name of Creg and Leta Hansen, the current owners of the right involved with the transfer.
- **Water Right Validity:**
The right involved with the transfer was decreed in 2002. Review of aerial photography indicates that the right appears to have been used in recent years.
- **Injury to Other Water Rights:**
None anticipated. The current and proposed points of diversion are located within the ESPA model grid boundary in adjacent model cells. A groundwater model analysis was not performed per Transfer Processing Memorandum #24 exempting changes in well locations within adjacent cells.
- **Enlargement of Use:**
None anticipated with appropriate conditions.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use 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.

Transfer of Water Right

T#79688

37-2515A

Creg and Leta Hansen



0 135 270 540 810 1,080 Feet

D. Jones
6/24/2015

MEMORANDUM

TO: Transfer # 79688 File

FROM: Douglas Jones

DATE: June 24, 2015

SUBJECT: Filing Fee

The filing fee, \$580.00, for this transfer is based on the total amount of water being transferred, approximately 1.6 cfs. The transfer fee schedule for a transfer involving 1.01 – 2.00 cfs indicates that the filing fee is \$580.00.

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris

RECEIVED

JUN 15 2015

COPY OF NOTICE

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

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

publication of said advertisement was on the 3 day of

June, 20 15, and the date of the last publication was on the 10 day of June, 20 15

Subscribed and sworn to before me this 10 day of

June, 20 15.

Connie N. Johnson
NOTARY PUBLIC

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

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

COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 129

Number of Insertions 2

Lines tabular at 9.0 cents/pica

129 Lines straight at 118.58 8.0 cents/pica

129 Subsequent lines at 103.85 7.0 cents/pica

TOTAL COST \$222.43

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

LEGAL NOTICE

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

✓ 37-22951

ROTARUN SKI CLUB INC

PO BOX 2083

HAILEY, ID 83333

Point of Diversion NWNE S19 T02N

R18E BLAINE County Source GROUND

WATER Tributary

Point of Diversion NWNE S19 T02N

R18E BLAINE County Source GROUND

WATER Tributary

Use: COMMERCIAL FROM STORAGE

11/01 to 02/28 8 AF

Use: COMMERCIAL STORAGE 11/01

to 02/28 8 AF

Use: DIVERSION TO STORAGE 11/01

to 02/28 0.09 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 2.4 AF

Total Diversion: 0.09 CFS 8 AF

Date Filed: 5/11/2015

Place Of Use: COMMERCIAL FROM STORAGE

T02N R17E S24 NENE

T02N R18E S19 L1(NWNW)

L2(SWNW)

Place Of Use: COMMERCIAL STORAGE,

FIRE PROTECTION STORAGE

T02N R17E S24 NENE

✓ OK DM 6/22/2015

✓ Application seeks to divert 0.09 cfs from November 1 to February 28, from two existing wells located approximately 2.0 miles west and 1.5 miles south of the intersection of Main and Bullion Streets in Hailey into an existing 2.4 acre-foot storage reservoir where the water will be pumped out for commercial use from November 1 through February 28. The application further seeks to maintain the 2.4 acre-feet of storage in the reservoir from January 1 through December 31 for fire protection. The commercial use of 8.0 acre-feet is for snow making at the Rotarun Ski Area, located approximately 2.4 to 2.6 miles west and 1.6 to 1.9 miles south of Hailey and allows for multiple fills and releases from the reservoir. The application will be mitigated by the non-use of right 37-4332 (irrigation, 0.03 cfs, 1.0 acre, 7.0 AF; domestic, 0.04 cfs), which is currently owned by Rotarun Ski Club, Inc. Right 37-4332 is currently appurtenant to ground and homes located approximately 0.3 miles west and 0.4 miles south of the intersection of Main Street and Sun Valley Road in Ketchum.

✓ **NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79688**

CREG HANSEN and LETA HANSEN, PO BOX 44, CAREY, ID 83320; has filed Application No. 79688 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2515A. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a second, already existing, well to water right 37-2515A, a supplemental right for 1.6 cfs, 160 acre feet and for use on 80 acres. The well to be added is 0.75 miles north and west of Carey along Little Wood Reservoir Rd, located in SENE Sec 21, T01S, R21E.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79933**

✓ JUDY H ATKINSON and DON R ATKINSON, PO BOX 190, KETCHUM, ID 83340; has filed Application No. 79933 for changes to the following water rights within BLAINE County(s): Right No(s). 37-337A, 37-8396. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion of a 0.12 cfs and 3.6 acre irrigation water right from the East Fork of the Wood River to three existing wells located on Lot 6, East Fork #1 Subdivision, located approximately 5.0 miles south and 1.5 miles east of Ketchum. Transfer also proposes adding two existing wells to an irrigation ground water right to connect the common system.

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/#New_Listings. 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 June 22, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JUNE 3 & 10, 2015**

✓ OK PM 6/22/2015

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

RECEIVED
JUN 11 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

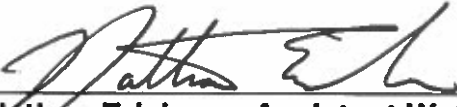
Application No: T# 79688
Water Right No: 37-2515A
Applicant Name: Creg & Leta Hansen

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
b) ☐ I do not oppose approval of this application under the following terms:
c) ☐ I oppose approval of this application(s) for the following reasons:
d) ☐ Additional comment:

Dated: June 11, 2015

Water District 130


Nathan Erickson, Assistant Watermaster

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

RECEIVED

JUN 05 2015

OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 79688

Water Right No(s): 37-2515A

Transfer Applicant's Name: CREG & LETA HANSEN
PO BOX 44
CAREY, ID 83320

Watermaster's Recommendation:

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

Dated this 2ND day of JUNE, 2015

Water District No. 37-N



Watermaster's Signature

ROBERT L. SIMPSON

Printed Name