

RECEIVED

AUG 01 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79478MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Sun Valley Trust, Lily Reeves Trustee, c/o Howard AltmanCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

RECEIVED
AUG 01 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Sun Valley Trust, Lily Reeves Trustee, c/o Howard Altman Phone 310-288-6285
Mailing address PO Box 5623 Beverly Hills, CA 90209-5623 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Charles E. Brockway, Brockway Engineering PLLC Phone 208-736-8543
Mailing address 2016 Washington St. N Suite 4 Twin Falls, ID 83301 Email charles.e.brockway@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Charles E. Brockway
Signature of Applicant or Authorized Representative

Charles E. Brockway
Print Name and Title if applicable
Power of Attorney

8/1/2014
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Applicant seeks to accurately describe existing place of use and existing points of diversion.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	37-8760	0.12 / 14.0	Irrigation	4/15 to 10/15	Ground Water
☒ ☐	37-8414	0.03 / 5.3	Irrigation	4/15 to 10/15	Ground Water
☐ ☐		0.01 / 0.1	Stock Water	1/01 to 1/01	Ground Water
☐ ☐		0.02 / 0.6	Domestic	1/01 to 1/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.16 cfs and/or 20.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.16 cubic feet per second and/or 20.0 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	SW	3	5N	17E	BLAINE	GROUND WATER	Existing Well
			SW	SE	3	5N	17E	BLAINE	GROUND WATER	Existing Well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	3												4.7			5.4		10.1
5N	17E	10		8.0			2.6												10.6
Total Acres (for irrigation use)																			*20.7

*Irrigation limited to 5.5 acres within proposed PPU under 37-833P, 37-8414 and 37-8760.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Existing wells will have metering devices installed prior to diversion for the 2014 irrigation season.

- 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. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None, application seeks to accurately describe permissible place of use and existing well locations.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

All water rights appurtenant to applicant's property have been listed and included in this application.

- f. 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 leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

N/A.

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

Current Water Right No.: 37-8414

Current Owner: LILY REEVES TTE OF THE SUN VALLEY TRUST U/D/T 1/8/99

Priority Date: 10/6/1988

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>
IRRIGATION	4/15 to 10/15	0.03 CFS	5.3 AF
STOCKWATER	1/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	1/01 to 12/31	0.02 CFS	0.6 AF
	<u>Total Diversion</u>	0.04 CFS	6 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4 Sec. 10, Twp 05N, Rge 17E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S10 NENW 1.50

Total Acres: 1.5

Place of Use: STOCKWATER same as IRRIGATION

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. The place of use is located within Lot 20, Barlow Subdivision.
Stockwater use is for 4 horses.
Domestic use is for 1 home.
Domestic use does not include lawn, garden, landscape, or other types of irrigation.
2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
3. 041 Irrigation use under this right is authorized only in connection with a domestic use.

Licensed Date: 10/27/1995

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

Current Water Right No.: 37-8760

Current Owner: SUN VALLEY TRUST

Priority Date: 10/6/1991

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 10/15	0.12 CFS	14 AF
	<u>Total Diversion</u>	0.12 CFS	14 AF

Location of Point(s) of Diversion

GROUND WATER
BLAINE County

SE1/4NW1/4 Sec. 10, Twp 05N, Rge 17E B.M.

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S10 SENW 4.00

Total Acres: 4

Conditions of Approval:

1. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. A flow rate of 0.08 cfs authorized by right no. 37-00833P must remain in the Big Wood River at its described point of diversion to compensate for depletion caused by the diversion of ground water authorized by this right.
3. 01J The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department as a part of the diverting works.
4. For purposes of regulating ground water in conjunction with flows of the Big Wood River, water may be diverted pursuant to this right if right no. 37-00833P is deliverable because the Rockwell Bypass is operating.
5. Upon finding an annual diversion volume exceeding 14 acre feet, the watermaster shall lock the controlling works until the next upcoming year.
6. Diversion of groundwater authorized by this right shall be administered by the watermaster of Water District No. 37, Big Wood River.
7. The Director retains jurisdiction over this right to adjust the mitigation and to require the collection and reporting of pumpage and use data.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. This water right is used in conjunction with an exchange of surface water rights which will remain in the Big Wood River pursuant to the exchange provisions contained in Section 42-105, Idaho Code.
10. Water must be applied to the land by an efficient method that conserves the quantity of water delivered.

Decreed Date: 9/24/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

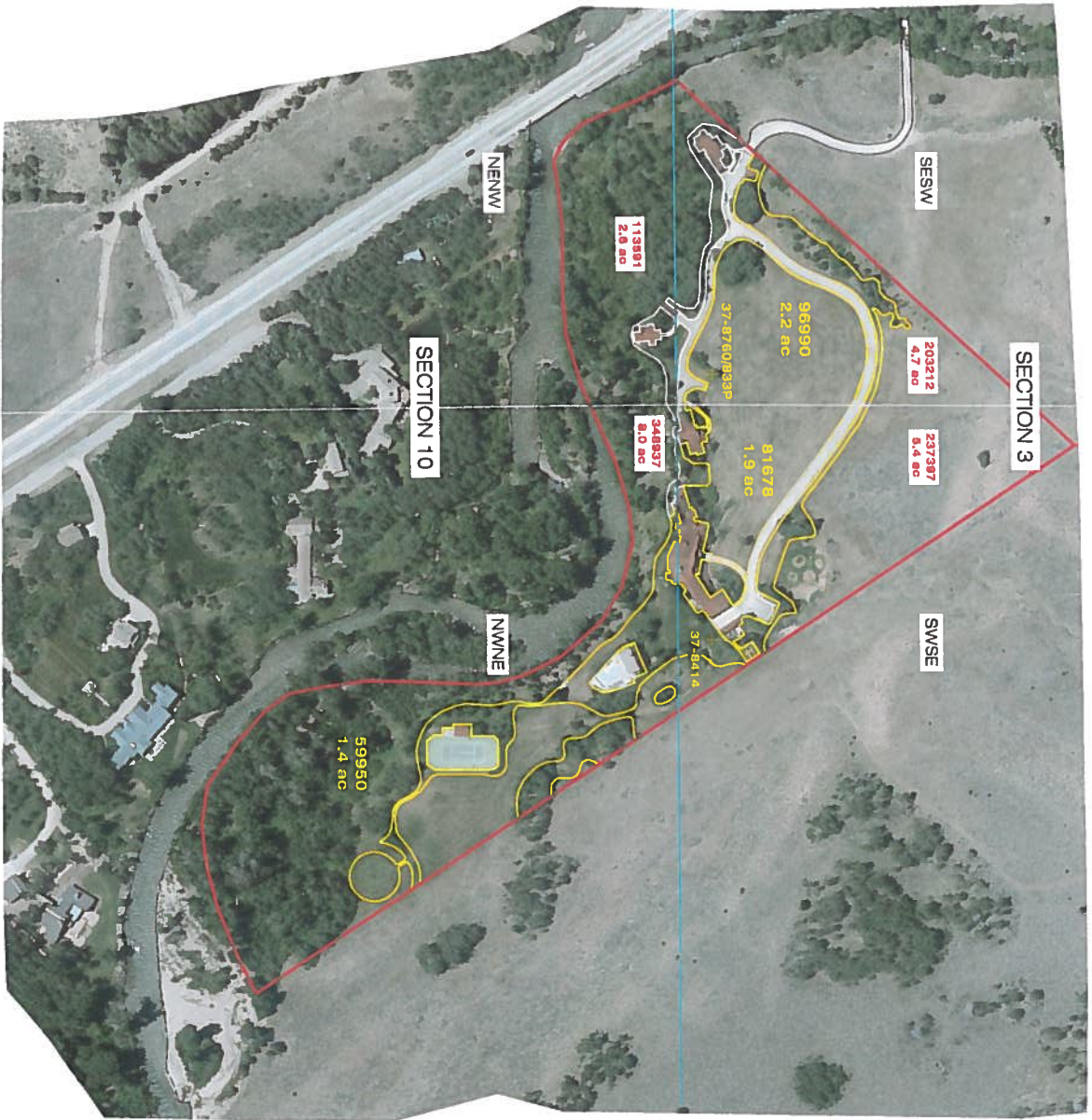
FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date 8-1-2014 Preliminary check by _____ Date _____

Fee paid \$200- Date 8-4-2014 Received by DM Receipt # 5034206

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____



LEGEND

WELLS:
WATER RIGHT # 37-8414
WATER RIGHT # 37-8760/833P

AREA UNDER IRRIGATION
239,439 SF / 5.50 AC

SESW 2.2 ac
SWSE 1.9 ac
NWNE 1.4 ac
NENW 0.0 ac
5.5 ac

NOTE: AREA UNDER IRRIGATION AS SHOWN
CORRESPONDS TO IRRIGATION MODIFICATIONS
MADE IN JULY 2014.

PERMISSIBLE PLACE OF USE
903,137 SF / 20.7 AC

SESW 4.7 ac
SWSE 5.4 ac
NWNE 8.0 ac
NENW 2.8 ac
20.7 ac

SECTION LINES

BIGWOOD RIVER

DOMESTIC EXEMPTION

PREPARED FOR SUN VALLEY TRUST
LARRY REEVES TRUSTEE
C/O: HOWARD ALTMAN
PO BOX 6623
BEVERLY HILLS CA 90208-6623
310-288-6236

PREPARED BY ROBERT KING
LICENSED LANDSCAPE ARCHITECT
STATE OF IDAHO
LA-216
CLEMENS ASSOCIATED INC.



SCALE 1" = 100'-0"

0 50 100 200 300
AUGUST 1, 2014

SUN VALLEY TRUST

BARLOW SUB LOT 20A & 21A
4 NORTH FORK CANYON RD
BLAINE COUNTY, IDAHO

CLEMENS ASSOCIATES INC PLANNING AND DESIGN CONSULTANTS PO BOX 300 KETCHUM, IDAHO 83340 208.726.5331

TRANSFER
79478

SITE PLAN IRRIGATION COVERAGE

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Brent Thomas, Property Manager for Sun Valley Trust ("SVT"), whose mailing address is P.O. Box 5623, Beverly Hills, CA 90209-5623, hereby appoints Charles E. Brockway, as its true and lawful attorney and representative, effective as of July 31, 2014, for the purpose of signing and submitting on its behalf the following documents to the Idaho Department of Water Resources, and for responding to requests for additional information concerning same:

1. Application for Transfer of a Water Right;
2. Any document in support, furtherance or amendment of the above.

All may rely on such authority. This Special Power of Attorney shall be effective until revoked in writing or such time as any such filed Application for Transfer of a Water Right has been approved, denied or withdrawn.

For purposes of the exercise of the powers herein granted, the facsimile signature of said attorneys shall be lawful and binding and any person may rely upon such facsimile signature as if it were an original.

[End of text]

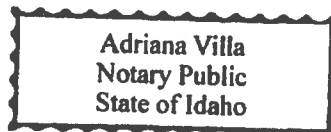
IN WITNESS WHEREOF, I have executed this Special Power of Attorney on behalf of Sun Valley Trust, effective as of the date first indicated above.

By: Brent Thomas
Brent Thomas, Property Manager
Sun Valley Trust

ACKNOWLEDGMENT

State of Idaho)
) ss.
County of Blaine)

On this 1 day of August, in the year of 2014, before me Adriana Villa, a notary public, personally appeared Brent Kermit Thomas known or identified to me to be the Property Manager of SUN VALLEY TRUST, the person who executed the instrument on behalf of said SUN VALLEY TRUST, and acknowledged to me that such corporation executed the same.



Adriana Villa
Notary Public for Blaine
Residing at Bellevue
My Commission Expires July 7, 2020



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

April 9, 2015

SUN VALLEY TRUST
LILY REEVES TRUSTEE
C/O HOWARD ALTMAN
PO BOX 5623
BEVERLY HILLS, CA 90209-5623

RE: Transfer No. 79478
Water Right No(s). 37-8414, 37-8760

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 **4/15/2015** and **4/22/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 4, 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

cc:

BROCKWAY ENGINEERING PLLC
CHARLES E BROCKWAY
2016 N WASHINGTON ST, STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 09, 2015 12:24 PM
To: Idaho Mountain Express
Subject: Legal Notice
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notices being submitted for publication on April 15th & 22nd, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ads 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

April 9, 2015

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

RE: Application For Permit No.(s): 37-22924

RE: Extension of Time to Avoid Forfeiture of a Water Right No(s): 37-21674, 37-21683, 37-21692, 37-21701
& 37-21710

RE: Transfer No. 79478
Water Right No(s): 37-8414, 37-8760

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 May 4, 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:

37-22924

ALGIS PABARCIUS

C/O ROBERT WILLIAMS

PO BOX 168

JEROME, ID 83338

Point of Diversion SWNE S7 T03N R18E BLAINE County Source GROUND WATER Tributary

Use: AESTHETIC STORAGE 01/01 to 12/31 3.8 AF

Use: DIVERSION TO STORAGE 04/15 to 10/31 0.32 CFS

Use: IRRIGATION FROM STORAGE 04/15 to 10/31 0.31 CFS

Use: IRRIGATION STORAGE 04/15 to 10/31 2 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 3.8 AF

Total Diversion: 0.32 CFS

Date Filed: 2/20/2015

Place Of Use: IRRIGATION FROM STORAGE

T03N R18E S7 NWNE SWNE

Place Of Use: IRRIGATION STORAGE, AESTHETIC STORAGE, WILDLIFE STORAGE

T03N R18E S7 SWNE

Total Acres: 15.5

Application for permit proposes diverting up to 0.32 cfs of ground water from a new well to be drilled for diversion to storage and the irrigation of 15.5 acres on a property located approximately 6.1 to 6.5 miles north and 1.8 to 1.9 miles west of the city center of Hailey. Ground water from the proposed well will be diverted to an irrigation/aesthetic/wildlife pond to provide irrigation water. Three Big Wood River water rights totaling 0.9 cfs and used for irrigation of 16 acres on a property located approximately 1.8 to 2.3 miles north and 0.75 to 1.3 miles west of the city center of Hailey, will no longer be diverted from the river to mitigate for the proposed diversion from the new well.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 79478

SUN VALLEY TRUST, LILY REEVES TRUSTEE, C/O HOWARD ALTMAN, PO BOX 5623, BEVERLY HILLS, CA 90209-5623; has filed Application No. 79478 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8414, 37-8760. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to tie together the 2 ground water licenses totaling 0.16 cfs and 20.0 af, into a common system with 2 existing wells for the irrigation of a total of 5.5 acres, 1 home, and stockwater within Lots 20 and 21, Barlow Subdivision, located approx. 7 miles north of Ketchum.

Extension of Time to Avoid Forfeiture of a Water Right

Judy Cash, PO Box 880, Bellevue, ID 83313 filed five Extensions of Time to Avoid Forfeiture. The first application is for Water Right 37-21674, with an 1883 priority from the Big Wood River in the amount of 0.08 cfs for 5.0 acres. The second application is for Water Right 37-21683, with an 1884 priority from the Big Wood River in the amount of 0.005 cfs for 5.0 acres. The third application is for Water Right 37-21692, with an 1885 priority from the Big Wood River in the amount of 0.05 cfs for 5.0 acres. The fourth application is for Water Right 37-21701, with an 1886 priority from the Big Wood River in the amount of 0.005 cfs for 5.0 acres. The fifth application is for Water Right 37-21710, with an 1891 priority from the Big Wood River in the amount of 0.13 cfs for 5.0 acres. All five water rights were partially decreed on 3/31/2010. Applicants are currently not able to divert the water under these rights for reasons beyond their control and are actively pursuing means to reestablish use of these water rights. All five water rights are appurtenant to 5.0 acres of land located approximately 0.6 to 0.7 miles east and 2.1 to 2.3 miles south of the intersection of Hwy 75 and the Bellevue Gannett Road south of Bellevue, within Bellevue Farms Subdivision. For additional information, contact Southern Region at (208) 736-3033, or search under www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx, for documents provided under water right number 37-21674, 37-21683, 37-21692, 37-21701 & 37-21710.

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 May 4, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 15th & 22nd, 2015

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 09, 2015 3:58 PM
To: Kevin Lakey
Subject: Comment Letters: Transfer 79478, App for Permit 37-22924, Ext. of Time: 37-21674, etc.
Attachments: Comment Letter to WM37 for 37-21674, etc..docx; 37-21674.pdf; 37-21683.pdf; 37-21692.pdf; 37-21701.pdf; 37-21710.pdf; 79478.pdf; 37-22924.pdf

Hi Kevin,

Attached is a cover letter, recommendation forms and copy of (5) Extension of Time to Avoid Forfeiture, transfer 79478, and Application for Permit 37-22924. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, 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

April 9, 2015

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

Via E-mail

RE: Application For Extension of Time to Avoid Forfeiture of Water Right No.(s):
37-21674, 37-21683, 37-21692, 37-21701 & 37-21710

RE: Transfer No.: 79478
Water Right No(s): 37-8414, 37-8760

RE: Application for Permit No.: 37-22924

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: April 7, 2015
To: Transfer 79478
From: Doug Jones
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
4/7/2015

Transfer proposes to tie 2 the ground water licenses totaling 0.16 cfs and 20 af, into a common system with 2 existing wells for the irrigation of a total of 5.5 acres, 1 home, and stockwater within Lots 20 and 21, Barlow Subdivision, located approx. 7 miles north of Ketchum.

The properties and points of diversions involved with the application are located within Water District 37. Watermaster comments will be necessary.

- **Authority to File:**

The applicant is listed as the current owner of involved water rights according to IDWR records as well as the involved property.

- **Water Right Validity:**

Both water rights have been licensed and were not subject to SRBA. Review of aerial photos indicates that the lands involved with the transfer have recently been irrigated.

- **Injury to Other Water Rights:**

Recent irrigation practices led to NOV enforcement action by IDWR. Changes to the system are required to conform with the current irrigation limit map. Wells are part of the ground water monitoring of the Ground Water District and will be measured.

- **Enlargement of Use:**

See comment above.

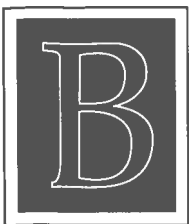
- **Local Public Interest:**

No hydrological impact anticipated from proposed changes.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

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.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

AUG 01 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 1, 2014

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

Re: Sun Valley Trust Water Right Transfer

Dear Allen:

Attached is an application for a transfer for Sun Valley Trust to create a PPU and identify the proposed irrigated area for 2014 of 5.5 acres not including the 0.5 acres allowed under the domestic well. This reduction in irrigated area, I believe comports with the irrigated area requirements which were outlined in the terms of the agreement and Order relative to the Notice of Violation #E2014-492 dated April 16, 2014, and which were agreed to in our compliance conference on May 15, 2014.

Please let me know if you have any questions on the submitted material; including the map and power of attorney.

Sincerely,

Charles E. Brockway, P.E. PhD

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

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

Encls: Application for Transfer
Site Plan Irrigation Coverage Map
Power of Attorney

Cc: Mike Creamer, Attorney
Brent Thomas

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506