

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
OCT 01 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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 an entire 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 or to report an ownership change for a portion 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

1. **APPLICANT(S)** Walter Bruce Willis C/O Valley Entertainment Phone (208) 788-1051

2. **MAILING ADDRESS** 126 S. Main #B9 City Hailey

State Idaho Zip 83333 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ 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)** 37-20400

- ☒ 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 0.06 cubic feet per second and/or 10.5 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	NE	05	02N	18E	BLAINE	GROUND WATER	
Y			SE	NE	05	02N	18E	BLAINE	GROUND WATER	

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:

Wells and submersible pumps to irrigation system. Measuring device can be accommodated in well house.

- 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:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

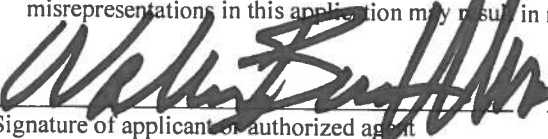
Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ 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:

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

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

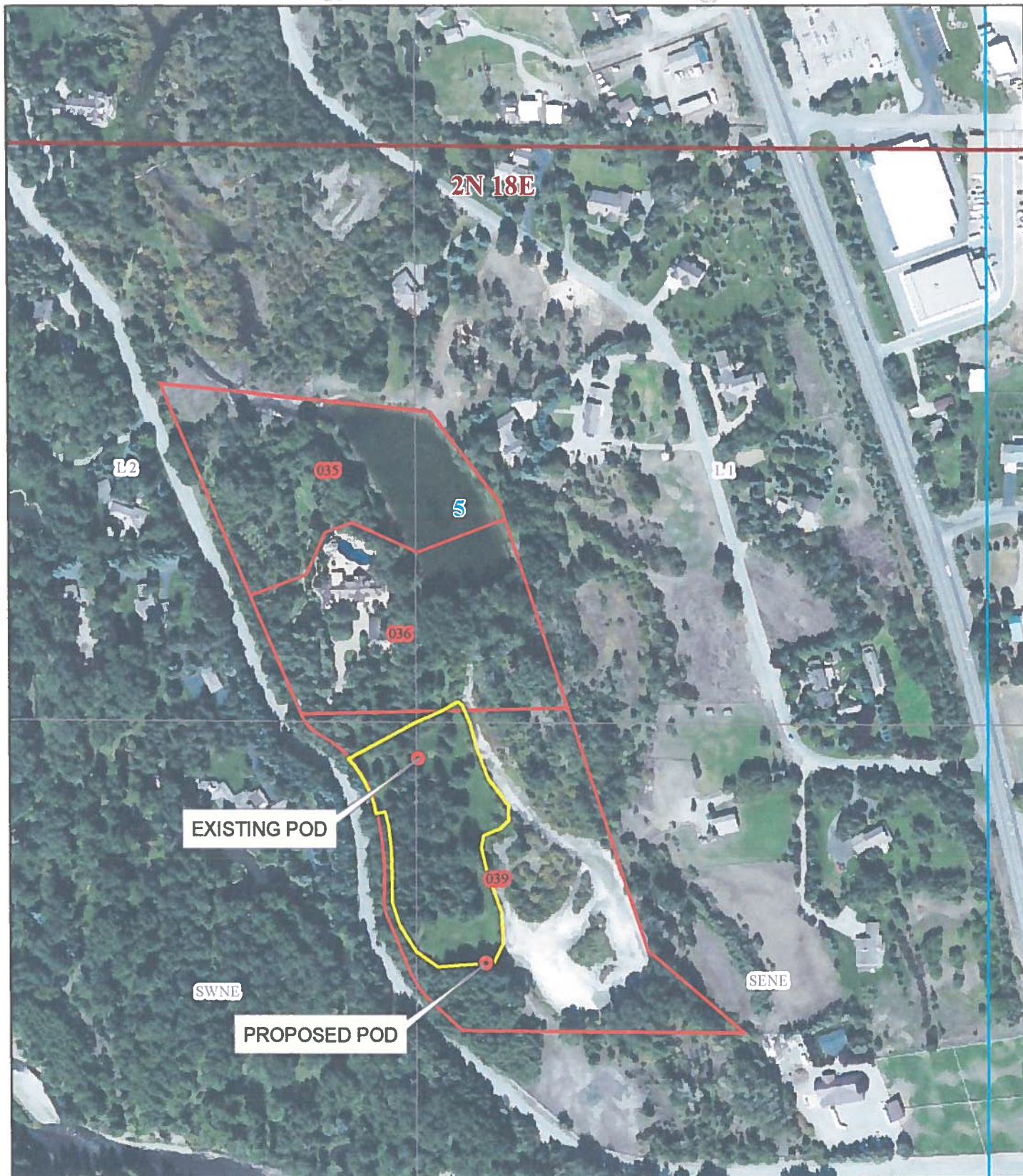

Signature of applicant or authorized agent Walter Bruce Willis Print name and title if applicable 8/5/14 Date

Signature of applicant or authorized agent _____ Print name and title if applicable _____ Date _____

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

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by CH/dm Date 10-1-2014
Fee paid \$200 Date 10-1-2014 Received by dm Receipt # 5034321
Preliminary review completed by _____ Date _____



BRUCE WILLIS - FLYING HEART RANCH II

TRANSFER 37-20400 ADD POD
NAIP 2013 AERIAL

Legend

- Points of Diversion
- 37-20400_POU
- Parcels
- twnshp
- Sections
- QQ Lines



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

October 9, 2014

WALTER BRUCE WILLIS
C/O VALLEY ENTERTAINMENT
126 S MAIN #B9
HAILEY, ID 83333

RE: Transfer No. 79592
Water Right No(s). 37-20400

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 10/15/2014 and 10/22/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**November 3, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY, P.E.
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 09, 2014 11:00 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on October 15th & 22nd, 2014. 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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 9, 2014

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

RE: Transfer No. 79592
Water Right No(s): 37-20400

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 November 3, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79592**

WALTER BRUCE WILLIS, C/O VALLEY ENTERTAINMENT, 126 S MAIN #B9, HAILEY, ID 83333; has filed Application No. 79592 for changes to the following water rights within BLAINE County(s): Right No(s). 37-20400; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: This application seeks to add a point of diversion (POD) to ground water right 37-20400 (Irrigation, 0.06 cfs, 3.0 acres) which is currently diverted from a well located approximately 1.29 miles north and 0.76 miles west of the intersection of State Highway 75 and Croy Creek Road in Hailey. The additional POD will be a well, located approximately 0.09 miles south-southeast of the existing POD.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before November 3, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 15th & 22nd, 2014

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 09, 2014 1:40 PM
To: 'Kevin Lakey'
Subject: Comment letter for transfer 79592
Attachments: Comment Letter to WM37.pdf; Transfer 79592.pdf

Hi Kevin,

Attached is a cover letter, recommendation from, & copy of an application for transfer in your district. Please review the attached and provide any necessary comments.

If you have any questions, please feel free to contact myself, or Jim Bitzenburg, as he is the agent processing this transfer.

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



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 9, 2014

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

Via E-mail

RE: Transfer No. 79592
Water Right No(s): 37-20400

Dear Mr. Lakey:

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)

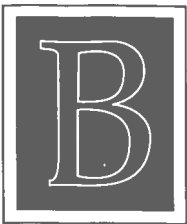
MEMORANDUM

Date: October 2, 2014
To: Transfer 79592 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

This application seeks to add a point of diversion (POD) to ground water right 37-20400 (Irrigation, 0.06 cfs, 3.0 acres) which is currently diverted from a well located approximately 1.29 miles north and 0.76 miles west of the intersection of State Highway 75 and Croy Creek Road in Hailey. The additional POD will be a well, located approximately 0.09 miles south-southeast of the existing POD.

- **Authority to File:**
The Department's database indicates that water right 37-20400 is owned by the applicant, Walter Bruce Willis.
- **Water Right Validity:**
Right 37-20400 was partially decreed in the SRBA in October of 2011. Based on this, and aerial imagery, forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **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 of the Agricultural Base of the 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.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 30, 2014

Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

RECEIVED
OCT 01 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: POD Transfer Application 37-20400

Dear Allen:

Enclosed is an application to add one well as a POD for an existing groundwater right. No other components of the right are proposed to be changed. The additional well is desired as a backup and for redundancy in the system. The required \$200 application fee is enclosed herewith.

Cordially,

Charles G. Brockway, P.E.

Enc.

Cc: Shelly Scott

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506