

RECEIVED

OCT 09 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 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)** Christopher Mannino Phone (310) 541-4189
2. **MAILING ADDRESS** 5206 Valley View Rd City Rancho Palos Verdes
State CA Zip 90275 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)** 37-21121, 37-21122

- ☒ 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 3.6 cubic feet per second and/or _____ 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*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
01N	18E	12			SE	SW	BLAINE	BIG WOOD RIVER	GLENDAL DITCH

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:

Existing measurable and lockable devices on the Glendale Ditch Big Wood Diversion

- b. Who owns the property at the point(s) of diversion? Glendale Ditch

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Agreement with Glendale Ditch Association

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

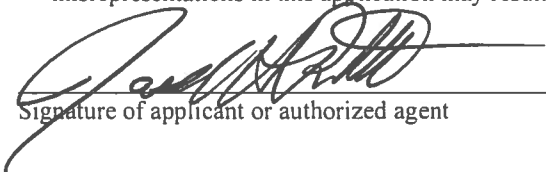
Yes No

- ☐ ☒ 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 $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://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

Joseph H Ratliff
Print name and title if applicable

10/9/13
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 9 pages of attachments. Received by J. Cooper Date 10/9/2013
Fee paid 740.00 Date 10/9/2013 Received by J. Cooper Receipt # 5033567
Preliminary review completed by J. Cooper Date 10/9/2013

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

Current Water Right No.: 37-21121

Current Owner: CHRISTOPHER MANNINO

Error: Subreport could not be shown.

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

2.4 CFS

2.4 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER

BLAINE County

NE1/4NW1/4SW1/4

Sec. 12, Twp 01N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S22	NENW	32.00	T01N R18E S22	NWNW	12.00
T01N R18E S22	SWNW	14.00	T01N R18E S22	SEnw	36.00
T01N R18E S22	NESW	40.00	T01N R18E S22	NWSW	13.00
Total Acres: 147					

Conditions of Approval:

1. E55 Right Nos. 37-21121 and 37-21122 are limited to the irrigation of a combined total of 147.0 acres in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. P21 This right is a split from former right 37-478.

Decreed Date: 9/24/2010

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

Current Water Right No.: 37-21122

Current Owner: CHRISTOPHER MANNINO

Error: Subreport could not be shown.

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

1.2 CFS

1.2 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER

BLAINE County

NE1/4NW1/4SW1/4

Sec. 12, Twp 01N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

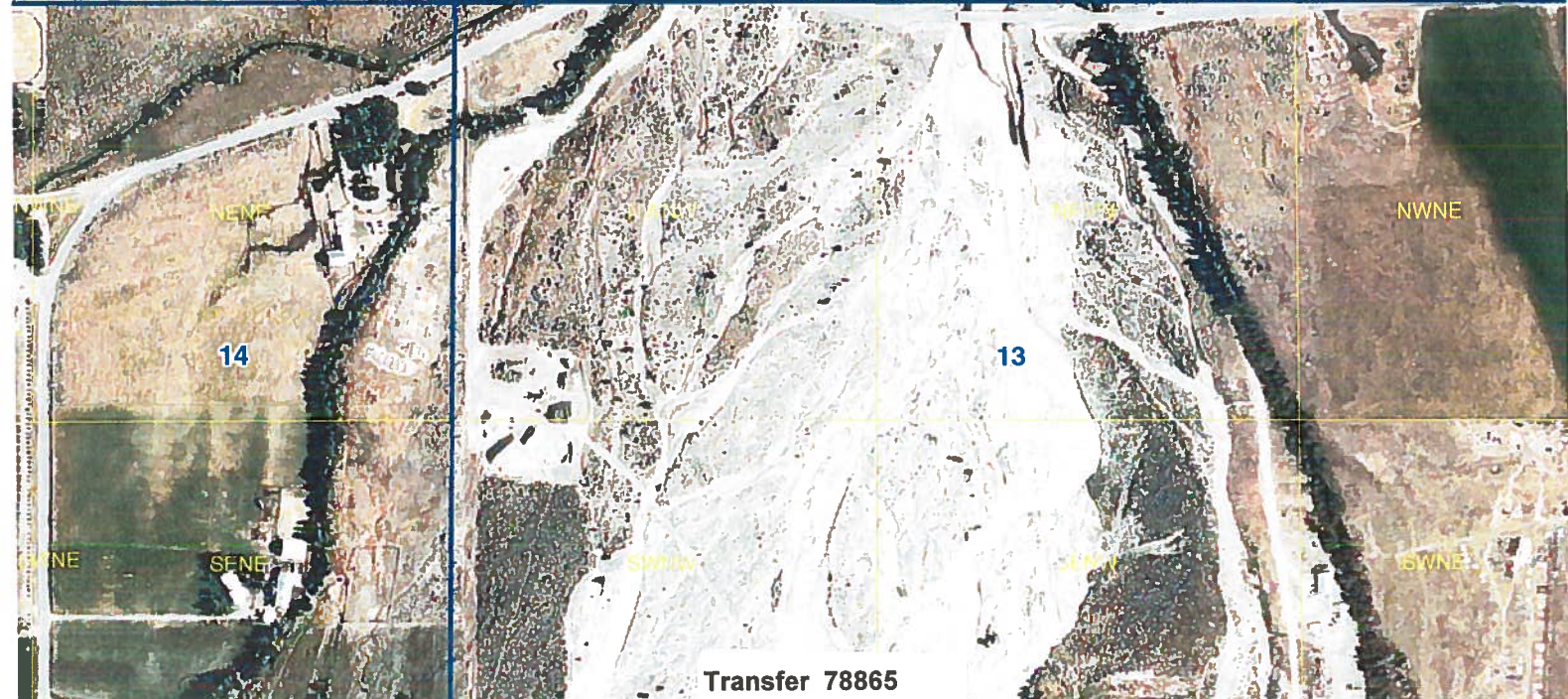
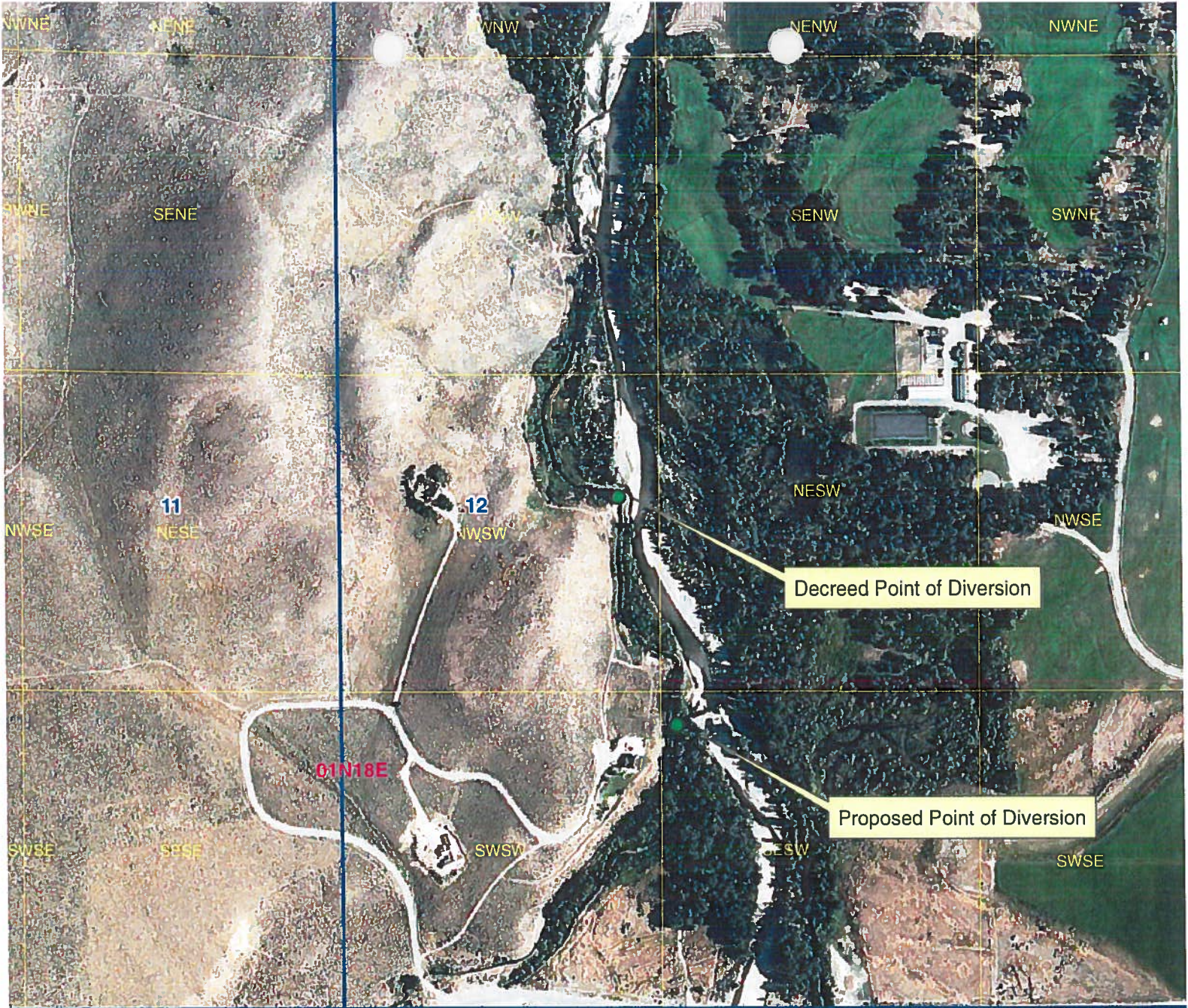
T01N R18E S22	NENW	32.00	T01N R18E S22	NWNW	12.00
T01N R18E S22	SWNW	14.00	T01N R18E S22	SENW	36.00
T01N R18E S22	NESW	40.00	T01N R18E S22	NWSW	13.00

Total Acres: 147

Conditions of Approval:

1. P21 This right is a split from former right 37-479.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E55 Right Nos. 37-21121 and 37-21122 are limited to the irrigation of a combined total of 147.0 acres in a single irrigation season.

Decreed Date: 9/24/2010



**-OFFICIAL-
LIMITED POWER OF ATTORNEY FORM**

I. NOTICE - This legal document grants you (Hereinafter referred to as the "Principal") the right to transfer limited financial powers to someone else (Hereinafter referred to as the "Attorney-in-Fact"), limited financial powers are described as: **any specific financial act legal under law**. The Principal's transfer of limited financial powers to the Attorney-in-Fact are granted upon authorization of this agreement, and **ONLY** remains in effect until the completion of said act, unless the Principal becomes incapacitated (incapacitation is described in Paragraph II). This agreement does not authorize the Attorney-in-Fact to make medical decisions for the Principal. The Principal continues to retain every right to all their financial decision making power and may revoke this Limited Power of Attorney Form at anytime. The Principal may include restrictions or requests pertaining to the financial decision making power of the Attorney-in-Fact. It is the intent of the Attorney-in-Fact to act in the Principal's wishes put forth, or, to make financial decisions that fit the Principal's best interest. All parties authorizing this agreement must be at least 18 years of age and acting under no false pressures or outside influences. Upon authorization of this Limited Power of Attorney Form, it will revoke any previously valid Limited Power of Attorney Form.

II. INCAPACITATION - The powers granted to the Attorney-in-Fact by the Principal in this Limited Power of Attorney Form **DO NOT** stay in effect upon incapacitation by the Principal, incapacitation is describes as: **A medical physician stating verbally or in writing that the Principal can no longer make decisions for them self.**

III. REVOCATION - The Principal has the right to revoke this Limited Power of Attorney Form at anytime. Any revocation will be effective if the Principal:

- A. Authorizes a new Limited Power of Attorney Form.
- B. Authorizes a Power of Attorney Revocation Form.

IV. WITNESS & NOTARY - This document is not valid as a Limited Power of Attorney unless it is acknowledged before a notary public or is signed by at least two adult witnesses who are present when the Principal signs or acknowledges the Principal's signature. **It is recommended to have this Limited Power of Attorney Form notarized.**

V. PRINCIPAL - I, Christopher J. Mannino, residing at
Name of Principal

5206 Valley View Rd. Rancho Palos Verdes, CA 90275
Street Address of Principal

City of Rancho Palos Verdes, State of California, appoint
City of Principal *State of Principal*
the following as my Attorney-in-Fact, whom I trust with a specific financial act
or acts immediately upon the authorization of this form, and I grant the power
to act as if I were personally present to

VI. ATTORNEY-IN-FACT - Joseph Ratto, residing at
Name of Attorney-in-Fact

290 Elm. Hansen, ID 83334
Street Address of Attorney-in-Fact

City of Hansen, State of Idaho grant
City of Attorney-in-Fact *State of Attorney-in-Fact*
the Attorney-in-Fact the legal authority for a specific financial act on my
behalf that can be any power legal under law in the State of
Idaho. The Specific financial act I grant my Attorney-in-
State
Fact is:

Amend Water Rights 37-21121 & 37-21122 from Bannan to Glendale ditch.
A Detailed Description of Exact Powers granted

VII. SUCCESSOR ATTORNEY-IN-FACT (Optional) - If the Attorney-in-Fact named
above cannot or is unwilling to serve, then I appoint None,
Name of Successor Attorney-in-Fact
residing at:

Street Address of Successor Attorney-in-Fact

City of _____, State of _____ grant
City of Successor Attorney-in-Fact *State of Successor Attorney-in-Fact*
the Attorney-in-Fact the legal authority for a specific financial act on my
behalf that can be any power legal under law in the State of
_____. The Specific financial act I grant my Successor
State
Attorney-in-Fact is:

Amend Water Rights 37-21121 & 37-21122 from Bannan to Glendale ditch.
A Detailed Description of Exact Powers granted

VIII. TERMS & CONDITIONS - Upon authorization by all parties, the Attorney-in-Fact accepts their designation to act in the Principal's best interests for all financial decisions legal under law.

IX. THIRD PARTIES - I, the Principal, agree that any third party receiving a copy via: physical copy, email, or fax that I, the Principal, will indemnify and hold harmless any and all claims that may be put forth in reference to this Limited Power of Attorney Form.

X. COMPENSATION - The Attorney-in-Fact agrees not to be compensated for acting in the presence of the Principal. The Attorney-in-Fact may be, but not entitled to, reimbursement for all: food, travel, and lodging expenses for acting in the presence of the Principal.

XI. DISCLOSURE - I intend for my attorney-in-fact under this Power of Attorney to be treated, as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (aka HIPAA), 42 USC 1320d and 45 CFR 160-164

XII. PRINCIPAL'S SIGNATURE - I, Christopher J. Mannino, the
Printed Name of Principal

Principal, sign my name to this power of attorney this 13th day of
Day
September 2013 and, being first duly sworn, do declare to the
Month

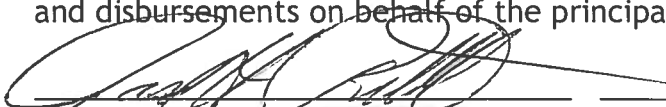
undersigned authority that I sign and execute this instrument as my power of attorney and that I sign it willingly, or willingly direct another to sign for me, that I execute it as my free and voluntary act for the purposes expressed in the power of attorney and that I am eighteen years of age or older, of sound mind and under no constraint or undue influence.


Signature of Principal

XIII. ATTORNEY-IN-FACT'S SIGNATURE - I, Joseph Ratto

Name of Attorney-in-Fact

have read the attached power of attorney and am the person identified as the attorney-in-fact for the principal. I hereby acknowledge and accept my appointment as Attorney-in-Fact and that when I act as agent I shall exercise the powers for the benefit of the principal; I shall keep the assets of the principal separate from my assets; I shall exercise reasonable caution and prudence; and I shall keep a full and accurate record of all actions, receipts and disbursements on behalf of the principal.


Signature of Attorney-in-Fact

10-04-13
Date

XIV. SUCCESSOR ATTORNEY-IN-FACT'S SIGNATURE (Optional) -

I, None have read the attached power of

Name of successor Attorney-in-Fact

attorney and am the person identified as the successor attorney-in-fact for the principal. I hereby acknowledge and accept my appointment as Successor Attorney-in-Fact and that, in the absence of a specific provision to the contrary in the power of attorney, when I act as agent I shall exercise the powers for the benefit of the principal; I shall keep the assets of the principal separate from my assets; I shall exercise reasonable caution and prudence; and I shall keep a full and accurate record of all actions, receipts, and disbursements on behalf of the principal.

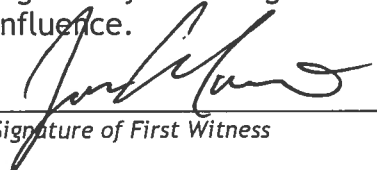
Signature of Successor Attorney-in-Fact

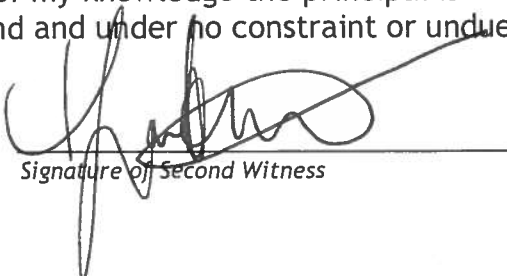
Date

Witness Attestation

I, JASON MANNINO, the first witness, and I Katie Mannino
Printed Name of First Witness Printed Name of Second Witness

the second witness, sign my name to the foregoing power of attorney being first duly sworn and do not declare to the undersigned authority that the principal signs and executed this instrument as him or her, and that I, in the presence and hearing of the principal, sign this power of attorney as witness to the principal's signing and that to the best of my knowledge the principal is eighteen years of age or older, of sound mind and under no constraint or undue influence.


Signature of First Witness


Signature of Second Witness

Notary Acknowledgement (Must be completed by Notary)

State of ID County of Twin Falls Subscribed,
Sworn and acknowledged before me by Joseph Ratto, the
Principal, and subscribed and sworn to before me by Joseph Ratto,
witness, this 4 day of October.

Shoshone Heitmann

Notary Signature

Notary Public

In and for the County of Twin Falls

State of Idaho

My commission expires: June 26, 2019 Seal



Acknowledgement and Acceptance of Appointment as Attorney-in-Fact

I, _____ have read the attached power of attorney

Name of Attorney-in-Fact

and am the person identified as the attorney-in-fact for the principal. I hereby acknowledge that accept my appointment as Attorney-in-Fact and that when I act as agent I shall exercise the powers for the benefit of the principal; I shall keep the assets of the principal separate from my assets; I shall exercise reasonable caution and prudence; and I shall keep a full and accurate of all actions, receipts and disbursements on behalf of the principal.

Signature of Attorney-in-Fact

Date

Acceptance of Appointment as successor Attorney-in-Fact

I, _____ have read the attached power of

Name of successor Attorney-in-Fact

attorney and am the person identified as the successor attorney-in-fact for the principal. I hereby acknowledge that I accept my appointment as Successor Attorney-in-Fact and that, in the absence of a specific provision to the contrary in the power of attorney, when I act as agent I shall exercise the powers for the benefit of the principal; I shall keep the assets of the principal separate from my assets; I shall exercise reasonable caution and prudence; and I shall keep a full and accurate record of all actions, receipts, and disbursements on behalf of the principal.

Signature of Successor Attorney-in-Fact

Date

Sept. 16, 2013

Glendale Lateral Ditch Assoc.

Brian Dilworth

305 Glendale Road

Bellevue, Idaho 83313

Brown Ranch, Inc.

Daniel Brown

247 Glendale Road

Bellevue, Idaho 83313

To Whom It May Concern:

We, The undersigned members of the Board of directors of the Glendale Lateral Ditch Association, wish to state that we are in favor of the Mannino water transfer from the Bannon #49 to the Glendale #50 diversion. It will be an efficient and utile way to deliver the water the Mannino property. They would be subject to the rules and assessments of the Ditch Association.



Brian Dilworth, President



Daniel Brown, Vice President

Dan Brown

From: "Pete VanDerMeulen" <vandermeulenpete@yahoo.com>
Date: Sunday, September 15, 2013 10:20 AM
To: "Brown Dan" <danbrown@sunvalley.net>
Subject: Water Transfer

To Whom it may Concern

I, Pete Van Der Meulen, holding the majority of the water in the Bannon 49 diversion and ditch, have no problem with transferring the Mannino water from the Bannon 49 to the Glendale 50 diversion and ditch. If you should have any questions please do not hesitate to contact me at 788-4410. Thank you.

Pete Van Der Meulen=

Maline, Denise

From: Maline, Denise
Sent: Friday, November 01, 2013 9:28 AM
To: 'Kevin Lakey'
Subject: Comment Letter for 37-22779 & 78865
Attachments: Comment Letter to Kevin Lakey.pdf; Transfer App 78865.pdf; App. for Permit 37-22779.pdf

Dear Kevin,

Attached please find a cover letter, recommendation forms, and a copy of Transfer 78865 and Application for Permit 37-22779.

Please review the attached information and provide any necessary comments within 21 days. And as always, feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 1, 2013

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

Via e-mail

RE: Application for Permit No. 37-22779

RE: Transfer No. 78865
Water Right No(s). 37-21121, 37-21122

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form 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)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 31, 2013

CHRISTOPHER MANNINO
5206 VALLEY VIEW RD
RANCHO PALOS VERDES, CA 90275

RE: Transfer No. 78865
Water Right No(s). 37-21121, 37-21122

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 **11/6/2013** and **11/13/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**November 25, 2013**).

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,

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

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 31, 2013 1:06 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express Cover Letter.docx; Idaho Mountain Express Ad.docx

Attached please find (1) legal notice being submitted for publication on November 6th & 13th, 2013. Please 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
1341 Fillmore St, Suite 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

October 31, 2013

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

RE: Application For Permit No.(s): 37-22779 & 37-22847

RE: Transfer No. 78865
Water Right No(s): 37-21121, 37-21122

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 25, 2013. 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:

37-22779

ROBERT G STEVENS

CAROL F STEVENS

PO BOX 308

KETCHUM, ID 83340

Point of Diversion NWNE S23 T05N R17E BLAINE County Source GROUND WATER Tributary

Use: IRRIGATION 04/15 to 10/31 0.26 CFS

Total Diversion: 0.26 CFS

Date Filed: 8/29/2012

Place Of Use: IRRIGATION

T05N R17E S14 NESW

Total Acres: 12.9

It is proposed that the 0.41 CFS allowed diversion from Eagle Creek under water right 37-863E (Eagle Creek Irrigation Co.), with a priority of 10-6-1902, be dedicated to mitigation for the proposed appropriation. This 0.41 CFS portion of right 37-863E (0.08 CFS) will continue to be diverted into the high ditch of the Eagle Creek Irrigation Co. for conveyance loss to users in that delivery system and the remaining portion (0.33 CFS) will not be diverted at any authorized Eagle Creek Irrigation Co. point of diversion (POD) under right 37-863E, but left in the natural channel to mitigate for the aquifer depletion attributable to this application. Note that right 37-863E historically irrigated the same ground as this application proposes to irrigate. Also, rights 37-21427 (0.21 CFS) & 37-21428 (0.01 CFS), with a priority of 3-14-1980 and diverted from groundwater, also irrigates the same 12.9 acres and from the same well proposed under this application. Please note that the proposed appropriation occurs on property owned by the applicant within the following legal description: HES no. 129.

37-22847

TOM R NORRIS

2351 CLAY ST, STE 510

SAN FRANCISCO, CA 94115

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

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/21/2013

Place Of Use: DOMESTIC

T03N R18E S7 NESE

Application seeks to appropriate 0.04 cfs of ground water from an existing domestic well for domestic use on Lot 2B of Little Makawao Subdivision located northeast of the Highway 75 & East Fork Road intersection approximately 5.2 miles south and 0.8 miles east of the center of Ketchum. The domestic use (limited to 13,000 gpd) includes water for in-house use for 1 home, evaporative losses associated with the expansion of an existing pond on the property, and irrigation of no more than 0.44 acre.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78865

CHRISTOPHER MANNINO, 5206 VALLEY VIEW RD, RANCHO PALOS VERDES, CA 90275; has filed Application No. 78865 for changes to the following water rights within BLAINE County(s): Right No(s). 37-21121, 37-21122. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for two Big Wood River irrigation rights, currently authorized to divert 3.6 CFS at the Bannon #49 ditch headgate, located approximately 2.0 mi. S & 0.2 mi. W of Bellevue. Application proposes to divert this water from the Glendale #50 ditch headgate, located approximately 0.2 downstream of the Bannon #49 ditch headgate.

Permits will be subject to all prior water rights. For additional information concerning the property location, 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/ExtSearch/WRFiling.asp. 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, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before November 25, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 6th & 13th, 2013

MEMORANDUM

Date: October 16, 2013
To: Transfer 78865 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) for two Big Wood River irrigation rights, currently authorized to divert 3.6 CFS at the Bannon #49 ditch headgate, located approximately 2.0 mi. S & 0.2 mi. W of Bellevue. Application proposes to divert this water from the Glendale #50 ditch headgate, located approximately 0.2 downstream of the Bannon #49 ditch headgate.

The applicant's representative contacted all the users on the Bannon #49 Ditch that received deliveries and obtained e-mails and statements from each of these users consenting to the proposed change. Applicant also provided a letter from the current President (Brian Dilworth) and Vice President (Daniel Brown) of the Glendale Lateral Ditch Association consenting and supporting the proposed changes. Currently the rights provide for up to almost 3 in/acres of flow to carry the water down the Bannon Ditch to the place of use. Apparently the water will need to be carried nearly the same distance down the Glendale Ditch. Because of this, I am not recommending the flow be reduced at the proposed POD.

Application occurs within the regulated portion of the Big Wood River Water District (WD 37), therefore Watermaster comments will be solicited. Appropriate measuring device conditions will be included in the approval.

- **Authority to File:**

Application was signed by Joe Ratto, who is a representative for Christopher Mannino. Applicant provided a Limited Power of Attorney allowing Mr. Ratto to pursue the proposed changes.

- **Water Right Validity:**

Rights 37-21121 & 37-21122 were partially decreed in the SRBA in September, 2010. Therefore forfeiture is not an issue.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated. Combined conditions and limits will remain as decreed.

- **Local Public Interest:**

No negative impact anticipated.

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

Decreed uses are 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.

Cooper, Jeff

From: joseph ratto [daddratt@yahoo.com]
Sent: Wednesday, October 16, 2013 9:34 AM
To: Cooper, Jeff
Subject: Fw: BANNON 49

On Monday, October 14, 2013 9:30 AM, Dan Hardee <dan@dhardee.com> wrote:

JOSEPH H. RATTO, I DAN HARDEE, HAVING WATER RIGHTS IN THE BANNON 49
DIVERSION AND DITCH, HAVE NO PROBLEM WITH THE TRANSFER OF THE MANNINO
WATER FROM TH BANNON 49
TO THE GLENDALE50DIVERSION AND DITCH. ANY QUESTIONS PLEASE CALL DAN HARDEE
AT 208 376-6160.
RESPECTFULLY DAN HARDEE

**Erwin's Acres, LLC
P.O. Box 143
Richfield, ID 83349
(208) 487-2771**

To Whom it may Concern

I, Rebecca Erwin, Manager of Erwin's Acres, LLC, have no problem with transferring the Mannino water from the Bannon 49 to the Glendale 50 diversion and ditch.

Thank you,

Rebecca Erwin

Cooper, Jeff

From: joseph ratto [daddratt@yahoo.com]
Sent: Wednesday, October 16, 2013 9:33 AM
To: Cooper, Jeff
Subject: Fw: water right info

On Tuesday, October 15, 2013 1:04 PM, john majors <johnmajors@cox.net> wrote:
Mr. Joseph Ratto,

This is John Majors of 78 Glendale Road. I have water rights in both the Glendale and Bannon 49 ditches. I am fine with your moving your point of access from the Bannon to the Glendale ditch.

Please feel free to forward this information and consent to the water rights office. If they have any questions they may contact me at this email address or write to me at P.O. Box 292, Ketchum Idaho 83340.

Sincerely, John Majors

October 15, 2013, at 12:34 PM, joseph ratto wrote:

this is the letter that Pete Van Der Meulen sent.

to whom it may concern

I Pete Van Der Meulen, holding the majority of the water in the Bannon 49 diversion and ditch, have no problem with transferring the Mannino water from the Bannon 49 to the Glendale 50 diversion ditch. If you should have any questions please do not hesitate to contact me at 788-4410. thank you

Pete Van Der Meulen

thank you for your time and the attention you have offered.
Joe

joseph h ratto
daddratt@yahoo.com
290 elm ave e
Hansen , Id 83334
tel 208 308 4883
fax 208 423 4216

Cooper, Jeff

From: joseph ratto [daddratt@yahoo.com]
Sent: Wednesday, October 16, 2013 9:33 AM
To: Cooper, Jeff
Subject: Fw: Webb test

On Wednesday, October 16, 2013 9:06 AM, Mark Palmer <markpalmer@webbland.com> wrote:
Joseph,

Webb Landscape, Inc. holds a minority share of water in the Bannon 49 diversion and ditch. We have no issues with transferring the Mannino water from the Bannon 49 to the Glendale 50 diversion ditch.

Thanks,

Mark Palmer

P 208.788.2066
F 208.788.2633
C 208.720.8023

162 Glendale Road
Bellevue, ID 83313
markpalmer@webbland.com



From: joseph ratto [<mailto:daddratt@yahoo.com>]
Sent: Tuesday, October 15, 2013 12:31 PM
To: Mark Palmer
Subject: Re: Webb test

to whom it may concern

I Pete Van Der Meulen, holding the majority of the water in the Bannon 49 diversion and ditch, have no problem with transferring the Mannino water from the Bannon 49 to the Glendale 50 diversion ditch. If you should have any questions please do not hesitate to contact me at 788-4410. thank you

Pete Van Der Meulen

thank you for your time and the attention you have offered.
Joe

joseph h ratto
daddratt@yahoo.com
290 elm ave e
Hansen , Id 83334
tel 208 308 4883
fax 208 423 4216

On Tuesday, October 15, 2013 11:12 AM, Mark Palmer <markpalmer@webbland.com> wrote:
Hope this connects us.

Thanks,

Mark

Sent from my iPhone