

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78755

JUL 30 2013

MINIMUM REQUIREMENTS CHECKLISTDEPT. OF WATER RESOURCES
SOUTHERN REGION 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 <http://www.idwr.idaho.gov/>.

Check 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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/water/rights/>.
- ☐ ☒ #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.)
- ☐ ☒ #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: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

JUL 30 2013 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Porter Family Living Trust

Phone 208-788-3490

Mailing address PO Box 2530 Ketchum, Idaho 83340

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 Greg Sullivan of Brockway Engineering

Phone 208-736-8543

Mailing address 2016 North Washington Street, Suite 4 Twin Falls Idaho 83301

Email greg.sullivan@brockwayeng.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

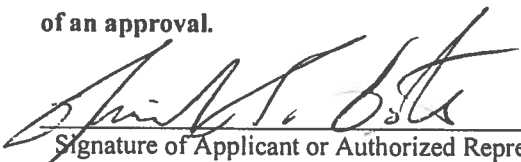
☒ Send original correspondence to the applicant and copies to the representative.

☐ 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.


Signature of Applicant or Authorized Representative

RICHARD R. PORTER TRUSTEE 7/29/2013
Print Name and Title if applicable Date

Constance G. Porter
Signature of Applicant or Authorized Representative

CONSTANCE G. PORTER TRUSTEE 7/29/2013
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. 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. Change the point of diversion and update place of use**.
- Domestic exemption of 0.5 acres will be used in conjunction with 0.5 acres of 37-22764 for a total of 1.0 acres to be irrigated around the house. See attached Transmissivity Estimation and Estimation of Timing of Aquifer-Stream Interaction.

(NO CHANGE IN LEGAL DESCRIPTION)
SEE MAP & 9/20/13 E-MAIL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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SEP 20 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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 ☒ ☐	37-22764	0.02/	Irrigation	4/15 to 10/31	Ground Water
☐ ☐				to	East Fork Wood River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.02/ cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 0.02/ cubic feet per second and/or 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 #
		NW	SE	SW	3	03N	18E	Blaine	Ground Water	

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	
03N	18E	3												0.5					0.5

Total Acres (for irrigation use) 0.5

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
☒ ☐	37-22764	0.02/	Irrigation	4/15 to 10/31	East Fork Wood River
☐ ☐				to	Big Wood River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.02/ cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 0.02/ cubic feet per second and/or 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 #
		NW	SE	SW	3	03N	18E	Blaine	East Fork Wood River	

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	
03N	18E	3												0.5					0.5

Total Acres (for irrigation use) 0.5

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 well and delivery system.

- b. Who owns the property at the point(s) of diversion? Porter Family Living Trust

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

- 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: _____
No Change

- 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: _____
None

- 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: _____

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

Current Water Right No.: 37-22764

Current Owner: PORTER FAMILY LIVING TRUST
Priority Date: 6/3/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

EAST FORK WOOD RIVER

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

0.02 CFS

0.02 CFS

Annual Volume

Location of Point(s) of Diversion

EAST FORK WOOD RIVER

BLAINE County

NW1/4SE1/4SW1/4

Sec. 3, Twp 03N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T03N R18E S3

SESW

0.50

Total Acres: 0.5

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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 place of use.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. P21 This right is a split from former right 37-539E
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. X60 Place of use is located within Lot 27, Block 2 of Hyndman Peak Subdivision.
10. The actual diversion rate of this right is .019 cfs.

Decreed Date: 6/29/2011

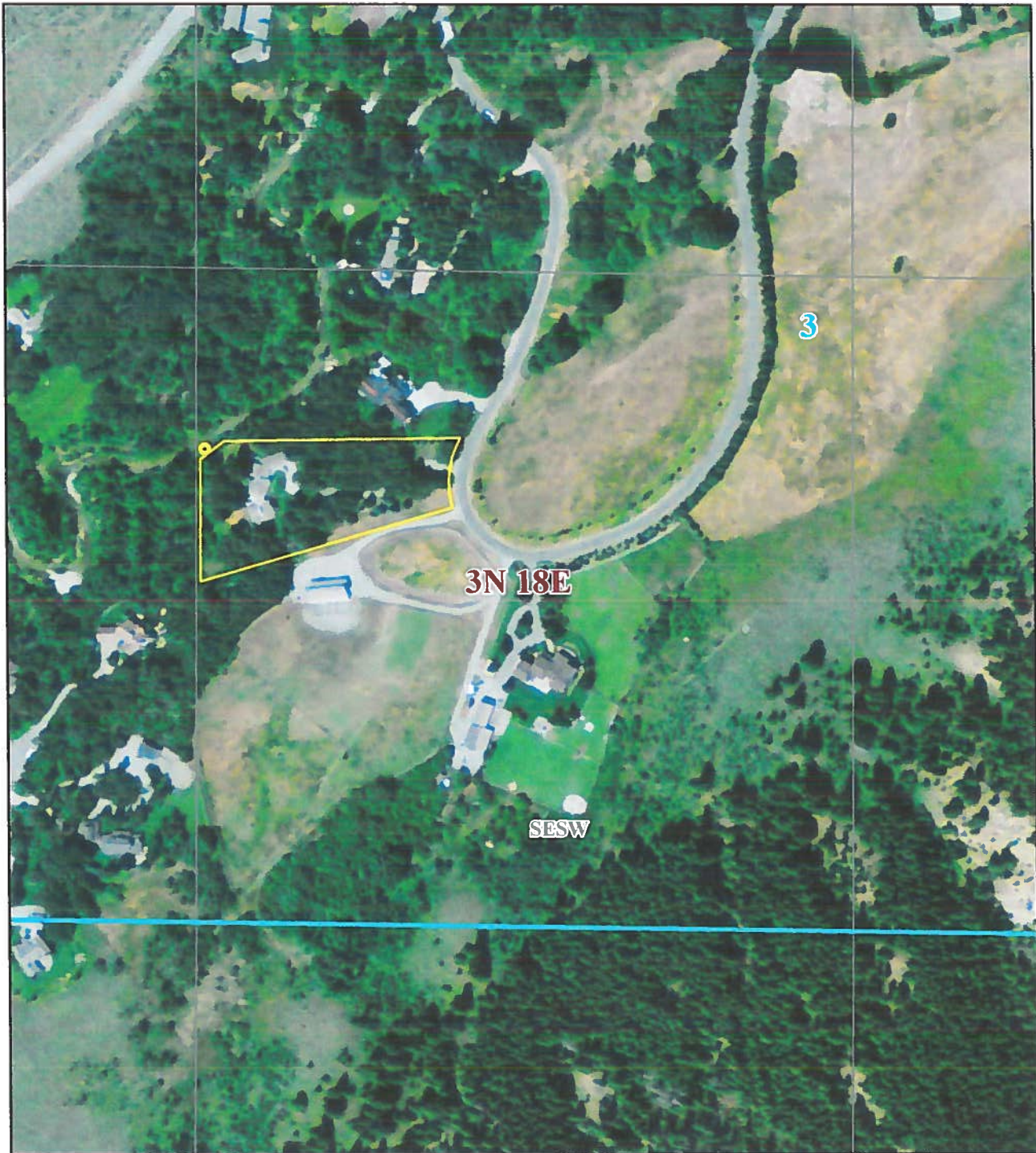
Total Acres (for irrigation use) _____

Transfer contains 7 pages and _____ attachments.

Received by _____ Date 7.30.2013 Prelim. Check by _____ Date _____

Fee Paid 16200.00 Date _____ Received by _____ Receipt # _____

Add'l Fee Paid _____ Date 7/31/13 Received by Adm Receipt # 5033424



PORTER, DICK - HYDMAN PEAK SUB. LOT 27
CHANGE POD, 37-22764
NAIP 2011 AERIAL

0 135 270 540 Feet

BROCKWAY ENGINEERING, PLLC.
ALR - SEPT 11, 2012

- Legend**
- Points of Diversion
 - Sections
 - Hyndman_Peak_Sub
 - LOT 27 BLK 2
 - twmshp
 - ladesc



TRANSFER 78755



0 50 100 200 Feet

**PORTER, DICK
IRRIGATION ANALYSIS 2013
NAIP 2011 AERIAL**

Legend

- Well
- Porters_Irrigation
- Source
 - 37-22764
 - Domestic
 - Hyndman_Peak_Sub
- Hyndman_Peak_Sub



BROCKWAY ENGINEERING, PLLC.
ALR - JULY 25, 2013

TRANSFER 78755

Transmissivity Estimation with Partial Penetration

Bradbury and Rothschild (1985) specific capacity method.
 Suitable for situations where a single time and drawdown measurement is available.
 Includes effects of partial penetration using Sternberg (1973) approach.
 Enter data in blue, pay attention to units. Vary "Trial T" until equal to "Calc T".

Well No.	Name	Location*	Pumping Rate [gpm]	Drawdown [ft]	Time [min]	Well radius [in]	Storativity	SWL [ft]	Aquifer bottom [ft]	Avg open interval [ft]	Average aquifer thickness [ft]	Specific capacity	L/b	G	sp	Trial T (vary) [ft2/d]	Calc T [ft2/d]	Calc K [ft/d]	ln K
1	David Bjerke		60	25	60	4	0.15	10	63.9	1	41.4	2.4	0.02	2.78	82.55	6456.5	6456.5	156.0	5.05
2	Kirk DuShane Jr.		100	37	60	4	0.15	8	63.9	1	37.4	2.7	0.03	2.76	71.31	6339.4	6339.4	169.6	5.13
3	Tim Kohl		35	12	60	4	0.15	7	63.9	1	50.9	2.9	0.02	2.81	110.74	10386.6	10386.6	204.2	5.32
4	Steve Berman		60	58	60	3	0.15	2	63.9	1	32.9	1.0	0.03	2.73	68.36	2326.0	2326.0	70.8	4.26
5	Stephen Gardner		35	38	60	3	0.15	17	63.9	1	27.9	0.9	0.04	2.70	54.17	1665.9	1665.9	59.8	4.09
6	Raig Nalan		35	12.5	60	3	0.15	22.5	63.9	1	35.1	2.8	0.03	2.75	75.00	6911.9	6911.9	196.8	5.28
7	Robert Welsh		15	25	60	3	0.15	10	63.9	1	41.4	0.6	0.02	2.78	94.17	1821.3	1821.3	44.0	3
8	Burr Smith		30	20	60	3	0.15	16	63.9	1	37.9	1.5	0.03	2.76	83.30	4072.5	4072.5	107.5	4.65
9	Kathline McLughlin		30	68	60	3	0.15	7	63.9	1	22.9	0.4	0.04	2.65	40.88	611.5	611.5	26.7	3.29
10	Steve Graham		36	20	120	3	0.15	10	63.9	1	43.9	1.8	0.02	2.79	102.11	5953.7	5953.7	135.7	4.91
11	Larry Cooper		45	5	60	4	0.15	15	63.9	1	46.4	9.0	0.02	2.79	97.14	28439.5	28439.5	613.3	6.42
12	Bill McLean		30	20	60	4	0.15	22	63.9	1	31.9	1.5	0.03	2.73	56.57	2822.3	2822.3	88.5	4.48
13	Brandman		40	14	60	4	0.15	12	63.9	1	44.9	2.9	0.02	2.79	92.71	8587.6	8587.6	191.4	5.25
14	Richard Silva		40	28	60	3	0.15	7	63.9	1	42.9	1.4	0.02	2.78	98.91	4564.4	4564.4	106.5	4.67
15	Dick Porter		50	0	0	4	0.15	7	63.9	1	51.4	5.3	0.02	2.81	126.77	21719.1	21719.1	422.8	6.05
16	Dave Dorward		48	9	60	3	0.15	8	63.9	1	47.9	2.2	0.02	2.80	101.63	7281.1	7281.1	152.1	5.02
17	GerryRich Silva Mells		40	18	60	4	0.15	7	63.9	1									
										Mean 5129.6 Median 6339.4 Max 10386.6 Min 1665.9 Std dev 3287.3									

* From drilling records, corrected if needed based on water right records and/or aerial photo evidence.

TRANSFER 78755

Estimation of Timing of Aquifer-Stream Interaction

PROJECT: Dick Porter
Brockway Engineering, PLLC

Hydraulic conductivity 171.6 ft/day
Aquifer saturated thickness 52.8 feet
Transmissivity 5129.6 ft²/d
Storage coefficient 0.15

These assumptions apply
Method of images used to estimate
gw gradient at stream boundary

9 gpm = 1733 ft³/d

24 hrs

87 feet

Pumping rate

Pumping time

Distance from Pump to River

PUMPING WELL

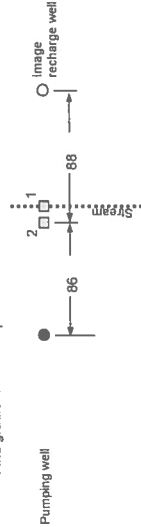
Time (hrs)	R = 88 feet		R = 86 feet		IMAGE WELL		R = 88 feet	
	u	W(u)	z (feet)	W(u)	z (feet)	z (feet)	z (feet)	z (feet)
0	--	--	0.000	--	0.000	0.000	0.000	0.000
0.25	5.4	0.001	0.000	5.2	0.001	0.000	0.000	0.000
0.5	2.7	0.019	0.001	2.6	0.022	0.001	0.000	0.000
0.75	1.8	0.064	0.002	1.7	0.072	0.002	-0.001	0.001
1	1.4	0.124	0.003	1.3	0.136	0.004	-0.002	0.002
1.5	0.9	0.258	0.007	0.9	0.277	0.007	-0.007	0.003
2	0.7	0.389	0.010	0.6	0.412	0.011	-0.010	0.005
2.5	0.5	0.510	0.014	0.5	0.537	0.014	-0.014	0.006
3	0.5	0.621	0.017	0.4	0.651	0.017	-0.017	0.007
3.5	0.4	0.723	0.019	0.4	0.754	0.020	-0.019	0.007
4	0.3	0.815	0.022	0.3	0.848	0.023	-0.022	0.008
4.5	0.3	0.901	0.024	0.3	0.935	0.025	-0.024	0.008
5	0.3	0.980	0.026	0.3	1.015	0.027	-0.026	0.009
5.5	0.2	1.054	0.028	0.2	1.090	0.029	-0.028	0.009
6	0.2	1.122	0.030	0.2	1.159	0.031	-0.030	0.009
6.5	0.2	1.187	0.032	0.2	1.224	0.033	-0.032	0.009
7	0.2	1.247	0.034	0.2	1.285	0.035	-0.034	0.010
7.5	0.2	1.304	0.035	0.2	1.343	0.036	-0.035	0.010
8	0.2	1.359	0.037	0.2	1.398	0.038	-0.037	0.010
8.5	0.2	1.410	0.038	0.2	1.449	0.039	-0.038	0.011
9	0.2	1.459	0.039	0.1	1.499	0.040	-0.040	0.011
9.5	0.1	1.506	0.040	0.1	1.546	0.042	-0.042	0.011
10	0.1	1.550	0.042	0.1	1.591	0.043	-0.043	0.011
10.5	0.1	1.593	0.043	0.1	1.634	0.044	-0.044	0.011
11	0.1	1.634	0.044	0.1	1.675	0.045	-0.045	0.011
11.5	0.1	1.673	0.045	0.1	1.714	0.046	-0.046	0.011
12	0.1	1.711	0.046	0.1	1.752	0.047	-0.047	0.011
12.5	0.1	1.748	0.047	0.1	1.789	0.048	-0.048	0.011
13	0.1	1.783	0.048	0.1	1.825	0.049	-0.049	0.011
13.5	0.1	1.817	0.049	0.1	1.859	0.050	-0.050	0.011
14	0.1	1.850	0.050	0.1	1.892	0.051	-0.051	0.011
14.5	0.1	1.882	0.051	0.1	1.924	0.052	-0.052	0.011
15	0.1	1.913	0.051	0.1	1.955	0.053	-0.053	0.011
15.5	0.1	1.943	0.052	0.1	1.985	0.054	-0.054	0.011
16	0.1	1.972	0.053	0.1	2.014	0.054	-0.054	0.011
16.5	0.1	2.000	0.054	0.1	2.043	0.055	-0.055	0.011
17	0.1	2.028	0.055	0.1	2.070	0.056	-0.056	0.011
17.5	0.1	2.055	0.055	0.1	2.097	0.056	-0.056	0.011
18	0.1	2.081	0.056	0.1	2.123	0.057	-0.057	0.011
18.5	0.1	2.106	0.057	0.1	2.149	0.058	-0.058	0.011
19	0.1	2.131	0.057	0.1	2.174	0.058	-0.058	0.011
19.5	0.1	2.155	0.058	0.1	2.198	0.059	-0.059	0.011
20	0.1	2.179	0.059	0.1	2.222	0.060	-0.060	0.011
20.5	0.1	2.202	0.059	0.1	2.245	0.060	-0.060	0.011
21	0.1	2.224	0.060	0.1	2.268	0.061	-0.061	0.011
21.5	0.1	2.247	0.060	0.1	2.290	0.062	-0.062	0.011
22	0.1	2.268	0.061	0.1	2.311	0.062	-0.062	0.011
22.5	0.1	2.289	0.062	0.1	2.333	0.063	-0.063	0.011
23	0.1	2.310	0.062	0.1	2.353	0.063	-0.063	0.011
23.5	0.1	2.330	0.063	0.1	2.374	0.064	-0.064	0.011
24	0.1	2.350	0.063	0.1	2.394	0.064	-0.064	0.011

RESULTANT using
R = 86' (pumping) and
R = 88' (image)

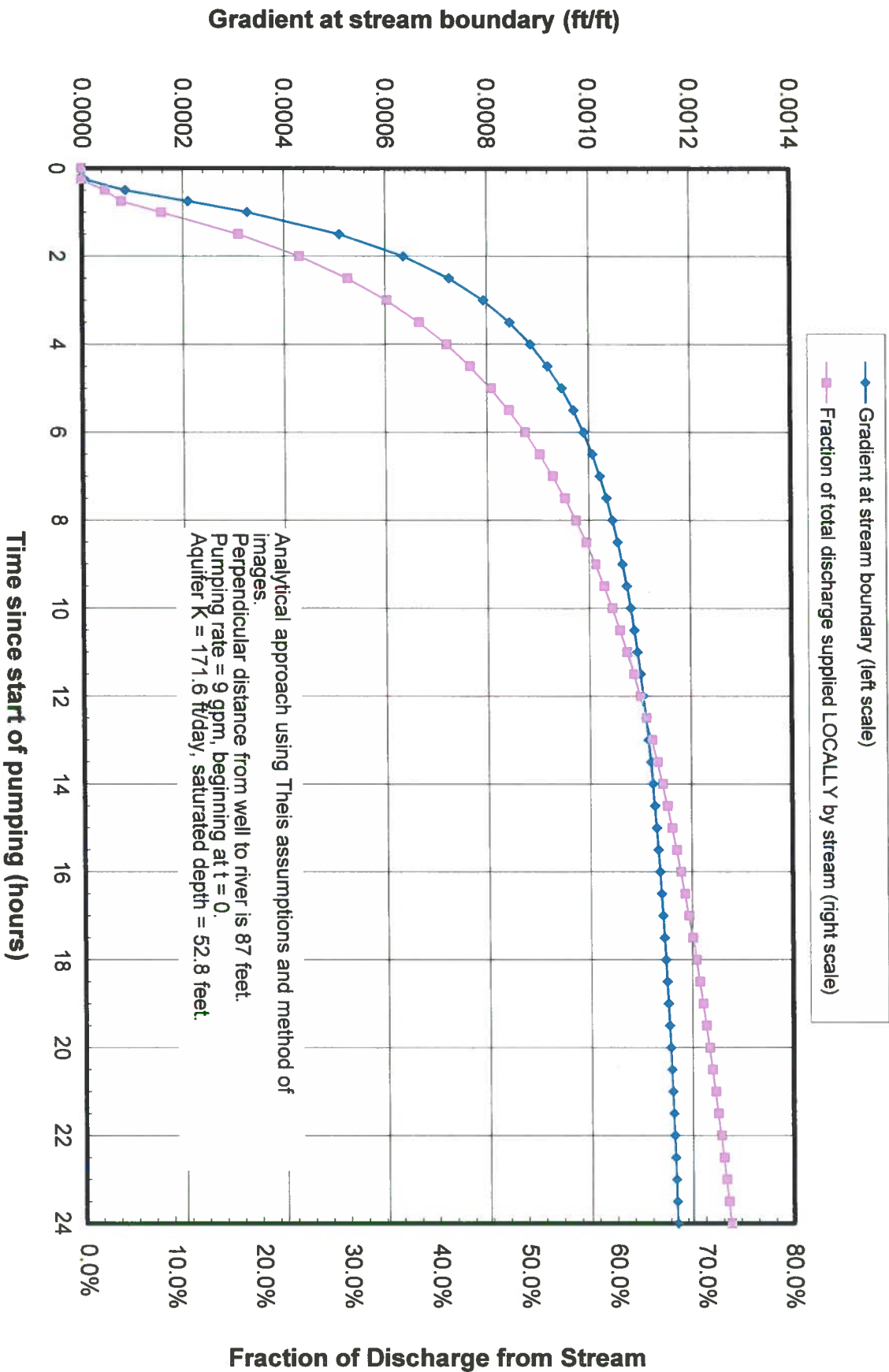
Portion of total discharge
supplied by the stream
(after Glover and Balmer, 1954)

z (feet)	Gradient at river	x'	Qs / Q
0.0000	0.0000	0.000	0.252
0.0000	0.0000	2.331	0.027
0.0001	0.0001	1.648	0.045
0.0002	0.0002	1.346	0.090
0.0003	0.0003	1.166	0.177
0.0005	0.0005	0.952	0.246
0.0006	0.0006	0.824	0.300
0.0007	0.0007	0.737	0.344
0.0008	0.0008	0.673	0.381
0.0008	0.0008	0.623	0.412
0.0009	0.0009	0.583	0.438
0.0009	0.0009	0.549	0.461
0.0009	0.0009	0.521	0.482
0.0010	0.0010	0.500	0.500
0.0010	0.0010	0.476	0.516
0.0010	0.0010	0.457	0.531
0.0010	0.0010	0.441	0.545
0.0010	0.0010	0.426	0.557
0.0010	0.0010	0.412	0.568
0.0011	0.0011	0.400	0.579
0.0011	0.0011	0.389	0.589
0.0011	0.0011	0.378	0.598
0.0011	0.0011	0.369	0.606
0.0011	0.0011	0.360	0.614
0.0011	0.0011	0.351	0.622
0.0011	0.0011	0.344	0.629
0.0011	0.0011	0.336	0.635
0.0011	0.0011	0.330	0.642
0.0011	0.0011	0.323	0.648
0.0011	0.0011	0.317	0.653
0.0011	0.0011	0.312	0.659
0.0011	0.0011	0.306	0.664
0.0011	0.0011	0.301	0.668
0.0011	0.0011	0.298	0.678
0.0011	0.0011	0.299	0.682
0.0011	0.0011	0.296	0.686
0.0011	0.0011	0.291	0.690
0.0011	0.0011	0.287	0.694
0.0011	0.0011	0.283	0.698
0.0011	0.0011	0.275	0.702
0.0012	0.0012	0.271	0.705
0.0012	0.0012	0.267	0.708
0.0012	0.0012	0.261	0.712
0.0012	0.0012	0.254	0.715
0.0012	0.0012	0.251	0.718
0.0012	0.0012	0.249	0.721
0.0012	0.0012	0.246	0.723
0.0012	0.0012	0.243	0.726
0.0012	0.0012	0.240	0.729
0.0012	0.0012	0.238	0.729

Point 1: Constant-head, drawdown = 0.90 feet from well.
Point 2: 1 foot from constant-head boundary.
Find gradient between points 1 and 2.



Timing of Influence on Big Wood River by Porter Well Pumping



TRUST AFFIDAVIT
Section 63-602G or Section 63-701, Idaho Code

STATE OF Idaho)
COUNTY OF Blaine) ss.

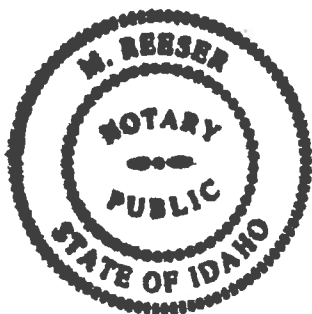
I/We the undersigned, Richard R. Porter & Constance G. Porter, being first duly sworn on oath,
(name)
state that I/we qualify for this exemption under Section 63-602G or this benefit under Section 63-701,
Idaho Code because of the following:

1. The undersigned is/are the beneficiary(ies) of the Richard R. Porter & Constance G. Porter
as Trustees of the The Porter Family Living Trust trust,
dated April 6, 2004 (original name of trust)
established in the county of Blaine on April 6, 2004
mm di yy
2. The undersigned occupied the residence identified by RP 00330020270A as the
(parcel number) (Lots 27, 28, 29)
beneficiary(ies) primary dwelling place before April 15, 2004.
yy
3. I have attached copies of the pages from the trust document showing the following:
 - a. The name(s) of the grantor(s);
 - b. The name of the beneficiary(ies); and
 - c. The signature(s) of the grantor(s).

DATED 9-9-04

Constance G. Porter
(claimant's signature)
Richard R. Porter
(claimant's signature)

On this 9th day of September in the year of 2004, before me M. Reeser
(notary name)
a notary public personally appeared RICHARD R. PORTER AND CONSTANCE G. PORTER
(individual's /s/ name/s)
known to me or identified to me to be the person(s) whose name(s) is (are) subscribed to the within instrument,
and acknowledged to me that he (she) (they) executed the same.



M. Reeser
(Notary Public)
Residing at Bellevue, IDAHO
My Commission Expires on 5-26-2010

TRANSFER 78755

TR0000003
04-24-2003

Order No. 10766

DEED OF RECONVEYANCE

FIRST AMERICAN TITLE COMPANY, an Idaho Corporation, as Trustee in the deed of trust executed by Richard R. Porter and Constance G. Porter, husband and wife

Recorded April 10, 1986 as Instrument No. 271979, Mortgage records of Blaine County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT and RECONVEY unto the PARTIES ENTITLED THERETO,

Lot 27 of HYNDMAN PEAK SUBDIVISION, Blaine County, Idaho

without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein described.

The corporate name subscribed by its Asst. Secretary, is pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors.

Dated: July 19, 1991

FIRST AMERICAN TITLE COMPANY

By Maureen A. Wheeler
Maureen A. Wheeler,
Assistant Secretary

State of Idaho

County of Blaine

On this 19th day of July, 1991, before me, a Notary Public in and for said State, personally appeared Maureen A. Wheeler and known to me to be the Asst. Secretary of the corporation that executed this instrument of the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this day and year in this certificate first above written.

John B.
Notary Public for the State of Idaho
Residing in Blaine County, Idaho
Commission Expires:

After Recording Send To:

Mr. and Mrs. Richard R. Porter
P.O. Box 2530
Ketchum, ID 83340

BLAINE CO. REQUEST

OF FIRST AMERICAN TITLE CO.

1991 JUL 22 P 4:11

331916

MARY GREEN, CLERK
FEES \$

3.00

mp

Satin

TRANSFER 78755



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

September 27, 2013

PORTER FAMILY LIVING TRUST
PO BOX 2530
KETCHUM, ID 83340

RE: Transfer No. 78755
Water Right No(s). 37-22764

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 **10/2/2013 and 10/9/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**October 21, 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,


Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 26, 2013 3:19 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 notice being submitted for publication on October 2nd & 9th, 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, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

September 26, 2013

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

RE: Application For Permit No.(s): 37-22682, 37-22838

RE: Transfer No. 78755
Water Right No(s): 37-22764

RE: Transfer No. 78756
Water Right No(s): 37-8209, 37-885B

RE: Transfer No. 78777
Water Right No(s): 37-21260

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 October 21, 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:

37-22682

INNOVATIVE MITIGATION SOLUTIONS LLC
2918 N EL RANCHO PL
BOISE, ID 83704

Point(s) of Diversion:

SWNW S20 T03N R18E; SWSW S13, SWNW S24, SESE S23, SESW S12, NENW S13, NENE S26, SWNE S26, NWSE S26, SWSE S26 T01N R18E, ALL WITHIN BLAINE County, Source BIG WOOD RIVER, Tributary MALAD RIVER
Use: GROUND WATER RECHARGE

01/01 to 12/31 154 CFS

Total Diversion: 154 CFS

Date Filed: 2/10/2012

Place Of Use: GROUND WATER RECHARGE

Amended Application for Permit seeks to modify existing Application 37-22682. The amendment removes a proposed point of diversion (POD) for the Baseline Canal and also removes the associated place of use (POU) in the Baseline Canal systems within Sections 25, 36 of TWP 01N RNG 18E; Sections 31, 32 of TWP 01N RNG 19E; and Sections 5, 8, 9 of TWP 01S RNG 19E. The amendment also proposes to add eight additional PODs and associated POU in the Walker Sand and Gravel pit area and surrounding area within Sections 13, 23, 24, 26 of TWP 01N RNG 18E. The application continues to seek a POD at the Hiawatha Canal within Section 20 of TWP 03N RNG 18E and POU within the Hiawatha canal system within Sections 3, 4, 5, 9, 10, 15, 22, 23, of TWP 02N RNG 18E and Sections 20, 28, 29, 32, 33 of TWP 03N RNG 18E and continues to seek a POD in the Bypass Canal within Section 12 of TWP 01N RNG 18E.

Specific details for the amendment can be found at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/default.aspx>

37-22838

2007 TERENCE J. CREIGHTON REVOCABLE TRUST
1177 CALIFORNIA ST #825
SAN FRANCISCO, CA 94108

Point of Diversion SWSE S32 T03N R18E BLAINE County Source BIG WOOD RIVER Tributary MALAD RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 0.6 AF

Total Diversion: 0.6 AF

Date Filed: 8/14/2013

Place Of Use: AESTHETIC STORAGE

T03N R18E S32 SWSE

Application proposes to divert 0.6 AF from the Purdum Slough (Big Wood River) for aesthetic storage in a pond located on property approximately 1.3 to 1.4 mi. N & 0.6 to 0.7 mi. W of Hailey (Flying Heart Ranch No. II, Lot 21A). Companion Application for Transfer T78777 was filed in conjunction to mitigate consumptive losses associated with the pond.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78755

PORTER FAMILY LIVING TRUST, PO BOX 2530, KETCHUM, ID 83340; has filed Application No. 78755 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22764. 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 0.02 cfs and 0.5 acre irrigation water right from the East Fork of the Wood River to an existing well located on Lot 27, Hyndman Peak Subdivision, located approximately 4.5 miles south and 3.0 miles east of Ketchum. The application includes a hydrologic analysis showing the hydraulic connection between the well and the East Fork of the Wood River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78756

ECCLES WINDOW ROCK RANCH LLC, PO BOX 3028, SALT LAKE CITY, UT 84110; has filed Application No. 78756 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8209, 37-885B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 1.16 cfs and 28 acre ground water right from land located approximately 0.6 – 0.8 mi. west and 0.6 – 0.8 mi. north of Bellevue to land located approximately 1.7 -1.9 mi. due south of Bellevue on the west side of Highway 75. An existing well on the property south of Bellevue will serve as the new point of diversion for the 28 acre groundwater right. The 28 acre ground water right will be combined with the existing, later priority groundwater right, on the farm south of Bellevue to irrigate a combined total of 58 acres.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78777**

2007 TERENCE J. CREIGHTON REVOCABLE TRUST, 1177 CALIFORNIA ST #825, SAN FRANCISCO, CA 94108; has filed Application No. 78777 for changes to the following water rights within BLAINE County(s): Right No(s). 37-21260. 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), Place of Use (POU), Nature of Use, and Season of Use for a one-acre portion of Big Wood River Irrigation right 37-21260, currently authorized for 2.5 acres of irrigation on a parcel located approximately 3.7 to 3.8 mi. S & 0.3 to 0.4 mi. E of Ketchum on the east side of HWY 93 (Aspen Hollow Lot 19A, BLK 2). Application proposes to change the POU of this one-acre portion to accommodate 0.9 acres of irrigation at property located approximately 1.3 to 1.4 mi. N & 0.6 to 0.7 mi. W of Hailey (Flying Heart Ranch No. II, Lot 21A). Application proposes to irrigate this 0.9 acres from a 0.2-acre pond (POD) located on a portion of Purdum Slough (Big Wood River), adjacent to the proposed POU. Application also proposes to change the nature and season of use of a portion of 37-21260 (0.1 acres, 0.3 AF) to mitigate the consumptive portion of maintaining this pond as a year-round aesthetic feature. This Application for Transfer was filed with companion application for permit 37-22838, which proposes to divert 0.6 AF from the Purdum Slough (Big Wood River) for the non-consumptive portion of the pond.

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 October 21, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 2nd & 9th, 2013

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 26, 2013 4:34 PM
To: 'Kevin Lakey'
Subject: Comment Letters
Attachments: Comment Letter to WM37.pdf; 37-22682 App.pdf; 37-22838 App.pdf; 78755 App.pdf; 78756 App.pdf; 78777 App.pdf

Dear Kevin,

Attached please find a cover letter, recommendation forms, and a copies of various applications. A few notes regarding these applications:

37-22682 was previously reviewed & processed by the department, but has recently been amended to add additional Points of Diversion, etc.

Transfer 78756 shows the applicant listed as Eccles Flying Hat Ranch; however it should be Eccles Window Rock

Ranch. We are in the process of getting a corrected document & name page for this transfer. All of the other information should be current.

Please review the attached information and provide any necessary comments within 21 days. 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

September 26, 2013

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

Via e-mail

RE: Application for Permit No. 37-22838, 37-22682 (re-advertisement)

RE: Transfer No. 78755
Water Right No(s): 37-22764

RE: Transfer No. 78756
Water Right No(s): 37-8209, 37-885B

RE: Transfer No. 78777
Water Right No(s): 37-21260

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)

MEMORANDUM

Date: September 20, 2013
To: Transfer 78755 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the point of diversion of a 0.02 cfs and 0.5 acre irrigation water right, 37-22764, from the East Fork of the Wood River to an existing well located on Lot 27, Hyndman Peak Subdivision, located approximately 4.5 miles south and 3.0 miles east of Ketchum. The application includes a hydrologic analysis showing the hydraulic connection between the well and the East Fork of the Wood River and that at least a 50% reduction in the original source (East Fork of the Wood River) within a 24 hour period will occur as a result of pumping the well. The right involved in the transfer is subject to water district 37 regulation so water master comments will be solicited.

- **Authority to File:**
The applicant, Porter Family Living Trust, is listed as the current owner of the right involved in the transfer.
- **Water Right Validity:**
The right involved with the transfer was decreed in June of 2011 and was recently involved with approved transfer # 78191.
- **Injury to Other Water Rights:**
None anticipated. The application includes a hydrologic analysis showing the hydraulic connection between the well and the East Fork of the Wood River.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice and protest.
- **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.

Skinner, Corey

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Friday, September 20, 2013 1:52 PM
To: Skinner, Corey
Subject: RE: Porter Family Living Trust Transfer
Attachments: doc00265820130920134358.pdf

Corey,

I have attached the corrected PART 1 Continued page of the transfer application. It is the intent of the transfer to more precisely identify the POU shape of the water right. The specific QQ description of the water right will not be changing due to the approval of the transfer.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Skinner, Corey [<mailto:Corey.Skinner@idwr.idaho.gov>]
Sent: Friday, September 20, 2013 1:32 PM
To: Greg Sullivan
Subject: Porter Family Living Trust Transfer

I just need the corrected page from you along with an e-mail indicating to replace the page and a little clarification on the change in place of use and then I will give it to Denise for advertising.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2242 / Virus Database: 3222/6184 - Release Date: 09/20/13



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 30 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

July 30, 2013

Allan Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Richard Porter Transfer

Dear Mr. Merritt:

It is proposed to change the point of diversion and change the place of use for water rights 37-22764. The proposed point of diversion is an existing well currently utilized for domestic use. The well is located 87.0 feet from the East Fork of the Wood River. IDWR has previously allowed a surface water right to be transferred and diverted from an existing well when adequate analysis and methodology provides evidence that greater than 50% of the volume of the well is supplied by a near by surface water source.

Local aquifer characteristics were gathered from 17 domestic well logs located in close proximity of the proposed point of diversion. An analysis utilizing the partial aquifer penetration method and the well log information provided a transmissivity of 5129 ft²/day and a hydraulic conductivity of 172 ft/day. The estimation of timing of aquifer stream interaction analysis calculated that at the end of a 24 hour period of continual pumping of 0.02 cfs (9 gpm) that the calculate portion of total discharge supplied by the East Fork of the Wood River is 72.9%.

The proposed place of use is located next to the driveway and residence of Richard and Constance Porter. The domestic exempted portion of irrigation will cover 0.5 acres and 0.5 acres will be covered by 37-22764 for a total of 1.0 acres irrigated.

The well is located on property owned by Richard and Constance Porter. The ownership and the beneficial use of the water rights will not be changing. The place of use of the water rights will be changed with this application.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S.

Cc: Richard Porter

Enc: Transfer Applications, Aerial Map, Warranty Deed, Trust Affidavit,
Check # 11537 for \$200.00

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