

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78396**

This is to certify that: **BLAINE COUNTY RECREATION DISTRICT**
1050 FOX ACRES RD ROOM 100
HAILEY, ID 83333

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2627D	WR/DECREED	12/9/1959	0.070 cfs	13.0 af	3.7	14.7	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-154C	WR/DECREED	12/13/1887	8.850 cfs	756.0 af	N/A	142.4	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2627D	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

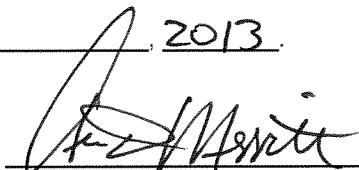
<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2627D	37-22809	0.060 cfs	10.5 af	3.0	3.0	37-2627D	0.010 cfs	2.5 af	0.7	11.7
COMBINED TOTALS		0.060 cfs	10.5 af	3.0	3.0		N/A	N/A	N/A	N/A

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

Dated this 13th day of August, 2013.

SUPPORT DATA

IN FILE # 37-2627D


Southern Region Manager

Transfer No. 78396

SCANNED

AUG 15 2013

WATER RIGHT NO. 37-2627D**As Modified by Transfer No. 78396**

In accordance with the approval of Transfer No. 78396, Water Right No. 37-2627D is now described as follows:

Right Holder: BLAINE COUNTY RECREATION DISTRICT
1050 FOX ACRES RD ROOM 100
HAILEY, ID 83333

Priority Date: 12/9/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.010 cfs	2.5 af
			0.010 cfs	2.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 16 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	16									1.7			10.0					11.7

Right Acre Limit: 0.7

POU Total Acres: 11.7

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. 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.
4. Access to the point of diversion and place of use of water right no. 37-2627D is governed by a private agreement executed by the Idaho Department of Lands and the Blaine County Recreation District dated October 16, 2009.
5. Use of water under Right 37-02627D may be affected by an agreement between the protestant of Transfer 5045 and the right holder.

Transfer No. 78396

WATER RIGHT NO. 37-2627D
As Modified by Transfer No. 78396

CONDITIONS OF APPROVAL

6. 0.7 irrigated acres under Right 37-154C will no longer be irrigated to mitigate use of Right 37-2627D as a primary groundwater right.
7. Right 37-02627D is limited to the irrigation of 0.7 acres within the place of use described above in a single irrigation season.
8. For regulation purposes Right 37-02627D shall be considered junior to all existing rights in the vicinity of the transferred point of diversion located in the NESW, S16, T03N, R18E at the time Transfer 5423 is approved.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

WATER RIGHT NO. 37-22809
As Modified by Transfer No. 78396

In accordance with the approval of Transfer No. 78396, Water Right No. 37-22809 is now described as follows:

Right Holder: BLAINE COUNTY RECREATION DISTRICT
 1050 FOX ACRES RD
 ROOM 100
 HAILEY, ID 83333-8415

Priority Date: 12/9/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/15 to **To** 10/31

Diversion Rate
 0.060 cfs
 0.060 cfs

Diversion Volume
 10.5 af
 10.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 7 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7													2.2	0.8			3.0

Right Acre Limit: 3.0

POU Total Acres: 3.0

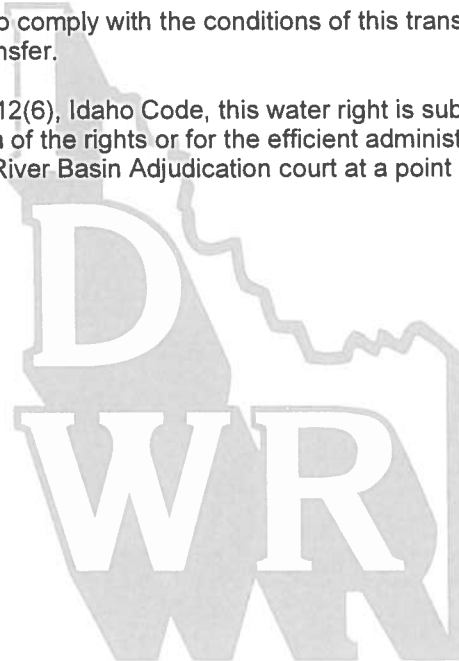
CONDITIONS OF APPROVAL

1. Three irrigated acres under Right 37-00154C will no longer be irrigated to mitigate use of Right 37-22809 as a primary groundwater right.
2. To prevent injury to water rights 37-7919 and 37-8307, held by the Idaho Water Resource Board for minimum stream flows in the Big Wood River, the use of ground water authorized by transfers 78396 and 78398 shall be subject to curtailment four (4) days after flows at the Hailey gauge drop below 189 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.

WATER RIGHT NO. 37-22809
As Modified by Transfer No. 78396

CONDITIONS OF APPROVAL

5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 37-154C**As Modified by Transfer No. 78396**

In accordance with the approval of Transfer No. 78396, Water Right No. 37-154C is now described as follows:

Right Holder: GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM, ID 83340

Priority Date: 12/13/1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
AESTHETIC	01/01	to 12/31	6.000 cfs	257.6 af
IRRIGATION	04/15	to 10/31	2.850 cfs	498.4 af
RECREATION	01/01	to 12/31	6.000 cfs	257.6 af
			8.850 cfs	756.0 af

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NENE Sec 18 Twp 03N Rge 18E BLAINE County
BIG WOOD RIVER SENW Sec 32 Twp 03N Rge 18E BLAINE County

PLACE OF USE: AESTHETIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	32								X									0.0

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7												12.2					23.0
03N	18E	18	15.9	25.7	24.1	13.5	12.9			2.1					12.6	11.9	0.4	0.3	119.4

POU Total Acres: 142.4

PLACE OF USE: RECREATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	32								X									0.0

WATER RIGHT NO. 37-154C
As Modified by Transfer No. 78396

CONDITIONS OF APPROVAL

1. That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
3. 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.
4. The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.
5. Rights 37-153A, 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-22060 when combined shall not exceed the irrigation of 172.5 acres; 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Rights 37-02627D, 37-22807 and 37-22809 for irrigation of 5.0 acres, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.
8. The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.
9. Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.
10. Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
11. The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.
12. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
13. To the extent that waste water from Clear Creek enters the Golden Eagle Ranch pond system, the amount diverted under the following rights shall be reduced accordingly: Rights nos. 37-153A, 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749 and 37-22060.

WATER RIGHT NO. 37-154C
As Modified by Transfer No. 78396

CONDITIONS OF APPROVAL

14. A tabular analysis of the intended extent of overlap of the places of use for water right numbers 37-154C, 37-364D, 37-2627C, 37-2632, 37-8854, 37-14260A, 37-20749, and 37-22060 involved in prior administrative proceedings is contained in a document prepared by Brockway Engineering, PLLC, entitled "Golden Eagle Ranch POU Overlap Analysis", dated 3/29/2011, revised 12/16/2011, which will be maintained in IDWRs records for reference in future administrative proceedings.



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78396
37-22809

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

18E



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

0 0.0275 0.055 0.11 Miles

