

RECEIVED

OCT 25 2012

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) Community School Inc Phone (208) 622-3955
2. MAILING ADDRESS PO Box 2118 City Sun Valley
State Idaho Zip 83353 Email Keith Keim<kkeim@communityschool.org> or Janell Goddard

- ☐ 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) 37-20901 & 37-22681

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.38 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 #
04N	18E	16			NW	SW	Blaine	Ground Water	
04N	18E	16			SW	NW	Blaine	Ground Water	
04N	18E	16			SW	NW	Blaine	Ground Water	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

See Attachment for description of diversion works.

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

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

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and ¼ ¼ 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.

Janell L. Goddard

Signature of applicant or authorized agent

JANELL GODDARD, BUSINESS
MANAGER

Print name and title if applicable

10-23-12
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*.

Cheek enclosed

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by LM

Date 10/25/2012

Fee paid \$500- Date 10-26-2012

Received by JJR

Receipt # 5032875

Preliminary review completed by _____

Date _____

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

Current Water Right No.: 37-20901

Current Owner: THE COMMUNITY SCHOOL INC

Priority Date: 1/6/1975

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.27 CFS	105 AF
	<u>Total Diversion</u>	0.27 CFS	105 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4

Sec. 16, Twp 04N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T04N R18E S16	SWNW	1.00	T04N R18E S16	NWSW	25.00
T04N R18E S16	SWSW	4.00			

Total Acres: 30

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7416B.
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.

Decreed Date: 9/24/2010

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

Current Water Right No.: 37-22681

Current Owner: THE COMMUNITY SCHOOL INC
Priority Date: 1/6/1975
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.11 CFS

38.5 AF

Total Diversion

0.11 CFS

38.5 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4

Sec. 16, Twp 04N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T04N R18E S16

NWSW

5.00

T04N R18E S16

SWSW

6.00

Total Acres: 11

Conditions of Approval:

1. 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.
2. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7416B.

Decreed Date: 9/24/2010

Attachment
Application for Transfer, POD
37-20901 & 37-22681

Water rights 37-20901 and 37-22681 both list the NW1/4SW1/4, Section 16, Township 04N, Range 18E, B.M. for the legal description of the point of diversion. But an on-site visit revealed there are three wells, only one is in the 40 acre tract described for the point of diversion on the water rights. The other two wells are in the SW1/4NW1/4, Section 16, Township 04N, Range 18E, B.M. A yellow dot centered in the aerial photo of Figures 1, 2 and 3, marks the location of each well with Figure 1 showing the south well, Figure 2 showing the middle well and Figure 3 showing the north well. In addition to showing the location of each well on the aerial photo, the Results column of each Figure also states the location of the respective well by latitude/longitude, PLSS and IDTM NAD83.

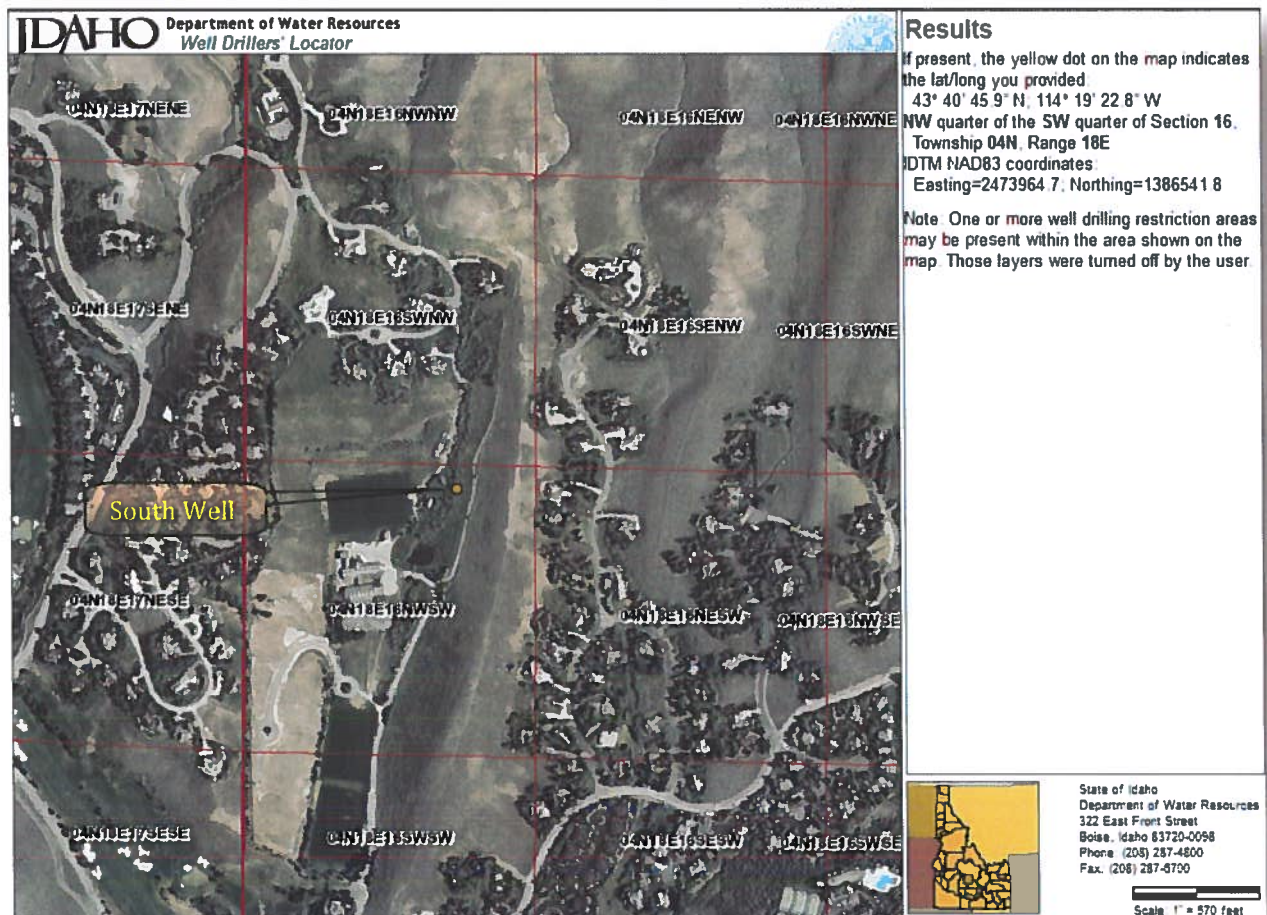


Figure 1 Aerial Photo Showing Location of South Well.

The three wells are positioned in a line going up a draw that drains from the north to the south. The north well is the highest in elevation and is about 200 feet up the draw from the middle well with the south well around 180 feet down the draw from the middle well. Each well contains a submersible pump and is connected to a common 2 inch diameter PVC pipe that gravity flows down the draw and open discharges into a pond located close to the center of the NW1/4SW1/4 in Section 16. Irrigation water is pumped from the pond into a buried automated sprinkler system with several zones.

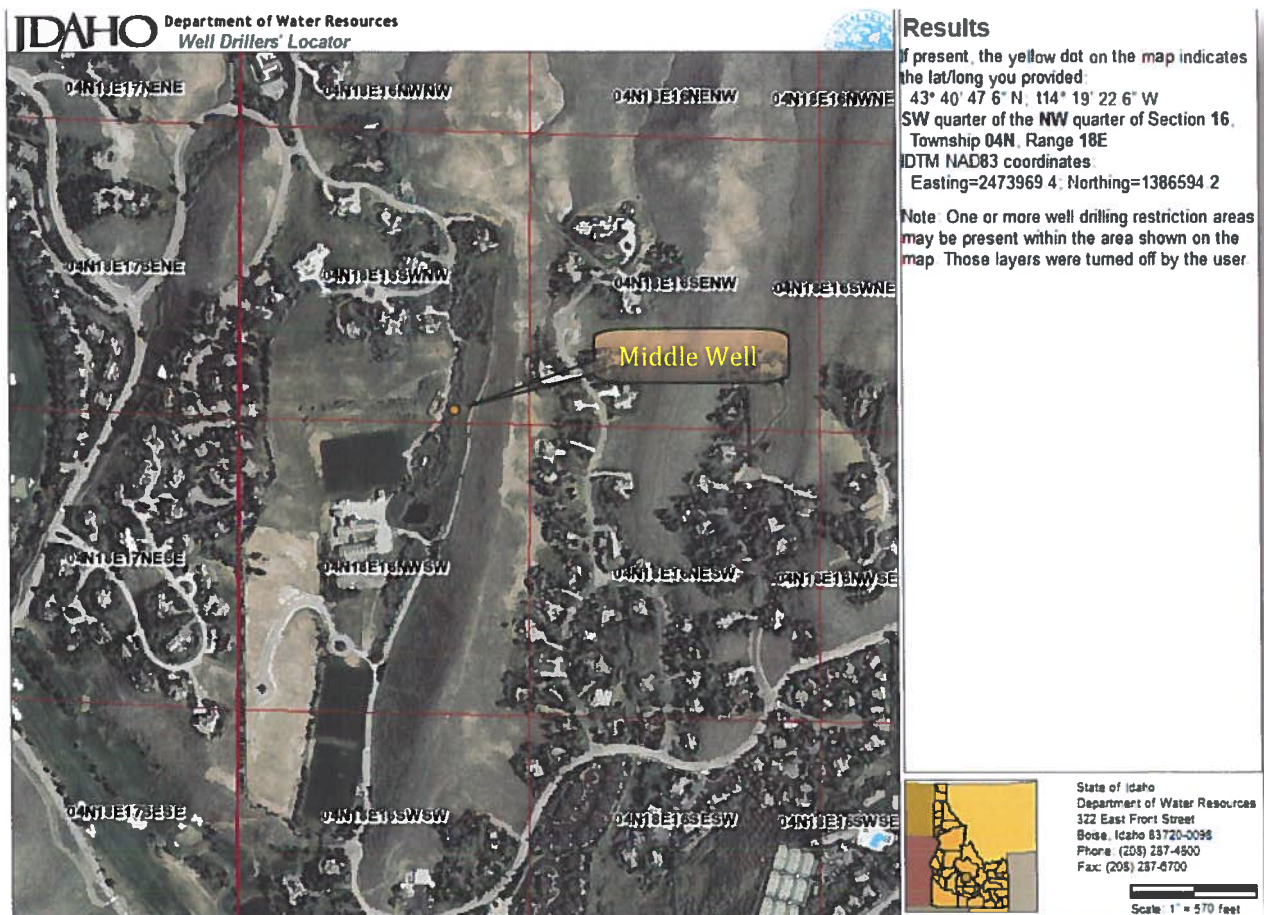


Figure 2 Aerial Photo Showing Location of Middle Well

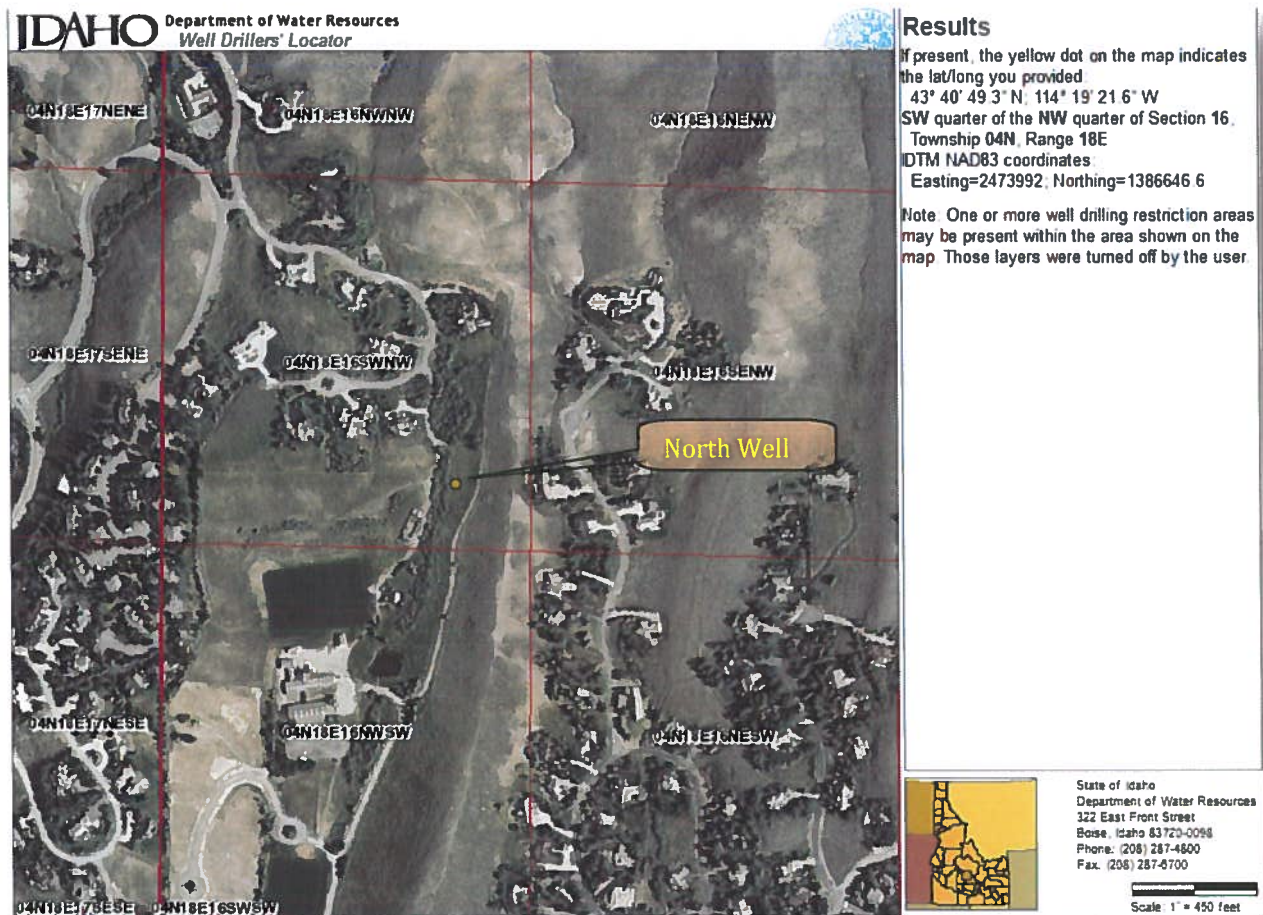


Figure 3 Aerial Photo Showing Location of North Well.

Figure 4 below is a picture of the south well and because the middle and north wells are similar in construction a photo of those two wells is not included in this report. About 240 feet down the mainline from the south well and 60 feet up the mainline from where it discharges into the pond a green box buried to grade marks the location of an in-line DLJ Meter. Figure 5 below is a picture of the meter. Figure 6 is a picture taken at the outlet of the pond looking north up the draw and showing a green rectangular object in the center of a black diamond. The rectangular object is the lid for the buried box housing the DLJ Meter.



Figure 4 Picture of the South Well



Figure 5 Picture of DLJ Flow Meter

TRANSFER 78215



Figure 4 Measuring Device Centered in Photo

TRANSFER 78215

No. C 48080		Due no later than Aug 31, 2012		Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. COMMUNITY SCHOOL, INC. (THE) MARY K HALL PO BOX 2118 ONE COMMUNITY SCHOOL DRIVE SUN VALLEY ID 83353 USA		DAVID HOLMES ONE COMMUNITY SCHOOL DRIVE SUN VALLEY ID 83353		3. <u>New</u> Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).							
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
DIRECTOR	TORY O'CONNOR	PO BOX 7800	KETCHUM	ID	USA	83343	
DIRECTOR	JAY HAGENBUCH	PO BOX 8850	KETCHUM	ID	USA	83343	
DIRECTOR	BILL GRIFFIN	PO BOX 9000	KETCHUM	ID	USA	83343	
TREASURER	JAKE PETERS	BOX 3486	KETCHUM	ID	USA	83340	
*PRESIDENT	JOAN SWIFT	BOX 3610	KETCHUM	ID	USA	83340	
DIRECTOR	DON WISEMAN	BOX 636	KETCHUM	ID	USA	83340	
DIRECTOR	PETER SMITH	BOX 67	SUN VALLEY	ID	USA	83353	
DIRECTOR	KIRK RIEDINGER	BOX 6388	KETCHUM	ID	USA	83340	
DIRECTOR	JOHN PERENCHIO	BOX 90 PMB 408	SUN VALLEY	ID	USA	83353	
DIRECTOR	JIM MILGARD	BOX 8690	KETCHUM	ID	USA	83340	
DIRECTOR	RANDI KANELLITSAS	401 CANYON ROAD	HAILEY	ID	USA	83333	
SECRETARY	DAVID HOLMES	310 DAKOTA DRIVE	HAILEY	ID	USA	83333	
SECRETARY	ELLEN GILLESPIE	BOX 863	KETCHUM	ID	USA	83340	
DIRECTOR	PAT ALUISI	631 VALLEY CLUB DRIVE	HAILEY	ID	USA	83333	
DIRECTOR	ROB MCGOWAN	PO BOX 3433	SUN VALLEY	ID	USA	83353	
DIRECTOR	MARGARET BAKER	PO BOX 6294	KETCHUM	ID	USA	83340	
DIRECTOR	ELIZABETH SCHWERDTLE	11 BIG DIPPER LANE	HAILEY	ID	USA	83333	
5. Organized Under the Laws of:		6. Annual Report must be signed.*					
ID C 48080		Signature: Mary Hall		Date: 07/25/2012			
		Name (type or print): Mary Hall		Title: Registrar			
Processed 07/25/2012		* Electronically provided signatures are accepted as original signatures.					

TRANSFER 78215



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 9, 2012

THE COMMUNITY SCHOOL INC
PO BOX 2118
SUN VALLEY, ID 83353

RE: Transfer No. 78215
Water Right No(s). 37-20901, 37-22681

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 **11/14/2012 and 11/21/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**December 3, 2012**).

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

Maline, Denise

From: Maline, Denise
Sent: Friday, November 09, 2012 8:59 AM
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 14th & 21st, 2012. 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
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

November 9, 2012

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

RE: Transfer No. 78215
Water Right No(s): 37-20901, 37-22681

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 December 3, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78215**

THE COMMUNITY SCHOOL INC, PO BOX 2118, SUN VALLEY, ID 83353 has filed Application No. 78215 for changes to the following water rights within BLAINE County(s): Right No(s). 37-20901, 37-22681; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding two new authorized points of diversion to an existing irrigation system for the Community School located approximately 2.0 miles east of the center of Ketchum. The three wells (one existing and two new) when combined will divert up to 0.38 cfs and 143.5 AF for the irrigation of 41 acres at the school.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before December 3, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on November 14th & 21st, 2012

MEMORANDUM

Date: November 2, 2012
To: Transfer 78215 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes adding two new authorized points of diversion to groundwater rights 37-20901 and 37-22681. The three wells when combined will divert up to 0.38 cfs and 143.5 AF for the irrigation of 41 acres at the Community School located approximately 2.0 miles east of the center of Ketchum. A pond is associated with the existing irrigation system that is not covered by a water right but appears to fall within the 24-hour rule.

All property and points of diversion involved with the application are located outside the ESPA and any water districts but are within the Big Wood Water Measurement District.

Note, 37-20900 is an overlapping water right in the name of Sage Willow LLC that appears to be diverted from the south well. 37-20900 is not associated with the transfer and transfer approval will not affect any element, condition or limits for this right. Currently all of 37-20900 is in the Water Bank.

- **Authority to File:**
The applicant is listed as the current owner of water rights 37-20901 and 37-22681 according to IDWR records.
- **Water Right Validity:**
Water rights 37-20901 and 37-22681 were decreed on 9/24/2012. Review of recent aerial photos indicates that the lands appurtenant to the right have been irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No hydrological impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Reeder, Jana

From: Joan Swift [jgswift@aol.com]
Sent: Saturday, October 27, 2012 10:43 AM
To: Reeder, Jana
Cc: jgoddard@communityschool.org
Subject: Re: Water Transfer & Authorization

To: Jana Reeder, Idaho Dept of Water Resources

Please accept the signature of Janell Goddard, Business Manager of Community School, on the documentation we recently filed with your office.

She is authorized to sign on behalf of the school for this purpose.

Thank you very much.

Joan Swift
Board Chair, Community School Board of Directors

-----Original Message-----

From: Goddard, Janell <jgoddard@communityschool.org>

To: Joanie Swift <jgswift@aol.com>

Cc: jana.reeder <jana.reeder@idwr.idaho.gov>

Sent: Fri, Oct 26, 2012 3:00 pm

Subject: Water Transfer & Authorization

Joanie,

I just received a phone call from Jana Reeder with the Department of Water Resources and I should have had you sign the paperwork we filed as it has to be a corporate director. Jana says that if you send her an email authorizing my signature for this document, then she will accept it via email.

Would you please email her at jana.reeder@idwr.idaho.gov and submit your approval for this? Thanks so much.

--

Janell Goddard
Business Manager
Community School
P O Box 2118
Sun Valley, ID 83353
208-622-3960, Ext# 104
Fax 208-622-8641

Reeder, Jana

From: Goddard, Janell [jgoddard@communityschool.org]
Sent: Friday, October 26, 2012 3:00 PM
To: Joanie Swift
Cc: Reeder, Jana
Subject: Water Transfer & Authorization

Joanie,

I just received a phone call from Jana Reeder with the Department of Water Resources and I should have had you sign the paperwork we filed as it has to be a corporate director. Jana says that if you send her an email authorizing my signature for this document, then she will accept it via email.

Would you please email her at jana.reeder@idwr.idaho.gov and submit your approval for this? Thanks so much.

--

Janell Goddard
Business Manager
Community School
P O Box 2118
Sun Valley, ID 83353
208-622-3960, Ext# 104
Fax 208-622-8641