

Transfer No. 78139
 Receipt No. 5032788

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1**

1. Applicant Information LYNN BONTRAGER LLC
 PO BOX 2092
 KETCHUM ID 83340
 (208)788-3690

RECEIVED**SEP 12 2012**

DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-22762	WR/Decreed	0.002			.05	WOOD RIVER
37-20380	WR/Decreed	0.07			2.0	WOOD RIVER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-22762	NO	YES	YES	NO	NO	NO
37-20380	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

To change the point of diversion from the old historical headgate to a new pump to be located on the applicant's property. Place rights in a permissible place of use. (Request 5 years to complete change)

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

Does not apply

B. Describe the effects on other water uses resulting from the proposed change

Does not apply

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres
37-22762	0.002 cfs	0.05	2.05
37-20380	0.07 cfs	2.0	2.05
TOTAL	0.072 cfs	2.05	2.05

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

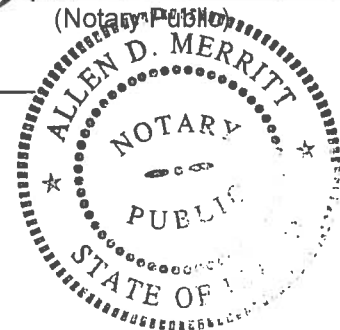
Kathleen Lynn
(Signature of Applicant)

member LYNN-BONTRAGER, LLC
(Title or Office)

Subscribed and sworn to before me this 12th day of Sept, 2012.

Allen D. Merritt
(Notary Public)

My commission expires 6/30/2018



Transfer No. 78139
 Receipt No. _____

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

Current Water Right No. 37-22762

Priority Date: June 03, 1884
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: EAST FORK WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31			
	Total Diversion	0.002 CFS		

Source and Point(s) of Diversion:

EAST FORK WOOD RIVER SWSWNE Sec. 3 Twp 03N Rge 18E BLAINE County

EAST FORK WOOD RIVER NESENE Sec. 3 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	18E	3									.05								.05

Total Acres: 0.05

Conditions/Remarks:

1. 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. This right shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
3. This right is a split from former right 37-539E
4. Place of use is located within Lot 21, Hyndman Peak Subdivision.
5. The actual diversion rate of this right is .002 cfs.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 37-20380

Priority Date: June 03, 1884
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: EAST FORK WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.07 CFS		
	Total Diversion	0.07 CFS		

Source and Point(s) of Diversion:

EAST FORK WOOD RIVER SWNE Sec. 3 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N 18E 3									2.0								2.0

Total Acres: 2

Conditions/Remarks:

1. 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. Place of use is located within Lot 21 of Hyndman Peak Subdivision.
3. This right is a split from former right 37-539B.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 78139
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-22762

Priority Date: June 03, 1884
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: EAST FORK WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31			
	Total Diversion	0.002 CFS		

Source and Point(s) of Diversion:

EAST FORK WOOD RIVER NESW Sec. 3 Twp 03N Rge 18E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 pump in river to sprinklers

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
03N	18E	3									2.05								2.05

Total Acres: 2.05

Transfer No. 78139
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-20380

Priority Date: June 03, 1884
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: EAST FORK WOOD RIVER **Tributary:** BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.07 CFS		
	Total Diversion	0.07 CFS		

Source and Point(s) of Diversion:

EAST FORK WOOD RIVER NESW Sec. 3 Twp 03N Rge 18E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 pump in river to sprinklers

PLACE OF USE: IRRIGATION

Tw 03N	Rge 18E	Sec 3	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											2.05								2.05

Total Acres: 2.05

State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 78139

Rights: 37-20380, 37-22762

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.

R18E

T03N



0 0.0325 0.065 0.13 Miles

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





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 13, 2012

LYNN BONTRAGER LLC
PO BOX 2092
KETCHUM, ID 83340

RE: Transfer No. 78139
Water Right No(s). 37-20380, 37-22762

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 **9/19/2012** and **9/26/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**October 9, 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

cc:

BARKER ROSHOLT & SIMPSON LLP
ATTN PAUL L ARRINGTON
195 RIVER VISTA PL, STE 204
TWIN FALLS, ID 83301-3029

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 13, 2012 12:55 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 September 19th & 26th, 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 Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

September 13, 2012

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

RE: Application for Exchange No. 78125
Water Right No(s): 37-354

RE: Transfer No. 78139
Water Right No(s): 37-20380, 37-22762

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 9, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78139**

LYNN BONTRAGER LLC, PO BOX 2092, KETCHUM, ID 83340 has filed Application No. 78139 for changes to the following water rights within BLAINE County(s): Right No(s). 37-20380, 37-22762; 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 the above rights as follows: Application proposes to change the authorized point of diversion for two water rights diverted from the East Fork of the Wood River used to irrigate lot 21 within the Hyndman Peak Subdivision located approximately 6.8 miles north and 0.7 miles east of the center of Hailey. The change in the proposed point of diversion consists of changing from two existing headgates to a single pump located approximately 0.6 miles downstream and adjacent to lot 21 in the Hyndman Peak Subdivision. Two rights allowing for the total diversion of 0.072 cfs will be used to irrigate 2.05 acres on Lot 21 of Hyndman Peak Subdivision.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
EXCHANGE NO. 78125**

LAZY TRIPLE J RANCH GENERAL PARTNERSHIP, C/O FRED JUDD, PO BOX 476, SUN VALLEY, ID 83353 has filed Application No. 78125 for changes to the following water rights within BLAINE County(s): Right No(s). 37-354; 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: Application for Exchange proposes changing the authorized point of diversion for a 1.9 cfs water right, used to irrigate 65 acres, from Thompson Creek to an existing point of diversion on Loving Creek. The currently authorized Thompson Creek diversion is located approximately 5.9 miles east & 0.16 miles north of the intersection of HWYs 75 & 20 and the Loving Creek diversion is located approximately 6.2 miles east & 0.14 miles south of the same intersection.

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 October 9, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 19th & 26th, 2012



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 13, 2012

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

RE: Transfer No. 78139
Water Right No(s): 37-20380, 37-22762

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)

Merritt, Allen

9/12/2012

To: Craig Hobdey (hobdeycraig@gmail.com); pla@idahowaters.com
Subject: Amended transfer 78065 and new transfer 78139 for Lynn and Bontrager interests
Attachments: DOC001.pdf; DOC000.pdf

Gents,

Attached are transfers filed today. The affect is to put two pumps in the creek... one each for each lot. At a result two systems are proposed instead of one. Note that the original transfer 78065 is protested by the BWCC. I understand you folks will likely get together to discuss.

Allen