

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 68472 IN THE)
NAME OF THE CITY OF)
GLENN'S FERRY)
_____)**

**PRELIMINARY ORDER
REJECTING APPLICATION**

FINDINGS OF FACT

1. On June 28, 2000, the City of Glenn's Ferry filed an application for transfer with the Idaho Department of Water Resources (IDWR) to change water right no. 37-4112.
2. IDWR delayed processing of the application until the SRBA Court issued a partial decree for claim no. 37-4112. The Court issued the partial decree on June 29, 2011.
3. On August 17, 2011, IDWR sought an amended transfer application from the City to accurately reflect the changes to uses and the quantity of water in right no. 37-4112 as decreed by the SRBA Court. IDWR set a deadline of September 16, 2011, for the City to submit the amended transfer. The cover letter sent to the City with the amended transfer form specified the application would be rejected without a timely response.
4. The applicant did not respond to that request for an amended transfer application.

CONCLUSIONS OF LAW

1. The original application for transfer does not meet the criteria of Sections 42-108 and 42-122, Idaho Code and cannot be processed by IDWR.
2. The amended application was not submitted within the allotted time frame. The application should be rejected.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 68472 in the name of the City of Glenn's Ferry is REJECTED.

Dated this 26th day of September, 2011



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of September, 2011, I mailed a true and correct copy of the foregoing Preliminary Order to the person(s) listed below:



Jean Hersley
Office Specialist II

Jeff Cook
City of Glenns Ferry
P.O Box 910
Glenns Ferry, ID 83623

RECEIVED

Transfer No. 5788
(68472)

WATER RESOURCES
WESTERN REGION

Post Office address City of Glenns Ferry, PO Box 910, Glenns Ferry, Idaho 83623

RECEIVED

- JUN 28 2000

Department of Water Resources

RECEIVED

JUL 03 2000

Department of Water Resources
Southern Region

- Period of Use

4. Point(s) of Diversion:

5. Lands irrigated or place of use: Use will be within city and service area

[illegible]

REJECTED

Total Acres

PART 1

6. General Information:

a. Description of diversion system Pumping plant diverted to treatment plant or irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes x No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Not used for irrigation. King Hill Irrigation District will reduce
their use in the irrigation district.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-04112

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	370.00 CFS
STOCKWATER	01/01 to 12/31	30.00 CFS
DOMESTIC	01/01 to 12/31	30.00 CFS
Totals		370.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
MALAD RIVER	SNAKE RIVER

Priority: 03/26/1902

LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 35, Township 06S, Range 13E
GOODING CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:		
05S	08E	25	:									:									:	11	14	38	39					37	03	:	142.0	
05S	08E	26	:				04					:									:			02	09		04	05	30	37		:	91.0	
05S	08E	33	:									:									:						39	03				:	42.0	
05S	08E	34	:				15	05				:									:						36		36			:	92.0	
05S	08E	35	:	32	30	28	32			25	02	22	35							:												:	206.0	
05S	08E	36	:	16	37	40	07			39	39	32	40							:												:	250.0	
05S	09E	19	:																	:						01			05			:	6.0	
05S	09E	20	:														03	28		:												:	31.0	
05S	09E	22	:																	:									17			:	17.0	
05S	09E	25	:														16	25		:								25				:	66.0	
05S	09E	26	:								10	07								:												:	17.0	
05S	09E	27	:	35	40	10							10				38	22	06	07	:												:	168.0
05S	09E	29	:							11	27	29	31				40	33	40	:								04				:	215.0	
05S	09E	30	:	01			04													:						28			32			:	65.0	
05S	09E	31	:	25			17				07-20	06-13						04-07		:												:	82.0	
05S	09E	32	:		10	07				40	34	28	34			03-22	04-23			:												:	198.0	
05S	09E	36	:	10	22	11	15			06	13									:						04	01					:	82.0	
05S	10E	1	:		02-05	32	18			03-37	04-20	36	16				31			:												:	195.0	
05S	10E	2	:				29													:						29			13			:	71.0	
05S	10E	11	:	29			35													:						25		03	26			:	118.0	

Water Right No. 37-04112

IRRIGATION

05S 10E 12 :	28 02-15 01-19 :	21 38 35 21 :	03-18 :	:	:	195.0
05S 10E 13 :	38 33 38 37 :	02-17 31 :	35 39 :	:	:	268.0
05S 10E 14 :	01-03 02-11 08-10 :	:	:	39 :	39 :	102.0
05S 10E 17 :	:	:	10 24 :	:	:	34.0
05S 10E 18 :	:	:	10 :	19 06 :	:	35.0
05S 10E 19 :	09 08 24 :	26 01-03 24 :	41 03-24 :	:	:	159.0
05S 10E 20 :	:	30 06 :	:	:	:	36.0
05S 10E 21 :	:	:	:	05-35 :	:	35.0
05S 10E 22 :	:	:	08-10 09-16 :	:	:	26.0
05S 10E 23 :	26 30 :	:	17 :	36 22 :	:	131.0
05S 10E 24 :	40 37 25 36 :	38 40 40 26 :	:	:	:	282.0
05S 10E 25 :	10 39 07 :	38 39 23 19 :	:	:	:	175.0
05S 10E 26 :	38 34 01 13 :	06 01 :	:	:	:	93.0
05S 10E 27 :	10 :	40 27 24 15 :	38 09 :	28 :	:	191.0
05S 10E 28 :	35 01-40 34 25 :	02-24 :	03-18 06-14 05-20 :	:	:	210.0
05S 10E 29 :	20 :	19 10 :	07 03 05 03 :	28 :	:	95.0
05S 10E 30 :	26 36 34 28 :	34 09 :	01 14 :	:	:	182.0
05S 10E 31 :	24 19 23 34 :	33 07-22 29 :	:	05 :	:	189.0
05S 10E 32 :	02-17 :	07 04-12 03-03 :	05-01 :	:	:	40.0
05S 10E 33 :	26 35 09 :	23 01-10 21 :	09 15 :	:	:	148.0
05S 10E 34 :	:	10 :	:	:	:	10.0
05S 10E 36 :	08 19 :	:	03 :	29 20 13 :	:	92.0
05S 11E 5 :	:	:	01 13 40 31 :	:	:	85.0
05S 11E 6 :	:	03-02 04-02 :	01 :	31 31 :	:	67.0
05S 11E 7 :	07 04-08 :	02-12 03-18 :	32 :	07-08 36 06-37 :	:	158.0
05S 11E 8 :	:	05 21 :	02-03 :	:	:	29.0
05S 11E 17 :	:	02-13 23 24 03-25 :	06-11 07-04 :	:	:	100.0
05S 11E 18 :	37 28 40 13 :	28 37 :	38 36 :	:	:	257.0
05S 11E 19 :	31 31 31 31 :	33 36 :	06 37 :	:	:	236.0
05S 11E 29 :	:	:	02 :	09 :	:	11.0
05S 11E 30 :	01 34 26 28 :	21 :	:	39 31 :	:	180.0
05S 11E 31 :	16 04 38 37 :	11 01-04 02-36 38 :	:	:	:	184.0
05S 11E 32 :	20 34 :	04 :	01 14 21 :	21 35 :	:	150.0
05S 11E 33 :	:	02-18 :	05-33 06-07 :	:	:	58.0
06S 08E 1 :	01-17 :	03-43 04-21 42 :	:	:	:	123.0
06S 08E 2 :	01-46 02-46 42 :	03-46 04-46 :	:	10 :	:	236.0
06S 08E 3 :	01-08 02-27 :	03-07 :	:	:	:	42.0
06S 08E 4 :	:	04 :	:	:	:	4.0
06S 09E 6 :	:	04-08 :	:	:	:	8.0
06S 10E 1 :	01-30 02-30 09 :	:	:	:	:	69.0
06S 11E 4 :	:	03-04 :	:	:	:	4.0
06S 11E 5 :	26 05 :	38 32 :	14 38 06 :	08 :	:	167.0
06S 11E 6 :	01-41 02-42 40 40 :	03-43 04-39 05-29 40 :	:	:	:	314.0
06S 11E 8 :	:	:	:	07 10 :	:	17.0
06S 11E 9 :	:	:	06-11 07-30 :	:	:	41.0
06S 11E 11 :	:	:	:	04-02 05-08 :	:	10.0
06S 11E 12 :	:	:	05-11 06-02 :	07-31 08-40 :	:	84.0
06S 11E 13 :	36 40 08 :	37 40 33 20 :	:	:	:	214.0
06S 11E 14 :	40 16 40 39 :	39 :	07 :	05 20 :	:	206.0
06S 11E 16 :	:	02-26 :	:	:	:	26.0
06S 12E 7 :	:	:	07-21 08-12 09-39 40 :	06-14 37 :	:	163.0

Water Right No. 37-04112

IRRIGATION

06S 12E 8 :	:	:	:	08-07 07-30 :	06-07 05-03	21	24	:	92.0
06S 12E 9 :	:	:	:	03-28 39 08-15 :				:	82.0
06S 12E 11 :	:	:	:				10	:	10.0
06S 12E 12 :	:	:	:	21 08-17 :		09-12		:	50.0
06S 12E 13 :	:	01	:					:	1.0
06S 12E 14 :	01	:	:					:	1.0
06S 12E 16 :	20 30 09 06 :	33 21	:					:	119.0
06S 12E 17 :	03	:	:					:	3.0
06S 12E 18 :	38	:	17 01-32	:				:	87.0
06S 13E 7 :	:	:	:	03-07 04-22 05-35 :				:	64.0
06S 13E 17 :	:	:	:	05-05 04-12	:			:	17.0
06S 13E 18 :	06-10 05-18	:	31 01-04 02 :			15		:	80.0
06S 13E 20 :	09-21	:	:			06-11		:	32.0
06S 13E 21 :	:	:	:	04-07 :				:	7.0
06S 13E 28 :	:	07-15 03 06-13 :	:					:	31.0
TOTAL ACRES									8801.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

CONDITIONS/REMARKS:

1. WATER IS DELIVERED THROUGH THE IRRIGATION SYSTEM TO FARMS AND P/U T6S, R13E, S20, LOT 7 CHANGED TO LOT 9.

Describe any other water rights used for the same purpose as described above:

None

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Notice of Claim to a Water Right

Documents showing proof of a transfer agreement are labeled Attachment "B".

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 5.0 for Irrigation purposes from 3/1 to 10/31
 (cfs/ac-ft)
 amount 5.0 for Stockwater purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount 5.0 for Domestic purposes from 01/01 to 12/31
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	35	6S	13E	Gooding	

3. Lands irrigated or place of use: Service area as recorded

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 365.0 for irrigation purposes from 3/1 to 10/31
 (cfs/ac-ft)
 amount 25.0 for stockwater purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount 25.0 for domestic purposes from 01/01 to 12/31
 (cfs/ac-ft)

2. Point(s) of Diversion: As recorded

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use: As recorded

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
	Irrigation/stock/domestic	5.0		01/01 ^{to} 12/31
				to

*Multiple uses changed to municipal use.

2. Quantity and quality of return flows and location of discharge: NA

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

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.

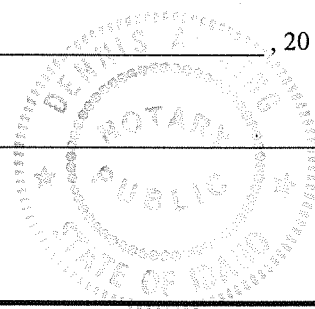
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Bryan D. Henderson City Engineer
(Signature of Applicant)

Subscribed and sworn to before me this 27TH day of June, 2000.

Dennis A. King
(Notary Public)

My commission expires 10/1/2000.



FOR DEPARTMENT USE ONLY

Transfer contains 13 pages and _____ attachments

Received by J. Magei Date 6-28-00 Protest filed by _____

Prelim. Check by J. Magei Fee \$100.00

Received by J. Magei Date 6-28-00 Receipt # C049632

Published in Id Statesman; Teton Tribune; Teton News Copies of protest forwarded by _____

Post Rec: Bonding Secured; mtn same news, covered av. Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

10/13 1400

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
Snake River from base of
Milner Dam to ~~DRAMAOK KASHM.~~
Oregon Border

NOTICE OF CLAIM
TO A
WATER RIGHT

I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that KING HILL IRRIGATION DISTRICT
(Name of Claimant)

P. O. Box 428, King Hill, Idaho 83633 Telephone No. (208) 366-2243
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) March 26, 1902

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Malad River
tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 370 cfs Use irrigation Period of Use From March 1 To Oct. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 30 cfs Use domestic Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 30 cfs Use stock watering Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 370 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 NW 1/4
Sec. 35, Twp. 6 South, Rge. 13 East, B.M., Gooding County
Additional Points: See attached list.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
See attached "Description of System - King Hill Irrigation District"

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total no. of acres 11,190.08

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: household use,
cattle (10,000), horses (550) and sheep (12,000) (estimated).

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. Locations under Act of February 25, 1899 (S.L. 1899, p. 380, §§ 5-8); Claim No. 37-4074.

Be it known that the undersigned, after being duly sworn on oath, deposes and says that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

March 23, 1982
(Date)

(Signature of Claimant)

State of IDAHO

Organization

Organization KING HILL IRRIGATION DISTRICT

(Signature of Spouse)

County of Ada

ss.

Seal

(Signature of Authorized Agent)

On this 23rd day of March, in the year 1982 before me
a notary public, personally appeared W. F. Ringert

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same

My commission expires lifetime

Notary Public residing at Boise, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 26, 2011

Jeff Cook, Director of Public Works
City of Glenns Ferry
PO Box 910
Glenns Ferry ID 83623

RE: Preliminary Order: In the Matter of Application for Transfer No. 68472

Dear Applicant:

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Westra, Manager
Western Regional Office

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

MEMORANDUM

____ Office Visit

____ Telephone

____ Meeting

TO TRANSFER 68472 c 37-4112
FROM JZ
DATE 9/23/2011
RE ORIGINAL Appl. missing pages

Pgs. 7, 8, 11-13 of Appl. were part
of draft amended Appl sent to city c
8/17/11 letter.

Pgs not returned. File OK AS IS.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 17, 2011

Jeff Cook
Public Works Director
City of Glenns Ferry
P.O. Box 910
Glenns Ferry, ID 83623

*Re: City of Glenns Ferry Transfer # 68472
(Water Right No. 37-22578, formerly 37-4112)*

Dear Mr. Cook:

As you know, processing of the application for transfer referenced above was held for several years due to its status in the SRBA. The SRBA Court issued the Partial Decree for 37-4112, owned by the King Hill Irrigation District (KHID) on June 29, 2010, and the transfer has been assigned to me for review and processing.

Water right no. 37-4112 was recently split into water right 37-22577, in the name of KHID, and 37-22578, the portion the KHID conveyed to the City of Glenns Ferry. All correspondence regarding the KHID transfer 68473, and the Glenns Ferry transfer for the water treatment plant, 68472, will reference these new water right numbers.

The City of Glenns Ferry transfer 68472 proposes changes to right no. 37-22578 in the points of diversion, a new point of redirection at the intake at the City of Glenns Ferry water treatment plant, a change in nature of use from irrigation to municipal and a change in the season of use from 3/1 – 11/15 to 1/1 – 12/31. IDWR will not approve the season of use change because it would be an enlargement of the original right. The season of use will remain 3/1 – 11/5 for the municipal use.

To continue processing, the transfer application must be amended to the correct water right no. 37-22578 and a change of ownership added to the purposes. As a courtesy, I have attached an amended transfer application. The current transfer application form requests additional information so please complete Part 1, Items 5a – 5f (page 3) and Part 3B and C, if applicable to this transfer.

Application for Transfer No. 68472
August 17, 2011
Page 2 of 2

Please review the amended application closely, correct if needed, complete the new items, sign and return the originals to me.

The City of Glenns Ferry has until September 19, 2011, to submit the amended application. **If you fail to make a timely response, IDWR will reject this application and no refund of the application fee will be issued.** Please contact me at 208-334-2190 if you have questions after reviewing this letter and the attached application. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicky Musie". The signature is stylized with a large, sweeping "V" and a cursive "Musie".

Vicky Musie
Sr. Water Resource Agent

Attachments: amended application for transfer no. 68472

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

60472
renumbered from
5108

MINIMUM REQUIREMENTS CHECKLIST
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. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #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). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☒ #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/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

68472

renumbered from
5788APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) City of Glenns Ferry Phone [208] 366-7418

Mailing address P.O. Box 910, Glenns Ferry, ID 83623 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 Phone

Mailing address Email

- ☐ 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

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☒ Add diversion point(s)
 ☒ Change place of use
 ☒ Change nature of use
 ☐ Change period of use
 ☒ Other change diversion from Malad to Snake River and ownership
- 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**. The City is in need of additional water rights to operate its new water treatment facility slated to be on-line in July of 2001.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-22578

WATER RIGHT NUMBER: 37-22578

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KING HILL IRRIGATION DISTRICT C/O GIB BROWN, MANAGER PO BOX 428 KING HILL, ID 83633 (208)336-2243
Attorney	DANIEL V STEENSON RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701 (208)342-4591

Priority Date: 03/26/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MALAD RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	5.000 CFS	
	<u>Total Diversion:</u>	5.000 CFS	

Location of Point(s) of Diversion

MALAD RIVER	L7 (NE1/4SE1/4)	Sec. 12, Twp 05S, Rge 10E, B.M.
ELMORE County	(Rediversion)	
MALAD RIVER	L6 (NW1/4SW1/4)	Sec. 9, Twp 06S, Rge 11E, B.M.
ELMORE County	(Rediversion)	
MALAD RIVER	NE1/4NW1/4	Sec. 35, Twp 06S, Rge 13E, B.M.
GOODING County		
MALAD RIVER	L7 (SW1/4NW1/4)	Sec. 28, Twp 05S, Rge 10E, B.M.
ELMORE County	(Rediversion)	
MALAD RIVER	L7 (NW1/4SW1/4)	Sec. 12, Twp 06S, Rge 12E, B.M.
TWIN FALLS County	(Rediversion)	
MALAD RIVER	L2 (SW1/4SW1/4)	Sec. 27, Twp 06S, Rge 13E, B.M.
GOODING County	(Injection)	

Place of Use

The place of use is within the King Hill Irrigation District service area.

Total Acres

193

Part 2 A (2 pages)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-22578

Conditions of Approval:

1. E55 Right Nos. 37-4112 and 37-21595 are limited to the irrigation of a combined total of 11573 acres in a single irrigation season.
2. 127 Place of use is within the boundary of the King Hill Irrigation District pursuant to Section 43-323, Idaho Code.
3. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. P31 The remainder of this right was sold to the Malad Power Company on March 13, 1908.
5. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.
6. 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.
7. G01 Point of injection into and points of rediversion from the Snake River.

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
☒ ☐	37-22578	5	municipal	1/1 to 12/31	Malad R trib to Snake R
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 5 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 #
✓	3		SE	NW	32	5S	10E	ELMORE	MALAD	REDIVERSION
	7		SW	NW	28	5S	10E	ELMORE	MALAD	REDIVERSION

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.) *place of use will be within the city service area*

☐ 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	

Total Acres (for irrigation use)

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: _____

pumping plant diverted to treatment plant or irrigation

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

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: _____

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:

Not used for irrigation. King Hill Irrigation District will reduce their use in the irrigation district.

- 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:

- 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: _____

Total Acres (for irrigation use)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

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

Fee Paid _____ Date _____ Received by _____ Receipt # _____

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

KING HILL IRRIGATION

P.O.Box 428
King Hill, Id 83633-0428

208-366-2243

June 9, 2000

To: Department of Water Resources

From: King Hill Irrigation District

Please be advised that at the April 4, 2000 meeting of the King Hill Irrigation District, the Board of Directors unanimously agreed to sell to the City of Glenns Ferry 5 cfs. of it's water right out of the Malad River which has a priority date of March 29, 1902.

The 5 cfs. allocated to the City of Glenns Ferry will be a reduction from the District's 370 cfs. water right # 37-04112.

The purpose for which the water will be used will be 5 cfs. for Irrigation use , April 1 - October 31; 5 cfs. for Domestic use, January 1 - December 31; and 5 cfs. - Stock watering, January 1 - December 31, not to total more than 5 cfs. at any one time.



Gardner I. Brown
Manager
King Hill Irrigation District

Attachment 2a (3 pages)

April 4, 2000
8:00 PM
King Hill, ID.

The Board of Directors of the King Hill Irrigation District met in regular session at the above time and place with the following members present: Robert Schamber, George Withers, Harold Tews, Walter Trail, Rodney Warner, Gardner Brown, manager and Debra Smith, secretary. Also present were Dewey Crane and JoAnne Lanham, representing the city of Glenns Ferry and Stan Phelps.

The minutes were read. Walter moved to accept the minutes as written with Rodney seconding the motion. The motion carried.

The payable list was reviewed. Rodney moved to pay the current bills with Walter seconding the motion. The motion carried.

The first item for discussion was the pumping of the Glenns Ferry water. The city has increased the number of lots by 20 to 260 lots. These lots will require 650 gpm. Which equals 72" of water or 1.44 cfs. The average cost of pumping that amount of water is approximately \$10,000.00. The city has installed a new water line on Garfield at the cost of about \$10,000.00. The city also plans to install an additional line in order to tie the two sides north of the city together. Gardner suggested that the district charge the city \$1,500.00 to pump their water this year, and reserve the right to tie into the city's lines in the event of problems. Harold made a motion to charge the city the same amount as last year (\$1,500.00). George seconded the motion and the motion carried.

There was discussion regarding the re-alignment of the water right of Rocky Mountain Land and Cattle. K.C. Duerig put together a proposal to realign the water rights to correspond with the pivots/acres actually watered. Stan Phelps suggested the right remain as is until their attorney completes his work and the Water Resource Board makes their determination. Walter made a motion that K.C. and Stan cooperate and facilitate the water delivery. Harold seconded the motion and the motion carried.

Mr. Fred Mackey was invited to attend the meeting in order to discuss his decision on the bill he received from the district for his meter. He declined to attend and Gardner indicated he has no idea what Mr. Mackey plans to do. It was established that no water would be delivered to Mr. Mackey until he has paid for his meter.

The Peterson's of Hammett recently purchased 22.13 acres from George Withers. With the acreage they already had they will have a total of 28.5 acres. The Peterson's have submitted a request to add a point of diversion for King Hill Irrigation water to their pump station. They would continue to pay the O & M assessment and will pay all costs associated with their request. The District must submit an application for a transfer of water right with the Water Resource Board in order to change the point of diversion. Rodney moved to allow the Peterson's to add a diversion point. Walter seconded the motion and the motion carried.

Wes Farris has leased water from the Water Bank for 31.3 acres on an annual basis. He has asked the District to deliver the water to his acreage. Gardner suggested we charge Mr. Farris the current assessment of \$49.50 per acre. Walter moved the charge of \$49.50 per acre be approved by the Board as long as Mr. Farris is limited to 35" of water. Rodney seconded the motion and the motion carried.

The annual agreement with Idaho Power has been received and reviewed. Idaho Power will give the District credit for \$454,000.00 in electric usage. Rodney moved that the Chairman sign the agreement for the District. George seconded the motion and the motion carried.

Discussion was held regarding this season's water turn on date. It was determined that the District can begin pumping water on April 10, 2000. George moved to accept that date for turn on, Harold seconded the motion and the motion carried.

The next item for discussion was the sale of 5 cfs. of water to the city of Glens Ferry. The city needs a letter of intent or commitment from the District in order to apply for grants. The city has proposed that they apply for 5 cfs. Of water with the Water Resource Board from the Districts' 370 cfs. right. They will do all the paperwork, handle any protests etc. This will test the District's water right and will be beneficial to the District. Rodney moved that the District guarantee the 5 cfs. of water to the city with the costs to be determined at the next meeting. Harold seconded the motion and the motion carried.

Gardner advised the Board that the estimated completion date for the King Hill Bridge is the end of May. The relocating of the pump station at the Bridge will not occur until next year.

Walter moved that the meeting be adjourned. Robert seconded the motion and the motion carried. The meeting was adjourned at 9:45 p.m.

Robert Schamber, Chairman

Debra Smith, Secretary/Treasurer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

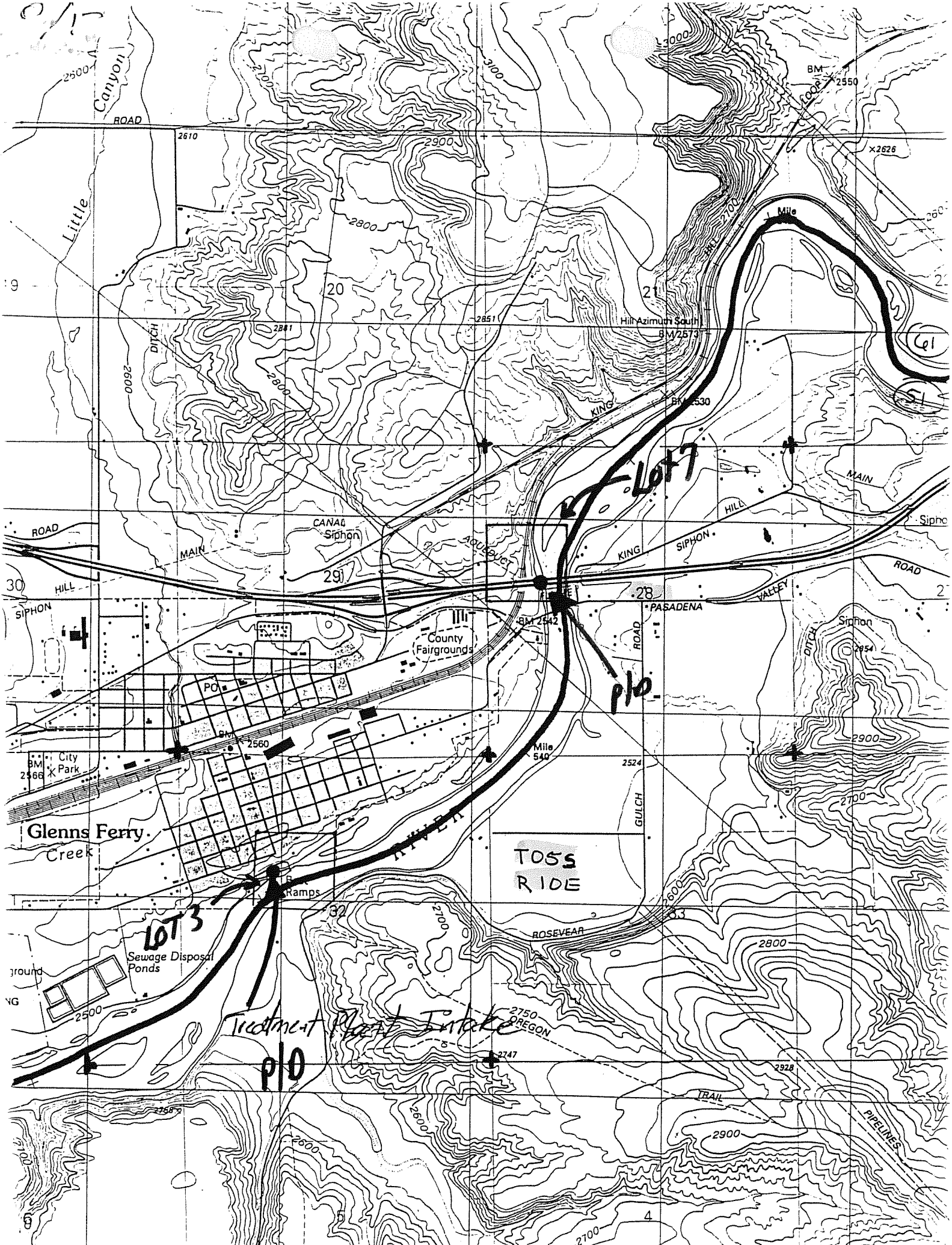
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

24 19				19 20				20 21			
25		30		30		29		29		28	
<i>Point of diversion near bridge</i>											
25		30		30		29		29		28	
36		31		31		32		32		33	
<i>Point of diversion at new treatment plant Intake</i>											

Scale: 2 inches equal 1 mile. Draw plan in ink.

Attachment 7a (2 pages)





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 1, 2005

JEFF COOK PUBLIC WORKS DIRECTOR
PO BOX 910
GLENN'S FERRY ID 83623

Re: Application for Permit No. 2-7471
Application for Transfer of Water Right No. 37-4112

Dear Jeff:

I appreciated meeting with you and the Mayor the other day to discuss the City's water rights. We covered some different options available to the City at this time.

The key point appeared to be the outcome of the King Hill Irrigation District (KHID) water right no. 37-4112 in the adjudication. We should have a good feel for that by next spring if all goes as planned. A favorable result in the adjudication would be good news for processing the above referenced transfer application that seeks to provide 5.00 cfs from KHID to the City.

The City might be best served by waiting for that outcome before deciding what to do about seeking new rights from the river such as Application 2-7471.

These two applications will remain on hold until the adjudication objection period for right no. 37-4112 has been completed. I will contact you at that time to see how the City would like to proceed. A reply is not necessary if you want to proceed in the suggested way. Please let me know if you want to proceed in some other way.

Please contact me at 208-334-2190 if you need more information or have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2005

CITY OF GLENNS FERRY C/O
JEFF COOK
PO BOX 910
GLENNS FERRY ID 83623

Re: Application for Transfer of Water Right(s)

Dear Applicant:

Your application for transfer to change a water right(s) was recently received. Processing of the application must be delayed as explained below.

Your application describes a water right for which a Snake River Basin Adjudication (SRBA) Claim has been filed. SRBA Claims in the area affected by the transfer application are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

The SRBA objection period for your area is expected to conclude sometime during the latter half of next year. Based on that schedule and the above reasoning, your application for transfer cannot be processed at this time. IDWR will hold your transfer application until that time and will notify you at the appropriate time to allow your application to be processed.

IDWR regrets the inconvenience undoubtedly caused by this necessary delay. Please contact me at 208-334-2190 if you have any questions in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

* not so recent... portion of 37.4112 (KHIP) to provide water to city via Snake River - JL



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 2000

DAVID HAHN
CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623

Re: Application for Permit No. 02-07471

Dear Mr. Hahn:

This letter responds to your request seeking a waiver or other special consideration to the rate of flow discussed in my letter to you dated April 27, 2000, regarding the above referenced application to appropriate 3.00 cubic feet per second (cfs) of trust water from the Snake River for municipal use. My prior letter oversimplified trust water issues (item no. 1 of the previous letter) that must be considered by the Director of the Idaho Department of Water Resources (IDWR). I hope this new letter clarifies the situation and provides adequate information for the City in its decision making.

An application for trust water can be approved if the proposed use will not deplete the Snake River flow at the Murphy Gauge by more than two acre-feet per day (af/day), which is 651,700 gallons. A simple computation to determine af/day is the rate of flow in cfs multiplied by a conversion factor of two. (For example, 1.00 cfs x 2 = 2 af/day.) Therefore, an application for 1.00 cfs can be considered without trust water consideration because the flow rate cannot yield more than two af/day. A higher rate of flow could be considered if the rate is not diverted continuously, and the total daily volume is limited to two acre feet.

If the City proposes to divert more than two af/day at the rate of 3.00 cfs, IDWR must weigh the public interest value lost by reducing downstream hydropower production against the public interest value gained if the application is approved. Timing of the new use of water is critical in this case. If water is diverted for the new use when Snake River flow is needed for downstream power production, the new flow rate is the primary concern. If water is diverted when Snake River flow is not needed for downstream power production, the new consumptive use volume is the primary concern.

Three options regarding application no. 02-07471 are outlined later in this letter. Regardless of the selected option, the following information will be needed for IDWR to evaluate the proposal:

- Does the City propose "reasonably anticipated future needs" pursuant to I. C. § 42-202B(5-7), or does the application define a rate of flow to be fully developed and used within the maximum five year development period associated with "regular" water rights? See the enclosed statute for details.
- During what period(s) of the year will the new rate of flow be diverted? Will water be diverted primarily during the irrigation season or in some other configuration? Will different periods of the year require different amounts of the new rate of flow? Please specify.
- For consumptive use considerations, approximately how many acres will be irrigated in the City service area with the new rate of flow? Approximately what percent of this irrigation will be supplemental in nature?

c KHID + City for
37-4112

Application 02-07471
August 23, 2000
Page 2

- Explain the need for the total quantity of Snake River water held by or sought by the City under various water rights. Why does the City need at least 11 cfs from the Snake River? See the attached table for a summary to date of City acquisition of river water. IDWR needs a context in which to evaluate application no. 02-07471.

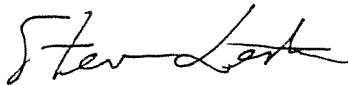
Your responses to the above points will also be useful in pending Transfer No. 5788 for King Hill Irrigation District water to be conveyed to the City for municipal use.

In addition to the preceding points, please indicate which of the following three options the City wants to pursue:

1. Reduce the application to 1.00 cfs, limiting the volume to 2 af/day.
2. Retain the 3.00 cfs flow rate but document how daily volume will be limited to 2 af/day.
3. Retain the 3.00 cfs flow rate and explain why more than 2 af/day is needed.

Completion of the above steps plus your responses to point nos. 2-5 in my April 27, 2000, letter (copy enclosed) will allow IDWR to process application no. 02-07471. Your reply within thirty (30) days will be appreciated. Please let me know if I can provide any assistance in this or other water right matters for the City.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

August 23, 2000

Summary of City of Glenns Ferry Municipal Water Rights from the Snake River.

Number	Cfs	Priority	Notes
02-02209B	2.4	1963	Cottonwood Canal Transfer approved 1998
02-07470	1.0	1996	Permit approved 1996
02-07471	3.0	1996	Pending Application with preliminary priority date
37-04112B	5.0	1902	Pending Transfer of King Hill Irr. District water via Malad River to Snake River pump(s)
Total	11.4		Of total: 3.4 cfs approved and 8 cfs pending

Proof of Publication

RECEIVED

AUG 09 2000

WATER RESOURCES
WESTERN REGION

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

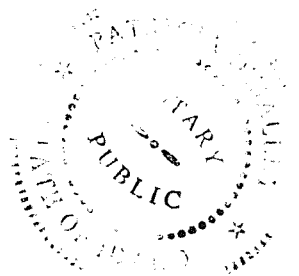
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 20TH day of JULY, 2000, last publication having been made on the 27TH day of JULY 2000 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 2ND day of AUGUST, 2000

Patricia O'Malley
Notary Public

My commission expires January 3, 2003



✓
LM

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT,
TRANSFER NOS. 5788 and 5789**

Notice is given that the Department of Water Resources received two transfer applications to change a water right pursuant to I.C. § 42-222. The right is recorded as follows:

Statutory Claim #37-04112 in the name of **King Hill Irrigation District (KHID)**, priority 3-26-1902 from the Malad River for irrigation, stockwater and domestic uses in the district's service area. Uses include 370 cfs for irrigation 3/1-10/31, 30 cfs stockwater all year, and 30 cfs domestic all year. Total amount is 370 cfs. Service area occurs in portions of T5S R8-11E and T6S R8-13E in Twin Falls, Gooding, Elmore and Owyhee Counties. This includes 8801 acres on both sides of the Snake River between Lower Malad Power Plant and Hammett. Malad River water is diverted through the power plant in NWNW S35, T6S R13E and then discharged into the Snake River. Water is rediverted from Snake River pumps located as follows: NWSE S12, SWNW S28, T5S R10E; NWSW S9, T6S R11E; and NWSW S12, T6S R12E.

PROPOSED CHANGE

Transfer #5788 filed by CITY OF GLENNS FERRY, PO Box 910, Glens Ferry ID 83623 to split the water right and add a Diversion Point plus change the Nature, Period and Place of Use. City will divert water from the Snake River at two existing City diversions in SWNW S28 (same point described above, shared with KHID) and SENW S32, T5S R10E. Water is needed all year for City's proposed water treatment facility. City's part of the right will be **#37-04112B**, 5 cfs for year around municipal use in City's service area, all within Elmore County. Balance of the original right will remain for reduced KHID uses, and this part of the right will be **#37-04112A**.

Transfer #5789 filed by KHID, Box 428, King Hill ID 83633 to add a Diversion Point in SENE S3, T6S R8E, southwest of Hammett in Elmore County. Original diversion points will continue to be used. This will affect proposed right **#37-04112A** for 365 cfs irrigation, 25 cfs stockwater and 25 cfs domestic, for a total use of 365 cfs in the district's above described service area.

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application being protested on or before August 7, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: July 20, 27, 2000

RECEIVED
AUG 09 2000
WATER RESOURCES
WESTERN REGION

The Idaho Statesman

RECEIVED

AUG 02 2000

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	291974	NOTICE OF PROPOSED CHANGE	\$108.12
Ordered by:	P.O. #	Rate	Run Dates
		NT	JULY 20, 27, 2000
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 73
			Affidavit 1
			Legal # 7809

LEGAL NOTICE PROPOSED CHANGE OF WATER RIGHT, TRANSFER NOS. 5788 and 5789

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PROPOSED CHANGE

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Karl J. Dreher, Director

Pub. Jul. 20, 27, 2000

7809

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

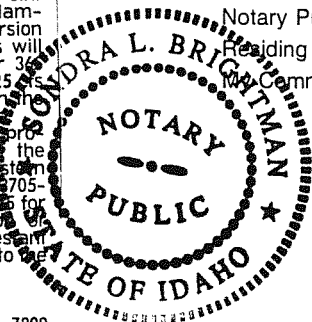
beginning with the issue of: JULY 20, 2000
and ending with the issue of: JULY 27, 2000

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 28 day of JULY in the year of 2000
before me, a Notary Public, personally appeared before me Janice Hildreth
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the state-
ments therein are true, and acknowledged to me that she executed the same.

Rondra L. Brightman
Notary Public for Idaho,
Residing at: Boise, Idaho
My Commission expires: 6/20/06



TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 07/27/2000 INVOICE NO. 234123
Account No. 964760
Description 234123NOTICE OF PROPOS
Times 2 Lines 78
RECEIVED
JUL 31 2000
Tab. Lines
\$ 117.00
WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

234123
NOTICE OF PROPOSED CHANGE
OF WATER RIGHT,
TRANSFER NOS. 5788 and 5789
Notice is given that the Department of
Water Resources received two trans-
fer applications to change a water
right pursuant to I.C. § 42-222. The
right is recorded as follows:
Statutory Claim #37-044112 in the
name of King Hill Irrigation District
(KHID), priority 3-26-1902 from the
Malad River for irrigation, stockwater
and domestic uses in the district's ser-
vice area. Uses include 370 cfs for ir-
rigation 3/1-10/31, 30 cfs stockwater
all year, and 30 cfs domestic all year.
Total amount is 370 cfs. Service area
occurs in portions of T5S R8-11E and
T6S R8-13E in Twin Falls, Gooding,
Elmore and Owyhee Counties. This in-
cludes 8801 acres on both sides of the
Snake River between Lower Malad
Power Plant and Hammett. Malad
River water is diverted through the
power plant in NWNW S35, T6S R13E
and then discharged into the Snake
River. Water is rediverted from Snake
River pumps located as follows:
NWSE S12, SWNW S28, T5S R10E;
NWSW S9, T6S R11E; and NWSW S12,
T6S R12E.
PROPOSED CHANGE
Transfer #5788 filed by CITY OF
GLENN'S FERRY, P0 Box 910, Glenn's
Ferry ID 83623 to split the water right
and add a Diversion Point plus change
the Nature, Period and Place of Use.
City will divert water from the Snake
River at two existing City diversions
in SWNW S28 (same point described
above, shared with KHID) and SENW
S32, T5S R10E. Water is needed all
year for City's proposed water treat-
ment facility. City's part of the right
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around municipal use in City's service
area, all within Elmore County. Bal-
ance of the original right will remain
for reduced KHID uses, and this part
of the right will be #37-04112A.
Transfer #5789 filed by KHID, Box
428, King Hill, ID 83633 to add a Di-
version Point in SENE S3, T6S R8E,
southwest of Hammett in Elmore
County. Original diversion points will
continue to be used. This will affect
proposed right #37-04112A for 365 cfs
irrigation, 25 cfs stockwater and 25 cfs
domestic, for a total use of 365 cfs in
the district's above described service
area.
Any protest against approval of the
proposed changes must be filed with
the Department of Water Resources,
Western Region, 2735 Airport Way,
Boise, ID 83705-5082, together with a
protest fee of \$25 for each application
being protested on or before August 7,
2000. The protestant must also send a
copy of the protest to the applicant.
Karl J. Dreher, Director
Published in the Idaho Statesman, the
Lewiston Morning Tribune, the Times
News, the Post Register and the Good-
ing County Leader on July 20 and 27,
2000; and in the Mountain Home News
and the Owyhee Avalanche on July 19
and 26, 2000.

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho,
publishers of the LEWISTON MORNING TRIBUNE, a news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 21
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 234123NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
07/20, or once a WEEK
for 2 consecutive WEEK,
the first publication thereof being on the 07/20/2000,
and the last publication thereof being on the 07/27/2000
and said 234123NOTICE OF was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of 2000

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires

AFFIDAVIT of PUBLICATION

State of Idaho
County of Gooding } ss.

RECEIVED

JUL 31 2000

WATER RESOURCES
WESTERN REGION

Norma DeVoe, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in supplement; that the date of the first publication of said advertisement was on the 20th day of July, 192000 and that date of the last publication was on the 27th day of

July, 192000

On this 27th day of July in the year of 2000, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome

SHELLEY STURGEON
Notary Public
State of Idaho

My commission expires: 12/3/05

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

_____ Lines tabular at _____ 7.5¢/Pica

798.19 Lines straight at 51.88 6.5¢/Pica

798.19 Subsequent lines at 43.90 5.5¢/Pica

Affidavit Fee: 2.25

TOTAL COST 98.03

Change of Water Rights T#578
TITLE OF NOTICE 578

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

NOTICE OF PROPOSED CHANGE
OF WATER

RIGHT, TRANSFER NOS. 5788 and 5789

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Karl J. Dreher, Director
PUB: 7/20-7/27 G32107

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Karl J. Dreher, Director

PUBLISH: July 20 and 27, 2000

RECEIVED

JUL 28 2000

of Publication

AHO

TWIN FALLS } SS.

WATER RESOURCES
WESTERN REGION

No 32771

A. Underheide being first duly sworn upon oath, depose
n principal clerk of the TIMES-NEWS, published daily, at
tho and do solemnly swear that a copy of the notice of advertisement, as per
d, was published in the regular and entire issue of said newspaper, and not in any
eof, for two consecutive weeks

with the issue dated July 20, 192000

the issue dated July 27, 192000

o further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
blished theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
-hich newspapers prior to consolidation had been published under said names in said city and county
interruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
aily publication under said name in said city and county continuously and uninterruptedly.

urther certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
a legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
will be published; and that at the head of the editorial column of said combined newspapers, and in each
day is announced as the day on which said legal notices will be published.

N FALLS

17th day of July in the year of 2000, before me,

ersonally appeared Rubel Underheide

d to me to be the person whose name subscribed to the within instrument, and being by me first duly
t the statements therein are true, and acknowledged to me that he executed the same.

Treva Zeltman

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires:

5/16/06

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

JUL 28 2000

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

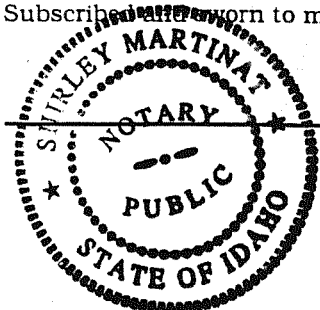
said newspaper, in two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 19 and 26, 2000

Signed [Signature]

Subscribed and sworn to me this 26th day of July A.D., 2000



[Signature]
Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 04/22/2002

SCANNED

SEP 28 2001

(over)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NOS. 5788 AND 5789

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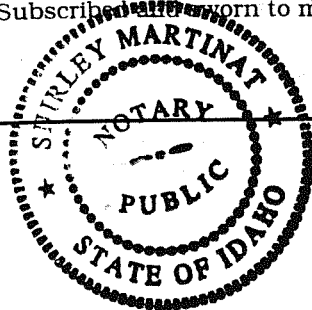
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Signed _____

Subscribed and sworn to me this 26th day of July A.D., 2000



Notary Public, in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 04/22/2002

T6S R12E.

PROPOSED CHANGE

Transfer #5788 filed by CITY OF GLENN'S FERRY, PO Box 910, Glenn's Ferry ID 83623 to split the water right and add a Diversion Point plus change the Nature, Period and Place of Use. City will divert water from the Snake River at two existing City diversions in SWNW S28 (same point described above, shared with KHID) and SENW S32, T5S R10E. Water is needed all year for City's proposed water treatment facility. City's part of the right will be #37-04112B, 5 cfs for year around municipal use in City's service area, all within Elmore County. Balance of the

original right will remain for reduced KHID uses, and this part of the right will be #37-04112A.

Transfer #5789 filed by KHID, Box 428, King Hill ID 83633 to add a Diversion Point in SENE S3, T6S R8E, southwest of Hammett in Elmore County. Original diversion points will continue to be used. This will affect proposed right #37-04112A for 365 cfs irrigation, 25 cfs stockwater and 25 cfs domestic, for a total use of 365 cfs in the district's above described service area.

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application being protested on or before August 7, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

7/19&26/00

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT,
TRANSFER NOS. 5788 and 5789**

Notice is given that the Department of Water Resources received two transfer applications to change a water right pursuant to I.C. § 42-222. The right is recorded as follows:

Statutory Claim #37-04112 in the name of **King Hill Irrigation District (KHID)**, priority 3-28-1902 from the Malad River for irrigation, stockwater and domestic uses in the district's service area. Uses include 370 cfs for irrigation 3/1-10/31, 30 cfs stockwater all year, and 30 cfs domestic all year. Total amount is 370 cfs. Service area occurs in portions of T6S R8-11E and T6S R8-13E in Twin Falls, Gooding, Elmore and Owyhee Counties. This includes 8801 acres on both sides of the Snake River between Lower Malad Power Plant and Hammett. Malad River water is diverted through the power plant in NWNW S35, T6S R13E and then discharged into the Snake River. Water is reddiverted from Snake River pumps located as follows: NWSE S12, SWNW S28, T6S R10E; NWSW S9, T6S R11E; and NWSW S12, T6S R12E.

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Karl J. Dreher, Director

First Publication: August 2, 2000.

Last Publication: August 9, 2000.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Coleen W. Swenson, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publi-

cation having been made on 2nd day of

August, 192000, and the last publi-

cation having been made on the 9th day of

August, 192000; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 9th day of

August, 192000

Cynthia A. Swenson
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 09-09-2002.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ID DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Transfer No. 5788 in the Name of the City of Glenns Ferry

Dear Sir:

Enclosed is a copy of the above-referenced application that may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by August 7, 2000.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVE PARISH
STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338-0428

Re: Application for Transfer Nos. 5788 in the Name of the City of Glenns Ferry and 5789 in the Name of King Hill Irrigation Co.

Dear Sir:

Enclosed is a copy of the above referenced applications for transfer that may be of interest to your agency. The proposed use of this applications are from surface water. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by August 7, 2000.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads 'Gary Spackman'.

Gary Spackman

GS:st

Encl.

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NOS. 5788 and 5789**

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Karl J. Dreher, Director

Published in the Idaho Statesman, the Lewiston Morning Tribune, the Times News, the Post Register and the Gooding County Leader on July 20 and 27, 2000; and in the Mountain Home News and the Owyhee Avalanche on July 19 and 26, 2000.

fox 7/13/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Gooding City Leader

FROM: Western Region

934-8815

DOCUMENT DESCRIPTION:

Legal ad for King Hill
Irrigation District

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT:

Sue Taylor

Please publish July 20 + 27, 2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Post Register
Cathy

FROM: Western Region

DOCUMENT DESCRIPTION: Legal ad for King Hill
Brigade District

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: Sue Taylor

Please publish 7-20 & 27, 2000



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DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Cuyler Avalanche
Shirley

FROM: Western Region

DOCUMENT DESCRIPTION:

Legal ad for King Hill
Brigade District

TOTAL PAGES SENT:

1

+ COVER SHEET

CONTACT:

Sue Taylor

Please publish July

42, 2000



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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Mountain Home News

FROM: Western Region

DOCUMENT DESCRIPTION:

Legal ad for King Hill
Irrigation District

TOTAL PAGES SENT:

1

+ COVER SHEET

CONTACT:

Sue Taylor

Please publish July

12, 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Times News
Ruby

FROM: Western Region

DOCUMENT DESCRIPTION: Legal ad for King Hill
Irrigation District

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: Sue Taylor

Please publish July 20 + 27, 2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO: Jeruiston Morning Trib. FROM: Western Region
Karen

DOCUMENT DESCRIPTION: Legal ad for King Hill
Irrigation District

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: Sue Taylor

Please publish July 20 & 27, 2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7-13-00

TO:

Janice Hildreth
Id Statesman

FROM:

Western Region

DOCUMENT DESCRIPTION:

Legal ad for King Hill
Irrigation District

TOTAL PAGES SENT:

1

+ COVER SHEET

CONTACT:

Sue Taylor

Please publish July 20 & 27, 2000.

Transmittal Letter

J-U-B ENGINEERS, Inc.
Engineers & Surveyors & Planners

212 Tenth Avenue So.

Nampa, ID 83651

Ph: 208-467-5252

Fax: 208-467-6631

RECEIVED

JUL 06 2000

WATER RESOURCES
WESTERN REGION

Attn: Kari Lynn Townsend

To:

IDAHO DEPT. OF WATER RESOURCES
1301 N. Orchard
Boise, ID 83706

Date: June 27, 2000
Project: City of Glenns Ferry Water System
Project No.: 11090

RECEIVED

JUN 29 2000

WATER RESOURCES
WESTERN REGION

We are shipping you:

Attached Via – COURIER - the following items:

COPIES	DATE OR NO.	DESCRIPTION
1		Application for Transfer of Water Right with \$100 check/Application Fee

These items are transmitted as checked below:

☒ FOR APPROVAL

☐ As Requested

☐ Returned for Corrections

☐ For Your Use

☐ For Review and Comment

☐ _____

Remarks:

Please process as soon as possible. Thank you.

RECEIVED

JUN 28 2000

Department of Water Resources

If enclosures are not as noted, please notify us at once at 467-5252

Copy for: _____

Signed

Bryan D. Donaldson
Bryan D. Donaldson, P.E., Assistant Reg. Mgr.

contact person