



DEC 22 2004

DEPARTMENT OF
WATER RESOURCES

December 21, 2004

RECEIVED

JAN 11 2005

Department of Water Resources
Southern Region

Jim Stanton
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, ID 83301-3380

Subject: Application for Transfer of Water Right 37-11379

Dear Jim:

On behalf of Blaine County School District No. 61, I am pleased to submit the enclosed application for transfer of a 5-acre portion of water right 37-11379.

The application proposes changing the nature of use and place of use of the water right to the proposed Woodside Elementary School located between Hailey and Bellevue. The water right is associated with lands being dried up (i.e., roads, rooftops, driveways, etc.) through development of Stonecove Subdivision near Hailey. Stonecove Subdivision is located one mile northwest of the Woodside Elementary School site. The 5-acre portion of water right 37-11379 has been quit claimed to the School District.

The School District has also submitted pending application for permit 37-21177 that proposes 7 acres of irrigation at the same place of use as proposed by this transfer. The District anticipates that 37-21177 can be reduced by the amount of 37-11379 transferred to the site. Thus, if the transfer of 37-11379 is approved for 5 acres, then 37-21177 can be reduced from 7 acres to 2 acres.

A check for the \$100 filing fee is enclosed. Please contact me or Christian Petrich with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: James Lewis – Blaine County School District No. 61
James Speck – Speck & Aanestad
John Gaeddert – Corporation for Land Planning & Engineering
Shelley Keen – Idaho Department of Water Resources
Robert Dreyer – Heier-Dreyer Properties

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Blaine County School District No. 61 Phone 208-788-2296

Post Office address 118 W. Bullion Street, Hailey, ID 83333

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 _____
- Describe the reason for the proposed changes Applicant proposes to move water right from land that will be retired from irrigation through development of Stonecove Subdivision. Also see companion transfer for portion of 37-11379 that is associated with existing place of use (Stonecove Subdivision Homeowners Association).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>TBD*</u>	<u>7/27/1972</u>	<u>0.19 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>*portion of 37-11379</u>				to _____
				to _____

2. Total amount of water being transferred 0.19 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground Water tributary to N A

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	23	2N	18E	Blaine	

5. Lands irrigated or place of use:

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	
2N	18E	23							7										7

Total Acres 5 acres within a 7-acre permissible place of use

PART 1**6. General Information:**

- a. Description of diversion system Well with electric submersible pumps that will supply sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes 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:
Land is being retired from irrigation through subdivision development (Stonecove Subdivision). The area being retired at Stonecove is based on 1.3 acres of subdivision road surface and gravel shoulder (1850 feet x 30 feet), 0.2 acres of expanded Broadford Road right-of-way (1000 feet x 10 feet), and 3.5 acres of impervious residential lot area (rooftops, driveways, etc.; 19 lots x 8,000 square feet per lot).
- d. Remarks:
Applicant proposes to use this water right for irrigation of 5 acres at Woodside Elementary School. Total irrigated area at the school will be 7 acres. The balance of the 7-acre permissible place of use will be irrigated under pending application for permit 37-21177.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37-11379 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach 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

☒ ^{Quit claim}
~~Warranty~~ Deed

☐ Other _____

3. Source of water Ground Water tributary to NA

4. Date or priority 7/27/1972

5. Water is used for the following purposes:

amount 0.88 cfs for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)

6. Total amount of water under right 0.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NE	NE	NW	22	2N	18E	Blaine	

8. Lands irrigated or place of use:

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	
2N	18E	15												11					11
		22												12					12

Total Acres 23

9. Describe any other water rights used for the same purpose as described above none

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 0.19 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	N	E	NW	22	2N	18E	Blaine	

3. Lands irrigated or place of use:

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	
2N	18E	15												3					3
		22												2					2

Total Acres 5

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

1. amount 0.69 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
3. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	N	E	NW	22	2N	18E	Blaine	

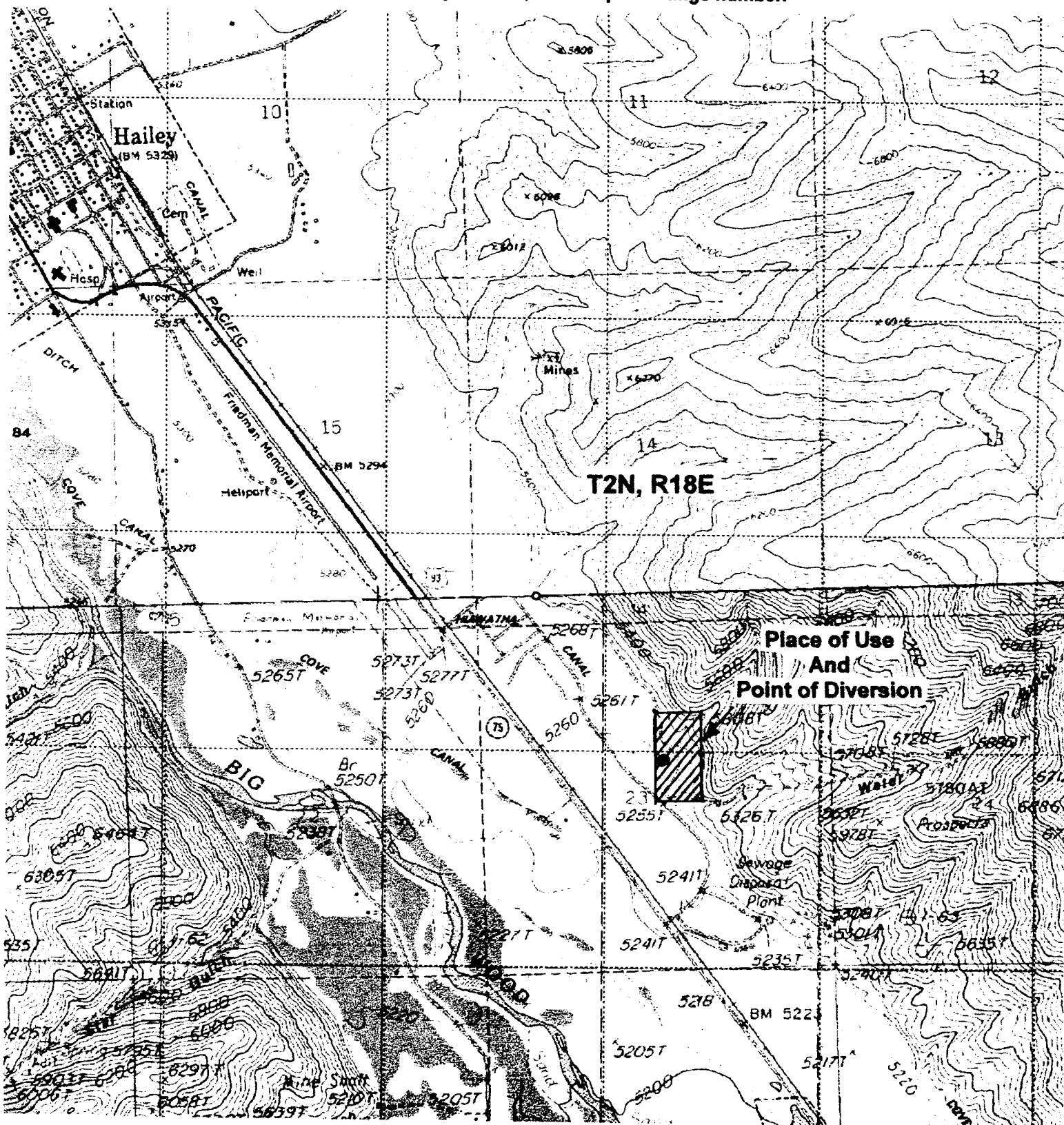
4. Lands irrigated or place of use:

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	
2N	18E	15												8					8
		22												10					10

Total Acres 18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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.



PART 3

Transfer No. _____

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

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.

Blaine County School District #61

James Lewis
(Signature of Applicant)

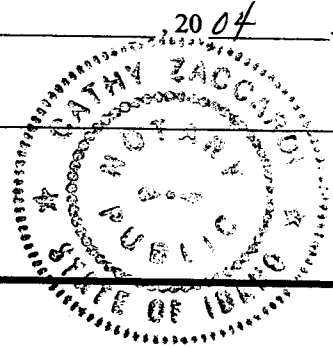
James Lewis, Superintendent

Subscribed and sworn to before me this 7th day of October

Cathy Zaccardi
(Notary Public)

Residing at: Blaine County, Idaho

My commission expires 1-11-05



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

Instrument # 513532

HAILEY, BLAINE, IDAHO

2004-12-03

03:32:00 No. of Pages: 3

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index to CORRECTION DEED

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

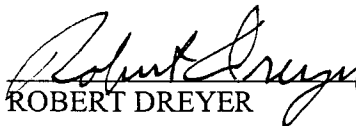
(space above line for Recorder's use)

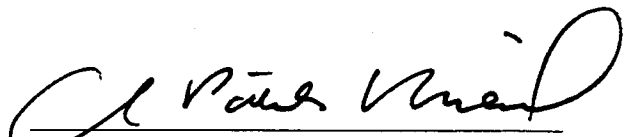
QUITCLAIM DEED

FOR VALUE RECEIVED, we, ROBERT P. DREYER, CHARLES PATRICK MICHAEL, MARY JANE MICHAEL, and HEIER-DREYER PROPERTIES ("Grantors"), do hereby convey, release, remise and forever quitclaim to the BLAINE COUNTY SCHOOL DISTRICT #61 ("Grantee"), its heirs and assigns forever, all their right title and interest in and to that portion of Water Right No. 37-11379 determined as follows: (a) that portion of such water right for the irrigation of eighteen (18) acres as it may be decreed in *In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System*, Twin Falls District Court Case No. 39576 (the "SRBA") shall be retained by Grantors, and (b) the remaining portion of Water Right No. 37-11379 as decreed in the SRBA shall be conveyed by this Quitclaim Deed, but (c) in no event shall the amount of Water Right No. 37-11379 hereby conveyed be less than 0.1 cfs.

DATED this 18 ^{NOVEMBER} day of ~~October~~, 2004.

GRANTORS:


ROBERT DREYER


CHARLES PATRICK MICHAEL

HEIER DREYER PROPERTIES


MARY JANE MICHAEL

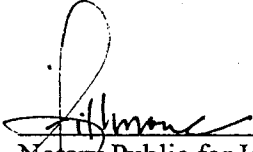
By: 
ROBERT P. DREYER
Its: Partner

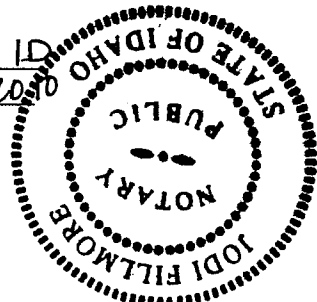
QUITCLAIM DEED - 1

STATE OF IDAHO)
) ss.
County of BLAINE)

On this 18 day of ~~October~~ ^{NOVEMBER}, 2004, before me, the undersigned, a notary public in and for said state, personally appeared ROBERT DREYER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

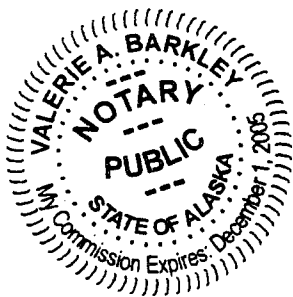

Notary Public for Idaho
Residing at: KETCHUM, ID
Comm. Expires: 9/10/2010

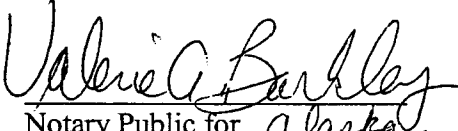


STATE Of Alaska)
) ss.
County of _____)

On this 29th day of October, 2004, before me, the undersigned, a notary public in and for said state, personally appeared CHARLES PATRICK MICHAEL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

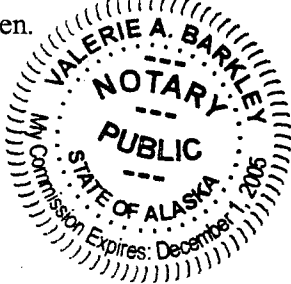



Notary Public for Alaska
Residing at: Anchorage, AK
Comm. Expires: 12/1/05

STATE OF Alaska)
) ss.
County of _____)

On this 29th day of October, 2004, before me, the undersigned, a notary public in and for said state, personally appeared MARY JANE MICHAEL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

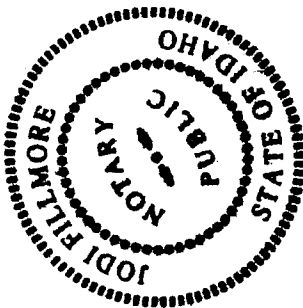


Valerie A. Barkley
Notary Public for Alaska
Residing at: Anchorage, AK
Comm. Expires: 12/1/05

STATE OF IDAHO)
) ss.
County of Blaine)

On this 19 day of NOVEMBER, 2004, before me the undersigned notary public in and for said state, personally appeared ROBERT P. DREYER, known or identified to me to a Partner for HEIER-DREYER PROPERTIES, and the person who executed the foregoing instrument on behalf of said Partnership and acknowledged to me he executed the same on behalf of said Partnership.

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



Jodi Fillmore
Notary Public for Idaho
Residing at: ETCHUM, ID
Comm. Expires: 9/10/2010

Order No. 17913

WARRANTY DEED

FOR VALUE RECEIVED

Denis R. Perron and Deanna L. Perron, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL, and CONVEY unto

Blaine County School District No. 61, an Idaho body corporate

GRANTEE(s) whose address is: P. O. Box 1008, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Section 23: W1/2 SW1/4 NE1/4.

RECEIVED
Sawtooth Title Co., Inc.

FEB 27 2002

887910

3rd DEED MP

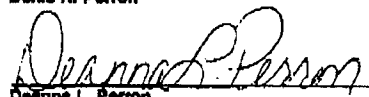
Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 3, 1992



Denis R. Perron



Deanna L. Perron

State of Idaho

County of Blaine

On this February 6, 1992, before me, a notary public in and for said State, personally appeared Denis R. Perron and Deanna L. Perron personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

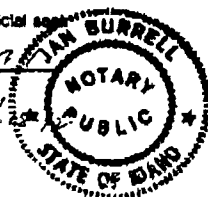
WITNESS my hand and official seal

Notary Public

Residing at

Commission Expires: 2/2/95

JAN L BURRELL



SPF Water Engineering, LLC
208-383-4140
600 E. River Park Lane, Ste. 105
Boise, ID 83706

KEYBANK NATIONAL ASSOCIATION
BOISE, ID 83706
92-155/1241

1270

PAY TO THE
ORDER OF

Idaho Dept. of Water Resources

12/21/04

One hundred & no/100 \$ 100.00

Ⓜ DOLLARS

MEMO Application for Transfer
Blaine County School District No. 61

⑈001270⑈ ⑆124101555⑆ 1241100298⑈

Tony M. Sealar
AUTHORIZED SIGNATURE

MP

Details on Back

Security Features Included