

RECEIVED
OCT 31 2024
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Transfer No. 89415

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 idwr.idaho.gov.

Name of Applicant(s) Amy Falls and Hartley Rogers

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 #1-10.

- ☐ ☒ #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 applicant as the current water right owner. **
- ☐ ☒ #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 <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Amy Falls and Hartley Rogers Phone _____
Mailing address 610 5th Ave Suite 401 New York, NY 10020-2403 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 Zach Latham, Hydrologist at Brockway Engineering PLLC Phone 208-736-8543
Mailing address 2016 Washington St. N Suite #4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.com

- ☐ 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

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as Part 1A.2.

3. 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.3.

Applicant seeks to change place of use associated only with the irrigation beneficial use described under 37-20798 and to correct existing POD location as the PLSS description is incorrect. Existing domestic place of use is not intended to change.

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
☒ ☐	37-20798	0.08 / 10.2	Irrigation	05/01 to 10/31	Ground Water / N.A.
☒ ☐		0.02 / 0.6	Domestic	01/01 to 12/31	Ground Water / N.A.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.08 cfs and/or 10.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 10.8 acre-feet per year.

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 #
NO			NW	NE	23	05N	17E	BLAINE	GROUND WATER	EXISTING WELL
NO			NW	NE	23	05N	17E	BLAINE	GROUND WATER	EXISTING WELL

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ 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	
05N	17E	23		2.8	0.05		0.05												2.9
05N	17E	23		D															
Total Acres (for irrigation use)																			2.9

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:
Existing well associated with 37-20798 provides irrigation water to property through buried pressurized irrigation system. Irrigation line will be metered with in-line closed conduit IDWR approved meter.

- b. Who owns the property at the point(s) of diversion? Applicant.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A.

- 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: N/A.

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
 If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.

- f. 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:
37-23099 allows for diversion of heating and cooling water from the well described by 37-20798.

- g. 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:

N/A.

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

Current Water Right No.: 37-20798

Current Owner: HARTLEY ROGERS
AMY FALLS
Priority Date: 7/29/2002
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/31	0.08 CFS	10.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	<u>Total Diversion</u>	0.08 CFS	10.8 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 23,	Twp 05N,	Rge 17E B.M.
BLAINE County				
GROUND WATER	SW1/4NE1/4	Sec. 23,	Twp 05N,	Rge 17E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S23	SWNE	2.80	T05N R17E S23	NWSE	0.10
Total Acres: 2.9					

DOMESTIC Within BLAINE County

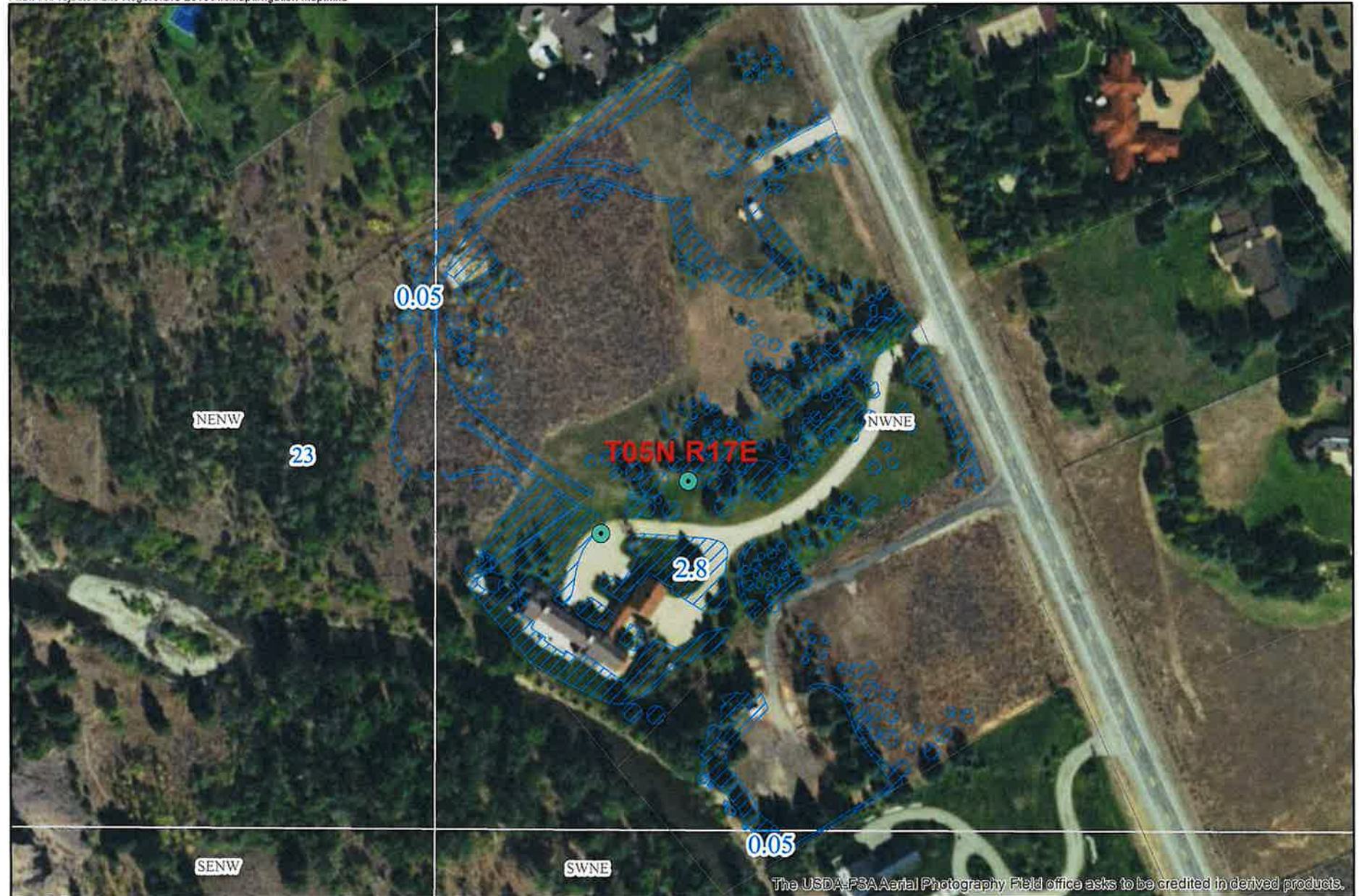
T05N R17E S23	SWNE
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Page _____ of _____

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. X60 Place of use is located within Tax Lot 4401 which is a portion of HES 128, T5N, R17E.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. WB5 Domestic use is for one home and does not include lawn, garden, landscape, or other types of irrigation.

Licensed Date: 3/26/2013



0 125 250 Feet

AMY FALLS and HARTLEY ROGERS

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/30/2024

89415

PROPOSED TRANSFER MAP 7A

NAIP 2021 AERIAL

Legend

- POD
- Proposed Irr 37-20798



DEPARTMENT OF WATER RESOURCES

MINIMUM REQUIREMENTS CHECKLIST **TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

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Name of Applicant(s) Amy Falls and Hartley Rogers

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 #1a 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.)

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- ☒ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☒ #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.
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- ☒ ☒ #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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED
OCT 24 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Amy Falls and Hartley Rogers Phone _____
Mailing address 610 5th Ave Suite 401 New York, NY 10020-2403 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.
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- ☐ 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 Zach Latham, Hydrologist at Brockway Engineering PLLC Phone 208-736-8543
Mailing address 2016 Washington St. N Suite #4 Twin Falls, ID 83301 Email zach.latham@brockwayeng.com

- ☐ 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 _____
- Is this a transfer for changes pursuant to Idaho Code §42-221 O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as Part 1A.2.
- 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.3.
Applicant seeks to change place of use associated only with the irrigation beneficial use described under 37-20798 and to correct existing POD location as the PLSS description is incorrect. Existing domestic place of use is not intended to change.

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
☒ ☐	37-20798	0.08 / 10.2	Irrigation	05/01 to 10/31	Ground Water / N.A.
☒ ☐		0.02 / 0.6	Domestic	01/01 to 12/31	Ground Water / N.A.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.08 cfs and/or 10.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 10.8 acre-feet per year.

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 #
NO			NW	NE	23	05N	17E	BLAINE	GROUND WATER	EXISTING WELL

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ 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	
05N	17E	23		2.8	0.05		0.05												2.9
05N	17E	23		D															
Total Acres (for irrigation use)																			2.9

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:
Existing well associated with 37-20798 provides irrigation water to property through buried pressurized irrigation system. Irrigation line will be metered with in-line closed conduit IDWR approved meter.
-
- b. Who owns the property at the point(s) of diversion? Applicant.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A.
-
- 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: N/A.
-
- 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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.
-
- f. 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:
37-23099 allows for diversion of heating and cooling water from the well described by 37-20798.
-
- g. 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:**
N/A.
-

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

Current Water Right No.: 37-20798

Current Owner: HARTLEY ROGERS
AMY FALLS
Priority Date: 7/29/2002
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/31	0.08 CFS	10.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	<u>Total Diversion</u>	0.08 CFS	10.8 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 23,	Twp 05N,	Rge 17E B.M.
BLAINE County				
GROUND WATER	SW1/4NE1/4	Sec. 23,	Twp 05N,	Rge 17E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S23	SWNE	2.80	T05N R17E S23	NWSE	0.10
Total Acres: 2.9					

DOMESTIC Within BLAINE County

T05N R17E S23	SWNE
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Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. X60 Place of use is located within Tax Lot 4401 which is a portion of HES 128, T5N, R17E.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. WB5 Domestic use is for one home and does not include lawn, garden, landscape, or other types of irrigation.

Licensed Date: 3/26/2013



0 125 250 Feet

AMY FALLS and HARTLEY ROGERS

PROPOSED TRANSFER MAP 7A

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 9/11/2024

NAIP 2021 AERIAL

Legend

- POD
- Proposed Irr 37-20798





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 26, 2024

HARTLEY ROGERS
AMY FALLS
610 5TH AVE STE 401
NEW YORK, NY 10020-2403

RE: Transfer No. 89415
Water Right No(s). 37-20798

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 12/4/2024 and 12/11/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **December 23, 2024**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Tuesday, November 26, 2024 5:18 PM
To: Sunny (WD37)
Cc: Brittany (WD37)
Subject: Comment Letter for Transfer 89415 (Rogers & Falls)
Attachments: Comment letter to WD37 for 89415.docx; Transfer 89415 (Rogers & Falls).pdf

Good afternoon Sunny,

Attached is an application for transfer located within WD37 currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this information, please feel free to contact Bill Mills at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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Governor Brad Little

Director Mathew Weaver

November 26, 2024

SUNNY HEALEY
WATER DISTRICT 37
107 W 1ST
SHOSHONE, ID 83352

Re: Transfer No. 89415 (Hartley Rogers & Amy Falls)
Water Right No(s). 37-20798

Dear Sunny:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Tuesday, November 26, 2024 4:55 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE - Transfer No. 89415
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Good afternoon,

Attached please find **(1)** legal notice being submitted for publication on December 4th & 11th, 2024. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

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Governor Brad Little

Director Mathew Weaver

November 26, 2024

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340-0990

Re: Transfer No. 89415
Water Right No. 37-20498

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **December 23, 2024**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89415**

HARTLEY ROGERS and AMY FALLS, 610 5TH AVE STE 401, NEW YORK, NY 10020-2403 has filed Application No. 89415 for changes to the following water rights within BLAINE County(s): Right No(s). 37-20798; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to update the legal description for two existing points of diversion (POD's) and place of use (POU) locations and rearrange POU acres for a ground water domestic and irrigation water right (0.08 cfs, 2.9 acres). POD's and POU are approximately 5.0 miles north and 1.6 miles west of the intersection of Hwy 75 and Sun Valley Rd in Ketchum.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **December 23rd, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on December 4th & 11th, 2024

M E M O R A N D U M

Date: November 20, 2024
To: Transfer 89415 File
From: William Mills
Re: Transfer Proposal

Application proposes to update the legal description for two existing points of diversion (PODs), the place of use (POU) locations and rearrange POU acres for a ground water domestic and irrigation water right (0.08 cfs, 2.9 acres). PODs and POU are approximately 5.0 miles north and 1.6 miles west of the intersection of Hwy 75 and Sun Valley Rd in Ketchum.

POD changes are to reflect current legal descriptions of existing diversions as currently projected in the geographic coordinate database. The POU is located within Tax Lots 4401 & 8260 which are portions of HES 128, Twp 5N, Rge 17E. PODs and POU are in Water District 37.

M E M O R A N D U M

Date: November 20, 2024

To: Transfer 89415

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #89415 were based on the current transfer fee schedule and included \$200.00 for the 0.08 cfs being transferred in the application (Receipt Nos.S040421 & S040412).



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
OCT 31 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

October 30th, 2024

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-3380

RE: Amended Application for Transfer of Water Right; Amy Falls and
Hartley Rogers

Dear Corey,

Per our phone conversation on October 28th, enclosed is an amended
application for transfer of water right application being filed in the name of
Amy Falls and Hartley Rogers which includes a second well and an additional
payment of \$175.00 to cover the difference between the previously submitted
\$25.00 fee, and the \$200.00 total fee associated with the transfer application.

Don't hesitate to give me a call should you have any further questions or
comments.

Regards,

Zach Latham, M.S., Hydrologist.

Enclosures: (1) Amended Application for Transfer of Water Right.
(1) Part 7A Map.
(1) Brockway Engineering Check # 18259.

Cc: Ms. Amy Falls and Mr. Hartley Rogers
Mr. Chris Bromley

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Hahn, Carrie

From: Skinner, Corey
Sent: Tuesday, October 29, 2024 8:13 AM
To: Maline, Denise; George, Suzanne
Cc: Hahn, Carrie
Subject: Check from Brockway Engineering
Attachments: 20241028103234.pdf

There should be a \$175.00 check coming in from Brockway Engineering. It is for additional fees for the attached transfer...



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
OCT 24 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

October 22nd, 2024

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave W, Ste 500.
Twin Falls, ID 83301-3380

RE: Application for Transfer of Water Right; Amy Falls and Hartley Rogers

Dear Corey,

Enclosed is an application for transfer of water right application being filed in the name of Amy Falls and Hartley Rogers which proposes to change the place of use for the irrigation portion of water right 37-20798 and to correct the Public Land Survey System description for the Domestic use associated with the right at 13370 State Highway north of Ketchum, ID. The place of use contemplated in the application is owned by the applicant.

Please copy our office and Brockway Engineering on all correspondence regarding this application for transfer of water right. Also included is a check for \$25.00 to cover the cost of the transfer application. Don't hesitate to give me a call should you have any further questions or comments.

Regards,

Zach Latham
Zach Latham, M.S., Hydrologist.

Enclosures: (1) Application for Transfer of Water Right.
(1) Part 7A Map.
(1) Brockway Engineering Check # 18252.

Cc: Ms. Amy Falls and Mr. Hartley Rogers
Mr. Chris Bromley

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
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TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506