

RECEIVED**JAN 10 2024**DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 88722**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) Sun Valley Company, A Wyoming Corporation**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 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

RECEIVED

JAN 10 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Name of Applicant(s) Sun Valley Company, A Wyoming Corporation Phone 208-622-2041
Mailing address P.O. Box 10, Sun Valley, ID 83353 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 Erick Powell, Brockway Engineering Phone 208-736-8543
Mailing address 2016 Washington Street North, #4, Twin Falls, ID 83301 Email erick.powell@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]
Signature of Applicant or Authorized Representative

Pete Sonntag VP & GM
Print Name and Title if applicable

1/10/2024
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 §42-221.0.8?
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**.
Please see the attached pages

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

RECEIVED

JAN 16 2024

DEPT OF WATER RESOURCES
SPLIT DESCRIBE

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
☒ All or ☐ Part	37-8575A	4.46 / 456.3	Commercial	10/15 to 4/01	Groundwater
☐ ☐		4.46 / --	Fire Protection	1/1 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.46 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 4.46 cubic feet per second and/or _____ 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 #

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	
4N	17E	13											C,F	C,F					
4N	17E	22				C,F									C,F			C,F	
4N	17E	23		C,F	C,F	C,F		C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	
4N	17E	24	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F		C,F	C,F						
4N	17E	25			C,F			C,F	C,F	C,F	C,F					C,F			
4N	17E	26	C,F	C,F	C,F	C,F		C,F		C,F	C,F	C,F	C,F			C,F	C,F		
4N	17E	27	C,F																
Total Acres (for irrigation use)																			

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
☒ All or ☐ Part	37-8575A	4.46 / 456.3	Commercial	10/15 to 4/01	Groundwater
☐ ☐		4.46 / --	Fire Protection	1/1 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.46 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 4.46 cubic feet per second and/or _____ 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 of this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	17E	13											C,F	C,F					
4N	17E	22																C,F	
4N	17E	23		C,F	C,F	C,F		C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F	
4N	17E	24	C,F	C,F	C,F	C,F	C,F	C,F	C,F	C,F		C,F	C,F						
4N	17E	25			C,F			C,F	C,F	C,F	C,F					C,F			
4N	17E	26	C,F	C,F	C,F	C,F		C,F		C,F	C,F	C,F	C,F			C,F	C,F		
4N	17E	27	C,F																
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:

No change in the POD or diversion system. Snow making system is measured and monitored.

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

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

- c. 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. 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:

The portion of land currently under snow making right will be dried up and no snow making activities will be conducted at this location.

- 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:

See attached narrative

- 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:

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

Current Water Right No.: 37-8575A

Current Owner: SUN VALLEY CO A WYOMING CORP
Priority Date: 10/26/1989
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>
FIRE PROTECTION	01/01 to 12/31	4.46 CFS	
COMMERCIAL	10/15 to 04/01	4.46 CFS	456.3 AF
	<u>Total Diversion</u>	4.46 CFS	456.3 AF

Location of Point(s) of Diversion

GROUND WATER BLAINE County	NE1/4NE1/4	Sec. 24,	Twp 04N,	Rge 17E B.M.
GROUND WATER BLAINE County	NE1/4NE1/4	Sec. 24,	Twp 04N,	Rge 17E B.M. (Injection)
GROUND WATER BLAINE County	NE1/4NE1/4	Sec. 24,	Twp 04N,	Rge 17E B.M. (Rediversion)

Place of Use

Page _____ of _____

COMMERCIAL Within BLAINE County

T04N R17E S13		SWSW
T04N R17E S22		SESE
T04N R17E S23		SWNE
T04N R17E S23		NWNW
T04N R17E S23		SENW
T04N R17E S23		NWSW
T04N R17E S23		SESW
T04N R17E S23		NWSE
T04N R17E S23	Lot 4	SESE
T04N R17E S24		NWNE
T04N R17E S24		SENE
T04N R17E S24		NWNW
T04N R17E S24		SENW
T04N R17E S24		SWSW
T04N R17E S25		NWNW
T04N R17E S25		SENW
T04N R17E S25		NWSE
T04N R17E S26		NWNE
T04N R17E S26	Lot 2	SENE
T04N R17E S26		SENW
T04N R17E S26		NWSW
T04N R17E S26		SESW
T04N R17E S26		SWSE

T04N R17E S13		SESW
T04N R17E S23		NWNE
T04N R17E S23	Lot 2	SENE
T04N R17E S23		SWNW
T04N R17E S23		NESW
T04N R17E S23		SWSW
T04N R17E S23	Lot 3	NESE
T04N R17E S23		SWSE
T04N R17E S24		NENE
T04N R17E S24		SWNE
T04N R17E S24		NENW
T04N R17E S24		SWNW
T04N R17E S24		NWSW
T04N R17E S25		SWNE
T04N R17E S25		SWNW
T04N R17E S25		NESW
T04N R17E S26	Lot 1	NENE
T04N R17E S26		SWNE
T04N R17E S26		NWNW
T04N R17E S26		NESW
T04N R17E S26		SWSW
T04N R17E S26		NWSE
T04N R17E S27		NENE

FIRE PROTECTION Within BLAINE County

T04N R17E S13	SWSW	T04N R17E S13	SESW
T04N R17E S22	SESE	T04N R17E S23	NWNE
T04N R17E S23	SWNE	T04N R17E S23	Lot 2 SENE
T04N R17E S23	NWNW	T04N R17E S23	SWNW
T04N R17E S23	SENW	T04N R17E S23	NESW
T04N R17E S23	NWSW	T04N R17E S23	SWSW
T04N R17E S23	SESW	T04N R17E S23	Lot 3 NESE
T04N R17E S23	NWSE	T04N R17E S23	SWSE
T04N R17E S23	Lot 4 SESE	T04N R17E S24	NENE
T04N R17E S24	NWNE	T04N R17E S24	SWNE
T04N R17E S24	SENE	T04N R17E S24	NENW
T04N R17E S24	NWNW	T04N R17E S24	SWNW
T04N R17E S24	SENW	T04N R17E S24	NWSW
T04N R17E S24	SWSW	T04N R17E S25	SWNE
T04N R17E S25	NWNW	T04N R17E S25	SWNW
T04N R17E S25	SENW	T04N R17E S25	NESW
T04N R17E S25	NWSE	T04N R17E S26	Lot 1 NENE
T04N R17E S26	NWNE	T04N R17E S26	SWNE
T04N R17E S26	Lot 2 SENE	T04N R17E S26	NWNW
T04N R17E S26	SENW	T04N R17E S26	NESW
T04N R17E S26	NWSW	T04N R17E S26	SWSW
T04N R17E S26	SESW	T04N R17E S26	NWSE
T04N R17E S26	SWSE	T04N R17E S27	NENE

Conditions of Approval:

- 027 Use of water under this right shall be non-consumptive.
- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
- Ground water diverted under this right is injected into the Big Wood River and rediverted downstream for delivery to the place of use. Water shall be rediverted from the Big Wood River under this right only when an equal amount of ground water is simultaneously being injected into the Big Wood River.
- 004 This right does not grant any right-of-way or easement across the land of another.
- Commercial use is for snow making purposes.
- 207 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire. Any amount of water used to fight a fire will not count against the annual volume limit for this right.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
- R05 Use of water under this right may 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.

Page _____ of _____

Licensed Date: 2/14/2013

88722

Part 1A.2.

Place of Use Transfer for Water Right No. 37-8575A

Sun Valley Company, A Wyoming Corporation

Brockway Engineering, PLLC

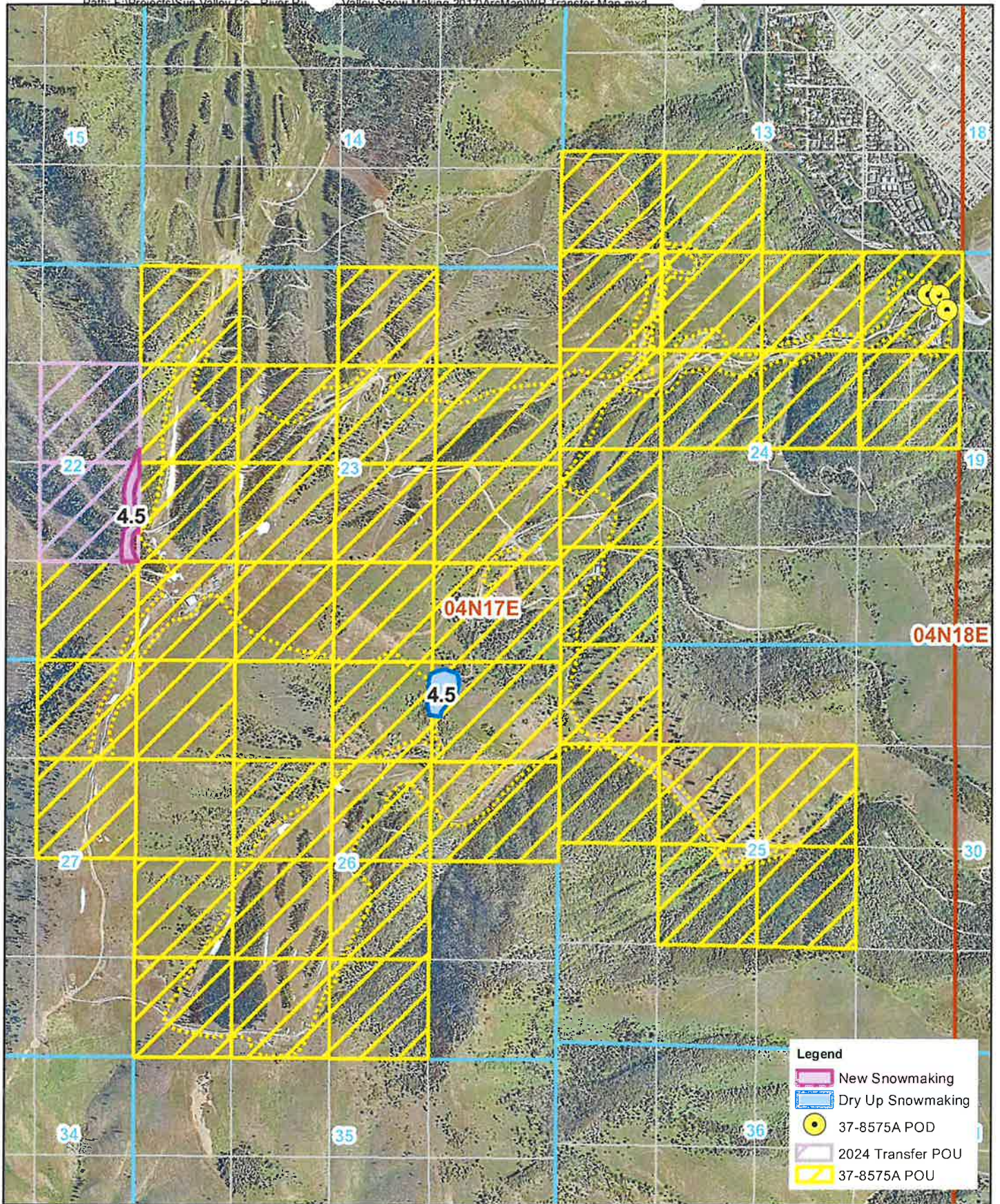
GEP, PE – January 10, 2024

This narrative provides additional information relating to the proposed place of use transfer for water right no. 37-8575A filed by the Sun Valley Company (SVC). No changes are proposed in the points of diversion, purpose of use, period of use, flow rate of use, volume of use, or supplemental use.

SVC wishes to adjust the snow making capability on the ski run named International, located on Bald Mountain by an estimated 4.5 acres. Current water supply for snow making is obtained from wells in the River Run area which has been used since 1989 under water right no. 37-8575A that authorizes commercial snowmaking. The place of use of water right no. 37-8575A is shown in Figure 1. No additional flow rate or volume is requested.

SVC identified a location (Figure 1 – Blue Area) currently within the authorized place of use under water right no. 37-8575A and is making snow on this area during the 2023-2024 winter season, located within Section 26 (NENE and NWNE) T4N R17E. The Blue Area is shown in Figure 1. The Blue Area covered with snow from snowmaking is 4.5 acres. This transfer seeks to cease making snow in the Blue Area and move the snowmaking to the International ski run (Figure 1 – Purple Area), also totaling 4.5 acres. Because the transfer seeks to cease making snow in the Blue Area (4.5 acres) and move the same amount of snowmaking to the Purple Area (4.5 acres) there is no enlargement in use.

The proposed place of use (Figure 1 – Purple Area) is located on public land managed by the US Forest Service. SVC holds a special use permit from USFS to operate and maintain infrastructure relating to the operation of the ski resort.



Legend

- New Snowmaking
- Dry Up Snowmaking
- 37-8575A POD
- 2024 Transfer POU
- 37-8575A POU

N
1 inch = 1,700 feet

SUN VALLEY COMPANY: WATER RIGHT TRANSFER MAP

WATER RIGHT NO. 37-8575A
2023 NEARMAP AERIAL PHOTOGRAPH
FIGURE 1

BROCKWAY ENGINEERING, PLLC
GEP - JANUARY 9, 2024



0005440195

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005440195

Date Filed: 10/13/2023 11:06:00 AM

Entity Name and Mailing Address:

Entity Name: SUN VALLEY COMPANY
Foreign Name (name in home jurisdiction): SUN VALLEY COMPANY
The file number of this entity on the records of the Idaho Secretary of State is: 0000514095
Address: JULIE SPENCER
550 E SOUTH TEMPLE
SALT LAKE CITY, UT 84102-1005

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: WYOMING
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C169616

The registered agent on record is:

Registered Agent: CORPORATION SERVICE COMPANY
Commercial Registered Agent
Physical Address
1305 12TH AVE RD
NAMPA, ID 83686
Mailing Address
1305 12TH AVE RD
NAMPA, ID 83686

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
S E Holding	Director	2800 W LINCOLNWAY CHEYENNE, WY 82009
B T FERY	President	555 SOUTH MAIN STREET SALT LAKE CITY, UT 84111
T L SILVA	Vice President	1 SUN VALLEY ROAD SUN VALLEY, ID 83353
L C HART	Secretary	550 E SOUTH TEMPLE SALT LAKE CITY, UT 84102-1005
D P Hirasawa	Vice President	555 SOUTH MAIN STREET SALT LAKE CITY, UT 84111
B T FERY	Director	555 SOUTH MAIN STREET SALT LAKE CITY, UT 84111
P Sonntag	Director	1 SUN VALLEY ROAD SUN VALLEY, ID 83353
P Sonntag	Vice President	1 SUN VALLEY ROAD SUN VALLEY, ID 83353



J Spencer	Vice President	550 E SOUTH TEMPLE SALT LAKE CITY, UT 84102-1005
B Cielan	Vice President	555 SOUTH MAIN STREET SALT LAKE CITY, UT 84111
A Suess	Vice President	550 E SOUTH TEMPLE SALT LAKE CITY, UT 84102-1005

The annual report must be signed by an authorized signer of the entity.

Job Title: Vice President

Julie Spencer

10/13/2023

Sign Here

Date

me4xUss/0y2aixPK1

Complete sets of Drawings and Project Manuals are on file at the following locations for subcontractors to examine them.

Associated General Contractors
1649 W. Shoreline Dr., Suite 100
Boise, ID 83702

McGraw-Hill Plan Room
www.construction.com

ConstructConnect
www.constructconnect.com

PUBLISH
IDAHO MOUNTAIN EXPRESS
FEBRUARY 21 & 28, 2024

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23457
HARRIMAN KETCHUM HOTEL LLC
PO BOX 84

SUN VALLEY, ID 83353-0084
Point of Diversion NWSW S18
T04N R18E BLAINE County Source
GROUND WATER Tributary

Point of Diversion NWSW S18
T04N R18E BLAINE County Source
GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 1.6 CFS
Use: HEATING 01/01 to 12/31 1.6 CFS
Total Diversion: 1.6 CFS

Date Filed: 01-10-2024

Place Of Use: COOLING, HEATING
T04N R18E S18 NESW, NWSW,
L4(NESW), L5(NWSW)

Application proposes to divert 1.60 cfs ground water for non-consumptive closed-loop heating and cooling uses for a proposed hotel. Application proposes to drill two new production wells and use two existing wells to return water to the source. The proposed POU and POD's are located at the southeast corner of Main and River Streets in Ketchum. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 88722**

SUN VALLEY COMPANY, A WYOMING CORP, PO BOX 10, SUN VALLEY, ID 83353-0010 has filed Application No. 88722 for changes to the following water rights within BLAINE County(s): Right No(s), 37-8575A. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes changing the place of use for a 4.46 cfs commercial (snowmaking) and fire protection ground water right. Application proposes moving 4.5 acres of the current commercial and fire protection place of use (POU) from Government Lot 1 (NENE) and the NWNE of Sec. 26, Twp 04N, Rge 17E and moving it to the NESE & SENE of Sec. 22, Twp 04N, Rge. 17E.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 March 11, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
FEBRUARY 21 & 28, 2024

PUBLIC HEARING NOTICE**CITY OF CAREY, IDAHO****Planning and Zoning Commission**

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Carey Planning and Zoning Commission will hold a public hearing at the Carey City Hall, 20482 N Main St, Carey, Idaho on **Monday March 4, 2024, at 7:00 PM.**

The Purpose of the hearing is to consider a 3-lot on a 69.13-acre parcel in the A/R/L- Agricultural/Residential Low Zone. The subject property is parcel #RPC1S210273940 and located at 227 Foothill Rd Carey, ID 83320. Applicant Blaine Tingey and owner.

As required by Idaho Code 67-5525, at the hearing, the Carey Planning & Zoning Commission will consider how the Short Plat meets the criteria of the Subdivision Ordinance 97-06, as amended, and make a recommendation to City Council. Information pertinent to this application is available for review upon request at Carey City Hall or via email.

Written comments must be received by 5 p.m. Wednesday, February 28th at Carey City Hall 20482 N Main St, Carey, Idaho 83320. You may also email a response to pandzadmin@cityofcarey.org. Verbal and written comments will be heard during the public hearing. Please contact City Hall during business hours to access the meeting online or call-in.

PUBLISH
IDAHO MOUNTAIN EXPRESS
FEBRUARY 21 & 28, 2024

NOTICE OF TRUSTEE'S SALES**NOTICE OF TRUSTEE'S SALE**

T.S. No. 119106-ID Parcel No.: RP000950000370 NOTICE OF TRUSTEE'S SALE On 6/20/2024 at 11:00 AM (recognized local time), at the BLAINE COUNTY COURTHOUSE FRONT STEPS OLD BUILDING, 206 1ST AVE S., HAILEY, ID 83333, in the County of Blaine, SYDNEY K. LEAVITT, ESQ., a member of the State Bar of Idaho, of ALDRIDGE PITE, LLP as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: LOT 37 IN BLOCK 6 OF COLD SPRINGS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 168511, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 129 MEADOWS LOOP, KETCHUM, ID 83340, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by JESSICA L. CLIFFORD, MARK CLIFFORD, KARIN L. DAVIES, as Grantor(s), to FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, for the benefit and security of BANK OF AMERICA, N.A., as Beneficiary, dated 4/21/2022, recorded 4/27/2022, as Instrument No. 693356, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4)(e); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 7/26/2023 and all subsequent

monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust as of 2/12/2024 is \$82,032.61 including interest, costs, fees, including trustee and/or attorney fees and costs, and expenses actually incurred in enforcing the obligation thereunder or in this sale and to protect the security associated with the Deed of Trust, as authorized in the Note, Deed of Trust or as allowed under Idaho Law. Because interest, late charges, fees, costs and expenses continue to accrue, the total amount due varies from day to day. Hence, if you pay the amount shown above, an adjustment may be necessary after receipt of funds to satisfy the debt. For further information, write the Trustee at 4375 Julland Drive, Ste. 200, San Diego, CA 92117, or call (866)931-0036 DATED: 2/12/2024 Signature/By: SYDNEY K. LEAVITT, ESQ., a member of the State Bar of Idaho, of ALDRIDGE PITE, LLP

PUBLISH
IDAHO MOUNTAIN EXPRESS
**FEBRUARY 21, 28 &
MARCH 6 & 13, 2024**

Proof of legal notice received from
Idaho Mtn Express 2/16/2024

✓ DM 2/16/2024



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

February 15, 2024

SUN VALLEY COMPANY, A WYOMING CORP
PO BOX 10
SUN VALLEY, ID 83353-0010

RE: Transfer No. 88722
Water Right No(s). 37-8575A

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 **2/21/2024** and **2/28/2024**. 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 **March 11, 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: Thursday, February 15, 2024 11:45 AM
To: Sunny Healey (WD37)
Cc: Brittany Gailey (WD37)
Subject: Comment Letters for App. for Permit 37-23467 & App. for Transfer 88722
Attachments: Comment letter to WD37 for 37-23467 & 88722.docx; Application for Transfer 88722 (Sun Valley Company).pdf; Application for Permit No. 37-23467 (Harriman Ketchum Hotel).pdf

Good morning Sunny,

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

If you have any questions regarding these applications, please feel free to contact 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



IDAHO DEPARTMENT OF
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Governor Brad Little

Director Mathew Weaver

February 15, 2024

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

Re: Transfer No(s). 88722 (Sun Valley Company)
Re: Application for Permit No. 37-23467 (Harriman Ketchum Hotel LLC)

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: Thursday, February 15, 2024 9:49 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Good morning,

Attached please find **(1)** legal notice being submitted for publication on February 21st 7 28th, 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

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Governor Brad Little

Director Mathew Weaver

February 15, 2024

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

RE: Application for Permit No. 37-23467

RE: Transfer No. 88722
Water Right No(s). 37-8575A

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 **March 11, 2024**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23467

HARRIMAN KETCHUM HOTEL LLC

PO BOX 84

SUN VALLEY, ID 83353-0084

Point of Diversion NWSW S18 T04N R18E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWSW S18 T04N R18E BLAINE County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 1.6 CFS

Use: HEATING 01/01 to 12/31 1.6 CFS

Total Diversion: 1.6 CFS

Date Filed: 01-10-2024

Place Of Use: COOLING, HEATING

T04N R18E S18 NESW, NWSW, L4(NESW), L5(NWSW)

Application proposes to divert 1.60 cfs ground water for non-consumptive closed-loop heating and cooling uses for a proposed hotel. Application proposes to drill two new production wells and use two existing wells to return water to the source. The proposed POU and POD's are located at the southeast corner of Main and River Streets in Ketchum. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

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MATHEW WEAVER, Director

Published on February 21st & 28th, 2024

MEMORANDUM

Date: January 18, 2024

To: Transfer 88722

From: Bill Mills

Re: Transfer Proposal

Application for transfer proposes changing the place of use for a 4.46 cfs commercial (snowmaking) and fire protection ground water right. Application proposes moving 4.5 acres of the current commercial and fire protection place of use (POU) from Government Lot 1 (NENE) and the NWNE of Sec. 26, Twp 04N, Rge 17E and moving it to the NESE & SENE of Sec. 22, Twp 04N, Rge. 17E. The new portion of the POU will be located on an established ski run currently referred to as International.

Overlap analysis indicates no potential overlap with commercial Warm Springs Water Rights 37-7170 and 37-7340. The applicant has indicated that the snowmaking systems for the Warm Springs water rights are completely separate from the ground water system used under 37-8575A and operated independently.

The applicant is operating on BLM and Forest Service properties under special use permits issued in December of 1977. The proposed changes are on Forest Service lands and a copy of the special use permit from the Forest Service is scanned under transfer #82154, in the backfile for water right 37-8575.

PODs and POU are located in Water District 37. Water District 37 Watermaster comments will be solicited.

MEMORANDUM

Date: January 18, 2024
To: Transfer 88722
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #88722 were based on the on the current transfer fee schedule and included \$820.00 for the 4.46 cfs being transferred in the application (Receipt No.S040054).

Mills, Bill

From: Erick Powell <erick.powell@brockwayeng.com>
Sent: Tuesday, January 16, 2024 3:01 PM
To: Mills, Bill
Subject: RE: Sun Valley Co. Transfer #88722
Attachments: Updated Page 3 2024_01_16.pdf; 2024 SVC Transfer Shapefiles.zip

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Bill,
Here is that information. Let me know if you have additional questions.

Thanks,
Erick

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Tuesday, January 16, 2024 8:49 AM
To: Erick Powell <erick.powell@brockwayeng.com>
Subject: Sun Valley Co. Transfer #88722

Erick,
The POU grid on page 3 of the transfer application is identical to the current POU for the water right. According to the map, the SENE & NESE of Sec. 22 are being added to include International run, right? Or am I missing something here? Could you please send me an updated page 3 via email and possibly your shapes for this application?
Thanks,
Bill

Mills, Bill

From: Erick Powell <erick.powell@brockwayeng.com>
Sent: Tuesday, January 16, 2024 8:56 AM
To: Mills, Bill
Subject: RE: Sun Valley Co. Transfer #88722

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Bill,

Thanks for your message. The map is correct, we are seeking to add two QQ to the POU. If those QQ are missing on Page 3, then that was definitely an oversight, and I will send that updated page and shapefiles over to you this morning.

Thanks,
Erick

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Tuesday, January 16, 2024 8:49 AM
To: Erick Powell <erick.powell@brockwayeng.com>
Subject: Sun Valley Co. Transfer #88722

Erick,

The POU grid on page 3 of the transfer application is identical to the current POU for the water right. According to the map, the SENE & NESE of Sec. 22 are being added to include International run, right? Or am I missing something here? Could you please send me an updated page 3 via email and possibly your shapes for this application?

Thanks,
Bill



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 10 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

January 10, 2024

Mr. Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, ID 83301-5858

Re: Sun Valley Company Snowmaking Transfer

Dear Corey,

Enclosed with this letter is a water right transfer application for water right no. 37-8575A. As we discussed, this transfer identifies 4.5 acres of snowmaking for the 2023-2024 snowmaking season. This area will cease receiving snow in the future, that the snowmaking will be transferred to 4.5 acres that is currently not within the identified place of use. The application fee will be delivered to your office tomorrow.

If you have any questions, please do not hesitate to contact me.

Cordially,

G. Erick Powell, P.E.

enclosed

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