

MAR 03 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Austin SheaMailing Address PO BOX 1134, Hailey, ID 83333Email* austin.k.shea@gmail.com Phone 415-602-9958

Name of Representative (if any) _____

Mailing Address _____

Email* _____ Phone _____

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

Attachment 2A

Page _____ of _____

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

Current Water Right No.: 37-22066

Current Owner: AUSTIN SHEA
Priority Date: 6/1/1883
Origin: Water Right
Status: Active
Basis: Decreed

Source

CROY CREEK

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.2 CFS

Annual Volume

Total Diversion

0.2 CFS

Location of Point(s) of Diversion

CROY CREEK

SW1/4NE1/4NE1/4

Sec. 35, Twp 02N, Rge 17E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T02N R17E S25

SWSE

8.90

T02N R17E S36

NWNE

0.50

Total Acres: 9.4

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is a split from former right 37-253 .
4. E56 The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 37-22066, 37-22068, 37-22070.

Decreed Date: 11/30/2010

State of Idaho
Department of Water Resources
Water Right
37-22066
IRRIGATION

Attachment 2B

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 11/21/2024

89619

Legend

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



C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as **Attachment 2C**. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☐ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

I propose to move the point of diversion for water right 37-22066 to groundwater tributary of Croy Creek. An irrigation pump no more than 18 ft deep shall be placed within 10 ft of Croy Creek. Additional analysis attached will show hydrological connection to Croy Creek within 10 ft of the stream. The pump will have a measuring device and lockable controlling works. The pump will connect to existing irrigation lines. The place of use and nature of use as irrigation will NOT change.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part		Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒	☐	37-22066	0.2 CFS	Irrigation	4/15 to 10/31	Groundwater
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.2 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

State of Idaho
Department of Water Resources

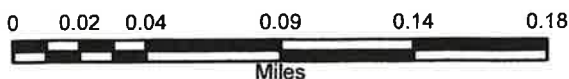
Water Right

37-22066

IRRIGATION

Attachment 3C

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



DISCLOSURE OF DISBURSEMENTS: These drawings, or any portion thereof, shall not be used for any Project or sub-project of this Project except by agreement in writing with Caltrans District Engineering.



☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
* Yes	2N	17E	17			SW	SE	Blaine	Groundwater	New POD
			25							

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☒ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

* See email dated 3/6/2025 in file

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

37-22065. I have included a letter of support from 3CC Water Users Assn. which owns this water right.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

None

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 37. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☐ No. ****They will be once the new POD is approved****

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No
☐	☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐	☒
☐	☒
☐	☒

currently used in a mitigation plan limiting the use of water under the right?

subject to an agreement not to divert (CREP)?

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

There will be an irrigation pump no more than 18 ft deep within 10 ft of the stream with measuring devices and lockable controlling works that will connect to existing irrigation lines.

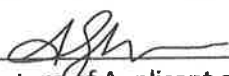
The pump will be 50 gpm. An irrigation map of the property is included in Attachment 3C.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

	Austin Shea	2/20/2025
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>#200-</u>	Receipt #: <u>5040537</u>	Date: <u>3.3.2025</u>	Received by: <u>SG</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Attachment 4B-5



Idaho Water Engineering
Water Solutions

2918 N. El Rancho Place, Boise ID 83704
Office: (208) 378-1513 Cell: (208) 870-0345 Fax: (888) 538-7703
www.idahowaterengineering.com info@idahowaterengineering.com

To: Austin Shea

From: Flint Hall, Professional Geologist, Idaho Water Engineering, LLC

Calculating Streamflow Depletion in Croy Creek in Response to Nearby Well Pumping

1/31/2025

The Stream Depletion Factor (SDF) is a measure of the rate that stream flow is impacted by pumping from a well within a hydrologically connected aquifer. SDF represents response time as a function of the separation distance between the well and surface water and aquifer properties (transmissivity, storativity or specific yield). Calculated SDF (units of time) is independent of the pumping rate of the well and represents the basis for determining the proportion of well pumping yield provided by the interconnected surface water body and groundwater storage. Stream depletion can then be determined for a given pumping rate and duration of pumping with the proportion of that depletion independent of the actual pumping rate. Presented in the following is an estimate of the SDF for a range of estimated aquifer properties and a given distance from the stream, and a plot of the resulting depletion as a proportion of pumping rate.

Information from well reports for the four nearest existing wells (Table 1, and location map and well reports in the Appendix) was utilized to estimate T based on a specific yield test, which was then utilized to estimate diffusivity (D) as a basis for determining the stream depletion factor (SDF). Review of the geologic materials encountered during well completion indicate a similar combination of gravels, sands and fractured limestone, with thin layers of silts and clay with intercalated sand and gravels. Well yield test results are available for three of the four wells, with one well record providing drawdown and test duration information necessary to estimate transmissivity (T). With similar yields and geologic materials encountered, one can expect the T estimate from Well B to be representative of the other wells nearby.

Table 1. Existing wells within the area of concern.

Well	Tag no	Estimated aquifer thickness (b, ft)	Well diameter (in)	Well yield (gpm)	Yield test drawdown (s), time (t, hours)	Comments
A	D0036739	47	6	35		Gravel, sand. Clay – 10' screen at bottom of well
B		39	16	50	107 ft, 2 hrs	Gravel, sand, screened across most permeable layers
C	D0100482	80	6	42		Open casing at base of sand and gravel
D	D0030167	33	10	n/a		Perforated below surface seal

Estimates for T are calculated based on an equation presented by Spinazola (1994). This equation requires an iterative process to arrive at an estimate of T given a value for storativity, distance from the stream, well radius and the given calculated specific capacity.

$$T = 15.32 \left(\frac{Q}{(h_o - h)} \right) \left(-0.557 - \ln \left(\frac{r^2 S}{4Tt} \right) \right)$$

Where T= Transmissivity (ft²/day)

Q/s = specific capacity (gal/minute/ft)

R = radius of the pumped well (ft)

S = Storativity (Specific yield as assumed unconfined aquifer)

T = time of the specific capacity test (days)

Stream flow depletion (SDF) factor is calculated from:

$$SDF = d^2/D$$

Where:

d = shortest distance from the pumping well to the stream

D = hydraulic diffusivity (ft²/day)

$$D = T/S_y$$

The combination of solving SDF and determining the resulting effects of pumping on a surface water body can be applied by using the Glover/Balmer/Jenkins solution (Barlow and Leake, 2012).

$$Q_s = Q_w \operatorname{erfc} \left(\sqrt{(d^2 S)/(4Tt)} \right)$$

Where :

Q_s = stream flow depletion over time and

Q_w = pumping rate for the well

Bryce Contor (IWRRI, 2011) provides a spreadsheet that allows a plot of the Glover/Balmer/Jenkins solution as the rate of stream depletion as a function of pumping (Q_s/Q_w) over time.

Table 2 provides estimates for Stream Depletion Factors for a given a range of estimated T, S_y values for an example well sited 10 feet from the stream. A plot of the streamflow depletion as a factor of pumping rate (Q_s/Q_w) over time for the median estimated T, S_y is presented in Figure 1. Table 2 and figure 1 indicate a proportional SDF of > 0.59 at one day pumping from a distance of 10 ft from the stream, based on median T and S_y estimates.

Table 2. Stream Depletion Factors based on T, S_y , and distance from stream, based on specific yield results, for proposed new point of diversion.

Distance from stream (ft)	Estimated T (ft ² /day)	Estimated S_y	Diffusivity(ft ² /day)	SDF(days)*	3x SDF*
10	31	0.3	103	0.96	2.91
10	33	0.25	132	0.76	2.28
10	35	0.2	175	0.57	1.71
10	37	0.15	247	0.41	1.23
10	41	0.1	410	0.24	0.72

* Calculated SDF = ~28% depletion (Jenkins, 1968), 3x SDF ~ 50% depletion (Contor, 2011).

Conclusion

Stream Depletion Factors calculated for the Croy Creek study site indicate that based on estimated T and a range of likely S_y values, pumping from a groundwater tributary within 10 ft of Croy Creek would likely result in a stream depletion proportion (q/Q) > 0.50 within 1 day and $> \sim 0.90$ after about 20 days.

L. Flint Hall

L. Flint Hall, PG

Idaho Water Engineering

208 520-5382

Flint.hall@idahowaterengineering.com

CC: David Tuthill, Ken Neely.

Attached: Location Map and Well Reports for Wells A, B, C and H

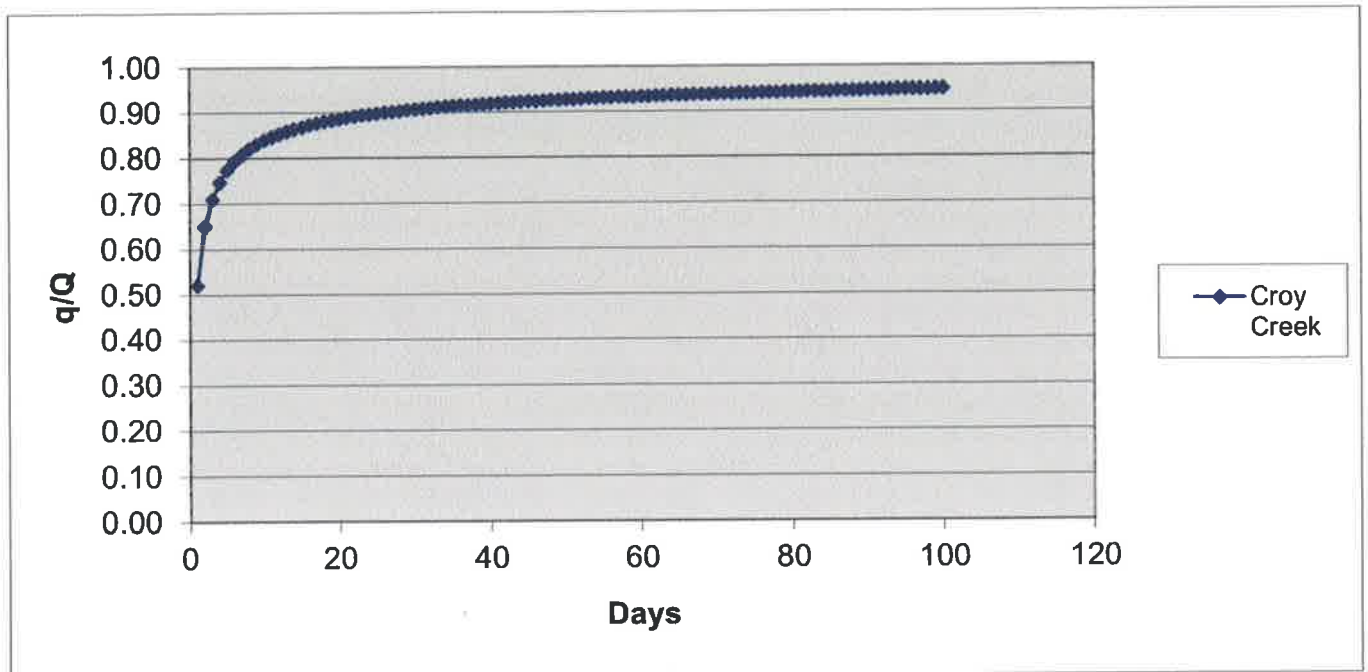


Figure 1 Stream depletion function over time with median values from Table 2; $T = 35 \text{ ft}^2/\text{day}$, $S = 0.2$, for Distance = 10 ft from Croy Creek.

References

Barlow, Paul M., and Stanley A. Leake. *Streamflow depletion by wells--Understanding and managing the effects of groundwater pumping on streamflow*. No. 1376. US Geological Survey, 2012.

Contor, Bryce A. "Adaptation of the Glover/Balmer/Jenkins Analytical Stream-Depletion Methods for No-flow and Recharge Boundaries." *Idaho Water Resources Research Institute Technical Completion Report 201101* (2011).

Jenkins, C. T. "Techniques for computing rate and volume of stream depletion by wells a." *Groundwater* 6.2 (1968): 37-46.

Spinazola, Joseph M. *Geohydrology and simulation of flow and water levels in the aquifer system in the Mud Lake area of the eastern Snake River Plain, eastern Idaho*. No. 93-4227. US Geological Survey, 1993.

Attachment UB-5 → continued

**Hydrogeological Analysis for Proposed New Point of
Diversion**

For Water Right #37-2206

Kenneth W. Neely, Hydrogeologist

Idaho Water Engineering, LLC

December 1, 2024

Four well reports from the Idaho Department of Water Resources in the vicinity of the proposed new Point of Diversion (POD) for Water Right #37-2206 were reviewed (Figure 1). The physical attributes and hydrogeology from these four reports can be characterized as follows:

1. The well depths ranged from 38 feet (ft) to 150 ft.
2. The wells were drilled between 1976 and 2023.
3. The following water uses were recorded on the well reports: Domestic (2 wells), Irrigation (1 well), and Monitoring (1 well).
4. The upper part of the lithologic section in these four wells was typically alluvial layers of sand, gravel and clay.
5. Wells A, B and C drilled below this alluvial section and encountered lime or limestone at depths of 70 ft or greater.
6. Well D was still in alluvial sediments when it reached a total depth of 38 ft.
7. Wells A, C and D had one or two shallow aquifers in the range of 7-40 ft.
8. Wells A, B and C had one or more deep aquifers below 50 ft.
9. Well B, which is the closest well to the proposed location for the new POD, had both shallow and deep aquifers.
10. Static water levels and information about water-bearing zones as recorded by the well drillers indicates that the shallow aquifers are unconfined to very mildly unconfined, and the deep aquifers are confined. There are clay layers between the aquifers that are probably causing the confining conditions for the deep aquifers.

Based on the hydrogeologic information from the well reports, the local area near the proposed new POD for water right #37-22066 contains both shallow unconfined aquifers and deep confined aquifers. Both shallow and deep aquifers are characterized by alluvial sediments. It is postulated that the shallow aquifers are in hydraulic communication with Croy Creek. This relationship would mean that the ground water from the proposed new POD (location is shown in Figure 1) will be in hydraulic communication with Croy Creek.

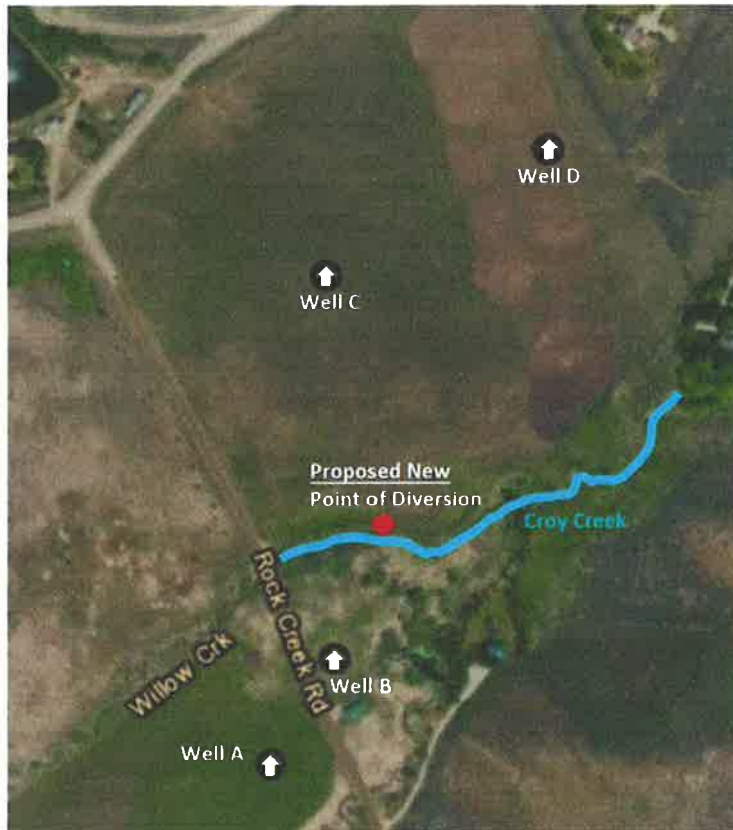


Figure 1. Location map for the proposed new Point of Diversion for water right #37-22066. Wells used for the hydrogeological analysis are labeled A-D. Map source is the Idaho Department of Water Resources (IDWR) online interactive map system.

Descriptions for Wells in Figure 1

Well A

Irrigation. 550 ft southwest of the proposed new POD. Drilled in 1976. 150 ft deep. First aquifers at 58 feet below land surface. Deeper aquifers at 68 and 80 ft. Casing to 148. Seal to 18 ft. Perfs from 55-80, 80-105, and 115-120 ft. Static water level at 11 ft. Thin (2 ft) clay layers between first and second aquifers.

Interpretation. The water level in the well rose 21 feet when the aquifer at 58 feet was encountered. The water level in the well rose to 13.5 ft below the land surface when the aquifer at 80 ft was encountered. This is very close to the final reported static water level of 11 ft below the land surface on the well report. The recorded water level increases indicate that the aquifers below 58 ft have different artesian pressures and thus are not in communication with each other. The increase in water level when the aquifer at 80 ft was encountered indicates that this aquifer is under more artesian pressure than the shallower aquifer. The aquifers encountered in this well from 58 to 101 ft are confined aquifers.

Well B

Domestic, 350 ft south to slightly southwest of the proposed new POD. Drilled in 2005. 108 ft deep. Shallow aquifers at 21 and 27 ft below land surface. Deeper aquifer at 53-100 ft. Casing to 108 ft. Seal to 18 ft. Perfs from 90-100 ft. Static water level at 20 ft. Clay layer from 29-46 ft.

Interpretation. The shallow aquifers are most likely not in hydrological communication naturally with the deeper aquifer, based on the existence of the clay layer from 39-46 ft. The static water level appears to be reflective of the shallowest aquifer. This is most likely caused by hydrological communication behind the unsealed casing below 18 ft.

Well C

Domestic. 550 ft northwest of the proposed new POD. Drilled in 2023. 100 ft deep. The first aquifer was encountered at 15 ft below land surface. The second aquifer is from 20-100 ft, with gravel from 20-70 ft, and limestone from 70-100 ft. Casing to 77 ft. Seal to 18 ft. No perfs; open hole completion. Static water level at 9 ft. Thin (3 ft) clay layer between first and second aquifers.

Interpretation. The aquifer is mildly confined as indicated by the static water level that is 11 ft higher than the top of the aquifer.

Well D

Monitor. 900 ft northeast of the proposed new POD. Drilled in 2003. 38 ft deep. One aquifer was recorded from 5-38 ft. PVC Casing to 38 ft. Seal to 16 ft; sand pack from 16 to 38 ft. PVC casing has a screen from 18-38 ft. Static water level at 28 ft.

Interpretation. The well is completed in the shallow aquifer and the aquifer is most likely unconfined.

MAR 03 2025



Gmail

DEPT. OF WATER RESOURCES
SOUTHERN REGION

austin shea <austin.k.shea@gmail.com>

Moving Point of Diversion for Austin Shea Water Rights

Preston Ziegler <preston@sawtoothconstruction.com>

Fri, Jan 17, 2025 at 2:00 PM

To: austin shea <austin.k.shea@gmail.com>

Hello Austin

Thank You for sending this information and talking with me about your application to move your Point of Diversion for water right

37-22066. I think this makes a lot of sense for you, and I hope you are successful with your application.

The Three Creeks Crossing Water User Association does not have any issue with your application, and you are welcome to share this response with IDWR. Again, Thank you for including us and good luck.

Sincerely,

Preston Ziegler

3CC WUA - President

From: austin shea <austin.k.shea@gmail.com>**Date:** Thursday, January 16, 2025 at 9:28 AM**To:** Preston Ziegler <preston@sawtoothconstruction.com>**Subject:** Moving Point of Diversion for Austin Shea Water Rights

[Quoted text hidden]

*letter of support from 3CC Water Users Assoc.
↳ the current POD for water right
37-2206 is on their land (with
no equipment)

registered holders, and other information relevant to submitting a proposal. All official notifications and addenda will be offered only through the designated website. The City of Ketchum will not be responsible for any documents if obtained from sources other than the designated website.

Virtual briefing

The City will host an informational virtual briefing on March 13 at 11:30 AM MST to answer initial questions or clarify elements in the RFP. The City requests that initial questions be submitted by 4:00 PM (MT) on March 11, 2024, by emailing ldonat@ketchumidaho.org. All questions and clarifications will be distributed via email to all known interested entities and posted online. Attendance at the briefing is encouraged but not required.

This Advertisement is issued by:

Owner: City of Ketchum
By: Trent Donat
Email: ldonat@ketchumidaho.org
Title: Ketchum City Clerk
Date: March 12, 2025

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 12, 19 & 26, 2025

LEGAL NOTICE BLAINE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING APRIL 8, 2025, AT 1:30 P.M.

On Tuesday, April 8, 2025, at 1:30 p.m., the Blaine County Board of County Commissioners will hold a regular public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

ACTION ITEM: 241 Broadford Road-Plat Amendment. Public hearing and consideration of an application by Guy E. Grooms and Grace L. Grooms for a Plat Amendment for Young Subdivision, Lot 5, to amend the existing building envelope to increase the area, relocate the building envelope further back from Broadford Road, and relocate the plat septic and well areas. The property is zoned Residential/Agricultural District (R-5), with areas of Floodplain and Floodway, and is located at 241 Broadford Rd.

This meeting is open to the public and may attend in person or by web access. The meeting agenda will be posted to the Blaine County website at <https://www.co.blaine.id.us/> AgendaCenter by the Thursday prior to the hearing. Please check the meeting agenda for further instructions for digital web access.

Materials are available at Land Use and Building Services located at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County website at <https://www.co.blaine.id.us/199/County-Commissioner-Hearing-Materials>. For adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to pxcounter@co.blaine.id.us

Si habla español y necesita asistencia para leer o entender lo que se discute en esta carta, Por favor de llamar la Oficina de Uso de la Tierra al (208) 788-5570 o mande un correo electrónico pxcounter@co.blaine.id.us y pregunte por Sonia Lopez.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 2025

CITY OF BELLEVUE, IDAHO ORDINANCE NO. 2025-02

AN ORDINANCE AMENDING BELLEVUE CITY CODE TITLE 3 CHAPTER 2 SECTIONS 3 AND 8 ADDING THE REQUIREMENT OF AN ALCOHOL AWARENESS CLASS FOR THE APPLICANT/BUSINESS OWNER PRIOR TO ANY ISSUANCE OR RENEWAL OF BEER, WINE, OR LIQUOR LICENSES AND ADDING LANGUAGE PROHIBITING RESORT CITY RESTAURANTS FROM PROMOTING OR OPERATING AS A BAR AND LOUNGE.

WHEREAS, The City of Bellevue is authorized by the state of Idaho to make all such ordinances, bylaws, rules, regulations and resolutions not inconsistent with the laws of the state of Idaho as may be expedient; and

WHEREAS, Idaho Code §23-916 authorizes the City to provide further regulations relating to the issuance of licenses for the sale of liquor by the drink; and

WHEREAS, The City finds that requiring an alcohol awareness training as a condition to receiving a liquor license promotes the general health, welfare and safety of the citizens of Bellevue. The City of Bellevue does ordain as follows:

SECTION 1. That Bellevue City Ordinance 3-2-3 be amended by adding the underlined:

3-2-3. APPLICATION FOR LICENSE:

C. The applicant/business owner for a license shall be required to attend an alcohol awareness training approved by the Bellevue Marshall prior to the issuance or renewal of any City issued liquor, beer, and/or wine license. The training shall be conducted in-person with the Bellevue Marshall's Office, or online with the Idaho State Police. Proof of attendance is required and shall be kept on file by the City Clerk.

SECTION 2. That Bellevue City Ordinance 3-2-1 be amended by adding the underlined:

3-2-8. HOURS AND AREAS OF SALES:

C. No business holding a resort city restaurant liquor license shall promote or operate the restaurant as a bar or lounge.

PASSED AND ADOPTED by the Common Council of the City of Bellevue, Idaho, and approved by the Mayor of Bellevue on this 10th day of March, 2025.

/s/Christina Giordani, Mayor

ATTEST:

/s/Amy Phelps, City Clerk

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 2025

BLAINE COUNTY/CITY OF HAILEY AREA OF CITY IMPACT MAP ORDINANCE NO. 2025-02

AN ORDINANCE OF BLAINE COUNTY, IDAHO, IDENTIFYING AND ADOPTING A MAP OF THE HAILEY AREA OF CITY IMPACT WITHIN UNINCORPORATED BLAINE COUNTY; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this ordinance is enacted to ensure that the City of Hailey has adequate land area for future growth; and to ensure that development of land surrounding Hailey does not directly or indirectly negatively impact Hailey provision of services, infrastructure or quality of life; that lands are planned carefully so as not to prohibit future annexation and urban densities; to ensure that development is in accordance with the City of Hailey Comprehensive Plan for the desirable future physical development of Hailey;

WHEREAS, this ordinance is adopted pursuant to authority granted by Idaho Code §67-6526, as amended; and

WHEREAS, the Blaine County Board of County Commissioners initiated an amendment to Title 8 on February 18, 2025, to consider adopting Ordinance 2025-02 and a 2025 Hailey Area of City Impact Map; and

WHEREAS, Hailey intends to use best practices with regards to future land uses in and around Friedman Memorial Airport, consistent with Section 14 of the Hailey Comprehensive Plan, and in keeping with Idaho Statute Title 67, Chapter 65;

67-6508 - Planning Duties; and

WHEREAS, Blaine County conducted five public hearings by the Planning and Zoning Commission and four public hearings by the Board of Commissioners in 2020 and 2021 regarding the Hailey Area of City Impact; and considered questions regarding trade area, geographic factors and areas that might reasonably be considered for annexation; and adopted by the Board of Commissioners as Ordinance No. 2021-04 with 2021 Map Exhibit; and

WHEREAS, Hailey conducted public hearings at the Planning and Zoning Commission and City Council regarding the Hailey Area of City Impact and considered questions regarding trade area, geographic factors and areas that might reasonably be considered for annexation; and adopted by Hailey City Council as Hailey City Ordinance 1279 with 2021 Map Exhibit; and

WHEREAS, Blaine County conducted a public hearing by the Planning and Zoning Commission on January 28, 2023, and the Board of Commissioners on June 13, 2023, regarding the amended Hailey Area of City Impact; and considered questions regarding trade area, geographic factors and areas that might reasonably be considered for annexation by the Board of Commissioners as Ordinance No. 2023-04 with amended 2023 Map Exhibit; and

WHEREAS, Hailey conducted public hearings at the Planning and Zoning Commission and City Council regarding the amended Hailey Area of City Impact Map and considered questions regarding trade area, geographic factors and areas that might reasonably be considered for annexation; and adopted by Hailey City Council as Hailey City Ordinance 1316 with amended 2023 Map Exhibit; and

WHEREAS, Idaho State Senate Bill No. 1403, enacted July 1, 2024, states in Section 2: 67-6526 Area Of Impact: (4)(h) Prior to considering a request to establish, modify, or confirm an area of impact, the governing boards may, but are not required to, submit the request to the planning, zoning, or planning and zoning commission for recommendation, ... allowing counties to update City Areas of Impact without County Planning and Zoning Commission review; and

WHEREAS, the City of Hailey does not desire to extend its Area of City Impact any further at this time; and

WHEREAS, Blaine County staff has evaluated and confirmed existing Area of City Impact boundaries from both the 2021 and amended 2023 Map Ordinances meet Idaho State statutory requirements of Section 67-6526 as amended in 2024; and

WHEREAS, both Blaine County and Hailey have found that the combination of the 2021 Area of City Impact Map joined with the 2023 amended Area of City Impact Map, as shown in the attached 2025 Map Exhibit, is consistent with the governing bodies' respective Comprehensive Plans.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO, AS FOLLOWS:

Section 1. 2025 Map Exhibit attached hereto is adopted as the Blaine County/ Hailey Area of City Impact Map.

Section 2. If any section, paragraph, sentence, or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication

according to law

Regularly passed, approved, and adopted by the Board of County Commissioners of Blaine County, Idaho, this 11th day of March 2025.

BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO

/s/ Angenie McCleary
Angenie McCleary, Chair

/s/ Lindsay Mollineaux
Lindsay Mollineaux, Vice-Chair

/s/ Muffy Davis
Muffy Davis, Commissioner

ATTEST:
/s/ S. McDougall Graham
Stephen McDougall Graham, Clerk

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 2025

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF THE ESTATE OF THOMAS R. WARDE; Deceased,

Case No. CV07-25-00146 NOTICE TO CREDITORS (I.C. § 15-3-801)

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four (4) months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court.

DATED THIS 10th day of March, 2025

/s/Ann B. Warde
Ann B. Warde
Address: c/o Ahrens
DeAngeli
Law Group LLP
P.O. Box 9500
Boise, Idaho
83707-9500
Telephone: (208) 639-7799

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 26 & APRIL 2, 2025

NOTICE OF FILING OF 2024 ANNUAL REPORT OF BELLEVUE URBAN RENEWAL AGENCY (BURA)

NOTICE IS HEREBY GIVEN that on March 11, 2025, BURA approved Resolution #25-02 for the 2024 Annual Report. A copy of the 2024 Annual Report, including the Resolution #25-02 and required financial information is available at the Bellevue City Treasurer's Office, 115 E. Pine Street, Bellevue, Idaho and on the City website www.bellevueidaho.us. The report is also available on the State Controller's website.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 2025

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF THE ESTATE OF E. JERRY BROADIE; Deceased,

Case No. CV07-25-123 NOTICE TO CREDITORS

IDAHO CODE SECTION 15-3-801

NOTICE IS HEREBY GIVEN that SHIRLEY KATHLEEN BROADIE has been appointed personal representative of the above-named decedent.

All persons having claims against the decedent or his estate are required to present their claims within four (4) months after the date of the first publication of the Notice to Creditors or be forever barred.

Claims must be presented to the undersigned at the address indicated and filed with the clerk of the court; Blaine County Court Clerk, 201 2nd Ave. South, Suite 106, Hailey, ID 83333.

DATED THIS 12th day of March, 2025

/s/Fritz X. Haemmerle
Fritz X. Haemmerle
Attorney For Personal Representative
Haemmerle Law, PLLC
P.O. Box 1800
Hailey, ID 83333

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19, 26 & APRIL 2, 2025

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89619

AUSTIN SHEA, PO BOX 1134, HAILEY, ID 83333-1121 has filed Application No. 89619 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22086; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/water-rights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion (POD) for a 9.4 acre Croy Creek irrigation water right (0.20 cfs). Current POD is located approximately 3.8 miles west and 3.7 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. The transfer proposes moving the POD to a shallow ground water diversion (no more than 18ft deep) within 10ft of Croy Creek and will be located approximately 3.0 miles west and 3.4 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. An analysis of hydraulic connectivity between the proposed ground water diversions and Croy Creek was provided with the application.

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 April 7, 2025. The protest must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 19 & 26, 2025

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

NOTICE OF TRUSTEE'S SALE TS No: ID-24-1004149-BB OF COMMERCIAL LOAN NOTICE IS HEREBY GIVEN that on 7/3/2025, at the hour of 11:00 AM, Blaine County Courthouse Front Steps Old Building 206 1st Ave So Hailey ID 83333, the trustee will sell at public auction to the highest bidder, for cash in lawful money of the United States of America, 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: Parcel I: Township 4 North, Range 17 East, Boise Meridian, Blaine County, Idaho. Section 13: A parcel of land within said Section 13 and more particularly described as follows: COMMENCING at the 1937 Center quarter corner; thence 590.00 feet East; thence 925.00 feet South; thence 380.00 feet East to the TRUE POINT OF BEGINNING; thence East 150.00 feet; thence South 55.00 feet; thence West 150.00 feet; thence North 55.00 feet to the TRUE

Proof of legal notice
received from Idaho

Mtn Express

3/13/2025

✓ dm
3/13/2025



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

March 13, 2025

AUSTIN SHEA
PO BOX 1134
HAILEY, ID 83333-1121

RE: Transfer No. 89619
Water Right No(s). 37-22066

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 **3/19/2025** and **3/26/2025**. 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 **April 7, 2025**.

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

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 13, 2025 1:26 PM
To: Sunny (WD37)
Cc: Brittany (WD37)
Subject: Comment letter for Transfer #89619 - Austin Shea
Attachments: Comment letter to WD37 for 89619.docx; Transfer 89619 (Shea).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



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

March 13, 2025

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

Re: Transfer No. 89619 (Austin Shea)
Water Right No(s). 37-22066

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, March 13, 2025 9:36 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE - Transfer No. 89619
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 March 19th & 26th, 2025. 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

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

Governor Brad Little

Director Mathew Weaver

March 13, 2025

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

RE: Transfer No. 89619
Water Right No(s). 37-22066

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 **April 7, 2025**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89619**

AUSTIN SHEA, PO BOX 1134, HAILEY, ID 83333-1121 has filed Application No. 89619 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22066; 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 changing the point of diversion (POD) for a 9.4 acre Croy Creek irrigation water right (0.20 cfs). Current POD is located approximately 3.8 miles west and 3.7 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. The transfer proposes moving the POD to a shallow ground water diversion (no more than 18ft deep) within 10ft of Croy Creek and will be located approximately 3.0 miles west and 3.4 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. An analysis of hydraulic connectivity between the proposed ground water diversions and Croy Creek was provided with the application.

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 **April 7, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on March 19th & 26th, 2025

MEMORANDUM

Date: March 12, 2025
To: Transfer 89619
From: William Mills
Re: Transfer Proposal

Application proposes changing the point of diversion (POD) for a 9.4 acre Croy Creek irrigation water right (0.20 cfs). Current POD is located approximately 3.8 miles west and 3.7 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. The transfer proposes moving the POD to a shallow ground water diversion (no more than 18' deep) within 10' of Croy Creek and will be located approximately 3.0 miles west and 3.4 miles south of the intersection of Croy Creek Rd and Hwy 75 in Hailey. An analysis of hydraulic connectivity between the proposed ground water diversions and Croy Creek was provided with the application.

Analysis provided by the applicant and IDWR's Hydrology staff indicated that this proposed transfer will likely meet the Department's guideline of a 0.50 depletion ratio within 24 hours.

Current and proposed PODs and the place of use are located in Water District 37 and Watermaster comments will be solicited.

MEMORANDUM

Date: March 12, 2025
To: Transfer 89619
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #89619 were based on the current transfer fee schedule and included \$200.00 for the 0.2 cfs being transferred in the application (Receipt No.S040537).

Mills, Bill

From: Clark, Megan
Sent: Wednesday, March 12, 2025 12:35 PM
To: Skinner, Corey; Mills, Bill
Cc: McVay, Michael
Subject: RE: Stream Depletion Analysis
Attachments: Hydrology Section Stream Depletion Analysis and Comments for H E Holdings Transfer Application.docx

Hi Corey and Bill,

Please see attached memo for this transfer analysis. It includes comments on the applicant's stream depletion analysis as well as my independent analysis of stream depletion associated with this transfer. Let me know if you have any questions.

Thank you,
Megan

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Tuesday, March 4, 2025 11:18 AM
To: Clark, Megan <Megan.Clark@idwr.idaho.gov>; Mills, Bill <Bill.Mills@idwr.idaho.gov>
Cc: McVay, Michael <Michael.McVay@idwr.idaho.gov>
Subject: RE: Stream Depletion Analysis

Megan,

Like everything, as soon as we can. Is the next week or so possible?

Corey

From: Clark, Megan <Megan.Clark@idwr.idaho.gov>
Sent: Tuesday, March 4, 2025 11:14 AM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; McVay, Michael <Michael.McVay@idwr.idaho.gov>
Subject: RE: Stream Depletion Analysis

Hi Bill,

I'll be working on evaluating this transfer analysis. Can you please provide me with your timeline for when this should be completed?

Thank you,

Megan Clark, P.G.
Technical Hydrogeologist
Idaho Department of Water Resources
P: (208) 287-4853
<https://idwr.idaho.gov/>



From: Tesch, Craig <Craig.Tesch@idwr.idaho.gov>
Sent: Tuesday, March 4, 2025 10:56 AM
To: Clark, Megan <Megan.Clark@idwr.idaho.gov>
Cc: McVay, Michael <Michael.McVay@idwr.idaho.gov>
Subject: FW: Stream Depletion Analysis

Hi Megan,

I spoke with Corey Skinner and Bill Mills this morning, and I would like you to complete this transfer analysis with Mike's assistance. Please chat with Mike and work through what is needed. Additionally, you'll want to let Bill know you're working on it and find out his timeline. Let me know if you want to chat.

Thanks,
Craig

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Tuesday, March 4, 2025 10:35 AM
To: Tesch, Craig <Craig.Tesch@idwr.idaho.gov>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Stream Depletion Analysis

Craig,
Could you have someone in hydrology look over the stream depletion analysis provided with the attached transfer application (Attachment 4B-5) to verify if it meets the Departments criteria outlined in the transfer memo? The transfer proposes moving from a surface water diversion on Croy Creek into a well located 10' from the creek. Per page 17 of the Transfer Processing memo No. 24, "the surface water source needs to be depleted by a volume of water greater than or equal to 50 percent of water pumped at the proposed ground water point of diversion within 24 hours.

I really appreciate the help verifying this analysis.



Bill Mills
Sr Water Resource Agent
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 736-3033
bill.mills@idwr.idaho.gov

MEMO

State of Idaho

Department of Water Resources

322 E Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700

Date: March 12, 2025

To: Corey Skinner and Bill Mills, Southern Regional Office

From: Megan Clark, P.G., Hydrology Section

Cc: Mike McVay, P.E., P.G., Hydrology Section

Subject: Independent Analysis of Streamflow Depletion and Review of Applicant's Depletion Analysis for the H E Holdings Transfer Application

Introduction

IDWR hydrology section staff received a request from the Southern Regional Office to perform a review of streamflow depletion associated with the H E Holdings transfer application. The application proposes changing the point of diversion for Water Right #37-22066 from Croy Creek to a shallow groundwater point of diversion within 10 feet of Croy Creek. Croy Creek is a tributary of the Wood River, with the proposed point of diversion being within the Wood River Valley aquifer system. The proposed point of diversion is in upper Croy Canyon, approximately 4.5 miles southwest of Hailey, Idaho.

According to IDWR Transfer Processing Memo No. 24 (IDWR, 2024):

"The existing point of diversion and proposed point of diversion must be proximate such that diversion and use of water from the proposed point of diversion would have substantially the same effect on the hydraulically connected source as diversion at the original point of diversion. This may be accomplished by showing that the authorized surface water source would be depleted by a volume of water greater than or equal to 50 percent of the volume of water pumped at the proposed ground water point of diversion within 24 hours."

Hydrology section staff performed an independent analysis to determine whether the proposed transfer will meet the guideline of a stream depletion proportion (by volume) of >0.5 within 24 hours. This analysis is included in the following subsections. Hydrology staff also reviewed and

provided comments on the streamflow depletion analysis prepared by Idaho Water Engineering (included as Attachment 4B-5 of the transfer application). These comments are included in this memo as Appendix A.

Modeling Software

IDWR's independent analysis was performed using the Alluvial Water Accounting System (AWAS) software from the Integrated Decision Support Group (IDS) at Colorado State University (IDS Group, 2014). This software has been used in the past by IDWR staff for similar assessment of transfer applications.

Model Inputs

The AWAS model inputs and selected values are summarized below:

Boundary Condition

The "Infinite Aquifer" boundary condition was selected as the most appropriate condition, which assumes that the only boundary condition to be considered is the stream at which depletion is being calculated. This is the simplest and most realistic case for the proposed transfer setting.

Transmissivity

There is only one pump test available in the vicinity of the transfer, and the pump test was not completed in the shallow water-bearing layer from which the proposed transfer will draw water because this layer was not present in the well. Using this pump test data, one previous report calculates transmissivities ranging from 30 to 110 ft²/day (Bartolino and Adkins, 2012). The pump test used to calculate these transmissivities is the same test used for calculations in the proposed transfer application. The well is screened across multiple water-bearing layers and does not include the shallow layer from which the proposed transfer will draw water, which (when present) typically occurs between 5 and 30 ft below ground surface (bgs).

Transmissivities calculated from this well represent the sum of transmissivities of each water-bearing layer and are not representative of the transmissivity of the shallow water-bearing layer to be evaluated in this transfer assessment.

Transmissivity can be estimated by multiplying hydraulic conductivity derived from testing or literature by the saturated thickness of the aquifer. The hydraulic conductivity of 0.33 ft/day calculated by Bartolino and Adkins (2012) was used as the lowest hydraulic conductivity and was varied up to two orders of magnitude (3.3 and 33 ft/day) to account for the range of materials found in the uppermost water-bearing layer, which commonly includes sand and gravel (IDWR, 2025). The range of hydraulic conductivities evaluated are consistent with typical ranges for these materials (Bartolino and Adkins, 2012; Fetter, 2001; Spitz and Moreno, 1996). A

range of transmissivities were calculated using this range of hydraulic conductivities and the saturated thickness of the shallow aquifer. The saturated thickness was estimated as 21 ft, based on the average saturated thickness of the shallow water-bearing layer as observed in well logs. The resulting transmissivity values evaluated are 6.93 ft²/day, 69.3 6.93 ft²/day, and 693 ft²/day.

Specific Yield:

A specific yield of 0.2 was selected for evaluation, consistent with the value used in aquifer calculations in Bartolino and Adkins (2012).

Distance to Well:

This input represents the distance between the stream and the pumping well. According to the proposed transfer application, the well will be within 10 ft of the stream. Therefore, a distance of 10 ft was selected.

Pumping Rate:

The proposed pumping rate in the transfer application is 0.2 cubic feet per second (CFS) (89.8 gallons per minute (gpm)).

Results

Model results are presented in Table 1 and Figure 1. Results indicate that for the lower bound of transmissivity, the ratio of the volume of depletion (v) to the total volume pumped (Qt) does not equal or exceed 0.5 until day 9 of pumping. However, an order of magnitude increase in transmissivity results in a depletion ratio of 0.52 within the first day of pumping, and another order of magnitude increase results in a depletion ratio of 0.82 within the first day of pumping.

Table 1: Model results showing the timing of stream depletion

Transmissivity (ft ² /day)	v/Qt on Day 1 of Pumping	Day on which v/Qt > 0.5
6.93	0.10	9
69.3	0.52	1
693	0.82	1

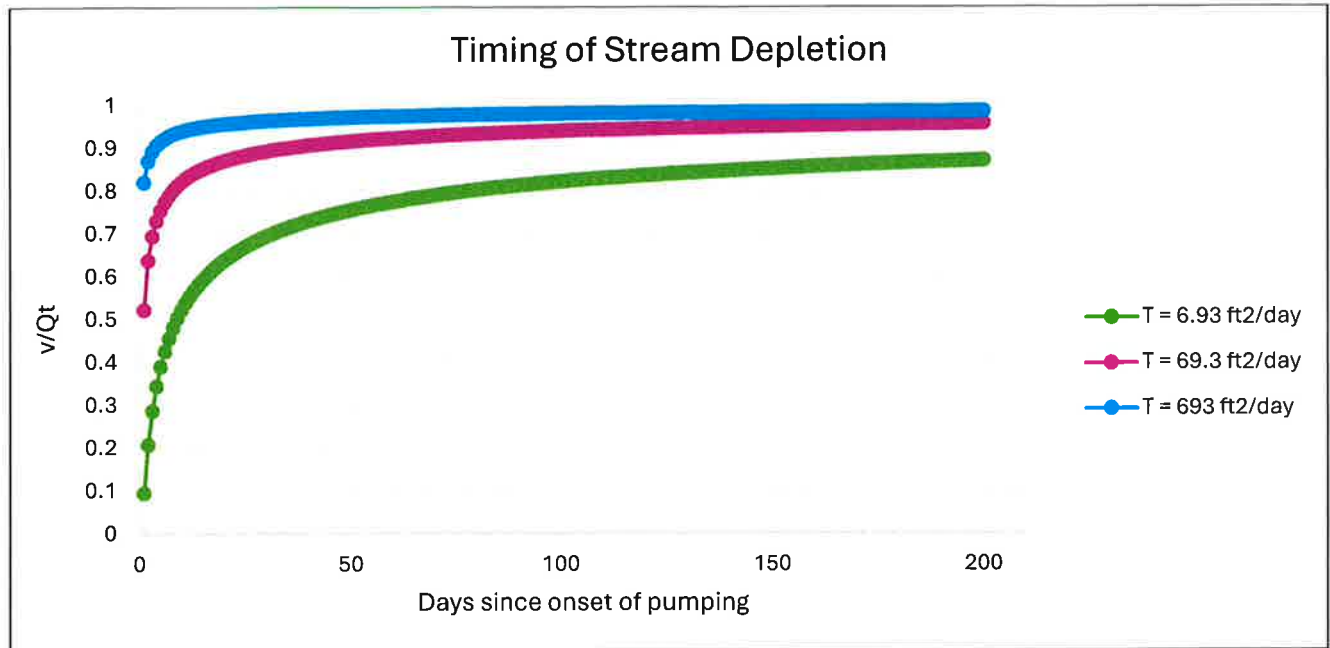


Figure 1: Model results showing proportion of stream depletion (v) to total volume pumped (Q_t) with timing of pumping.

Conclusions

The timing of the depletion ratio is highly dependent on the transmissivity of the material. If the pumping well is constructed in more clay-rich material, resulting transmissivity will be lower, and it is unlikely that the guideline of a 0.5 depletion ratio within 24 hours will be met. However, if the pumping well is constructed in material containing a larger percentage of sand and/or gravel, results indicate that the guideline of a 0.5 depletion ratio within 24 hours will be met. Because all well logs which indicate the presence of the shallow water-bearing layer indicate some proportion of gravel or sand (IDWR 2025), this is a reasonably likely outcome.

References

- Bartolino, J.R. and Adkins, C.B., 2012, Hydrogeologic framework of the Wood River Valley aquifer system, south-central Idaho: U.S. Geological Survey Scientific Investigations Report 2012–5053, 46 p., <https://doi.org/10.3133/sir20125053>.
- Fetter, C.W., 2001, Applied hydrogeology, 4th ed.: Upper Saddle River, New Jersey, Prentice Hall, 598 p.
- IDS Group, 2014, IDS AWAS – Alluvial Water Accounting System Version 1.5.85: Colorado State University, accessed March 10, 2025, <http://www.ids.colostate.edu/projects.php?project=awas>.

IDWR, 2024, Transfer Processing Guidance, Transfer Processing No. 24: Memorandum from James R. Cefalo to Water Allocation Bureau and Regional Offices, dated October 1, 2024, 24 p., accessed March 4, 2025, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/guidance/Transfer-Process-24-October-1-2024.pdf>.

IDWR, 2025, Well Construction Search, Well Construction Search: Idaho Department of Water Resources well construction database, accessed March 10, 2025, <https://research.idwr.idaho.gov/apps/wellconstruction/wcinfosearchexternal/>.

Spitz, K. and Moreno, J., 1996, A practical guide to groundwater and solute transport modeling: New York, John Wiley and Sons, 461 p.

Appendix A:

**Comments on Streamflow Depletion Analysis by Idaho Water Engineering (Attachment 4B-5 in H
E Holdings Transfer Application)**

1. **Attachment 4B-5, pages 3-4:** The results discussed in the conclusion and shown in Figure 1 in the attachment represent the stream depletion proportion in relation to the rate of depletion, where q = the rate of depletion expressed at the stream and Q = the rate of pumping. Results indicate that, on a rate of depletion basis, the stream depletion proportion reaches 0.5 within 24 hours. However, page 17 of IDWR's Transfer Processing Memo No. 24 states that stream depletion should be assessed by demonstration that "the surface water source would be depleted by a volume of water greater than or equal to 50 percent of the volume of water pumped at the proposed groundwater point of diversion within 24 hours," (IDWR, 2024). The guidelines require analysis of volume rather than depletion rate. The Excel package used by the applicant in this analysis (Contor, 2011) provides a spreadsheet for performing this volume analysis, with v = volume of stream depletion and Q_t = total volume pumped. IDWR's results using the median transmissivity and specific yield from the applicant's analysis (35 ft²/day and 0.2, respectively) do not result in steam depletion by volume of 50% within 24 hours, as shown in Figure A-1 below:

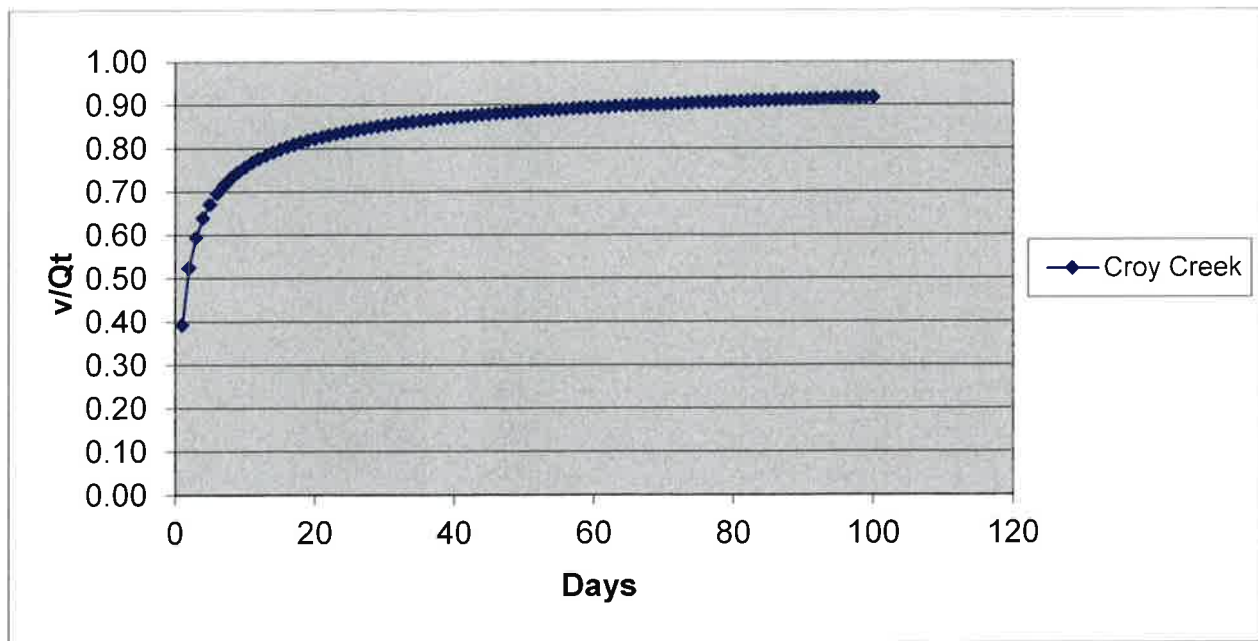


Figure R1. Volumetric stream depletion using Contor (2011) software and applicant's median parameters.

2. **Attachment 4B-5, page 4, Figure 1:** IDWR was unable to recreate the results of the analysis provided in Figure 1. The caption indicates that these results are from analysis using a transmissivity of 35 ft²/day and a specific yield of 0.2 (median values for those evaluated in this analysis; resulting SDF of 0.57). IDWR's analysis using the same inputs in the Contor (2011) spreadsheet produces results shown in Figure A-2 below:

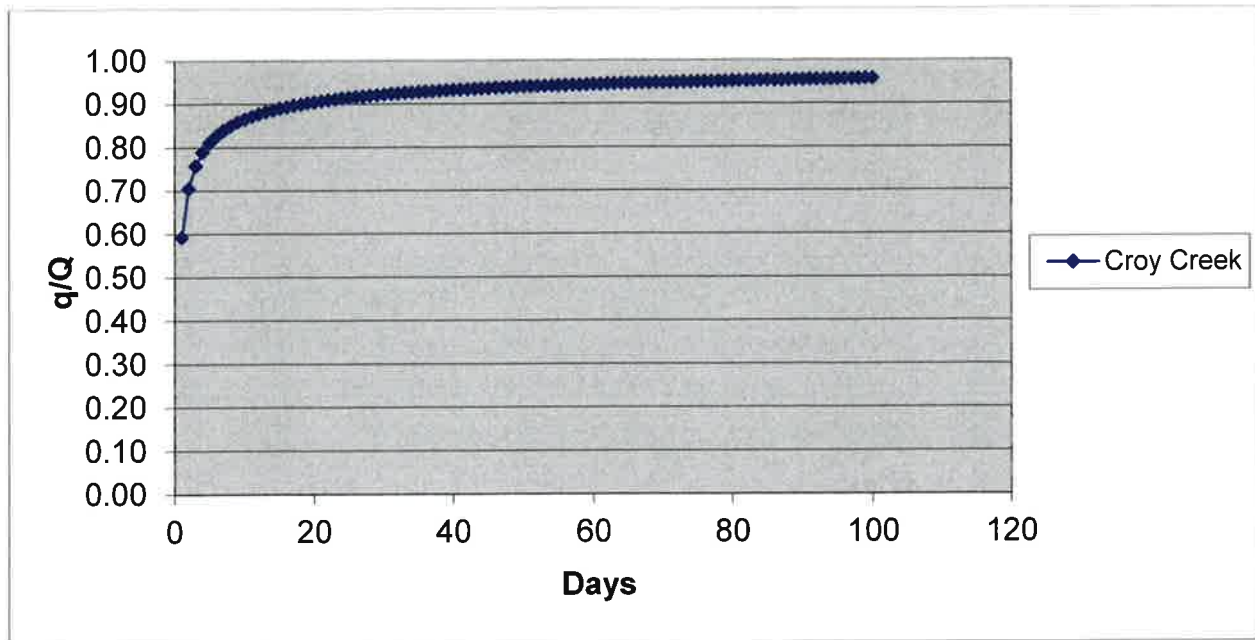


Figure A-2. Depletion rate stream depletion using Contor (2011) software and applicant's median parameters.

3. **Attachment 4B-5 – continued, “Hydrogeological Analysis for Proposed New Point of Diversion”:** Wells A and B described in this section and shown on Figure 1 of the hydrogeological analysis are not consistent with Wells A and B described in Table 1 on page 2 of Attachment 4B-5. The locations and designations of the wells switch between the main attachment and the Hydrogeological Analysis. Please revise for consistency throughout.

References

Contor, B.A., 2011, Adaptation of the Glover/Balmer/Jenkins analytical stream-depletion methods for no-flow and recharge boundaries (and supplemental files): Idaho Water Resources Research Institute Technical Completion Report,
<https://objects.lib.uidaho.edu/iwdl/iwdl-201101.pdf>,
<https://www.lib.uidaho.edu/digital/iwdl/items/iwdl-201101supp.html>.

IDWR, 2024, Transfer Processing Guidance, Transfer Processing No. 24: Memorandum from James R. Cefalo to Water Allocation Bureau and Regional Offices, dated October 1, 2024, 24 p., <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/guidance/Transfer-Process-24-October-1-2024.pdf>.

Mills, Bill

From: austin shea <austin.k.shea@gmail.com>
Sent: Thursday, March 6, 2025 8:48 AM
To: Mills, Bill
Subject: Re: Transfer Application for Water Right 37-22066

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.

Good Morning Bill,

Thank you very much for the email. Apologies for the typo! I wrote it down wrong on page 5 of the application.

The correct new Point of Diversion is in SWSE **Section 25, as indicated on the map Attachment 3C.**

Please let me know if there are any other inconsistencies, etc. or if you have any other questions.

Thanks again, and have a great day!

Austin

415-602-9958

On Thu, Mar 6, 2025 at 8:42 AM Mills, Bill <Bill.Mills@idwr.idaho.gov> wrote:

Austin,

On page 5 of your transfer application, you list the new point of diversion as located in the SWSE of **Section 17**, Township 02N, Range 17E, but the map provided with the transfer indicates it is located on your property in in the SWSE of **Section 25**, Township 02N, Range 17E. The map location and the legal description on page 5 need to match before we can proceed with the transfer application. I can make the correction if you reply by email and tell me which legal description is correct. Look at the attachment for further clarification.

Thanks,



Bill Mills

Sr Water Resource Agent

Idaho Dept. of Water Resources, Southern Region

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 736-3033

bill.mills@idwr.idaho.gov

State of Idaho
Department of Water Resources

Water Right

37-22066

IRRIGATION

Attachment 3C

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
Yes	2N	17E	17			SW	SE	Blaine	Groundwater	New POD

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☒ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the