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JAN 17 2025

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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) Wood River Land Trust CompanyMailing Address 119 E. Bullion St. Hailey, ID 83333Email* keri@woodriverlandtrust.org Phone 208-788-3947

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.

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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, mortgage 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.

Water Right Report : 37-10725(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	ACKER PARTNERSHIP	PO BOX 177	KETCHUM	ID	83340-0177
Original Owner	SCOFIELD, C L	PO BOX 302	BELLEVUE	ID	83313
Original Owner	SCOFIELD, ELLEN M	PO BOX 302	BELLEVUE	ID	83313

Water Right Status

Priority Date : 7/10/1884
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BIG WOOD RIVER		MALAD RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BIG WOOD RIVER	02N	18E	16	0	SE	SW	NE	BLAINE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.10 CFS	
TOTAL			0.10 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (BLAINE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	18E	25	3		SW	SW	0.7

Irrigation Totals

Total Acres Acre Limit
0.70

Conditions

Code Conditions

- 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.
- J01 Parcel is also known as 712 N. Main Street in Bellevue.

Dates

Licensed Date :
Decreed Date : 11/29/2012
Permit Proof Due Date :

Other Information

State or Federal : S
Water District Number : 37
Generic Max Rate Per Acre : 0

Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/31/2023

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	
02N	18E	25											0.7						0.7

Total Irrigated Acres to be Changed: 0.7

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:

Wood River Land Trust is a non-profit conservation organization and proposes changes to the POD and POU for habitat restoration. The new point of diversion is used by several water rights (listed below), as well as irrigation of Wood River Land Trust property and property owned by homeowners in the Colorado Gulch subdivision. Irrigation would be limited to 0.7 acres and 0.10 cfs within the proposed POU. Water would be delivered through an existing above-ground irrigation system to native trees, shrubs, and pollinator habitat.

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
☒ ☐	37-10725	0.1 cfs	Irrigation	4/15 to 10/31	Cove Canal / Big Wood River
☐ ☐				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: 0.10 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.

☐ 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
No	02N	18E	16		SE	NE	SE	Blaine	Big Wood River	Other water rights diverted from this POD:
										37-23149; 37-22248; 37-577
										Off Cove Canal

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	
02N	18E	16													15				15
02N	18E	15									5.8	0.2							6

Total Irrigated Acres: 0.7

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

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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
No	02N	18E	16		SE	NE	SE	Blaine	Big Wood River	Other water rights diverted from this POD:
										37-23149;37-22248;37-11382B;37-577
										Off Cove Canal

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	
02N	18E	16													X				0.7
02N	18E	15											X						0.7

Total Irrigated Acres: 0.7

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.

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☐ 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
No	02N	18E	16		SE			Blaine	Big Wood River	Other water rights diverted from this POD:
										37-23149;37-22248;37-11382B;37-577
										Off Cove Canal

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	
02N	18E	16													0.7				0.7

Total Irrigated Acres: 0.7

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

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.

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

37-23149;37-22248;37-11382B;37-577

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.

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.

Wood River Land Trust has been renting water through the water supply bank to irrigate the proposed place of use for the same purposes, and using the same point of delivery and delivery system.

(Attachment 6)

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.

None

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.

The new POD and POU will utilize existing diversion works and water delivery system for water rights 37-23149;37-22248;37-11382B; and 37-577. We will conserve resources by utilizing existing diversion systems and the Colorado Gulch HOA pond/pump system that we have been using for the past three years.

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.

Amy Trujillo
Signature of Applicant or Representative*

Amy Trujillo, Exec. Director
Print Name and Title, if applicable

1/8/2025
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: \$ 250- Receipt #: C119873 Date: 1-17-2025 Received by: S.O. / TB
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

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37-10725
Existing POD

Proposed
POU

Proposed
POD

SWNE

SENE

SWNW

T02N
R18E
Sec16

T02N
R18E
Sec15

NWSE

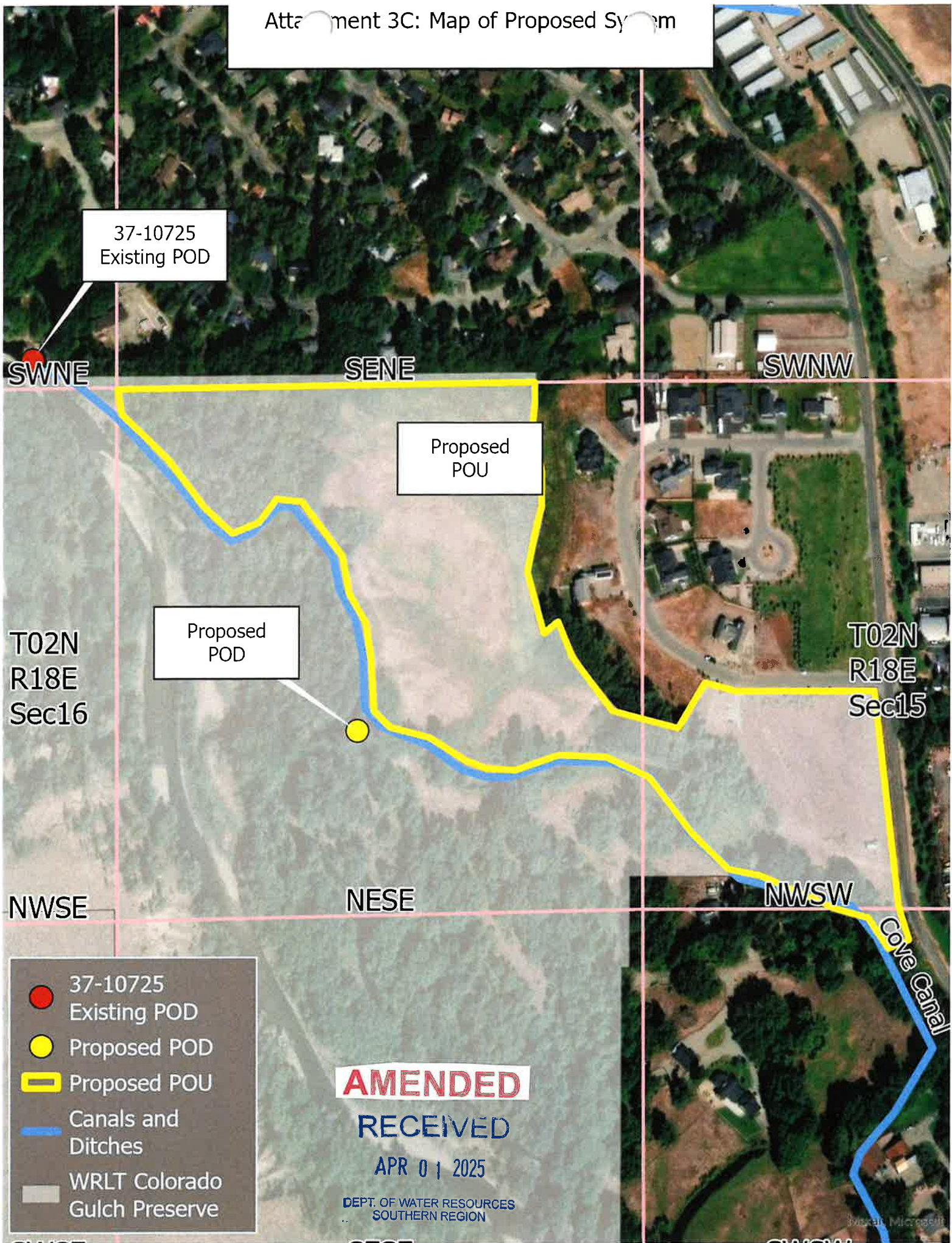
NESE

NWSW

Cove Canal

- 37-10725
Existing POD
- Proposed POD
- Proposed POU
- Canals and
Ditches
- Proposed
Location within
POU

89683



Attachment 3C: Map of Proposed System

37-10725
Existing POD

SWNE

SENE

SWNW

Proposed
POU

Proposed
POD

T02N
R18E
Sec16

T02N
R18E
Sec15

NESE

NWSW

SWSE

SESE

SWSW

- 37-10725
Existing POD
- Proposed POD
- Proposed POU
- Canals and
Ditches
- WRLT Colorado
Gulch Preserve

Superior

Cove Canal

Attachment 1B.

The Acker Partnership has conveyed water right 37-10725 to the Wood River Land Trust Company per the attached warranty deed. Wood River Land Trust Company is applying to change the ownership into its name and to change the POD and POU.

Attachment 4A-2 Revised

According to the previous water right owner's attached statement, water right 37-10725 has not been delivered to its current POU since 2021. The water right was historically diverted from the Big Wood River and delivered through the Kohler Canal. The Kohler Canal was disconnected from the current POU when changes occurred on the Eccles Flying Hat Ranch (now Friedman Memorial Airport Authority) and Highway 75. It is not possible to deliver water to the current POU. Water right 37-10725 was donated to Wood River Land Trust so that the Land Trust could use it for restoration on its Colorado Gulch property, off the Cove Canal. The Cove and Kohler Canal Associations have recently become one delivery entity.

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Attachment 4A-2

Water right 37-10725 has not been delivered to its current POU for several years. The water right was historically diverted from the Big Wood River and delivered through the Kohler Canal. The Kohler Canal was disconnected from the current POU when changes occurred on the Eccles Flying Hat Ranch (now Friedman Memorial Airport Authority) and Highway 75. It is not possible to deliver water to the current POU. Water right 37-10725 was donated to Wood River Land Trust so that the Land Trust could use it for restoration on its Colorado Gulch property, off the Cove Canal. The Cove and Kohler Canal Associations have recently become one delivery entity.

Superseded

Attachment 2B: Map of Current System

Justus Ditch

Cove Canal

37-10725
Existing POD

37-10725
Existing POU

● 37-10725
Existing POD

— Canals and
Ditches

■ 37-10725
Existing POU

□ WRLT Colorado
Gulch Preserve

Attachment 4D – Local Public Interest

The Wood River Land Trust Company is a 501(c)3 non-profit organization whose mission is to protect land, water, and wildlife habitat in the Wood River Valley and south-central Idaho. The primary reason for this water right transfer application is for habitat restoration that serves a public interest. Wood River Land Trust acquired the Colorado Gulch Preserve with the proposed Place of Use in 2018 for public access, habitat restoration, and protection of the Big Wood River floodplain. Since, the property has been the site of river restoration, accessible trails, and habitat enhancement projects. In the proposed Place of Use, the Land Trust has implemented and maintained a pollinator habitat project since 2020. We have planted over 200 native plants and shrubs for pollinator habitat to address the global decline of pollinating insects. We have held volunteer and school work days to provide education about pollinating insects and the importance of their habitat. We have also collected data annually on insect visitation to pollinator-attractant plants vs. areas without pollinator-attractant plants. We have found that, generally, pollinating insects visit areas with pollinator-attractant plants 2 times more frequently than other areas.

When the Land Trust acquired the Colorado Gulch Preserve, we were not able to acquire water rights for irrigation. We have been renting water through the Water Supply Bank to irrigate the pollinator-attractant plants. We have been using the adjacent HOA's point of diversion and delivery system to divert water to an above-ground irrigation system. This system is designed to irrigate specific areas through sprinkler heads that are monitored and adjusted weekly. There is a measuring device on the delivery system to measure water specifically used for this project.

The Land Trust would like to continue habitat restoration on the Colorado Gulch Preserve within the proposed Place of Use. Now that the pollinator-attractant plants are established, we would like to shift our efforts towards riparian habitat restoration to enhance the health of the Big Wood River and its floodplain. To augment floodplain habitat and the adjacent cottonwood/aspen forest, we would like to plant native aspen trees, willows, and other shrubs within the Place of Use. Using irrigation for the establishment and growth of trees and shrubs will significantly enhance their success. We would convert the above-ground irrigation system to drip irrigation for each planted tree or shrub. We would design the system so that the water delivered does not exceed the allowed 0.7 acres and 0.10 cfs delivery rate. We have approval from the HOA to continue using their point of diversion and delivery system for our habitat restoration efforts.

These restoration efforts and the proposed water rights transfer are within the public interest because they will help restore the natural function and health of the Big Wood River and its floodplain. Much of the Big Wood River and its floodplain have been channelized throughout the Wood River Valley, resulting in severe flooding and private property damage in certain years. The Land Trust works to restore areas that have been hydrologically disconnected to areas that can absorb high flows and prevent downstream flooding and impacts to private property. Inundation of the floodplain also supports the cottonwood/aspen forest, habitat for wildlife, and the aquifer. By planting aspen trees and riparian shrubs in a historic floodplain/forest, we will be restoring the disconnected floodplain and providing wildlife habitat. The public will also be able to enjoy the trees by utilizing the accessible trail system that was recently created on the Colorado Gulch Preserve. All of these outcomes are in the interest of the general public and the Big Wood River ecosystem.

March 24, 2025

Water District 37
107 West 1st St.
Shoshone, Idaho 83352

Water Master, Water District 37,

My name is Dr. Mark Acker. My brother Randy Acker and I are owners of Acker Partnership. On August 25 1995 we purchased land at 712 N. Main Street in Bellevue, Idaho. We also purchased a water right associated with the property on the Cove Canal. The previous owner of the water right was the Schofields.

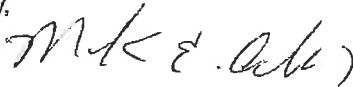
We used the water and paid the dues form 1995 until 2021. On April 27, 2021 I phoned Brittany at the Water District 37 and discussed putting the water right into the water bank, but the water master informed me that I could not do that.

I then found out that the Wood River Land Trust owned property on the Cove Canal near the point of diversion from the Big Wood River. I decided to donate the water right to the Wood River Land Trust so it could be put to good use.

On February 1, 2025 I received a bill from Water District 37 for \$100. The bill was for surface water / diversion number 44. I phoned District 37 at 208-886-2451 and advised them that the Wood River Land Trust owned that water right. The person I spoke with on the phone apologized and said that they know that the Wood River Land Trust owned the water right. They had the address and would mail them the bill.

The Wood River Land Trust owns water right #37-10725 for 0.7 acres of water!

Sincerely,



Dr. Mark Acker
Acker Partnership

208-788-1969
macker@safelink.net

~~RECEIVED~~

~~APR 02 2025~~

~~DEPT. OF WATER RESOURCES
SOUTHERN REGION~~

RECEIVED

APR 01 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 572

Effective until December 31, 2024

This map depicts the rental place of use pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Township/Range
-  Sections
- QQ



0 500 1,000 1,500 Feet

State of Idaho
Department of Water Resources
Water Right

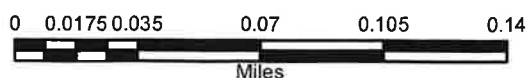
37-10725

IRRIGATION

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: 5/17/2023



Legend

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



State of Idaho
Department of Water Resources

Water Right

37-10725

IRRIGATION

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: 5/17/2023



Legend

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



S&P Policy 2.B.2

**BYLAWS
WOOD RIVER LAND TRUST**

**As Amended and Restated
Adopted by Board of Directors on October 26, 2021**

ARTICLE I - NAME

The name of this corporation is WOOD RIVER LAND TRUST COMPANY (hereinafter Land Trust). The Land Trust uses the assumed business name of WOOD RIVER LAND TRUST in the transaction of business. The Land Trust is a nonprofit corporation organized and operating under Title 30, Chapter 3, of the Idaho Nonprofit Corporation Act.

ARTICLE II – PRINCIPAL OFFICE

The principal office for the transaction of the business of the Land Trust is located in the County of Blaine, State of Idaho. The Board of Directors may change the principal office from one location to another by amendment of these Bylaws.

ARTICLE III – OBJECTIVES AND PURPOSES

The mission of the Land Trust is to protect and sustain the treasured landscapes and life-giving waters of the Wood River Valley and to inspire love for this special place for generations to come. The Land Trust works cooperatively with private landowners, public and private partners, and local communities to ensure these areas are protected now and for future generations. In furtherance of that mission, the objectives and purposes of this Land Trust shall be as follows:

(1) To acquire, hold, manage and transfer land, interests in land, and interests in water within the Wood River Valley and adjacent watersheds in a manner to preserve, protect and enhance the natural, environmental, wildlife habitat, scenic, recreational, open space and agricultural values of such lands in conformance with the requirements of Section 501(c)(3) of the Internal Revenue Code.

(2) To provide education and information to the public and government agencies on matters relating to land use planning and water related issues for preservation and conservation purposes, to secure funding for conservation purposes, and to engage the public in the importance of nature and open space for the health and sustainability of the local communities.

(3) To share our knowledge of land conservation strategies to encourage sound public and private conservation practices with respect to land and water resources, and to facilitate private conservation of open space and agricultural lands.

(4) To receive, hold and disburse contributions, gifts, grants, real and personal properties, bequests, devises and other funds for these purposes.

(5) To purchase, own, maintain and/or lease suitable real estate and buildings, and any other personal property which is deemed necessary for these purposes, and

(6) To enter into, make, perform, and carry out contracts of every kind for any lawful purpose, without limit as to the amount.

ARTICLE IV – NONPARTISAN ACTIVITIES

This Land Trust has been formed under the Idaho Nonprofit Corporation Act for the purposes described above, and it shall be nonprofit and nonpartisan. No substantial part of the activities of this Land Trust shall consist of lobbying or propaganda, or otherwise attempting to influence legislation, except as provided in Section 501(h) of the Internal Revenue Code. This Land Trust shall not participate or intervene in any political campaign (including publishing or distributing statements) on behalf of any candidate for public office.

ARTICLE V – DEDICATION OF ASSETS

The properties and assets of this nonprofit public benefit Land Trust are irrevocably dedicated to charitable purposes. No part of the net earnings, properties or assets of this Land Trust, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any member, officer or director of this corporation. On liquidation or dissolution, all assets, properties and obligations shall be distributed and paid over to an organization dedicated to similar charitable purposes, provided that organization continues to be dedicated to the exempt purposes as specified in Section 501(c)(3) of the Internal Revenue Code and is qualified to hold conservation easements.

ARTICLE VI - MEMBERSHIP

This Land Trust shall have no voting members. The Board of Directors may, by resolution, establish such categories of nonvoting memberships as it deems advisable and useful for its activities.

ARTICLE VII - BOARD OF DIRECTORS

Section 1: Number of Directors: The property, affairs and activities of the Land Trust are managed by a Board of Directors of no fewer than seven (7) and no more than twenty-one (21) Directors, as determined from time to time by a majority of the current Directors serving on the Board of Directors.

Section 2: Powers of Directors: Within the limitations of the Articles of Incorporation, other sections of these Bylaws, and the Idaho Nonprofit Corporation Act, all corporate powers of the Land Trust shall be exercised by or under the authority of the Board of Directors, and the business and affairs of the Land Trust shall be controlled by the Board of Directors.

Section 3: Election, Qualifications and Terms of Office

A. Election of a Director to the Board shall be by ballot or affirmation. A majority vote of the Board, with the Director being considered ineligible to vote, shall constitute election. The Board will strive to have a composition of two-thirds or more of its members being full time residents of the service area of the Land Trust.

B. When considering the qualifications of prospective board members, the Board shall consider the candidate's dedication to the Land Trust mission, willingness to actively participate in board and committee meetings, and willingness to assist in fundraising for the Land Trust.

C. For Directors elected initially at the Annual Meeting, their first term shall run at least one (1) year, but no more than three (3) years, as determined by the Board at the time of such Director's election, and shall expire at the adjournment of the Annual Meeting marking the approximate first, second or third anniversary from their election, as the case may be. In determining the initial term of a Director, the Board will strive to arrange the Directors in classes so that no more than approximately one-third (1/3) of all Directors' terms expire at any one Annual Meeting. After a Director serves their initial term, a Director re-elected to subsequent terms shall serve three-year terms. Directors elected at a time other than the Annual Meeting shall assume their responsibilities upon their election to office, but their first term shall not commence until they are elected at the next Annual Meeting. After having completed twelve (12) consecutive years of service on the Board, a Director shall not stand for re-election to the Board. After a break in service of not fewer than two years, a former Director who, in compliance with this service limit provision has left the Board, may be re-elected, but in such case shall not serve more than six additional years.

D. A Director may resign by written notice to the Land Trust. The resignation shall be effective upon its receipt by the Land Trust or at a subsequent time specified in the notice of resignation.

Section 4: Leave of Absence

A. A Director may take a leave of absence from the Board for a period of up to six months for any personal reason. The Director may indicate his/her intention to take and to end such a leave in writing or by e-mail communication. An officer of the Land Trust shall respond to a Director's indication of intention to take a leave of absence in writing.

B. During the period of the Director's leave of absence, the Director's membership on the Board and Board Committees shall be deemed suspended and the Director shall not be counted as a member for the purposes of voting, receipt of notices, action by unanimous consent and quorum determination. However, for the purpose of determining the maximum number of Directors as provided in Section 1 of Article VII of these Bylaws, the Board membership of a Director on leave will be counted.

C. If, at the end of the maximum six-month leave of absence period, the Director is unable to return to active Board membership, the Director may request an extension of up to three additional months. If the Director fails to request an extension or the Board denies the extension request, the Director will be deemed to have resigned from the Board.

D. The time spent by a Director on leave of absence shall not be counted towards his/her twelve-year maximum term of service.

Section 5: Removal: Within the limitations of the Articles of Incorporation, other sections of these Bylaws and the Idaho Nonprofit Corporation Act, any Director may be removed from office by the vote of a majority of the remaining Directors for failure to participate, nonperformance of duties, or other cause deemed sufficient by the Board. Such action shall be taken at a regular meeting of the Board of Directors or at a special meeting called for such purpose, and the proposed removal shall be set forth in the notice of any such regular or special meeting.

Section 6: Vacancies: In the event of a vacancy on the Board of Directors through death, resignation, removal, or other cause, the remaining Directors may elect a successor Director by a majority vote. A successor Director so elected shall serve for the remainder of the vacant term and shall be eligible for re-election as specified in these Bylaws.

Section 7: Compensation: Directors shall serve without compensation except for reimbursement of reasonable out-of-pocket expenses as approved in advance by the Board of Directors.

ARTICLE VIII - BOARD RESPONSIBILITIES

Section 1: Responsibilities in General: Directors are expected to understand and accept the responsibilities of a Director as outlined in the Board Responsibility and Board Accountability policies of the Land Trust.

Section 2: Attendance: Directors are expected to attend at least eighty per cent (80%) of all regular and special meetings of the Board of Directors, either in person or remotely in accordance with Article IX, Section 6. In addition, those Directors who are members of the Executive Committee are expected to attend at least eighty per cent (80%) of meetings of the Executive Committee, either in person or remotely in accordance with Article IX, Section 6.

Section 3: Conflict of Interest: Conflict of interest transactions shall be resolved in accordance with Idaho Nonprofit Corporation Act and the ethics and Conflict of Interest policies adopted by the Board of Directors.

ARTICLE IX - MEETINGS

Section 1: Annual Meeting: The Annual Meeting of the Board of Directors shall be held during June of each year at a time and place to be determined by resolution of the Board of Directors. Notice of the time and place of the Annual Meeting shall be given as provided in Section 4 of this Article.

Section 2: Regular Meetings: Regular meetings of the Board of Directors may be held at such time and at such places within or outside the State of Idaho as may from time to time be determined by the Board. The Board may authorize the Board Chair or Co-Chairs to fix the specific date and place of any regular meeting. Notice of the time and place of regular meetings shall be given as described in Section 4 of this Article.

Section 3: Special Meetings: Special meetings of the Board of Directors may be called by the Board Chair or Co-Chairs, or in the Board Chair's or Co-Chairs' absence or inability to act, the Vice-Chair, or by any two members of the Executive Committee, by a majority of the Directors, or in accordance with the Idaho Nonprofit Corporation Act. Notice of the time and place of such meeting shall be given as described in Section 4 of this Article and shall also include the reason(s) for which the meeting is called.

Section 4: Notice of Meetings: Notice of Annual Meetings and regular meetings of the Board of Directors shall be given at least seven (7) days previous thereto by written notice or electronic mail to each Director at his/her address as shown on the records of the Land Trust. Notice of special meetings of the Board of Directors shall be given by mail, electronic mail or telephonic communication at least two (2) days previous thereto to each Director at his/her address as shown on the records of the Land Trust. Any person authorized by Section 3 of this Article to

call a special meeting of the Board of Directors may authorize the Secretary to send the notices required by this section.

Section 5: Quorum and Voting

A. At all meetings of the Board of Directors, a quorum is necessary for the transaction of business and passing a motion unless otherwise specified by law, the Articles of Incorporation or these Bylaws. A quorum shall consist of a majority of the current Directors, excluding those on leave of absence or absent from the meeting due to recusal.

B. Voting by proxy shall be permitted only by resolution of the Board of Directors on an issue-by-issue basis. In the event of a vote by proxy, all proxies shall be in writing, signed by the Director and filed with the Secretary. Proxies filed by electronic mail shall be deemed to be in writing and signed by the Director. In the event of a vote by proxy, the proxy shall be counted to determine the presence of a quorum.

C. All voting decisions and elections shall be by a simple majority of those Directors present and represented by proxy, unless otherwise specified in these Bylaws.

Section 6: Participation Remotely: Directors may participate in a meeting using telephone, internet or other conferencing media, so long as all Directors participating in the meeting can hear one another. Such participation constitutes presence in person at the meeting.

Section 7: Conduct of Meetings: Meetings of the Directors shall be presided over by the Board Chair or Co-Chairs, or, in the Board Chair's or Co-Chairs' absence, by the Vice Chair. In the event of the absence of both such officers, the Directors present may elect a chair pro tem to preside over the meeting. The Secretary or an Assistant Secretary of the Land Trust or, in their absence, a person chosen at the meeting shall act as Secretary of the meeting.

Section 8: Waiver and Consent: Waiver of notice of any meeting shall be in accordance with the Idaho Nonprofit Corporation Act. Notice of the Annual Meeting or any regular or special meeting of the Board of Directors may be waived in writing, signed by the person or persons entitled to the notice either before or after the time of the meeting. Electronic mail shall suffice for a written waiver. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the waiver of notice of such meeting, unless specifically required by law or by these Bylaws.

Section 9: Action by Unanimous Written Consent: If and when the Directors shall individually or jointly consent in writing to any action to be taken by the Land Trust either before or after

the action is taken, such action shall be as valid a corporate action as though it had been authorized at a meeting of the Directors and the written consents shall be filed with the minutes of the proceedings of the Board of Directors. Electronic mail shall suffice for a written consent.

Section 10: General Powers as to Negotiable Paper: The Board of Directors shall, from time to time, prescribe the manner of signature or endorsement of checks, drafts, notes, acceptances, bills of exchange, obligations and other negotiable paper or other instruments for the payment of money, and designate the officer or officers, Executive Director, agent or agents, who shall from time to time be authorized to make, sign or endorse the same on behalf of the Land Trust.

Section 11: Powers as to Other Documents: The Board of Directors may authorize any officer or officers, agent or agents, or the Executive Director to enter into any contract or execute or deliver any conveyance or other instrument in the name of the Land Trust, and any such authority may be general or confined to specific instances. When the execution of any contract, conveyance, or other instrument has been authorized without specification of the officers authorized to execute, the same may be executed on behalf of the Land Trust by the Board Chair or Co-Chairs, the Vice Chair, the Secretary or the Treasurer.

Section 12: Certification of Resolutions Regarding Accounts: If the Land Trust is required to provide a bank, broker or other financial institution with a resolution of the Land Trust's Board of Directors on a form provided by such institution, the Secretary may certify to the adoption of the resolution by the Board and cause a copy of the resolution to be placed in the Minute Book of the Land Trust. Any resolution so certified by the Secretary will be deemed to have been duly adopted by the Board effective on the date of certification.

ARTICLE X – OFFICERS

Section 1: Officers: The officers of this Land Trust shall be a Board Chair or Co-Chairs, a Vice Chair, a Secretary, a Treasurer, an Executive Director, and such other officers as the Board may appoint. One person may hold two or more offices, except that neither the Board Chair or Co-Chairs nor the Executive Director may hold more than one office.

Section 2: Qualifications and Election: All officers other than the Executive Director shall be Directors of the Land Trust and shall be elected by the Board of Directors at its Annual Meeting.

Section 3: Term of Office: The term of office of all officers shall commence upon their election or appointment and shall continue until their successor is chosen at the next Annual Meeting of the Land Trust or otherwise, or until their resignation or removal. An officer may resign by written notice to the Land Trust. The resignation shall be effective upon its receipt by the Land Trust or at a subsequent time specified in the notice of resignation. Absent ordinary circumstances making the provision impractical, the Board Chair or Co-Chairs will be expected

to serve two successive one-year terms. The Vice Chair elected at the time of the Board Chair or Co-Chairs' first term will be deemed to be the Chair-Elect and will be expected to succeed the Board Chair or Co-Chairs upon completion of the Board Chair's or Co-Chairs' term of office. If a Board Chair's or Co-Chairs' first term is four months or less, they may thereafter serve two one-year terms, but if the first term is longer than four months it will be deemed to be a full one-year term for purposes of this Section 3.

Section 4: Vacancies and Removal

A. Should a vacancy occur in any of the officers required by Section 1 of this Article other than the Executive Director, the Board of Directors shall elect a successor officer to fill the remainder of that term. In the event of a vacancy in any office permitted but not required by Section 1, the Board of Directors may elect a successor officer to fill the remainder of that term, or may leave the office vacant.

B. An Officer may be removed from office by a vote of a majority of the Directors for non-performance of duties or other cause deemed sufficient by the Board. Such action shall be taken at a regular meeting of the Board of Directors or at a special meeting called for such purpose and the proposed removal shall be set forth in the notice of any such regular or special meeting.

Section 5: Powers and Duties

A. The Board Chair or Co-Chairs' powers, responsibilities, and duties shall include:

- 1) Serving as the presiding officer of the Board, overseeing the policies and strategies determined by the Board and supervising the Executive Director;
- 2) Presiding at Board and Executive Committee meetings;
- 3) Appointing of special committees and task forces, and appointing the chairs and vice-chairs of the standing committees and task forces, subject to confirmation by the Board at each Annual Meeting;
- 4) Serving as ex-officio member of all committees and task forces;
- 5) Signing and co-signing contracts and other documents authorized by the Board, which are outside, or in excess of, the authority delegated to the Executive Director pursuant to Article X, Section B.4;
- 6) Performing other duties as outlined in the Bylaws or as the Board may assign; and

7) Reviewing the performance of the Executive Director and Deputy Director as a member of the Personnel Committee as part of their annual performance review in accordance with the Land Trust's personnel policies.

B. The Executive Director's, or in the absence of the Executive Director, the Deputy Director's powers, responsibilities and duties shall include:

- 1) Serving as the chief executive officer of the Land Trust and being the supervisor of its staff members;
- 2) Executing the policies and strategies of the Land Trust as established by the Board;
- 3) Making employment decisions regarding salaried and non-salaried, full- and part-time employees of the Land Trust within the limits authorized by the Board;
- 4) Signing and co-signing contracts and other documents within the limits authorized by the Board;
- 5) Serving as an ex officio non-voting member of standing committees and task forces; and
- 6) Performing such other duties as directed by the Board Chair or Co-Chairs.

C. The Vice Chair's responsibilities and duties shall include:

- 1) In the absence or disability of the Board Chair or Co-Chairs, performing all the duties of the Board Chair or Co-Chairs and in so doing assuming all the powers and responsibilities of the Board Chair or Co-Chairs; and
- 2) Performing other duties as the Board Chair or Co-Chairs or Board of Directors may assign.

D. The Secretary's responsibilities and duties shall include:

- 1) Preparing the minutes of all meetings of the Executive Committee and the Board of Directors;
- 2) Communicating all notices of all meetings;

3) Establishing procedures for and overseeing the maintenance at the Land Trust office or other secure location(s) of a permanent file of the legal and official documents and records of the Land Trust as directed by the Board of Directors; and

4) Performing other duties as the position may require or the Board of Directors may assign.

E. The Treasurer's responsibilities and duties shall include:

1) Serving as the Chair of the Board Finance & Investment Committee;

2) Establishing procedures for and overseeing the collection and receipt of all monies due, safely keeping all funds of the Land Trust, and overseeing the deposit and investment of funds as designated by the Board;

3) Serving as the principal liaison officer with the Land Trust's independent accounting, financial, advisory or auditing firms;

4) Overseeing the preparation and presentation of financial reports to the Board as requested;

5) Overseeing the preparation and implementation of the Land Trust's annual budgets;

6) Overseeing the preparation and filing of the Land Trust's Form 990 and related tax returns; and

7) Performing such other duties as the position may require or the Board may assign.

ARTICLE XI - EXECUTIVE COMMITTEE

Section 1: Composition: The Executive Committee shall consist of the officers of the Land Trust, not including Assistant Officers. The Board may also designate one other member from the Board of Director to serve on the Executive Committee. The Board Chair or Co-Chairs shall be the Chair of the Executive Committee. The Executive Director shall serve as a non-voting ex officio member of the Executive Committee.

Section 2: Powers and Duties: The Executive Committee shall act for the Board of Directors, if during the time between Board meetings urgent matters arise that must be resolved, and shall have all powers of the Board, except any that have been specifically reserved to the entire Board or to a committee by resolution of the Board or by these Bylaws. The Executive

Committee shall report in full on its activities and actions at the next meeting of the Board of Directors.

Section 3: Meetings and Quorum: The Executive Committee shall meet as needed, as determined by the Board Chair or Co-Chairs. A majority of the members of the Executive Committee, excluding from that calculation any member absent from the meeting due to recusal, but not fewer than three, constitutes a quorum.

ARTICLE XII - OTHER COMMITTEES

Section 1: Additional Committees and Task Forces: The Board of Directors shall have the authority to establish or dissolve any other committees and task forces to assist in the work of the Land Trust, as it deems necessary. The goal of the Board of Directors should be that any such committee or task force have at least three members, at least half of which shall be members of the Board of Directors. Subject to the foregoing, the Board of Directors may also designate persons from the Advisory Council or community to be voting or non-voting members of any committee or task force. The Board Chair or Co-Chairs shall appoint a Director as the Chair of each such committee or task force. In consultation with a committee Chair, the Board Chair or Co-Chairs may also appoint a Vice Chair of the committee or task force.

Section 2: Meetings, Recommendations and Actions of Committees and Task Forces: Meetings, recommendations and other actions of committees and task forces shall be governed by, held, and taken in accordance with the provisions of these Bylaws concerning meetings of Directors. Minutes or reports of each committee or task force meeting shall be kept and filed with the Land Trust records, and shall be made available to all Directors as soon as approved by each such committee or task force.

Section 3: Other Recognized Groups: The Board of Directors also has the authority to create by resolution and name groups of persons who have limited advisory responsibilities to the Land Trust and/or who deserve recognition for their support, counsel or advice to the Land Trust, its Board members and its staff.

ARTICLE XIII – LAND & EASEMENT DECISIONS

Section 1: Approval by Board of Directors: All decisions to acquire, transfer or encumber an interest in land shall be reviewed and approved by resolution of the Board of Directors. In extraordinary circumstances when it may be impossible and/or impractical for the Board to meet in order to render a decision to acquire, transfer or encumber an interest in land, the Executive Committee may act in the Board's stead, provided the Board Chair or Co-Chairs report(s) the action taken to the Board at its next regularly scheduled meeting.

Section 2: Stewardship: For any land transaction in which the Land Trust will continue to be responsible for enforcement of easement terms or general management of the land, the Board of Directors will provide adequate resources in its Stewardship Fund to meet the Land Trust's on-going fiduciary responsibility.

ARTICLE XIV – INDEMNIFICATION

Section 1: Non-Liability of Directors: The Directors, individually or collectively, shall not be personally liable for any of the debts, liabilities or other obligations of the Land Trust.

Section 2: Indemnification by Land Trust: To the fullest extent permitted by law, the Directors, officers, employees, volunteers and agents of this Land Trust shall be indemnified in accordance with the Idaho Nonprofit Corporation Act. The Board of Directors shall purchase and maintain insurance to protect the Land Trust and any person who is a Director, officer, employee, volunteer, or agent from any liability asserted against them or incurred by them in their capacity with the Land Trust.

Section 3: Non-Liability of Agents: No person who was, is now, or later becomes an employee or an agent of this Land Trust shall be personally liable for any indebtedness, liability or obligation of the Land Trust, and all creditors of this Land Trust shall look only to the assets or security of this Land Trust for payment.

ARTICLE XV – BOOKS AND RECORDS

Section 1: Maintenance of Corporate Records: The accounting books, records and minutes of proceedings of the Board of Directors and any committees of the Board shall be kept at such place or places designated by the Board of Directors, or, in the absence of such designation, at the principal office of the Land Trust. Copies of all important corporate records shall be maintained off-site in a secure facility or in a secure cloud repository.

Section 2: Inspection: Every Director shall have the right at any reasonable time to inspect all books, records and documents of every kind and the physical properties of the Land Trust, except for any confidential personnel records or other documents deemed confidential by the Board of Directors.

ARTICLE XVI - FISCAL YEAR

The fiscal year of the Land Trust shall begin on April 1 and end on the last day of March of the following year.

ARTICLE XVII -- SEAL

The corporate seal of the Land Trust shall have inscribed thereon the name of the Wood River Land Trust and the words "Corporate Seal, State of Idaho."

ARTICLE XVIII - PARLIAMENTARY AUTHORITY

The rules contained in The Modern Edition of *Robert's Rules of Order* shall govern in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules or procedures this Land Trust may adopt.

ARTICLE XIX - AMENDMENTS

These Bylaws may be amended by a vote of two-thirds of the Board of Directors if notice of the nature of the proposed amendment has been delivered to all Directors at least thirty (30) days before the meeting. The Bylaws will be reviewed annually.

ARTICLE XX - DISSOLUTION AND FINAL DISTRIBUTION

This Land Trust may only be dissolved in the manner provided for in the Land Trust's Articles of Incorporation, by the appropriate provisions of Idaho law, and in full compliance with the Internal Revenue Code requirements for transfer of assets to another tax-exempt non-profit public benefit corporation, which is qualified under Section 501(c)(3) and is qualified to hold conservation easements.

CERTIFICATION

The undersigned, being the Secretary of the WOOD RIVER LAND TRUST COMPANY, an Idaho nonprofit corporation ("Land Trust"), certifies that the foregoing document is a full and complete copy of the Amended and Restated Bylaws of the Land Trust duly adopted by the Board of Directors of the Land Trust at a meeting held on October 26, 2021.

Dated this 26th day of October, 2021, at Hailey, Idaho.



Barry Bunshoft, Secretary

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Sun Valley Law PLLC
111 North Main Street Suite B
Post Office Box 6200
Ketchum, Idaho 83340
(208) 726-5962
(208) 913-0500 fax

Please reserve space above for Recorder's use only.

GIFT DEED

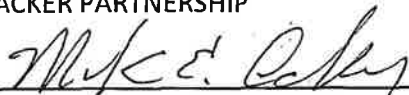
FOR AND IN CONSIDERATION of its desire to make a gift, for which no other actual or real consideration is required, the ACKER PARTNERSHIP, an Idaho General Partnership ("Grantor") conveys and transfers to the WOOD RIVER LAND TRUST COMPANY, an Idaho nonprofit corporation and Internal Revenue Code Section 501(c)(3) public charity ("Grantee"), with a mailing address of 119 East Bullion Street, Hailey, ID 83333, all of Grantor's right title and interest in and to the water right described as follows:

Idaho Department of Water Resource's 37-10725 (the "Right").

Subject to taxes, restrictions and encumbrances of record, water district fees, ground water district fees, use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD the Right, with all appurtenances, unto Grantee and to Grantee's heirs and assigns forever. Grantor warrants and covenants to Grantee that Grantor is the owner of the Right and that it is free from all encumbrances except as described above.

ACKER PARTNERSHIP



By Mark Acker, its General Partner

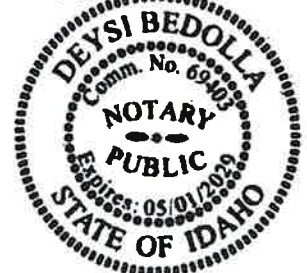
State of Idaho
County of Blaine

This record was acknowledged before me on December 22nd 2023, by Mark Acker as a general partner of the ACKER PARTNERSHIP.



Signature of notary public

(Stamp)





0005732559

**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 #: 0005732559

Date Filed: 5/9/2024 10:19:55 AM

Entity Name and Mailing Address:

Entity Name: WOOD RIVER LAND TRUST COMPANY
The file number of this entity on the records of the Idaho Secretary of State is: 0000329232
Address: 119 E BULLION ST
HAILEY, ID 83333-8770

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C106731

The registered agent on record is:

Registered Agent: SCOTT BOETTGER
Registered Agent
Physical Address
119 E BULLION ST
HAILEY, ID 83333
Mailing Address

The name and street address of the new registered agent and office in Idaho is:

Registered Agent: Registered Agent
Amy Trujillo
Physical Address:
119 E BULLION ST
HAILEY, ID 83333
Mailing Address:
119 E BULLION ST
HAILEY, 83333

☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.

Corporate Officers and Directors:

Name	Title	Business Address
☒ David Woodward	Director	119 E BULLION ST HAILEY, ID 83333
☒ Roland Wolfram	President	119 E BULLION ST HAILEY, ID 83333-8770
☒ Barry Bunshoft	Director	119 E BULLION ST HAILEY, ID 83333-8770
☒ Nick Miller	Director	119 E BULLION ST HAILEY, ID 83333-8770
☒ Trish Klahr	Director	119 E BULLION ST HAILEY, ID 83333-8770
☒ Gayle Stevenson	Director	119 E BULLION ST HAILEY, ID 83333-8770



• David Perkins	Director	119 E BULLION ST HAILEY, ID 83333-8770
• James Barnes	Secretary	119 E BULLION ST HAILEY, ID 83333-8770
- REBECCA PATTON	Director	119 E BULLION ST HAILEY, ID 83333-8770
• Robert Ordal	Director	119 E BULLION ST HAILEY, ID 83333-8770
- Kathleen Bean	Director	119 E BULLION ST HAILEY, ID 83333
Victor Bernstein	Director	119 E BULLION ST, HAILEY, ID 83333
• Karen de Saint Phalle	Vice President	119 E BULLION ST HAILEY, ID 83333
Jeff Seely	Director	119 E BULLION ST HAILEY, ID 83333
• Mark Ullman	Treasurer	119 E BULLION ST HAILEY, ID 83333
+ Mary Bachman	Director	119 E BULLION ST HAILEY, ID 83333
+ Jeff Johnson	Director	119 E BULLION ST HAILEY, ID 83333
+ Elise Lufkin	Director	119 E BULLION ST HAILEY, ID 83333
+ Jim Speck	Director	119 E BULLION ST HAILEY, ID 83333

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

Job Title: Executive Director

Amy Trujillo

Sign Here

05/09/2024

Date

LEGAL NOTICES

TRANSPORTATION DEPARTMENT
39-ZBRR-2501, Agency Omnibus ZBR
Negotiated Rulemaking promulgates
Title 02, Chapter 60; and Title 03,
Chapter 49.

IDAPA 52 – IDAHO STATE LOTTERY
52-0103-2501, Rules Governing
Operations of the Idaho State Lottery

Please refer to the Idaho Administrative
Bulletin May 7, 2025, Volume 25-5, for
the notices and text of all rulemak-
ings, proclamations, negotiated rule-
making and public hearing informa-
tion and schedules, executive orders
of the Governor, and agency contact
information.

Issues of the Idaho Administrative
Bulletin can be viewed at www.admrules.idaho.gov/

Office of the Administrative Rules
Coordinator, Division of Financial
Management, PO Box 83720, Boise,
ID 83720-0032
Phone: 208-334-3900; Email: admin-
rules@dm.idaho.gov

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1345

AN ORDINANCE OF THE CITY OF
HAILEY, IDAHO, AUTHORIZING
THE EXECUTION OF THE FIRST
AMENDMENT TO THE PLANNED
UNIT DEVELOPMENT AGREEMENT
WITH MARATHON PARTNERS, LLC,
REGARDING THE DEVELOPMENT
OF THE SUNBEAM SUBDIVISION
(PHASE I) AND PHASE II; PROVIDING
FOR A REPEALER CLAUSE; AND
PROVIDING FOR THE EFFECTIVE
DATE OF THIS ORDINANCE
UPON PASSAGE, APPROVAL AND
PUBLICATION ACCORDING TO LAW

WHEREAS, the City of Hailey
desires to modify the Planned
Development Agreement with
Marathon Partners, LLC, regarding
the development of the Sunbeam
Subdivision.

WHEREAS, the City of Hailey agrees
to the terms and conditions of the
First Amendment to the Planned Unit
Development Agreement, a copy of
which is attached hereto.

WHEREAS, the parameters set
forth in the First Amendment to the
PUD Agreement, and this ordinance
will promote the public health, safety
and general welfare;

NOW, THEREFORE, BE IT
ORDAINED BY THE MAYOR AND
CITY COUNCIL OF THE CITY OF
HAILEY, IDAHO, AS FOLLOWS:

Section 1. Severability Clause.
Should any section or provision of this
Ordinance be declared by the courts
to be unconstitutional or invalid, such
decision shall not affect the validity of
the Ordinance as a whole or any part
thereof other than the part so declared
to be unconstitutional or invalid.

Section 3. Repealer Clause. All City
of Hailey ordinances or parts thereof,
which are in conflict herewith, are
hereby repealed.

Section 4. Effective Date. This ordi-
nance shall be in full force and effect
from and after passage, approval, and
publication according to law.

PASSED AND ADOPTED BY THE
HAILEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS
28th DAY OF APRIL, 2025

Martha Burke, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1346

AN ORDINANCE OF THE CITY OF
HAILEY, IDAHO, AMENDING THE
ANNEXATION, SERVICES, AND
DEVELOPMENT AGREEMENT OF

THE QUIGLEY FARM SUBDIVISION,
BY ADDENDUM; PROVIDING FOR
AN AMENDMENT TO THE BLOCK
DENSITY SUMMARY TABLE AND
SUBDIVISION SUMMARY TABLE
INCLUDED IN THE NOTES OF THE
QUIGLEY FARM LARGE BLOCK
PLAT REALLOCATING TWO (2)
REQUIRED COMMUNITY HOUSING
UNITS FROM BLOCK 2 TO BLOCK 9;
PROVIDING FOR SEVERABILITY
CLAUSE, A REPEALER CLAUSE AND
PROVIDING FOR THE EFFECTIVE
DATE OF THIS ORDINANCE.

WHEREAS, the City is a municipal
corporation possessing all powers
granted to municipalities under the
applicable provisions of the Idaho
Code, included the power to amend
agreements associated with subdivi-
sion layout and design to better meet
the needs of its citizenry.

WHEREAS, Quigley Farm and
Conservation Community, LLC, an
Idaho limited liability company
("Quigley") received approval of
annexation into the City of Hailey,
by Ordinance No. 1219 and associ-
ated land use entitlements as reflect-
ed in an Annexation, Services and
Development Agreement Quigley
Farm (the "Annexation Agreement")
on August 9, 2017, and recorded as
Instrument No. 645779 on August 16,
2017, in the records of Blaine County,
Idaho, and

WHEREAS, Quigley is seeking approval
to amend the BLOCK DENSITY
SUMMARY TABLE included in the
Preliminary Large Block Plat attached
as Exhibit B2 to the Annexation
Agreement and thereafter included as
the SUBDIVISION SUMMARY TABLE
in the Notes of the Quigley Farm Large
Block Plat (the "Plat") to reallocate two
(2) required Community Housing Units
from Block 2 to Block 9, and

WHEREAS, the City is willing to accom-
modate the request so long as the
total number of required Community
Housing Units within the Subdivision
remains the same; and

WHEREAS, pursuant to Section
16.B. of the Annexation Agreement,
the Agreement may be amended by
means of a written instrument exe-
cuted by both parties thereto, which
Addendum to Annexation, Services
and Development Agreement Quigley
Farm is attached hereto as Exhibit A,
and made a part hereof, and

WHEREAS, Idaho Code Section
67-5511A mandates that each govern-
ing board may, by ordinance adopted
or amended in accordance with the
notice and hearing provisions provid-
ed by Idaho Code section 67-5509,
adopt or amend such Development
Agreement.

NOW, THEREFORE, BE IT
ORDAINED BY THE MAYOR AND
THE CITY COUNCIL OF THE CITY
OF HAILEY, IDAHO, AS FOLLOWS:

SECTION 1. The Annexation,
Services and Development Agreement,
Quigley Farm is amended by
Addendum pursuant to the Exhibit
A attached hereto and made a part
hereof whereby (1) The Number of
Community Housing Units required
in Block 2 of the Subdivision shall be
reduced from 2 to 0; (2) The num-
ber of Community Housing Units
required in Block 9 of the Subdivision
shall be increased from 7 to 9; and
(3) The changes in the allocation of
required community housing units
among Blocks within the Quigley Farm
Subdivision shall be reflected in the
plats and development plans for the
impacted Blocks.

SECTION 2. Severability Clause.
Should any section or provision of this
Ordinance be declared by the courts
to be unconstitutional or invalid, such
decision shall not affect the validity of
the Ordinance as a whole or any part
thereof other than the part so declared
to be unconstitutional or invalid.

SECTION 3. Repealer Clause.
All City of Hailey ordinances or parts
thereof, which are in conflict herewith,
are hereby repealed.

SECTION 4. Effective Date. This
Ordinance shall be in full force and
effect from and after its passage,

approval, and publication according to
law.

PASSED AND ADOPTED BY
THE HAILEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS
28TH DAY OF APRIL, 2025.

Martha Burke, Mayor

Attest:

Mary Cone
Hailey City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1347

The following is a summary of the
principal provisions of Ordinance No.
1347 of the City of Hailey, Idaho, duly
passed and adopted April 28, 2025, by
the City Council and Mayor of the City
of Hailey:

AN ORDINANCE OF THE CITY
OF HAILEY, IDAHO, AMENDING
TITLE 17: ZONING REGULATIONS,
CHAPTER 17.04: ESTABLISHMENT,
PURPOSES AND USES WITHIN
ZONING DISTRICTS, ARTICLE M:
TOWNSHIP OVERLAY (TO) ZONING
DISTRICT, SECTION 17.04M.060,
OF THE HAILEY MUNICIPAL
CODE BY ADDING PARAGRAPH
"J," ITEMS J.1, J.2, AND J.3;
PROVIDING FOR FLEXIBILITY OF
MAXIMUM BUILDING HEIGHT AND/
OR MAXIMUM LOT COVERAGE
FOR DEVELOPMENT PROJECTS
PRESERVING A HISTORIC
COMMERCIAL OR RESIDENTIAL
STRUCTURE; PROVIDING FOR A
SEVERABILITY CLAUSE;
PROVIDING FOR A REPEALER
CLAUSE; AND PROVIDING FOR
THE EFFECTIVE DATE OF THIS
ORDINANCE

Hailey Ordinance No. 1347 amends
Hailey Municipal Code as follows:

Sections 1 Amends Hailey Code Title
17, Zoning Regulations, Chapter 17.04,
by modifying Section 17.04M.060,
to include the addition of paragraph
J: PRESERVATION OF HISTORIC
STRUCTURES, Items J.1: BULK
REQUIREMENT FLEXIBILITY, J.2:
SPECIFIC STANDARDS, AND J.3:
OTHER REQUIREMENTS.

Section 2 provides a savings and sev-
erability clause.

Section 3 provides a repealer clause.

Section 4 provides an effective date.

The full text of Ordinance No. 1347
is available at Hailey City Hall at 115
South Main Street, Suite H, Hailey,
Idaho, 83333 and will be provided to
any citizen upon request during regular
business hours.

CERTIFICATION OF CITY
ATTORNEY

I, the undersigned Attorney at Law,
as attorney for the City of Hailey,
Idaho, hereby certify that I have read
the foregoing summary of Ordinance
No. 1347 of the City of Hailey, that
I have compared it to the full text of
Ordinance No. 1347, and that in my
opinion, the above summary is true
and complete and provides adequate
notice to the public of the contents of
said Ordinance.

Dated this 28th day of April, 2025.

Christopher P. Simms, Hailey City
Attorney

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

LEGAL NOTICE
BLAINE COUNTY BOARD OF
COUNTY COMMISSIONERS
June 3, 2025

On Tuesday, June 3, 2025, the
Blaine County Board of County
Commissioners will hold a public
meeting upstairs in the Old County
Courthouse located at 208 1st Ave.
So., in Hailey. Items on their agenda

include the following:

1:30 p.m. ACTION ITEM: Resolution
for Fee Schedule: Public hearing on
and consideration of proposed amend-
ments to the fee schedule for applica-
tions and permits submitted pursu-
ant to Blaine County Code Title 7
(Building Regulations), Title 9 (Zoning
Regulations) & Title 10 (Subdivision
Regulations). Certain fees are pro-
posed to be changed/increased. Some
new fees are proposed. This hearing
is scheduled to solicit public comment
regarding the proposed fees and to
explain the reasons for such proposed
action.

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 web-
site 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 Commissioners 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
zcounter@co.blaine.id.us

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

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7 & 28, 2025

LEGAL NOTICE
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO

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

37-23593
BLACKBURN FARMING LLC
535 GANNETT RD UNIT E
BELLEVUE, ID 83313-5045
Point of Diversion NESW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Point of Diversion NESW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.33
CFS

Total Diversion: 0.33 CFS
Date Filed: 05-08-2024
Place Of Use: DOMESTIC
T01N R19E S17 SWNE, SENW,
SNNW, NESW, NWSW, NESE, NWSE
Application proposes to drill two new
wells for a community water system for
a 50-home subdivision. The water is
for in-house use only and wastewater
is discharged into private septic sys-
tems. Irrigation water will be supplied
by existing surface water and ground
water irrigation rights. The proposed
POU and POD's are located on the
east side of Gannett Road approxi-
mately 2.9 miles south and 1.8 miles
east of the Gannett Road & Highway
75 intersection in Bellevue. This appli-
cation proposes to appropriate trust
water and will be evaluated in com-
pliance with Section 42-203C, Idaho
Code, and IDWR's Water Appropriation
Rules, IDAPA 37.03.08.

37-23629
LOVAS TRUST
57 S L ST UNIT 349
LIVERMORE, CA 94550-3172
Point of Diversion NWSW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Point of Diversion NWSW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.23
CFS

Total Diversion: 0.23 CFS
Date Filed: 11-06-2024
Place Of Use: DOMESTIC
T01N R19E S17 NWSW, SESW,
SSW
Place Of Use: DOMESTIC
T01N R19E S20 NENW
Application proposes to drill two new

wells for a community water system for
a 25-home subdivision. The water is
for in-house use only and wastewater
is discharged into private septic sys-
tems. Irrigation water will be supplied
by existing surface water and ground
water irrigation rights. The proposed
POU and POD's are located on the
west side of Gannett Road approxi-
mately 2.9 miles south and 1.7 miles
east of the Gannett Road & Highway
75 intersection in Bellevue. This appli-
cation proposes to appropriate trust
water and will be evaluated in com-
pliance 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. 89683
WOOD RIVER LAND TRUST
COMPANY, 119 E BULLION ST,
HAILEY, ID 83333-8770 has filed
Application No. 89683 for changes
to the following water rights within
BLAINE County(s): Right No(s),
37-10725. The purpose of the transfer
is to change a portion of the above
rights as follows: Application proposes
moving a 0.1 cfs, 0.7-acre irrigation Big
Wood River water right from its current
location to a proposed 21-acre permis-
sible place of use (PPU) limited to 0.7
acres of irrigation, and changing the
point of diversion (POD) to an existing
POD. The current place of use (POU)
is located at 712 N. Main St in Bellevue
and the current POD is located approxi-
mately 2.3 miles north and 2.5 miles
west of the current POU. The proposed
PPU and POD are located approxi-
mately 2.1 to 2.3 miles north and 2.1
to 2.4 miles west of the current POU.

TRANSFER NO. 89680
BLACKBURN FARMING LLC, 535
GANNETT RD UNIT E, BELLEVUE,
ID 83313-5045 has filed Application
No. 89690 for changes to the following
water rights within BLAINE County(s):
Right No(s), 37-23083, 37-23084,
37-23085, 37-23086, 37-23087,
37-23088, 37-23089, 37-23090,
37-23091, 37-23092, 37-23093. The
purpose of the transfer is to change a
portion of the above rights as fol-
lows: Transfer application proposes
changing the place of use for a group
of seven Big Wood River irrigation
water rights diverted via the District 45
Canal and four groundwater irrigation
rights diverted from wells on a farm
located on the east side of Gannett
Road approximately 3.0 to 6.5 miles
south and 1.5 to 4.5 miles east of the
center of Bellevue. The eleven rights
currently allow for the irrigation of
1291.6 acres on the farm. The pro-
posed change in place of use modifies
a 24.8-acre portion of the eleven rights
to reflect actual irrigation practices on
the farm.

Permits will be subject to all prior water
rights. For additional information con-
cerning 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 applica-
tion on or before May 27, 2025. The
protestant must also send a copy of the
protest to the applicant.

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7 & 14, 2025

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that
the Sun Valley Planning & Zoning
Commission will hold a public hearing
on Thursday, May 22nd, 2025 at 9:00
AM in City Hall Council Chambers, 81
Elkhorn Road, Sun Valley, ID to hear
comments from the public concerning
the following items:

• DR 2025-35: Design Review
application for the installation of
artificial turf at a Community School
Sageview Campus Soccer Field.
Applicant: Community School Inc.
(property owner). Location: 1
Arrowleaf Road (Sageview
Campus Sub Block 1 & 2 & Road

Proof of legal
notice received
from Idaho Mtn
Express 5/1/2025



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

May 1, 2025

WOOD RIVER LAND TRUST COMPANY
119 E BULLION ST
HAILEY, ID 83333-8770

RE: Transfer No. 89683
Water Right No(s). 37-10725

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 **5/7/2025** and **5/14/2025**. 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 **May 27, 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, May 1, 2025 3:32 PM
To: Sunny (WD37)
Cc: Brittany (WD37)
Subject: Comment Letters for 37-23593, 37-23629, 89683 & 89690
Attachments: Comment letter to WD37 for 37-23593, 37-23629, 89683, 89690.docx; Application for Permit 37-23593.pdf; Application for Permit 37-23629.pdf; Transfer 89683 (Wood River Land Trust).pdf; Transfer 89690 (Blackburn Farming).pdf

Good afternoon Sunny,

Attached are (2) application for transfer and (2) applications for permit located 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 this information, 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
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

May 1, 2025

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

Re: Application for Permit No. 37-23593 (Lovas Trust)

Re: Application for Permit No. 37-23629 (Blackburn Farming LLC)

Re: Transfer No. 89683 (Wood River Land Trust)
Water Right No(s). 37-10725

Re: Transfer No. 89690 (Blackburn Farming)
Water Right No(s). 37-23083, etc.

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, May 1, 2025 12:04 PM
To: Dawson,Bradley
Subject: Comment Letter for Application for Transfer No. 89683 (Wood River Land Trust)
Attachments: Comment letter to F&G for 89683.docx; Transfer 89683 (Wood River Land Trust).pdf

Hi Bradley,

Attached is an application for transfer 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

May 1, 2025

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

Re: Transfer No. 89683 (Wood River Land Trust)
Water Right No(s). 37-10725

Dear Mr. Dawson:

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

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before May 27, 2025**).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 1, 2025 8:53 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 May 7th & 14th, 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



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Governor Brad Little

Director Mathew Weaver

May 1, 2025

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

RE: Application for Permit No(s). 37-23593, 37-23629

RE: Transfer No. 89683
Water Right No(s). 37-10725

RE: Transfer No. 89690
Water Right No(s). 37-23083, 37-23084, 37-23085, 37-23086, 37-23087,
37-23088, 37-23089, 37-23090, 37-23091, 37-23092, 37-23093

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 May 27, 2025. 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:

37-23593

BLACKBURN FARMING LLC

535 GANNETT RD UNIT E

BELLEVUE, ID 83313-5045

Point of Diversion NESW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Point of Diversion NESW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.33 CFS

Total Diversion: 0.33 CFS

Date Filed: 05-08-2024

Place Of Use: DOMESTIC

T01N R19E S17 SWNE, SENW, SWNW, NESW, NWSW, NESE, NWSE

Application proposes to drill two new wells for a community water system for a 50-home subdivision. The water is for in-house use only and wastewater is discharged into private septic systems. Irrigation water will be supplied by existing surface water and ground water irrigation rights. The proposed POU and POD's are located on the east side of Gannett Road approximately 2.9 miles south and 1.8 miles east of the Gannett Road & Highway 75 intersection in Bellevue. 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.

37-23629

LOVAS TRUST

57 S L ST UNIT 349

LIVERMORE, CA 94550-3172

Point of Diversion NWSW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWSW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.23 CFS

Total Diversion: 0.23 CFS

Date Filed: 11-06-2024

Place Of Use: DOMESTIC

T01N R19E S17 NWSW, SESW, SWSW

Place Of Use: DOMESTIC

T01N R19E S20 NENW

Application proposes to drill two new wells for a community water system for a 25-home subdivision. The water is for in-house use only and wastewater is discharged into private septic systems. Irrigation water will be supplied by existing surface water and ground water irrigation rights. The proposed POU and POD's are located on the west side of Gannett Road approximately 2.9 miles south and 1.7 miles east of the Gannett Road & Highway 75 intersection in Bellevue. 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. 89683**

WOOD RIVER LAND TRUST COMPANY, 119 E BULLION ST, HAILEY, ID 83333-8770 has filed Application No. 89683 for changes to the following water rights within BLAINE County(s): Right No(s). 37-10725. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.1 cfs, 0.7-acre irrigation Big Wood River water right from its current location to a proposed 21-acre permissible place of use (PPU) limited to 0.7 acres of irrigation, and changing the point of diversion (POD) to an existing POD. The current place of use (POU) is located at 712 N. Main St in Bellevue and the current POD is located approximately 2.3 miles north and 2.5 miles west of the current POU. The proposed PPU and POD are located approximately 2.1 to 2.3 miles north and 2.1 to 2.4 miles west of the current POU.

TRANSFER NO. 89690

BLACKBURN FARMING LLC, 535 GANNETT RD UNIT E, BELLEVUE, ID 83313-5045 has filed Application No. 89690 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092, 37-23093. The purpose of the transfer is to change a portion of the above rights as follows: Transfer application proposes changing the place of use for a group of seven Big Wood River irrigation water rights diverted via the District 45 Canal and four groundwater irrigation rights diverted from wells on a farm located on the east side of Gannett Road approximately 3.0 to 6.5 miles south and 1.5 to 4.5 miles east of the center of Bellevue. The eleven rights currently allow for the irrigation of 1291.6 acres on the farm. The proposed change in place of use modifies a 24.8-acre portion of the eleven rights to reflect actual irrigation practices on the farm.

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 **May 27, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on May 7th & 14th, 2025

M E M O R A N D U M

Date: April 21, 2025
To: Transfer 89683 File
From: Bill Mills
Re: Transfer Proposal

Application proposes moving a 0.1 cfs, 0.7-acre irrigation Big Wood River water right from its current location to a proposed 21-acre permissible place of use (PPU) limited to 0.7 acres of irrigation, and changing the point of diversion (POD) to an existing POD. The current place of use (POU) is located at 712 N. Main St in Bellevue and the current POD is located approximately 2.3 miles north and 2.5 miles west of the current POU. The proposed PPU and POD are located approximately 2.1 to 2.3 miles north and 2.1 to 2.4 miles west of the current POU.

Current POD, POU, proposed POD and proposed PPU are all located in Water District 37. Watermaster comments will be solicited.

M E M O R A N D U M

Date: April 21, 2025
To: Transfer 89683
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #88683 were based on the current transfer fee schedule and included \$200.00 for the 0.1 cfs transferred in the application (Receipt No.C119873). Applicant paid \$250.00 and a request for a \$50.00 refund to the applicant will be processed.

Mills, Bill

From: Mills, Bill
Sent: Monday, April 21, 2025 9:23 AM
To: IdwrPayable
Subject: Refund of Overpayment
Attachments: Receipt C119873.pdf

Wood River Land Trust Company filed a transfer application #89683 for water right 37-10725, a 0.1 cfs water right. The fee for this rate is \$200.00 and they Paid \$250.00 (receipt C119873; check #11818). Please refund the overpayment of \$50.00 to:

Wood River Land Trust Company
119 E. Bullion St
Hailey ID 83333

A copy of the receipt is attached.
Thank you!



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

Idaho Department of Water Resources Receipt

Receipt ID: C119873

Payment Amount	\$250.00	Date Received	1/17/2025 11:15 AM	Region	STATE
Payment Type	Check	Check Number	11818		
Payer	WOOD RIVER LAND TRUST COMPANY				
Comments	APPLICATION FOR TRANSFER FOR WOOD RIVER LAND TRUST CO, WATER RIGHT 37-10725 0.1 CFS DOCUMENT NUMBER: D59967				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$250.00	TRANSFERS	56105	0229	21		1155

COPY

Signature Line (Department Representative)

Mills, Bill

From: Keri York <keri@woodriverlandtrust.org>
Sent: Friday, April 11, 2025 11:53 AM
To: Mills, Bill
Subject: Re: Map and Updated Transfer Application Page 5
Attachments: Attachment 3C Revised Location Within POU.pdf

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,

Thank you for correcting the grid - I wasn't sure how to complete it. I agree with your corrected page 5.

I am attaching a map showing the proposed 0.7 acres within the POU later this week.

Mark Acker, of the Acker Partnership, said that they had been using the irrigation water to irrigate trees on their property throughout the dates he listed in his letter. Is that what you're looking for?

I appreciate your patience on this.

Thanks,
Keri

On Mon, Apr 7, 2025 at 9:39 AM Mills, Bill <Bill.Mills@idwr.idaho.gov> wrote:

Keri,

- There is one more issue that needs to be corrected before this transfer application can be processed. I apologize for not bringing it up sooner, but I needed to do some GIS work prior to addressing it. Both the initial page 5 and the amended page 5 place of use grids are incorrect. The acres for the permissible place of use need to match the submitted map. I made a GIS shape that matches the submitted map to figure out how many acres need to be identified in the grid. Turns out to be 21 acres, 15 acres in the NESE of Section 16, 5.8 in the NWSW and 0.2 in the SWSW of Section 15. I have attached a copy of the GIS map with the acres and an updated page 5 that shows how the POU grid on page 5 should be filled out. If you agree with the corrected page 5 let me know by email and I'll add it to the application. Additionally, as I mentioned in a previous email, we will need a map or GIS shapefile that identifies where within the 21-acre permissible place of use the 0.7 acres to be irrigated will be located.

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

--

Keri York

Land Protection Specialist

Wood River Land Trust

119 E Bullion Street

Hailey ID 83333

Ph: 208-788-3947

Cell: 360-907-9284

www.WoodRiverLandTrust.org



Attachment 3C: Map of Proposed System

37-10725
Existing POD

Proposed
POU

Proposed
POD

SWNE

SENE

SWNW

T02N
R18E
Sec16

T02N
R18E
Sec15

NWSE

NESE

NWSW

Cove Canal

- 37-10725
Existing POD
- Proposed POD
- Proposed POU
- Canals and
Ditches
- Proposed
Location within
POU

Mills, Bill

From: Mills, Bill
Sent: Thursday, April 3, 2025 9:48 AM
To: Keri York
Subject: RE: Water transfer application additional documentation

I'll do that,
Bill

From: Keri York <keri@woodriverlandtrust.org>
Sent: Thursday, April 3, 2025 9:43 AM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Subject: Re: Water transfer application additional documentation

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,
Thank you for the response. I'll be out of the office until Monday - Can you hold off on processing our application until next week? I appreciate it.
Thanks,
Keri

On Thu, Apr 3, 2025 at 8:50 AM Mills, Bill <Bill.Mills@idwr.idaho.gov> wrote:

Hi Keri,

Thank you for the additional attachments.

I have responded to your questions regarding the additional documentation below:

1. In the attached Page 5, I've described the POD down to the 40-acre tract. I used the description for other water rights with the same POD, so please let me know if isn't correct.

You have described this point of diversion (SENESE) down to the 10-acre tract which is more than sufficient.

2. Also, we'd like to expand the new POU to include more WRLT land, but still limiting the total acreage to 0.7 acres. I've described those additional areas on the attached Page 5 and updated Attachment 3C.

The Department will require the WRLT to provide a map or shapefile that indicates where the 0.7 acres will be utilized within the POU prior to potentially approving this transfer application. Additionally, a condition will be placed on the water right that requires the map or shapefile be updated before moving the 0.7 acres to another location within the POU.

3. To help answer your question on 4A-2, I've received the attachment from Mark Acker describing the historic water use on the original POU and his discussions with IDWR since. Please let me know if this will answer this question, or if I can provide any more information.

Attachment 4A-2 addresses delivery of the water right, but not actual use of the water. Mr. Acker's letter states "We used the water and paid the dues from 1995 until 2021." However, Satellite imagery dating back to 2004 indicates that the place of use had been completely developed into a building and a parking lot which would prevent irrigation at the authorized place of use.

Idaho Code § 42-222(2) states "All rights to the use of water acquired...shall be lost and forfeited by a failure for a term of five (5) years to apply it to the beneficial use for which it was appropriated..."

Without providing actual evidence of irrigating the ground it was intended for,

The validity of this water right is still in question.

I'm open to holding off on processing this transfer application if someone can provide us with additional information that supports the validity of this water right. However, I am currently planning on processing the application and forwarding it to advertising as it has been on hold since late January.

I have also attached a transfer withdrawal form for your convenience.

Thanks again!

Sincerely,



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

From: Keri York <keri@woodriverlandtrust.org>

Sent: Tuesday, April 1, 2025 5:08 PM

To: Mills, Bill <Bill.Mills@idwr.idaho.gov>

Subject: Water transfer application additional documentation

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,

I apologize that it's taken me so long to get back to you on our water right transfer application. I appreciate your patience while I've worked through this. I am attaching a few documents that will hopefully answer the questions in your Jan 31 letter.

1. In the attached Page 5, I've described the POD down to the 40-acre tract. I used the description for other water rights with the same POD, so please let me know if it isn't correct.

2. Also, we'd like to expand the new POU to include more WRLT land, but still limiting the total acreage to 0.7 acres. I've described those additional areas on the attached Page 5 and updated Attachment 3C.

3. To help answer your question on 4A-2, I've received the attachment from Mark Acker describing the historic water use on the original POU and his discussions with IDWR since. Please let me know if this will answer this question, or if I can provide any more information.

I hope that these attachments will work to help transfer the POD and POU of this water right. Please let me know if there is additional information I can provide.

Thank you,

Keri

--

Keri York

Land Protection Specialist

Wood River Land Trust

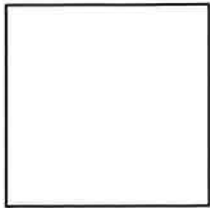
119 E Bullion Street

Hailey ID 83333

Ph: 208-788-3947

Cell: 360-907-9284

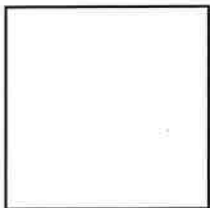
www.WoodRiverLandTrust.org



--

Keri York
Land Protection Specialist

Wood River Land Trust
119 E Bullion Street
Hailey ID 83333
Ph: 208-788-3947
Cell: 360-907-9284
www.WoodRiverLandTrust.org



Mills, Bill

From: Mills, Bill
Sent: Thursday, April 3, 2025 8:51 AM
To: Keri York
Subject: RE: Water transfer application additional documentation
Attachments: withdrawal-of-application-for-transfer-1.pdf

Hi Keri,
Thank you for the additional attachments.
I have responded to your questions regarding the additional documentation below:

1. In the attached Page 5, I've described the POD down to the 40-acre tract. I used the description for other water rights with the same POD, so please let me know if it isn't correct.

You have described this point of diversion (SENESE) down to the 10-acre tract which is more than sufficient.

2. Also, we'd like to expand the new POU to include more WRLT land, but still limiting the total acreage to 0.7 acres. I've described those additional areas on the attached Page 5 and updated Attachment 3C.

The Department will require the WRLT to provide a map or shapefile that indicates where the 0.7 acres will be utilized within the POU prior to potentially approving this transfer application. Additionally, a condition will be placed on the water right that requires the map or shapefile be updated before moving the 0.7 acres to another location within the POU.

3. To help answer your question on 4A-2, I've received the attachment from Mark Acker describing the historic water use on the original POU and his discussions with IDWR since. Please let me know if this will answer this question, or if I can provide any more information.

Attachment 4A-2 addresses delivery of the water right, but not actual use of the water. Mr. Acker's letter states "We used the water and paid the dues from 1995 until 2021." However, Satellite imagery dating back to 2004 indicates that the place of use had been completely developed into a building and a parking lot which would prevent irrigation at the authorized place of use.

Idaho Code § 42-222(2) states "All rights to the use of water acquired...shall be lost and forfeited by a failure for a term of five (5) years to apply it to the beneficial use for which it was appropriated..."

Without providing actual evidence of irrigating the ground it was intended for, The validity of this water right is still in question.

I'm open to holding off on processing this transfer application if someone can provide us with additional information that supports the validity of this water right. However, I am currently planning on processing the application and forwarding it to advertising as it has been on hold since late January.

I have also attached a transfer withdrawal form for your convenience.

Thanks again!

Sincerely,



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

From: Keri York <keri@woodriverlandtrust.org>

Sent: Tuesday, April 1, 2025 5:08 PM

To: Mills, Bill <Bill.Mills@idwr.idaho.gov>

Subject: Water transfer application additional documentation

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,

I apologize that it's taken me so long to get back to you on our water right transfer application. I appreciate your patience while I've worked through this. I am attaching a few documents that will hopefully answer the questions in your Jan 31 letter.

1. In the attached Page 5, I've described the POD down to the 40-acre tract. I used the description for other water rights with the same POD, so please let me know if it isn't correct.
2. Also, we'd like to expand the new POU to include more WRLT land, but still limiting the total acreage to 0.7 acres. I've described those additional areas on the attached Page 5 and updated Attachment 3C.
3. To help answer your question on 4A-2, I've received the attachment from Mark Acker describing the historic water use on the original POU and his discussions with IDWR since. Please let me know if this will answer this question, or if I can provide any more information.

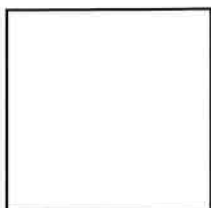
I hope that these attachments will work to help transfer the POD and POU of this water right. Please let me know if there is additional information I can provide.

Thank you,
Keri

--

Keri York
Land Protection Specialist

Wood River Land Trust
119 E Bullion Street
Hailey ID 83333
Ph: 208-788-3947
Cell: 360-907-9284
www.WoodRiverLandTrust.org





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

January 31, 2025

Wood River Land Trust Company
119 E. Bullion St
Hailey, ID 83333

To All Whom It Concerns:

This letter is in reference to an application for transfer that you submitted to the Department on 1/17/2025. Review of the application indicates it is incomplete as submitted.

On page 5 of the transfer application, the point of diversion is described as in the SE of Twp 02N, Rge 18E, Sec. 16. This legal description identifies a 160-acre tract. Per the instructions on the transfer application (page 4, section 3), 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)." Please provide the proper legal description down to the proper 40-acre tract for this point of diversion.

The second item making this application incomplete is the provided Attachment 4A-2 response to Part 4.A.2 (Validity of Water Rights) asking "Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?" The box was checked Yes as a response to the question. Immediately following the check box, the application states: "Attach a statement describing the portion of the water 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 or forfeited for non-use."

The provided documentation Attachment 4A-2 states that "Water right 37-10725 has not been delivered to its current POU for several years." The statement does not indicate a specific length of time as required by the application. Additionally, please provide a more detailed description identifying actual time frames as to why the water right has not been lost and forfeited for non-use in relation to both the development of the Place of use and delivery of the water right. You may also consider providing additional documentation, such as statements from neighbors, water delivery records from the water district, etc., with the updated attachment.

I will hold your transfer application for 30 days, to give you time to submit the requested information. To correct the legals for the POD, a simple email or letter that properly identifies the legal description for the POD or an updated Page 5 of the transfer application will suffice. An updated Attachment 4A-2 and other documentation may also be mailed or emailed directly to me at bill.mills@idwr.idaho.gov. If I do not receive the requested items within 30 days, I will return the transfer application to you and process a request to refund the submitted fees.

Another option for you to consider is to withdraw the transfer application. If the transfer is withdrawn before we begin processing the application for advertising, you will receive a full refund of the submitted fees.

Please feel free to contact me by phone, (208) 736-3033, or by the email listed above, if you have any questions or concerns.

Sincerely,



Bill Mills

Sr Water Resource Agent

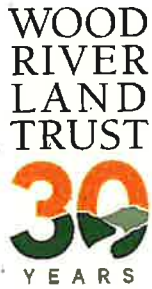
Idaho Dept. of Water Resources, Southern Region

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 736-3033

bill.mills@idwr.idaho.gov



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Kathleen Bean

Ed Cutter

Ranney Draper

Susan Flynt

Jack Kueneman

Kathie Levison

Sue Orb

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Amy Trujillo



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WoodRiverLandTrust.org
Federal ID: 82-0474191

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JAN 17 2025

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 24 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1/14/25

Dear IDWR staff,

I am enclosing two water right forms and payments. One is an application for change of ownership of three water rights. The other is a transfer application for one of the water rights included in the ownership application.

Please forward to the appropriate IDWR staff. Please ~~contact me~~ contact me if any additional information would be helpful.

Thank you,

Keri York

Land Protection Specialist